

# **Draft Moving to Work (MTW) 2017 Annual Plan**

**Housing Authorities of the  
County of Santa Clara &  
City of San José**

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**Housing Authority of the County of Santa Clara (HACSC)**

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*HACSC's mission is to provide and inspire affordable housing solutions to enable low-income people in Santa Clara County to achieve financial stability and self-reliance.*

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## I. INTRODUCTION

### **Purpose of this Plan**

In 1967, the Santa Clara County Board of Supervisors established the Housing Authority of the County of Santa Clara (HACSC). HACSC has an agreement with the City of San José to administer and manage the Housing Authority of the City of San José (HACSJ)'s Housing Choice Voucher program. This MTW Plan presents a consolidated strategy to be implemented for both the County and City programs.

In 2008, HACSC entered into a 10-year agreement with the Department of Housing and Urban Development (HUD) to become a Moving to Work (MTW) agency. This MTW Annual Plan illustrates how HACSC proposes to carry out the MTW program in Fiscal Year 2017 (FY2017) from July 1, 2016 through June 30, 2017. The MTW Plan is an annual requirement by HUD and systematically describes how each activity advances HACSC's vision and goals within the framework of the MTW charter.

### **What is MTW?**

Established by Congress in 1996, MTW is a Federal demonstration program that links broad Federal goals with locally-designed initiatives. MTW encourages select housing authorities to propose and, upon HUD approval, implement innovative changes to the way affordable housing programs are administered in order to meet at least one of the following three broad Federal goals:

1. Decrease administrative costs and increase cost effectiveness in housing program operations,
2. Promote participants' economic self-sufficiency, and
3. Expand participants' housing choices.

MTW requires HACSC to strive for these goals while ensuring that the Agency continues to serve substantially the same mix of tenants (in terms of income level and family size) and at least as many households as the Agency had before its MTW status.

### **HACSC's Vision and Goals**

In FY2014, HACSC developed a five-year Strategic Plan to guide the Agency's direction over the long range. The Strategic Plan affirmed HACSC's mission to provide and inspire affordable housing solutions that enable low-income people in Santa Clara County to achieve financial stability and self-reliance, identified the Agency's core values, and established HACSC's short-term and long-term goals built upon MTW objectives.

Using the Strategic Plan as a compass, HACSC is pursuing strategies within FY2017 and beyond that will set the foundation for the Agency to fulfill its MTW and non-MTW long-term goals.

### **HACSC's Short-Term Goals and Proposed MTW Activities for Fiscal Year 2017**

Beginning in late Fiscal Year 2015 and continuing through the present, HACSC has been engaged in developing a set of policies that will guide the agency in how best to allocate its scarce resources in the coming years. In August 2015, HACSC completed the community engagement and information gathering portion of the Housing Resources and Voucher Allocation Policy (HRVAP) process. HACSC engaged stakeholders within Santa Clara County to contribute their input on a range of program topics that are now informing HACSC's development of policies that affect the allocation of its MTW resources.

Throughout the HRVAP process, 669 individuals were engaged in the public policy effort. Meeting attendees included: voucher holders, waitlist registrants, general community members, landlords, developers, city and County staff and community based organizations. Thirty-seven percent of participants engaged in the HRVAP process were current voucher holders.

One of the outcomes of the HRVAP process was that HACSC should serve other special needs populations (SNPs) in addition to the chronically homeless (currently served through MTW Activity 2009-5) that are not best served through a waiting list process. A goal for FY2017, is to meet with major stakeholders in the SNP service-provider and advocacy community to identify which SNPs need to be served and the best means to deliver assistance. One of the proposed activities in this draft plan will create the framework on which the SNP policy will be built, essentially allowing the agency to allocate a portion of available vouchers to SNP's who will receive federal rental assistance *and* locally funded services.

Additionally, HACSC's Focus Forward program, originally designed as a pilot program that would replace and enhance the traditional HUD Family Self-Sufficiency Program, will be revamped in FY2017 and re-proposed in HACSC's FY2018 MTW Plan. HACSC used MTW funds to hire a consulting firm to support the re-development of the Focus Forward program. The firm was selected based on its success facilitating the HRVAP outreach process, and knowledge of the Section 8 program. The consultant kicked off the Focus Forward project in January 2016 and HACSC expects that the final implementation plan, including a budget and staffing plan will be completed by July, 2016.

HACSC's Local Programs Unit continues work on the development of the Park Avenue property, which was purchased with MTW funds. The agency will construct two new affordable housing projects: Park Avenue Senior Apartments and Laurel Grove Apartments. Park Avenue Apartments will provide 100 units of senior housing and Laurel Grove will provide 82 units of family housing on a two acre site in downtown San Jose immediately adjacent to a public transportation hub for light rail, trains and buses. HACSC has applied for financing in the form

of tax credits and California debt limit bonds and expects to commence construction on July 2016, with an anticipated completion date of late 2017.

Furthermore, HACSC's Information Technology and Facilities Department is striving to improve how the agency works with internal staff, program participants and community partners. Short-term goals that the Department will be working on in FY2017 include developing strategic business partnerships with internal customers to streamline improvements to the work processes, implementing an agency intranet to improve collaboration between departments, consolidating aging single-purpose printers, copiers and fax machines into new high speed multi-function devices to improve productivity and lower cost, and offering electronic signatures for customer forms to reduce process times.

Lastly, a major priority for HACSC this year is to ensure that the Housing Choice Voucher program, despite record high increases in local rents, continues to operate in an effective way. Three of its four proposed activities in FY2017 address the need to stabilize leasing rates in an extremely volatile rental housing market.

The following activities are proposed in Section III of this MTW Plan:

- *Proposed Activity 2017-1: Phasing In a Subsidy Standard Change.* HACSC is planning to change its subsidy standard to two persons per bedroom (currently HACSC pays for a room for the Head of Household and their spouse, partner or significant other and an additional room for every two remaining household members). HACSC proposes that if a household's voucher size changes due to the subsidy size change, the new voucher size would not take effect for households in a unit under a Housing Assistance Payment contract until (1) the family moves; or (2) the rental market vacancy rate remains five percent or higher for at least six months, whichever occurs first. The policy will provide a minimum notice period if/when the rental market vacancy hits its mark for the required period.
- *Proposed Activity 2017-2: Special Needs Population Direct Referral Program.* HACSC is requesting an exception to Section 8 waiting list regulations to create a direct referral program for certain special needs populations who are not best served through a waiting list (such as disabled individuals at risk of institutionalization or transition aged youth). This activity will give HACSC the flexibility to work directly with community partners to rapidly house and provide supportive services to vulnerable populations.
- *Proposed Activity 2017-3: Landlord Initiatives.* HACSC is requesting to use its MTW authority to issue vacancy payments to Section 8 owners who re-rent their units to HACSC program participants. This activity will support the recruitment of new, and retention of current Section 8 landlords.
- *Proposed Activity 2017-4: Setting Payment Standards above 110 Percent of HUD Fair Market Rents (originally proposed as Activity 2017-1).* HACSC is requesting the flexibility to set its county-wide payment standards up to a maximum of 130 percent of the Fair Market Rent (FMR), without HUD approval. This activity will give HACSC participants the ability to be more competitive in the high priced and volatile Santa Clara County rental

market. When HACSC first proposed this activity in its draft FY2017 MTW Plan, submitted to HUD on April 11 of this year, it did not set a maximum cap on how high the payment standard could be set. HUD requested that HACSC provide a maximum cap and re-propose the activity, allowing an additional 30-day period for the public to review and respond.

### **HACSC's Long-Term Vision**

HACSC continues to focus on its vision and core values, as guided by its five-year Strategic Plan. Every six months, HACSC reports to its Board the progress on action items and performance measures developed from the Agency's Strategic Plan Goals. This accountability measure provides a transparent status report to both internal and external stakeholders on how HACSC's initiatives align with the Strategic Plan.

The State's elimination of tax increment funds for affordable housing and closure of redevelopment agencies has spurred local governments and HACSC to work together to look for alternative means to increase the supply of affordable housing in the County. Most recently, HACSC launched a long-term initiative to increase the number of affordable housing units in Santa Clara County by soliciting proposals for up to 1,000 Project-Based Vouchers (PBVs).

On October 20, 2015, HACSC initiated the process by releasing a Request for Proposals (RFP) from qualified developers with eligible projects for the award of up to 1,000 Section 8 PBVs and 200 Veterans Affairs Supportive Housing (VASH) program vouchers that will serve eligible low income individuals and families, particularly special needs populations and homeless veterans. HACSC received a total of 19 proposals requesting 901 Section 8 PBVs and 74 VASH PBVs. HACSC staff, together with staff of the City of San Jose's Housing Department and Santa Clara County Office of Supportive Housing evaluated the eligible proposals and selected nine proposals for the conditional award of 443 Section 8 PBVs and 74 VASH PBVs. HACSC anticipates the award of the remaining 557 Section 8 PBVs and 126 VASH PBVs by issuing a separate RFP and/or utilizing MTW Activity 2016-2, Streamlining of PBV Competitive Selection Requirements, which eases HUD restrictions on using other local government competitive selection processes to award PBVs.

In addition to fostering growth in affordable housing, HACSC's Information Technology and Facilities Department is focused on implementing a space planning effort, which will maximize the use of employee work stations, meeting rooms, client meeting areas, public spaces and the overall use of HACSC's office building. The emphasis on space planning will ensure that HACSC staff operate in an optimal work environment that will enhance how services are administered to clients.

HACSC will continue to preserve and improve its existing housing portfolio and expand the availability of new affordable housing to meet community needs. HACSC has created a pool of

non-federal funds to continue the preservation and rehabilitation of existing HACSC-managed units. HACSC will continue to look for other opportunities to invest in new housing opportunities within the County.



### OVERVIEW OF HACSC'S MTW ACTIVITIES

Note: Closed out activities 2009-3, 2009-4, 2009-6, 2009-7, 2009-10, 2009-12, 2010-1, 2012-1, and 2015-1 are not shown.

ACTIVITY # (PLAN YEAR PROPOSED + ACTIVITY #)	ACTIVITY	MTW STATUTORY OBJECTIVES		
		REDUCE COST AND ACHIEVE GREATER COST EFFECTIVENESS IN FEDERAL EXPENDITURES	PROVIDE INCENTIVES TO FAMILIES LEADING TOWARD ECONOMIC SELF SUFFICIENCY	INCREASE HOUSING CHOICES FOR LOW- INCOME FAMILIES
IMPLEMENTED ACTIVITIES				
2009-1 (amended in FY2016)	Reduced Frequency of Tenant Reexaminations	X	X	
2009-2	Expediting the Initial Eligibility Income Verification Process	X		
2009-5	Exploring New Housing Opportunities for the Chronically Homeless			X
2009-8	30-Day Referral Process for Project-based Vacancies	X		
2009-9	Utilization of Low Income Housing Tax Credit (LIHTC) Tenant Income Certification (TIC) for Income and Asset Verification	X		
2009-11	Project-Base 100 Percent of Units in Family Projects			X
2009-13	Combined Waiting Lists for the County of Santa Clara and the City of San José	X		
2009-14 (amended in FY2014)	Payment Standard Changes Between Regular Reexaminations	X		
2010-2	Excluding Asset Income from Income Calculations for Families with Assets Under \$50,000	X		
2010-3	Applying Current Increased Payment Standards at Interim Reexaminations	X		
2010-4	Allocating Project-Based Vouchers to HACSC-Owned Projects Without Competition	X		
2010-5	Assisting Over-Income Families Residing at HACSC-owned Project-Based Voucher Properties			X

ACTIVITY # (PLAN YEAR PROPOSED + ACTIVITY #)	ACTIVITY	MTW STATUTORY OBJECTIVES		
		REDUCE COST AND ACHIEVE GREATER COST EFFECTIVENESS IN FEDERAL EXPENDITURES	PROVIDE INCENTIVES TO FAMILIES LEADING TOWARD ECONOMIC SELF SUFFICIENCY	INCREASE HOUSING CHOICES FOR LOW- INCOME FAMILIES
2011-1	Streamlined Approval Process for Exception Payment Standard for Reasonable Accommodation – HCV			X
2011-2	Simplify Requirements Regarding Third-party Inspections and Rent Services	X		
2012-2	Minimum Two-year Occupancy in Project-Based Unit	X		
2012-3	Create Affordable Housing Acquisition and Development Fund	X		X
2012-4	Create Affordable Housing Preservation Fund for HACSC- and Affiliate-owned Properties	X		X
2012-5	Expand Tenant Services at HACSC- or Affiliate-owned Affordable Housing Properties		X	
2013-1	Elimination of the Earned Income Disallowance (EID) Calculation	X		
2014-1	Focus Forward Program	X		
2014-2	Eliminate Requirement to Re-Determine Rent Reasonableness when HUD Decreases Fair Market Rents (FMRs)	X		
2014-3	Freeze on Contract Rent Increases	X		
2014-4 (amended in FY2015)	Increased Tenant Contribution—Up to 35 Percent of Gross Income	X		
2015-2	Project-Based Voucher Inspection Self-Certification	X		
2015-3	Modified Elderly Definition for PBV			X
2016-1	Restriction on Head of Household Changes		X	
2016-2	Streamlining of PBV Competitive Selection Requirements	X		

## II. GENERAL HACSC OPERATING INFORMATION

### II.1.Plan.HousingStock

#### A. MTW Plan: Housing Stock Information

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

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

Total Public Housing Units to be Added

N/A

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

If Other, please describe: N/A

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

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

Total Number of  
Units to be Removed

0

New Housing Choice Vouchers to be Project-Based During the Fiscal Year			
Property Name	Anticipated Number of New Vouchers to be Project-Based *	Description of Project	
Santa Clara Inn	27	Permanent supportive housing project that will be created out of an existing commercial motel. The property currently has 31 units that are traditional motel units and 28 units that are currently used as extended stay motel units.	
N/A	0	N/A	
N/A	0	N/A	
N/A	0	N/A	
<b>Anticipated Total New Vouchers to be Project-Based</b>	27	Anticipated Total Number of Project-Based Vouchers Committed at the End of the Fiscal Year	1,337
		Anticipated Total Number of Project-Based Vouchers Leased Up or Issued to a Potential Tenant at the End of the Fiscal Year	1,337
*New refers to tenant-based vouchers that are being project-based for the first time. The count should only include agreements in which a HAP agreement will be in place by the end of the year.			

Other Changes to the Housing Stock Anticipated During the Fiscal Year
In FY2017, HACSC is project-basing 16 units at Vermont House through the PBV-VASH program for veterans.
N/A
N/A
Examples of the types of other changes can include but are not limited to units that are held off-line due to the relocation of residents, units that are off-line due to substantial rehabilitation and potential plans for acquiring units.

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

HACSC plans on utilizing up to \$20 million in MTW financing for the Park Avenue property, which is described on page 5 under "Short Term Goals and Proposed MTW Activities."

## II.2.Plan.Leasing

## B. MTW Plan: Leasing Information

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

MTW Households to be Served Through:	Planned Number of Households to be Served*	Planned Number of Unit Months Occupied/Leased***
Federal MTW Public Housing Units to be Leased	4	48
Federal MTW Voucher (HCV) Units to be Utilized	16,671	200,052
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Property-Based Assistance Programs **	252	3,024
Number of Units to be Occupied/Leased through Local, Non-Traditional, MTW Funded, Tenant-Based Assistance Programs **	0	0
<b>Total Households Projected to be Served</b>	<b>16,927</b>	<b>203,124</b>

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

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

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

## Reporting Compliance with Statutory MTW Requirements

If the PHA has been out of compliance with any of the required statutory MTW requirements listed in Section II(C) of the Standard MTW Agreement, the PHA will provide a narrative discussion and a plan as to how it will return to compliance. If the PHA is currently in compliance, no discussion or reporting is necessary.

Not applicable.

Description of any Anticipated Issues Related to Leasing of Public Housing, Housing Choice Vouchers and/or Local, Non-Traditional Units and Possible Solutions	
Housing Program	Description of Anticipated Leasing Issues and Possible Solutions
Federal MTW Public Housing Units	HACSC did not have any issues associated with leasing these units.
Housing Choice Voucher (HCV)	HCV program applicants and participants are experiencing challenges in finding suitable housing. Santa Clara County is one of the most expensive areas in the country for rental housing, and rents continue to increase every year. The average rents are substantially higher than the area's HUD Fair Market Rents (FMRs) and the current vacancy rate for the County is less than three percent. In FY2016, HACSC continued an intensive owner recruitment and retention program and instituted tenant housing search workshops. Also, HACSC raised the payment standards to 110% of the Fair Market Rent.
Federal MTW Non-Traditional Activities	HACSC did not have any issues associated with leasing these units.

II.3.Plan.WaitList				
C. MTW Plan: Wait List Information				
Wait List Information Projected for the Beginning of the Fiscal Year				
Housing Program(s) *	Wait List Type**	Number of Households on Wait List	Wait List Open, Partially Open or Closed***	Are There Plans to Open the Wait List During the Fiscal Year
Federal MTW Public Housing Units	Community wide	743	Closed	No
Federal MTW Housing Choice Voucher Program	Program Specific	17,647	Closed	No
Project-Based Local, Non-Traditional MTW Housing Assistance Program	Site-based	3,700	Closed	No

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

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

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

Not-Applicable

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

HACSC used MTW funds for the development of Ford and Monterey Apts.-3000 on WL, and the rehabilitation of Clarendon-300 on WL and Bendorff, 400 on WL.

If Other Wait List Type, please describe:

Not-Applicable

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

None

### III. PROPOSED MTW ACTIVITIES (HUD Approval Requested)

This section describes the new MTW activities that HACSC proposes to implement in FY2017.

#### Phasing in a Subsidy Standard Change (Proposed Activity 2017-1)

##### DESCRIPTION OF MTW ACTIVITY

HACSC proposes that if a household's voucher size changes due to a change in the agency's subsidy standard policy, the new voucher size would not take effect for households in a unit under a Housing Assistance Payment (HAP) contract until (1) the family moves; or (2) the rental market vacancy rate remains 5 percent or higher for at least six months, whichever occurs first. HACSC is planning to revise its subsidy standard to two persons per bedroom (currently HACSC pays for one bedroom for the Head of Household and their spouse or partner, if any, and an additional bedroom for every two remaining household members). This policy change will affect approximately 3,000 Section 8 families. Activity 2017-1 will allow for the subsidy size reduction without requiring families to move in a difficult rental market. If approved, HACSC would establish a policy that would set detailed administrative parameters for implementing this activity, including providing a minimum notice period to the family before applying the reduced voucher size in the rent calculation.

Under HUD regulations, a decreased payment standard is applied at the second annual reexamination following the change. Because of HACSC's two- to three-year reexamination cycle, the Agency developed an MTW activity (Activity 2009-14) that provides for an immediate change to the voucher size and its corresponding payment standard when changes in family composition or subsidy standard occur. If the application of the new payment results in an increase in the tenant's rent portion, the reexamination effective date will be the first of the month following a 30-day notice to the tenant and owner. Proposed activity 2017-1 will ameliorate the timeline of MTW Activity 2009-14 when applying a new voucher size and payment standard due to a decrease in HACSC's subsidy standard during a difficult rental market. The original 30-day timeline outlined in Activity 2009-14 will continue to apply for voucher size changes that occur due to a change in the family's composition.

Santa Clara County is currently in the grip of an extremely constricted rental market. As Silicon Valley's economy booms, its rental market has become the most expensive in the nation, according to a CNN Money ranking in August, 2015. The median rent for a unit in San José is \$3,376 and owners benefit from a 3 percent vacancy rate. Voucher holders, with an average annual income of \$16,000 in a county with an annual median income of over \$100,000, cannot compete with open market renters. HACSC has no desire to force a Section 8 family impacted by a reduced subsidy size to search for a less expensive home in the current rental market. A review of vacancy rates in Santa Clara County's rental market over the last ten years shows that the vacancy rate has risen to 5 percent or above only once—in 2009, when Santa Clara County was feeling the effects of the great recession of 2008-2009. This activity will allow Section 8



tenants under an active HAP contract to retain their current subsidy level when moving is impractical due to market conditions. HACSC staff will monitor the vacancy rate quarterly by utilizing the online rental market database, RealFacts.

If vacancy rates rise to 5 percent or higher for two quarters (six months) in a row, HACSC will provide a generous minimum notice period to the family before applying the reduced voucher size in the rent calculation.

#### **RELATION TO STATUTORY OBJECTIVES**

This activity will increase housing choices for low-income families by not forcing any family who is impacted by a reduction in HACSC's subsidy size policy to move in a difficult rental market.

#### **ANTICIPATED IMPACT OF THE ACTIVITY**

HACSC expects that this activity will allow the Agency to reap the benefit of new subsidy standards for families newly admitted to Section 8 and for movers without impacting assisted families under a current Housing Assistance Payment contract.

#### **ANTICIPATED SCHEDULE FOR ACHIEVING THE STATED OBJECTIVES**

Upon approval, HACSC will apply this activity immediately.

#### **PROPOSED BASELINES, BENCHMARKS, METRICS and DATA COLLECTION**

Data related to this activity will be collected at least annually from the Agency's electronic database, Emphasys Elite. As this activity is implemented, HACSC may revise the activity's metrics and further quantify and refine its performance baselines and benchmarks.

<b>Activity 2017-1: Phasing in Subsidy Standard Change</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Projected Outcome</b>	<b>Benchmark Achieved?</b>
<b>CE#5: Increase in Agency Rental Revenue</b>				
Rental Revenue in dollars (increase)				

#### **AUTHORIZATION FOR THE ACTIVITY**

This proposed activity is authorized in HACSC's Moving to Work Agreement, Attachment C, Paragraph D (2) (a) and waives certain provisions of Section 8 (o)(1), 8 (o)(2), 8 (o)(3), 8 (o)(10), and 8 (o)(13)(H)-(I) of the 1937 Act and 24 C.F.R. 982.508, 982.503, 982.505 and 982.518, as necessary to implement the Agency's Annual MTW Plan. This authorization is needed to waive the requirement of applying a decreased payment standard amount for a household at their second annual reexamination due to a subsidy decrease.

**RENT REFORM IMPACT ANALYSIS, HARDSHIP CASE CRITERIA, ANNUAL REEVALUATION AND TRANSITION PERIOD**

This activity does not qualify as a Rent Reform Initiative.

**Special Needs Population Direct Referral Program  
(Proposed Activity 2017-2)****DESCRIPTION OF MTW ACTIVITY**

In January 2015, HACSC initiated a public process to develop a Housing Resource and Voucher Allocation Policy (HRVAP). HACSC engaged stakeholders within Santa Clara County to contribute their input on a range of program topics that will inform HACSC's development of policies that guide the Agency's use of its MTW resources, and align with the objectives of its strategic plan. One of the major topics discussed was whether HACSC should allocate a portion of its turnover vouchers to special needs populations (SNPs) that may not be best served through the traditional waiting list process. Some examples of SNPs include, but are not limited to: disabled individuals at risk of institutionalization, and transition aged youth (youth transitioning out of foster care who are at risk of becoming homeless).

With its Moving to Work (MTW) authority, and similar to activity 2009-5, which created a direct referral program for the chronically homeless, HACSC and designated community partners will target vouchers to SNPs as follows:

- HACSC will initially assign 100 turnover vouchers to designated SNPs, determine program eligibility and provide rental assistance;
- A community partner will provide referrals of clients to HACSC and case management to the designated SNPs.

Stakeholder groups engaged through the HRVAP outreach process supported HACSC's creation of a policy that focused on housing some of Santa Clara County's most vulnerable SNPs above and beyond those who might be assisted from the Section 8 Housing Choice Voucher waiting list—and also expressed interest in having representative groups from each special need population to participate in the development of the aforementioned policy. Questions asked by community stakeholders, related to the development of a policy/program to allocate housing resources to SNPs include, but aren't limited to:

- How would SNPs be prioritized?
- What agency or agencies will provide direct referrals?

HACSC hosted its first public planning meeting on May 31, 2016--and 29 individuals, representing 18 non-profit and government agencies were in attendance.

After the meeting, a Request for Interest and Information (RFII) was issued to both meeting attendees and an extensive contact list of community partners who did not attend the meeting. The RFII is a tool that will identify agencies that meet the minimum qualifications (i.e. provide case management services) to enter into a partnership with HACSC, as it relates to the SNP Direct Referral Program. In response, HACSC received 9 RFII applications and is in the process of evaluating the submissions.

The RFI is the first in a series of steps to select partnering agencies—the next step is an interview process with agencies that meet the minimum qualifications. HACSC has established an Evaluation Committee, consisting of internal staff and external partners, that will evaluate submitted applications and interview the applicants.

HACSC started the planning efforts prior to HUD approval due to the amount of stakeholders involved in the process, and length of time it will take to plan and implement the program. Community partners expressed concern during the FY2017 MTW Plan outreach process about waiting for HUD approval to begin planning—as it would cause delays, and the community has prioritized housing SNPs. If this activity is approved by HUD, HACSC and community partners will have a head start on the planning process.

Additionally, HACSC has kept fair housing at the forefront of the planning process including the assurance that qualifying participants on HACSCs waiting list will have access to this program. HACSC will identify and offer assistance to qualifying participants from its waiting list before accepting referrals from partnering agencies.

Furthermore, the HACSC team members working on the SNP Direct Referral Program have reviewed fair housing law, including but not limited to, Notice PIH 2012-31 and (CFR) 982.207 and also consulted with a law firm that specializes in fair housing. HACSC is determined to select the most viable agencies to provide referrals and supportive services to program participants and has a deep commitment to complying with fair housing law.

Lastly, once SNP Direct Referral applicants are referred by the case management agency, the HCV program policies and rent structure will apply to the applicants and the program. The only difference between the HCV program and the SNP Direct Referral Program is that program participants will be directly referred for housing assistance from the designated case management agency instead of going through the traditional waiting list process and will continue to receive ongoing support from the case management agency. Once special needs populations and case management agencies are selected, staff will present the draft SNP policy to the Agency's Board of Commissioners for final approval.

#### **RELATION TO STATUTORY OBJECTIVES**

This activity addresses the statutory objective of increasing housing choices for low income families by directly referring Santa Clara County's most vulnerable SNPs from those agencies who work with and provide supportive services for those populations, thus bypassing the standard HACSC-held waiting list.

#### **ANTICIPATED IMPACT OF THE ACTIVITY**

Through this activity, HACSC will initially allocate 100 of its turnover vouchers to SNP participants through a direct referral program. The anticipated impact is that housing opportunities, through partnerships with community stakeholders will increase for some of Santa Clara County's most vulnerable populations. In addition to increasing housing opportunities for SNPs—HACSC will strengthen its relationship with community stakeholders

through the establishment of cooperative and direct partnerships to meet an identified community need.

#### ANTICIPATED SCHEDULE FOR ACHIEVING THE STATED OBJECTIVES

Upon approval of this activity and after the SNP Voucher Allocation Policy is finalized, HACSC will implement this activity.

#### PROPOSED BASELINES, BENCHMARKS, METRICS and DATA COLLECTION

Data related to this activity will be collected at least annually from the Agency's electronic database, Emphasys Elite. Additionally, HACSC will retrieve data from community partners, specific to resources leveraged and services provided to participants.

Activity 2017-2: Special Needs Population Direct Referral Program				
Unit of Measurement	Baseline	Benchmark	Projected Outcome	Benchmark Achieved?
<b>CE #4: Increase in Resources Leveraged</b>				
Amount of funds leveraged	0	TBD	N/A	N/A
<b>HC #3: Decrease in Wait List Times</b>				
Average applicant time on waitlist in months (decrease)	0	87	N/A	N/A
<b>HC #4: Displacement Prevention</b>				
Number of households at or below 80% AMI that would lose assistance or need to move (decrease). If units reach a specific type of household, give that type in this box.	0	100	N/A	N/A
<b>HC #7: Households Assisted by Services that Increase Housing Choice</b>				
Number of households receiving services aimed to increase housing choice (increase).	0	100	N/A	N/A

#### AUTHORIZATION FOR THE ACTIVITY

This proposed activity is authorized in HACSC's Moving to Work Agreement, Attachment C, Paragraph D(4) and waives certain provisions of Sections 8(o)(6), 8(o)(13)(J) and 8(o)(16) of the 1937 Act and 24 CFR 982 Subpart E, 982.204 and 98.3 Subpart F as necessary to implement the

Agency's Annual MTW Plan. This authorization is needed to enable participants of the SNP Direct Referral Program to bypass the HUD mandated waiting list protocol.

**RENT REFORM IMPACT ANALYSIS, HARDSHIP CASE CRITERIA, ANNUAL REEVALUATION AND TRANSITION PERIOD**

This activity does not qualify as a Rent Reform Initiative.

**Landlord Initiative**  
**(Proposed Activity 2017-3)****DESCRIPTION OF MTW ACTIVITY**

The rental housing market in Santa Clara County ranks as one of the most expensive in the nation with record low vacancy rates. HACSC has implemented a renewed focus on property owner recruitment and retention in order to increase and preserve the number of affordable housing options for its voucher holders throughout the County. In an effort to retain its current HCV owners and attract new ones, HACSC is proposing to implement a landlord initiative activity that will provide Housing Choice Voucher (HCV) program owners with vacancy payments. Through this activity, HACSC hopes to provide incentives to retain owners in the HCV program, preserve units available for Section 8 families and even possibly attract new owners into the program.

HACSC is proposing to provide vacancy payments to participating owners who re-lease a vacant HCV unit to a new HCV participant. The vacancy payments will mirror those paid to owners under the Project Based Voucher program—which is a payment of 80 percent of the contract rent for up to 30 days. Santa Clara County’s low rental vacancy rates (currently around 3 percent) means Section 8 tenants are directly competing with open market renters. Owners typically receive multiple applications for one rental unit and can afford to be extremely selective in their choice of tenants. The proposed vacancy payments will give owners an incentive to maintain participation in the HCV program by providing additional revenues when the unit is in a transitional period between tenants. This will minimize the owner’s loss when a unit becomes vacant.

**RELATION TO STATUTORY OBJECTIVES**

This activity addresses the statutory objective of increasing housing choices for low income families by providing an incentive for current owners to remain in the program by providing a rental payment while the unit is vacant.

**ANTICIPATED IMPACT OF THE ACTIVITY**

HACSC anticipates that this activity will increase the number of HCV units that are re-leased to HCV participants, ensure the long-term viability of units that will be available to HCV low-income tenants and may provide an incentive for owner participation in the HCV program.

**ANTICIPATED SCHEDULE FOR ACHIEVING THE STATED OBJECTIVES**

This activity is anticipated to be implemented upon approval.

**PROPOSED BASELINES, BENCHMARKS, METRICS and DATA COLLECTION**

HACSC set its benchmark based on a projection that 25% of its HCV unit turnovers in any given year would re-lease to a new Section 8 tenant with the incentive of this activity. The benchmark was based off the number of HCV unit turnovers in Fiscal Year 2015. Data related to this activity will be collected at least annually from the Agency's electronic database, Emphasys Elite.

<b>Activity 2017-3: Landlord Initiatives</b>				
<b>Unit of Measurement</b>	<b>Baseline</b>	<b>Benchmark</b>	<b>Projected Outcome</b>	<b>Benchmark Achieved?</b>
<b>Local Metric: Rental Unit Retention</b>				
Number of housing units retained that might have otherwise been removed from the HCV program.	0	310	N/A	N/A

**AUTHORIZATION FOR THE ACTIVITY**

This proposed activity is authorized in HACSC's Moving to Work Agreement, Attachment C, Section B(1) and waives certain provisions of Section 8 and 9 of the 1937 Act and 24 CFR 982 and 990 as necessary to implement that Agency's Annual MTW Plan. This authorization is needed to allow the use of MTW funds to pay vacancy payments to HCV property owners in addition to Project Based Voucher owners.

**RENT REFORM IMPACT ANALYSIS, HARDSHIP CASE CRITERIA, ANNUAL REEVALUATION AND TRANSITION PERIOD**

This activity does not qualify as a Rent Reform Initiative.



## Setting Payment Standards above 110 Percent of HUD Fair Market Rents (Proposed Activity 2017-4)

### DESCRIPTION OF MTW ACTIVITY

HUD regulations require that payment standards are set between 90 percent and 110 percent of HUD-issued Fair Market Rents (FMRs). With this activity, HACSC is requesting to waive the HUD regulation that limits payment standards to be set at 110 percent of the FMR and give its Board of Commissioners authority to approve a county-wide payment standard of up to 130 percent of the FMR without prior HUD approval. This activity will allow HACSC to establish payment standard amounts that better reflect open market rents in Santa Clara County, while ensuring that the Agency maintains an approximate 90 percent funding utilization rate for Section 8 rental assistance payments. This funding utilization level provides a much needed buffer for the normal fluctuations in HAP expenditures monthly and annually, as well as for the fluctuations in annual appropriations that fund this important program.

Santa Clara County is a large geographic area with a fast-moving rental market driven by the dynamic economy of Silicon Valley. A boom in the local economy has led to record-breaking occupancy rates and rents, while the elimination of redevelopment agencies (and tax increment funds) left the County without sufficient rental housing to support the jobs created. Santa Clara County apartment occupancy rates in the 1st quarter of 2016 hovered at around 97 percent<sup>1</sup> for standard, non-luxury units. County open market rents have increased by 11 percent in the last year and by over 46 percent in the last four years<sup>2</sup>. However, HUD-issued FMRs for Santa Clara County have only increased by 4 percent during the same four-year period.

As the rental market conditions tighten, it is common for payment standards, capped at 110 percent of the FMRs, to fall short of what is needed to rent a standard unit in Santa Clara County. In September 2015, in an effort to increase the agency's success rate, HACSC raised its payment standards to 110 percent of the 2015 HUD FMRs, but found the payment standard amount for a one-bedroom unit to be 38 percent below the average one bedroom unit open market rent for units in the county. When HUD issued the FY2016 Fair Market Rents in December 2015, HACSC increased its payment standards to 110 percent of the 2016 FMRs, but payment standard amounts still lagged behind average market rents by a double-digit percentage.

The flexibility to exceed 110 percent of the FMRs will allow HACSC to respond to a tightening rental market and rising rents. Currently, HACSC's voucher holder housing success rate has increased from 31 percent in September 2015, to 48 percent as of January, 2016. This increase in the success rate can likely be attributed to the implementation of higher payment standards (110 percent of the FMR). However, for every two persons issued a voucher, only one is able to find housing. HACSC hopes that the proposed activity will help to ensure that payment standards are sufficient to improve the housing success rate for Section 8 families without

<sup>1</sup> RealFacts rental market data.

<sup>2</sup> Real Facts rental market data.

going through a lengthy HUD approval process.

HACSC will cap the increase in payment standards at 130 percent. Staff conducted analysis of current open market rents using rental market databases, such as Real Facts<sup>3</sup>, and determined that setting the payment standard at 130 percent better reflects the actual Santa Clara County rental market, thus increasing the viability of a Housing Choice Voucher. The cap was determined because payment standards set at 130 percent of the current FMR would bring the value of a voucher within approximately 8 percent of the average Santa Clara County open market rent for a studio unit, and 13 percent for a one bedroom unit. The payment standards for a two bedroom unit or higher would equal the average open market rent for these bedroom sizes in the County. HACSC believes that if it continues to close the gap between the payment standard and open market rents, it will result in participants leasing up at a faster rate, and provide increased access to rental units in various parts of the County.

It is important to note that setting the cap at 130 percent of the FMR doesn't mean HACSC will automatically increase its payment standards to that level. Following notification from HUD of its annual budget authority for the year, HACSC will conduct an analysis of the rental market, and will review local rental market conditions through databases, such as Real Facts. If there is a 20% or more difference between average open market rents and FMRs, the agency would present the Board of Commissioners several increase options (i.e. 115, 120 percent) that would be accompanied by a cost analysis. HACSC's Board of Commissioners would make the final determination on whether to increase payment standards.

Lastly, HACSC is requesting to waive, if necessary, any final rule published by the Department of Housing and Urban Development (HUD) on small area FMRs and utilize the aforementioned method of setting a county-wide payment standard. Santa Clara County is unique in the sense that most of its zip codes include census tracts that encompass a blend of low, medium, moderate and upper income levels—it is difficult to identify areas that have a large concentration of poverty. For example, the 95112 (downtown San Jose) zip-code includes 17 census tracts, 6 of which are low income, the remaining middle and moderate income—and the 95020 (Gilroy) zip-code includes 13 census tracts, only 2 of which are low income. Additionally, upper income census tracts in areas like Palo Alto, Mountain View and Saratoga have an unusually high percentage of owner-occupied units compared to the rest of the County, meaning there is less rental inventory in those areas. Consequently, their average rental cost for a one bedroom unit surpasses \$2700 per month. If HUD mandates small area FMRs for Santa Clara County, and pays for the cost of FMR increases in certain zip codes by reducing the FMRs in other areas of the County as it is suggesting to do in its proposed rule, it could have serious negative consequences for participants renting in more moderately priced areas like San Jose and Gilroy. The negative consequences might include decreased housing options and leasing success rates, alienated owners, and forced moves because tenants cannot afford the

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<sup>3</sup> RealFacts, an online rental market database, surveys all apartment complexes of 50 units or more to obtain its data.

higher tenant rent portion caused by a decreased payment standard. If that occurs, HACSC requests the ability to waive small area FMRs if it determines that using them would potentially displace currently housed program participants.

#### RELATION TO STATUTORY OBJECTIVES

This activity will increase housing choices for low-income families. Implementation of this activity will increase access to affordable units in desirable locations and environments.

#### ANTICIPATED IMPACT OF THE ACTIVITY

HACSC expects that the application of this activity will lead to an increase in the housing success rate of participants.

#### ANTICIPATED SCHEDULE FOR ACHIEVING THE STATED OBJECTIVES

Upon approval of this activity, HACSC will not immediately raise the payment standards. HACSC will continue to analyze rental market trends and budget authority costs regularly and provide recommendations to its Board of Commissioners on where payment standards should be set, and when or if this activity should be implemented.

#### PROPOSED BASELINES, BENCHMARKS, METRICS and DATA COLLECTION

Metric data will be compiled using labor cost and hours needed to perform analysis of rental market and draft a waiver to HUD to request increased payment standards and HACSC's current housing program and client database.

Activity 2017-4: Setting Payment Standards above 110 Percent of HUD Fair Market Rents				
Unit of Measurement	Baseline	Benchmark	Projected Outcome	Benchmark Achieved?
CE #1: Agency Cost Savings				
Total cost of task in dollars (decrease).	TBD*	\$0		
CE #2: Staff Time Savings				
Total time to complete the task in staff hours (decrease).	TBD*	0		
HC #5: Increase in Resident Mobility				
Number of households able to move to a better unit and/or neighborhood of opportunity as a result of this activity.	0	TBD*	N/A	N/A

\*The baselines and benchmarks are still to be determined.

**AUTHORIZATION FOR THE ACTIVITY**

This proposed activity is authorized in HACSC's Moving to Work Agreement, Attachment C, Paragraph D(2)(a) which waives certain provisions of Sections 8(o)(1), 8(o)(2), 8(o)(3), 8(o)(10) and 8(o)(13)(H)-(I) of the 1937 Act and 24 CFR 982.508, 982.503 and 982.518, as necessary to implement the Agency's Annual MTW Plan. This authorization is necessary because HUD regulations prohibit a Housing Authority from setting payment standards exceeding 110 percent of the FMR without prior HUD approval.

**RENT REFORM IMPACT ANALYSIS, HARDSHIP CASE CRITERIA, ANNUAL REEVALUATION AND TRANSITION PERIOD**

This activity does not qualify as a Rent Reform Initiative.

**IV. APPROVED MTW ACTIVITIES (HUD Approval Previously Granted)**

To date, HACSC has had 36 activities approved by HUD. Of these, nine were closed out. The first four numbers of each activity signify the fiscal year in which each activity was approved. Except where indicated in the activity status explanation, HACSC does not anticipate any changes or modifications to the activities during the Plan year.

**IMPLEMENTED ACTIVITIES****ACTIVITY 2009-1: REDUCED FREQUENCY OF TENANT REEXAMINATIONS**

This activity, originally implemented in 2009, reduces the frequency of participant reexaminations in the voucher program. Participants with a fixed income are reexamined every three years and participants with a non-fixed income are reexamined every two years. In FY2015, HACSC added an amendment to this activity to include its four public housing units under the new reexamination schedule. By including its public housing units under the modified reexamination schedule, HACSC will be furthering administrative streamlining and labor savings for both its Section 8 and 9 programs.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2009-2: EXPEDITING INITIAL ELIGIBILITY INCOME VERIFICATION PROCESS**

This activity, implemented in FY2009, extends the timeframe of the application documents window from 60 days to 120 days from the voucher issuance date.

Extending the documentation timeframe continues to provide administrative relief, both to applicants and to HACSC. With this activity, applicants do not need to continually provide updated documentation if the previously provided information becomes too old (dated older than 60 days) before voucher issuance. In FY2015, HACSC did not utilize this activity.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2009-5: EXPLORING NEW HOUSING OPPORTUNITIES FOR THE CHRONICALLY HOMELESS**

The Chronically Homeless Direct Referral (CHDR) program was originally launched in FY2011. The CHDR program increases housing choices and mobility by assisting the homeless population through a more targeted and efficient process than the standard voucher waiting list system. Following a housing-first model, identified chronically homeless families not on the voucher waiting list are referred for tenant-based housing assistance and connected to case management services with local service providers. Since the CHDR program's inception, 269

households have been housed. An additional 18 CHDR clients are anticipated to be housed by the end of FY2016.

In FY2016, HACSC amended and extended its agreement with the County of Santa Clara Office of Supportive Housing who administers the referral of applicants and oversees the agencies who provide intensive case management for the chronically homeless clients.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2009-8: 30-DAY REFERRAL PROCESS FOR PROJECT-BASED VACANCIES**

This activity was implemented in FY2010, and allows owners to directly refer applicants after 30 days of unsuccessful attempts to fill the Project-Based Voucher (PBV) unit using referrals from the HACSC waiting list. This activity reduces the vacancy time for owners and the resultant loss in money thus ensuring the continuation of the PBV contract and the affordability of the units for low income households. There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2009-9: UTILIZATION OF LOW INCOME HOUSING TAX CREDIT (LIHTC) TENANT INCOME CERTIFICATION (TIC) FOR INCOME AND ASSET VERIFICATION**

This activity, first implemented in 2010, allows HACSC to utilize the owner-provided Tenant Income Certification (TIC) form required under the Low Income Housing Tax Credit (LIHTC) Program as its sole method for verification of the family's income and assets when filling PBV vacancies for tax credit units. Prior to implementation, households selected to fill a PBV unit that utilized tax credits had to complete initial eligibility calculations under both the Federal LIHTC regulations (Section 42 of the IRS Code) and the Section 8 PBV regulations (24 CFR 5.657, 5.659). HACSC currently uses property-owner TIC documentation for initial eligibility and at each regularly scheduled reexamination to verify income and family composition.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2009-11: PROJECT-BASE 100 PERCENT OF UNITS IN FAMILY PROJECTS**

This activity was implemented in FY2010, and allows HACSC to project-base more than 25 percent of the units in an existing building in multi-family complexes without requiring participation in supportive services. Although supportive services are provided and families must be made aware of and encouraged to participate in these services offered by owners, participation is not mandatory. The activity increases housing choices for low-income families by making the units more attractive to families who may choose to not accept or do not need supportive services. It continues to reduce the administrative burden by removing the

compliance monitoring that the Agency would need to do for families living in the “excepted” units (i.e. units above the 25 percent cap).

HACSC has project-based all family public housing projects eligible for this activity. Supportive services remain available on-site for four previously project-based family projects (Eklund I, Miramar Way, Julian Gardens, and Lucretia Gardens). There are no changes to the activity’s metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2009-13: COMBINED WAITING LIST FOR THE COUNTY OF SANTA CLARA AND THE CITY OF SAN JOSÉ**

In 1976, HACSC signed an agreement to administer the Housing Choice Voucher program on behalf of the City of San José. This agreement allows HACSC to operate under one Annual Plan, one Administrative Plan, and one combined MTW plan for both housing authorities. In accordance with this agreement, in FY2009, this activity was implemented to permit HACSC to waive regulation 24 CFR 982.404(f), and to continue to operate one combined waiting list for both the County of Santa Clara and the City of San Jose. This activity allows HACSC to operate a joint waiting list for the Housing Choice Voucher (HCV) and the Project Based Voucher (PBV) Programs.

There are no changes to the activity’s metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2009-14: PAYMENT STANDARD CHANGES BETWEEN REGULAR REEXAMINATIONS**

This activity, implemented in FY2010, allows HACSC to effectuate an immediate change in voucher size and its corresponding payment standard when changes in family composition occur between regular reexaminations. If the application of the new payment standard results in a decrease in the tenant’s rent portion, the interim reexamination effective date will be the first of the month following the change. If the application of the new payment results in an increase in the tenant’s rent portion, the interim reexamination effective date will be the first of the month following a 30-day notice to the tenant and owner. This activity continues to result in Housing Assistance Payment (HAP) cost savings by enabling the new payment standards to take effect at the time of an interim reexamination rather than at the next regular reexamination.

There are no changes to the activity’s metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2010-2: EXCLUDING ASSET INCOME FROM INCOME CALCULATIONS FOR FAMILIES WITH ASSETS UNDER \$50,000**

HACSC no longer calculates income received from family assets under \$50,000. Since implementation in FY2010, HACSC has reduced administrative costs through this activity. HACSC continues to save costs of staff time previously spent on this task.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2010-3: APPLYING CURRENT INCREASED PAYMENT STANDARDS AT INTERIM REEXAMINATIONS**

This MTW activity allows the application of the current payment standard (if the payment standard has increased since the family's last regular reexamination) to the rental assistance calculation at interim reexaminations. Since implementation in FY2010, HACSC has met the statutory objective of reducing administrative costs and increasing housing choice for low-income families. HACSC has realized savings in staff hours and cost of tasks. HACSC used this activity during FY2016 when the payment standard was raised on August 1, and September 1, 2015 and again on February 1, 2016. HACSC will report on the outcomes in its FY2016 MTW Report.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2010-4: ALLOCATING PROJECT-BASED VOUCHERS TO HACSC-OWNED PROJECTS WITHOUT COMPETITION**

This MTW activity was implemented in 2011, and allows the Agency to select HACSC-managed housing for project-based assistance without a competitive process, saving both staff time and other costs that would be related to a competitive process. As a result of this activity, HACSC is able to cost-effectively and efficiently ensure that these project based units are available.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

**ACTIVITY 2011-1: STREAMLINED APPROVAL PROCESS FOR EXCEPTION PAYMENT STANDARD FOR REASONABLE ACCOMMODATION – HCV**

This activity, implemented in FY2011, allows HACSC to approve any requests for an exception payment standard above 110 percent of the published Fair Market Rent (FMR) as a reasonable accommodation for persons with disabilities. This activity continues to improve HACSC's responsiveness to the needs of families with members who have disabilities, which provides increased housing choices by enabling them to secure an accessible unit more expeditiously.



There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2011-2: SIMPLIFY REQUIREMENTS REGARDING THIRD-PARTY INSPECTIONS AND RENT SERVICES**

HACSC implemented this activity in FY2011 in order to waive the regulatory requirement in which HUD must approve a designated, qualified independent agency to conduct Housing Quality Standards (HQS) inspection and rent reasonableness services for HACSC-owned units. This qualified independent agency conducts both initial and regularly scheduled HQS inspections, as well as rent reasonableness services for initial contracts and requested rent adjustments for HACSC-managed properties. In addition, this activity has allowed HACSC to waive the second part of the HUD regulation that requires the independent agency to supply copies of each inspection report and rent reasonableness determination to the HUD field office. HACSC continues to realize the ongoing benefits associated with reduced costs and administrative streamlining related to this activity.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2012-2: MINIMUM TWO-YEAR OCCUPANCY IN PROJECT-BASED UNIT**

The purpose of the activity is to enhance the occupancy stability in the PBV program, which will result in reduced staff time spent processing PBV move-outs and vacancy outreach. Project-based participants are required to remain in their PBV units for a minimum of two years prior to becoming eligible to request a tenant-based voucher to move with continued assistance. The activity does not apply to families: (1) with an approved reasonable accommodation that requires them to move; (2) who experience a change in family composition that affects unit size; (3) who present other compelling reasons to move out; or (4) who request a move under Violence Against Women Act (VAWA).

In November 2014, HACSC began implementing this activity. HACSC has created its own PBV Statement of Family Responsibility and PBV Tenancy Addendum forms to replace the HUD forms. HACSC versions remain the same as the HUD versions except for the stipulation on the two-year PBV residency requirement.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2012-3: CREATE AFFORDABLE HOUSING ACQUISITION AND DEVELOPMENT FUND**

This activity, implemented in FY2012, allows HACSC to use MTW funds to pursue opportunities to build new affordable rental housing units through the acquisition of existing land and/or funding the development of units for new construction or rehabilitation. To date, HACSC has

used \$5.74 million to purchase 777 Park Avenue in San José, which is currently entitled for the construction of 182 units (100 senior; 82 family units).

HACSC has applied for financing for the Park Avenue and Laurel Grove projects, and is hoping to have construction completed and ready for lease in 2018. Park Avenue's planned development permit was approved by the City of San Jose in March 2015—and once the project is complete, HACSC will have met its goal to increase the supply of quality affordable housing. This activity also serves the objective of cost savings because it has and will leverage additional development funds.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2012-4: CREATE AFFORDABLE HOUSING PRESERVATION FUND FOR HACSC AND AFFILIATE OWNED PROPERTIES**

HACSC proposed to use MTW funds to assist in its preservation activities and to support the asset management staff that has oversight of the affordable units. The preservation activities include using MTW funds for expenses incurred in rehabilitating the units to extend their useful life and affordability, or to acquire the property or limited partner's interest at the end of the tax credit period to maintain the asset's affordability into the future, or pay off existing loans in order to leverage additional financing. To date, HACSC has used MTW funds to pay HUD loans on two properties that were rehabilitated, Clarendon and Bendorf (formerly known as Villa San Pedro and Villa Garcia). HACSC has preserved 178 units at these two properties.

HACSC has accumulated non-federal funds from its development activities that are used to support its preservation activities, however, they are one-time funds that are not appropriate for use to pay recurring asset management staffing costs. As long as the costs of the preservation activities remain fairly modest, HACSC does not have an immediate need to use additional MTW funds for HACSC's preservation efforts. However, HACSC will continue to use MTW funds to support (in part) the costs of the asset management staff that oversee property management activities, ensure the portfolio's compliance with funding requirements, and undertake the long-range planning and risk analysis associated with the affordable housing portfolio.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2013-1: ELIMINATION OF THE EARNED INCOME DISALLOWANCE (EID) CALCULATION**

This activity eliminates the HUD-mandated Earned Income Disallowance (EID) calculation. With federal sequestration in FY2013, HACSC placed utilizing this activity on hold. The agency implemented this activity in early FY2015 and continued through FY2016. The FY2016 MTW Report will document the progress of this activity.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2014-4: INCREASED TENANT CONTRIBUTION—UP TO 35 PERCENT OF GROSS INCOME**

This activity simplified the calculation of Total Tenant Payment (TTP) by removing all standard deductions and allowances and calculating a TTP between 30 and 35 percent of the gross monthly income or \$50 (minimum rent), whichever is higher. The activity, proposed and implemented in FY2014, also eliminated the inclusion of a utility allowance in the tenant rent calculation. The initial implementation of this activity increased the TTP to 35 percent as a cost-saving measure in response to diminished funds resulting from federal sequestration. In September 2014, the TTP was reduced to 32 percent. HACSC re-proposed this activity last year to include its four public housing units. This activity provided significant costs savings to HACSC by reducing the amount of Housing Assistance Payment (HAP) the Agency pays. Additionally, the simplified calculation freed up staff hours by streamlining this task.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2015-2: PROJECT BASED VOUCHER INSPECTION SELF-CERTIFICATION**

This activity was approved and implemented in FY2015 and allows Project Based Voucher owners and tenants to self-certify the correction of reported HQS deficiencies within the 30-day timeframe. This activity waives the regulatory requirement for only non-life threatening deficiencies. This activity reduces expenditures by eliminating the scheduling and conducting of a recheck inspection to determine if necessary repairs were made. HACSC has revised its Administrative Plan to reflect the change in policy as a result of the approval of this activity.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2015-3: MODIFIED ELDERLY DEFINITION FOR PBV**

This activity, implemented in FY2015, modifies the age, for the Project Based Voucher (PBV) program, at which a person or family is considered elderly from persons aged 62 or older to persons aged 55 or older in order to align with the definition used by a number of affordable housing developments in the area. Therefore, PBV sites which define elderly as 55 years of age and older are considered an elderly property. This change in the definition allows HACSC to refer a larger pool of applicants (any family with Head of Household or Spouse aged 55 and older) from its PBV waiting list to fill vacancies in these units and will allow the Agency to project-base 100 percent of the units in a project with aged 55 or older limitations (project is not subject to the 25 percent PBV per project cap). HACSC increased the number of available

units for households who otherwise would not have qualified under the property's definition of elderly. No new PBV elderly projects were added in FY2016.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### ACTIVITIES NOT YET IMPLEMENTED

##### **ACTIVITY 2014-1: FOCUS FORWARD PROGRAM**

In FY2014, HACSC proposed a pilot program as an alternative to the HUD Family Self Sufficiency (FSS) Program. The proposed 'Focus Forward' program aimed to provide more focused and meaningful case management (with a smaller client to case manager ratio), accelerated program timelines and immediate and ongoing monetary incentives to enrolled households through a tiered rent schedule. However, with the implementation of Activity 2014-4: Increased Tenant Contribution (Up to 35 Percent of Gross Income), it was determined that the Focus Forward program would have to be over-hauled to align its rent calculation method and monetary incentives with the rent simplification process of Activity 2014-4.

Starting in January of 2016, HACSC will re-design the Focus Forward program and re-propose the new program to HUD in the FY2018 MTW Plan. Until a successor program is created, approved, and implemented, HACSC will continue to keep the current FSS program open and operating.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

##### **ACTIVITY 2014-2: ELIMINATE REQUIREMENT TO RE-DETERMINE RENT REASONABLENESS WHEN HUD DECREASES FAIR MARKET RENTS (FMRS)**

This activity eliminates the HUD requirement to re-determine the rent reasonableness of affected units within 60 days of the contract anniversary date when HUD reduced FMRs by 5 percent or more. HACSC expects that it will save money on staff time required for FMR analysis, comparison database upkeep, and reexamination processes. HACSC has yet to implement this activity because HUD has not decreased FMRs since the activity was approved. HACSC plans to implement this activity upon the event that HUD reduces FMRs by 5 percent or more.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

##### **ACTIVITY 2016-1: RESTRICTION ON HEAD OF HOUSEHOLD CHANGES**

This activity requires a newly designated Head of Household to enroll in the Family Self-Sufficiency program if the current Head of Household decides to leave the program and transfer

their Head of Household designation to a remaining non-elderly/non-disabled family member. HACSC anticipates drafting the procedure to implement this activity in FY2017.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

#### **ACTIVITY 2016-2: STREAMLINING OF PBV SELECTION REQUIREMENTS**

This activity eliminates certain requirements in selecting Project-Based Voucher (PBV) proposals by expanding the definition of a competitive selection process to include any form of open public solicitation or invitation process conducted by a Federal, State, or local government, where a proposal is selected subject to funding availability; waiving HUD's requirements that the PHA must select proposals within three years of the earlier selection date by allowing proposals within fifteen years of the selection date; and allowing earlier competitive selection proposals to consider that the project would require rental assistance, including PBV assistance.

HACSC is currently drafting the policies that will direct the use of this activity. There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

### **ACTIVITIES ON HOLD**

#### **ACTIVITY 2010-5: ASSISTING OVER-INCOME FAMILIES RESIDING AT HACSC-OWNED PROJECT-BASED VOUCHER PROPERTIES**

This activity waives PBV regulations relating to preference for in-place families in order to continue to commit tax-exempt bonds and tax credits to the disposed public housing properties. Families with income below the PBV limit but above the tax-credit limit will receive Section 8 voucher and relocation assistance. This activity helps maintain the affordability of units that would otherwise become unaffordable to very-low income families by applying tax credits in unison with PBV assistance. It also increases housing choices for low-income families by preserving and improving the affordable housing stock in Santa Clara County.

This activity was implemented in FY2011. Since its implementation HACSC has had no need to use this waiver as no families have exceeded the income threshold. Only one public housing project (Deborah Drive) remains that could potentially benefit from this activity and there are no plans at this time to dispose of this property. Therefore, HACSC has placed this activity on hold indefinitely but could re-implement when the last public housing project is disposed.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations.

### **ACTIVITY 2012-5: EXPAND TENANT SERVICES AT HACSC- OR AFFILIATE-OWNED AFFORDABLE HOUSING PROPERTIES**

This activity, which was implemented in FY2012, allowed HACSC to use its MTW funding flexibility to expand its provision of programs and services for tenants living in HACSC- or affiliate-owned non-Section 8/9 affordable rental properties. HACSC anticipated tenants to gain some or all of the necessary skills to address daily living requirements, maintain housing, and, for work-able residents, possibly re-enter or move up in the work force.

HACSC is placing this activity on hold because in FY2017 the Agency does not expect to utilize MTW funds for programs and services expansions at its non-Section 8/9 rental properties. Therefore, there is no implementation timeline. If non-MTW funding sources are exhausted, HACSC will re-implement this activity.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations.

### **ACTIVITY 2014-3: FREEZE ON CONTRACT RENT INCREASES**

Implemented in FY2014, this activity imposed a freeze on any owner requested rent increases for one year effective September 2013 through August 2014. Effective September 1, 2014, HACSC lifted the freeze and accepted owner requested rent increases again. Subsequent freezes on owner requested rent increases are subject to HACSC's Board of Commissioners' approval and are limited to a one-year term. This activity helped reduce costs by controlling increases to Housing Assistance Payments (HAP) while reducing labor costs, but had negative effects on owner retention.

There are no changes to the activity's metrics, baselines, or benchmarks. HACSC does not anticipate any non-significant changes or modifications to this activity and its authorizations during FY2017.

CLOSED OUT ACTIVITIES		
ACTIVITY	WHY THE ACTIVITY WAS CLOSED	YEAR CLOSED
2009-3: Reduced Frequency of Inspections	Effective July 1, 2014, Public Housing Agencies (PHAs) can inspect units during the term of the Housing Assistance Payment (HAP) contract at least biennially instead of annually. There is no longer a need to waive HUD regulations to conduct biennial inspections.	This activity was closed out in FY2015
2009-4: Timeline to Correct HQS Deficiencies	Handhelds are now utilized by the inspections team at every regularly scheduled inspection. These devices are capable of recording the non-life threatening deficiency directly into the newly implemented software. There is no longer a lag time between the date of the inspection and the date of the letter.	This activity was closed out in FY2012

ACTIVITY	WHY THE ACTIVITY WAS CLOSED	YEAR CLOSED
2009-6: 20 Percent Sample Inspections Annually for PBV Units	After the approval of this activity, HUD issued PIH Notice 2008-14, in which HUD stipulates that a PHA may now renew or extend Project-Based Certificate HAP contracts as Project-Based Voucher HAP contracts in accordance with the regulations governing the PBV program at 24 CFR Part 983. This activity was never implemented.	This activity was closed out in FY2009
2009-7: Project-Based Unit Substitution	After the approval of this activity, HUD issued PIH Notice 2008-14, in which HUD stipulates that a PHA may now renew or extend Project-Based Certificate Housing Assistance Payment (HAP) contracts as Project-Based Voucher HAP contracts in accordance with the regulations governing the PBV program at 24 CFR Part 983. Therefore, this activity was never implemented.	This activity was closed out in FY2009
2009-10: Selection of HACSC-owned Public Housing Projects for PBV without Competition	HACSC utilizes MTW Activity 2010-4, which allows the Agency to select any of its properties for PBV assistance without a competitive process, including public housing units. Therefore, this activity is no longer necessary.	This activity was closed out in FY2015
2009-12: Adopt Investment Policies	HACSC's Board of Commissioners annually adopts investment policies in accordance with the California Government Code (CGC) Sections 5922 and 53601. California law, which HACSC cannot waive, is consistent with and in fact more restrictive than the provisions of federal regulations Section 6 (c) (4) of the 1937 Act and 24 CFR 982.156. Therefore, this activity was never implemented.	This activity was closed out in FY2009
2010-1: Eliminating 100 Percent Excluded Income from the Income Calculation Process	With the publication of PIH Notice 2013-4, issued January 28, 2013, the verification and calculation of 100 percent excluded income is no longer required. Therefore, HACSC eliminated this activity in FY2013. This activity saved labor time and costs.	This activity was closed out in FY2013
2012-1: Create Standard Utility Allowance Schedule	Approved and implemented Activity 2014-4 which simplifies the rent calculation method also includes the elimination of utility allowances. Because of Activity 2014-4, MTW Activity 2012-1 is no longer necessary and was closed out prior to implementation.	This activity was closed out in FY2013

ACTIVITY	WHY THE ACTIVITY WAS CLOSED	YEAR CLOSED
2015-1: Using UPCS or Local Inspection Standards to Determine Housing Quality Standards	On June 25, 2014, HUD published in the Federal Register that, effective July 1, 2014, "A PHA may comply with the biennial inspection requirement through reliance upon an inspection conducted for another housing assistance program. If a PHA relies on an alternative inspection to fulfill the biennial inspection requirement for a particular unit, then the PHA must identify the alternative standard in its administrative plan." Therefore, this activity was closed without implementation because HUD's directive superseded this activity.	This activity was closed out in FY2015



## V. MTW SOURCES AND USES OF FUNDS

### Annual MTW Plan

#### V.1. Plan Sources and Uses of MTW Funds

#### A. MTW Plan: Sources and Uses of MTW Funds

#### Estimated Sources of MTW Funding for the Fiscal Year 2017-Traditional Activities

PHAs shall provide the estimated sources and amounts of MTW funding by FDS line item.

Sources		
FDS Line Item	FDS Line Item Name	Dollar Amount
70500 (70300+70400)	Total Tenant Revenue	\$20,040
70600	HUD PHA Operating Grants	\$277,675,536
70610	Capital Grants	\$0
70700 (70710+70720+70730+70740+70750)	Total Fee Revenue	\$0
71100+72000	Interest Income	\$21,675
71600	Gain or Loss on Sale of Capital Assets	\$0
71200+71300+71310+71400+71500	Other Income	\$166,964
70000	Total Revenue	\$277,884,214

**Estimated Uses of MTW Funding for the Fiscal Year 2017-Traditional Activities**

PHAs shall provide the estimated uses and amounts of MTW spending by FDS line item.

Uses		
FDS Line Item	FDS Line Item Name	Dollar Amount
91000 (91100+91200+91400+91500+91600+91700+91800+91900)	Total Operating - Administrative	\$19,207,817
91300+91310+92000	Management Fee Expense	\$0
91810	Allocated Overhead	\$0
92500 (92100+92200+92300+92400)	Total Tenant Services	\$70,956
93000 (93100+93600+93200+93300+93400+93800)	Total Utilities	\$5,487
93500+93700	Labor	
94000 (94100+94200+94300+94500)	Total Ordinary Maintenance	\$16,545
95000 (95100+95200+95300+95500)	Total Protective Services	\$250
96100 (96110+96120+96130+96140)	Total Insurance Premiums	\$168,738
96000 (96200+96210+96300+96400+96500+96600+96800)	Total Other General Expenses	\$783,726
96700 (96710+96720+96730)	Total Interest Expense and Amortization Cost	\$43,150
97100+97200	Total Extraordinary Maintenance	\$0
97300+97350	Housing Assistance Payments + HAP Portability-In	\$233,454,102
97400	Depreciation Expense	\$564,926
97500+97600+97700+97800	All Other Expenses	\$0
90000	Total Expenses	\$254,315,697

The remaining balance of \$23,568,517 will be spent on approved MTW activities or held as MTW reserve funds.

### Describe the Activities that Will Use Only MTW Single Fund Flexibility

The MTW Agreement allows HACSC to combine public housing operating and capital funds, including development and Replacement Housing Factor (RHF)/Demolition and Disposition Transition Fund (DDTF) funds, provided under Section 9, and tenant-based voucher program funds provided under Section 8 of the 1937 Act into a single, authority-wide funding source.

In FY2017, HACSC plans to use its MTW Single Fund Flexibility to pay for a consultant for the re-development of the Focus Forward Program (an MTW activity HACSC plans to include in its FY2018 MTW Plan) and for a consultant to provide a review of and risk analysis for HACSC-managed affordable housing properties.

### V.2.Plan.Local Asset Management Plan

#### B. MTW Plan: Local Asset Management Plan

Is the PHA allocating costs within statute?

Yes

or

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

No

If the PHA is implementing a LAMP, it shall be described in an appendix every year beginning with the year it is proposed and approved. The narrative shall explain the deviations from existing HUD requirements and should be updated if any changes are made to the LAMP.

Has the PHA provided a LAMP in the appendix?

No

**HACSC does not have a Local Asset Management Plan.**

## **VI. ADMINISTRATIVE**

### **A. BOARD RESOLUTION ADOPTING THE 2017 ANNUAL MTW PLAN CERTIFICATION OF COMPLIANCE**

The Board Resolution approving the FY2017 MTW Plan is attached as Appendix One to this document. The Board Resolution 16-07 approving the Amendment to the FY2017 MTW Plan is attached as Appendix Two to this document.

### **B. PUBLIC REVIEW PROCESS FOR THE 2017 ANNUAL MTW PLAN**

HACSC's FY2017 MTW Annual Plan was made available for public review from February 18, 2016 through March 18, 2016. In addition to HACSC's regular Board of Commissioner's Meetings, where the public may comment on the MTW Plan, four MTW Plan stakeholder meetings were held between September 2015 and November 2015. A total of 46 people attended these stakeholder meetings. The public hearing for the Plan was held on March 7, 2016.

HACSC's FY2017 MTW Plan Amendment was made available for public review from July 18, 2016 through August 17, 2016. The public hearing for the Plan Amendment was held on August 2, 2016.

### **C. PLANNED OR ONGOING AGENCY-DIRECTED EVALUATIONS OF HACSC'S MTW DEMONSTRATION**

In FY2017, HACSC will continue to refine its approach to data gathering and monitoring of MTW activities and their impacts on stated goals and objectives.

### **D. ANNUAL STATEMENT/PERFORMANCE AND EVALUATION REPORT FOR MTW AND NON-MTW CAPITAL FUND GRANTS**

Statements are provided in Appendix Three.

**APPENDIX ONE: RESOLUTION NO. 16-01**

**RESOLUTION NO. 16-01**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE  
HOUSING AUTHORITY OF THE COUNTY OF SANTA CLARA  
APPROVING SUBMISSION OF THE FY2017 MOVING TO WORK (MTW)  
ANNUAL PLAN TO US DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT**

**WHEREAS**, the Housing Authority of the County of Santa Clara, together with the Housing Authority of the City San José (collectively referred to as "HACSC"), each entered into a ten-year Moving To Work (MTW) Agreement with the U.S. Department of Housing and Urban Development (HUD) in 2008; and

**WHEREAS**, as a Moving to Work Agency, HACSC is required to prepare and submit an Annual MTW Plan (Plan), to solicit comments and conduct a public hearing on the Plan, and to make certain certifications; and

**WHEREAS**, currently in its eighth year in the MTW Program, HACSC has drafted its FY2017 Moving to Work Annual Plan, solicited public comment and conducted a public hearing on the Plan; and

**WHEREAS**, the Board has reviewed the Plan, comments received and required certifications;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority of the County of Santa Clara hereby:

1. Certifies the statements in the attached Certifications of Compliance with Regulations; and
2. Approves the Fiscal Year 2017 Moving to Work Annual Plan for HACSC and the Housing Authority of the City of San José; and
3. Authorizes HACSC to submit the Annual Plan to the U.S. Department of Housing and Urban Development on behalf of both agencies.

**PASSED AND ADOPTED** by the Board of Commissioners of the Housing Authority of the County of Santa Clara, State of California, on March 22, 2016, held at 505 W. Julian

Street, City of San Jose, State of California, upon motion from Commissioner

Anderson and seconded by Commissioner O'Neal  
with the following vote:

AYES: Espinoza-Howard, Anderson, O'Neal, Chang, Lawton, Lorie

NAYS: 0

ABSTAIN: 0

ABSENT: 0

Kathy Espinoza-Howard  
Kathy Espinoza-Howard, Chair

ATTEST:

Katherine Harasz  
Katherine Harasz, Secretary/Executive Director

APPROVED AS TO FORM AND LEGALITY:

Brian Doyle  
Brian Doyle, General Counsel

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

## Attachment B

## Certifications of Compliance

Annual Moving to Work Plan  
Certifications of ComplianceU.S. Department of Housing and Urban Development  
Office of Public and Indian HousingCertifications 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 July 1, 2016, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The PHA published a notice that a hearing would be held, that the Plan and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the Plan by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the Plan and invited public comment.
2. The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the Plan by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the Annual MTW Plan.
3. The PHA certifies that the Board of Directors has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1.
4. The PHA will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
5. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
6. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
7. The PHA will affirmatively further fair housing by examining its programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
12. The PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

OMB Control Number: 2577-0216  
Expiration Date: 5/31/2016

13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105( a).
15. The PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments) and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the Moving to Work Agreement and Statement of Authorizations and included in its Plan.
21. All attachments to the Plan have been and will continue to be available at all times and all locations that the Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

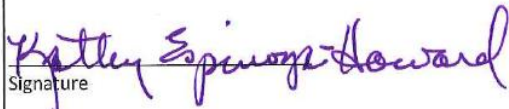
Housing Authority of the City of San Jose  
PHA Name

CA-056  
PHA Number/HA Code

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

Kathy Espinoza-Howard  
Name of Authorized Official

Chair, Board of Commissioners  
Title

  
Signature

3/22/16  
Date

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



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

## Attachment B

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Certifications of ComplianceU.S. Department of Housing and Urban Development  
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1. The PHA published a notice that a hearing would be held, that the Plan and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the Plan by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the Plan and invited public comment.
2. The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the Plan by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the Annual MTW Plan.
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6. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
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8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
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Attachment B

1

OMB Control Number: 2577-0216  
Expiration Date: 5/31/2016

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21. All attachments to the Plan have been and will continue to be available at all times and all locations that the Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

Housing Authority of the County of Santa Clara  
PHA Name

CA-059  
PHA Number/HA Code

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

Kathy Espinoza-Howard  
Name of Authorized Official

Chair, Board of Commissioners  
Title

Kathy Espinoza-Howard  
Signature

3/22/16  
Date

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

## APPENDIX TWO: RESOLUTION NO. 16-07

### RESOLUTION NO. 16-07

#### RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SANTA CLARA APPROVING SUBMISSION OF THE FY2017 MOVING TO WORK (MTW) ANNUAL PLAN AMENDMENT TO US DEPARTMENT OF HUD

**WHEREAS**, the Housing Authority of the County of Santa Clara, together with the Housing Authority of the City San José (collectively referred to as "HACSC"), each entered into a ten-year Moving To Work (MTW) Agreement with the U.S. Department of Housing and Urban Development (HUD) in 2008; and,

**WHEREAS**, as a Moving to Work Agency, HACSC is required to prepare and submit an Annual MTW Plan (Plan); and,

**WHEREAS**, HACSC has drafted an amendment to its FY2017 Moving to Work Annual Plan, posted the draft amendment on its website and in its public lobby from July 18, 2016 through August 17, 2016, solicited public comment and conducted a public hearing on the Plan Amendment on August 2, 2016 and received TBD comments; and,

**WHEREAS**, the Board has reviewed the Plan Amendment;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Housing Authority of the County of Santa Clara hereby:

1. Approves the amendment to the Fiscal Year 2017 Moving to Work Annual Plan for the Housing Authority of the County of Santa Clara and the Housing Authority of the City of San José; and,
2. Authorizes HACSC to submit the amended Annual Plan to the U.S. Department of Housing and Urban Development on behalf of both agencies; and,
3. Delegates authority to the Executive Director or his designee to approve revisions to HACSC's Administrative Plan that may be required to implement approved FY2017 MTW activities included in the amended FY2017 MTW Plan.

**PASSED AND ADOPTED** by the Board of Commissioners of the Housing Authority of the County of Santa Clara, State of California, on August 23, 2016, held at 505 W. Julian

Street, City of San Jose, State of California, upon motion from Commissioner

Ornel and seconded by Commissioner Lawton  
with the following vote:

AYES: Chair Espinoza Howard Commissioners, Ornel, Lawton, Loric and Grader

NAYS:

ABSTAIN:

ABSENT: no Chair Anderson

Kathy Espinoza-Howard  
Kathy Espinoza-Howard, Chair

ATTEST:

Katherine Harasz  
Katherine Harasz, Secretary/Executive Director

APPROVED AS TO FORM AND LEGALITY:

Brian Doyle  
Brian Doyle, General Counsel

# APPENDIX THREE: CAPITAL IMPROVEMENT PROGRAM STATEMENTS

## 2016 Capital Fund

### Capital Fund Program (CFP) Amendment

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

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

Whereas, (Public Housing Authority) HOUSING AUTHORITY OF THE COUNTY SANTA CLARA ca058 (herein called the "PHA")  
and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions  
Contract(s) ACC(s) Number(s) SF-1533 dated 3/8/2004

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

\$ \$431,445.00 for Fiscal Year 2016 to be referred to under Capital Fund Grant Number CA91R05650116  
PHA Tax Identification Number (TIN): On File DUNS Number: On File

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

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

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

2. The PHA must carry out all development, capital and management activities in accordance with the United States Housing Act of 1937 (the Act), 24 CFR Part 905 (the Capital Fund Final rule) published at 78 Fed. Reg. 637-48 (October 24, 2013), as well as other applicable HUD requirements, except that the limitation in section 9(c)(1) of the Act is increased such that of the amount of CFP assistance provided for under this CFP amendment only, the PHA may use no more than 25 percent for activities that are eligible under section 9(c) of the Act only if the PHA's HUD-approved Five Year Action Plan provides for such use; however, if the PHA owns or operates less than 250 public housing dwelling units, such PHA may continue to use the full flexibility in section 9(c)(2) of the Act.

3. The PHA has a HUD-approved Capital Fund Five Year Action Plan and has complied with the requirements for reporting on open grants through the Performance and Evaluation Report. The PHA must comply with 24 CFR 905.300 of the Capital Fund Final rule regarding amendment of the Five Year Action Plan where the PHA proposes a Significant Amendment to the Capital Fund Five Year Action Plan.

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

5. Unless otherwise provided, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(c)(1) of the Act and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(c)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.

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

7. The PHA shall continue to operate each public housing project as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for each public housing project or portion thereof and for a period of forty years after the last distribution of CFP

assistance for development activities for each public housing project and for a period of ten years following the last payment of assistance from the Operating Fund to each public housing project. However, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing project(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition of any project covered by this amendment shall occur unless approved by HUD.

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

9. Implementation or use of funding assistance provided under this CFP Amendment is subject to the attached corrective action order(s).  
(mark one): ☐ Yes ☒ No

10. The PHA is required to report in the format and frequency established by HUD on all open Capital Fund grants awarded, including information on the installation of energy conservation measures.

11. If CFP assistance is provided for activities authorized pursuant to agreements between HUD and the PHA under the Rental Assistance Demonstration Program, the PHA shall follow such applicable statutory authorities and all applicable HUD regulations and requirements. For partial conversion of public housing projects, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing project(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition or conversion of any public housing project covered by these terms and conditions shall occur unless approved by HUD. For partial conversion, the PHA shall continue to operate each non-converted public housing project as low-income housing in accordance with paragraph 7.

12. CFP assistance provided as an Emergency grant or a Safety and Security grant shall be subject to a 12 month obligation and 24 month expenditure time period. CFP assistance provided as a Natural Disaster grant shall be subject to a 24 month obligation and 48 month expenditure time period. The start date shall be the date on which such funding becomes available to the PHA for obligation. The PHA must record the Declaration(s) of Trust within 60 days of the effective date or HUD will recapture the funds.

The parties have executed this CFP Amendment, and it will be effective on 4/13/2016. This is the date on which CFP assistance becomes available to the PHA for obligation.

U.S. Department of Housing and Urban Development By _____ Date: _____	PHA (Executive Director or authorized agent) By <u>Kurt Henry</u> Date: <u>3/10/2016</u>
Title _____	Title <u>Executive Director</u>

Previous versions obsolete

form HUD-52840-A OMB Approval No. 2577-0157 (exp. 01/31)

\*\*\*The Housing Authority of the County of Santa Clara is a Moving to Work Agency\*\*\*



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

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 OMB No. 2577-0226  
 Expires 8/31/2011

<b>Part I: Summary</b> PHA Name: Housing Authority of the County of Santa Clara Grant Type and Number: Capital Fund Program Grant No. Replacement Housing Factor Grant No. CA01R05950116 Date of CFFP:		FFY of Grant: 2016 FFY of Grant Approval:			
Type of Grant: <input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Performance and Evaluation Report for Period Ending:					
Summary by Development Account					
Line	Original	Total Estimated Cost Revised <sup>2</sup>	Obligated	Total Actual Cost <sup>1</sup> Expended	
1	Total non-CFF Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465 1. Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration				
16	1495 1. Relocation Costs				
17	1499 Development Activities <sup>4</sup>	\$431,445.00			
18a	1501 Collateralization or Debt Service paid by the PHA				
18b	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant. (sum of lines 2 - 19)	\$431,445.00	\$ 0.00	\$ 0.00	
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				
Signature of Executive Director: <i>Kara Henry</i>		Date: 3/8/2016		Signature of Public Housing Director:	Date:

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

Part II: Supporting Pages				Federal FY of Grant: 2016				
PHA Name: Housing Authority of the County of Santa Clara			Grant Type and Number Capital Fund Program Grant No: CFPP Year No: Replacement Housing Factor Grant No: CA01R05950116					
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost		Status of Work
Deborah CA39-PO59-016		1492		Original	Revised <sup>1</sup>	Funds Obligated <sup>2</sup>	Funds Expended <sup>2</sup>	
MTW Demonstration								
Development Activities		1499	\$431,445.00					
					</			

<sup>1</sup> To be completed for the Performance and Evaluation Report or a Revised Annual Statement<sup>3</sup> To be completed for the Performance and Evaluation Report.

## Federal FY of Grant: 2016

Replacement Housing Factor Grant No: CA01R05950116

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



PHA Name: Housing Authority of the County of Santa Clara

Federal FY of Grant: 2016

<sup>1</sup> Obligation and expenditure and dated can only be revised with HUD approval pursuant to Section 9) of the U.S. Housing Act of 1937, as amended.

## Federal FY of Grant: 2016

[illegible]

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9] of the U.S. Housing Act of 1937, as amended.

## 2016 Capital Fund

## Capital Fund Program

## (CFP) Amendment

To The Consolidated Annual Contributions

Contract (form HUD-53012)

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

Whereas, (Public Housing Authority) SANTA CLARA ca059 (herein called the "PHA")  
and the United States of America, Secretary of Housing and Urban Development (herein called "HUD") entered into Consolidated Annual Contributions  
Contract(s) ACC(s) Number(s) SF-1933 dated 3/8/2004

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

\$ \$260,091.00 for Fiscal Year 2016 to be referred to under Capital Fund Grant Number CA01P25500116  
PHA Tax Identification Number (TIN): On File DUNS Number: On File

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

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

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

2. The PHA must carry out all development, capital and management activities in accordance with the United States Housing Act of 1937 (the Act), 24 CFR Part 905 (the Capital Fund Final rule) published at 78 Fed. Reg. 63740 (October 24, 2013), as well as other applicable HUD requirements, except that the limitation in section 9(g)(1) of the Act is increased such that of the amount of CFP assistance provided for under this CFP amendment only, the PHA may use no more than 25 percent for activities that are eligible under section 9(e) of the Act only if the PHA's HUD-approved Five Year Action Plan provides for such use; however, if the PHA owns or operates less than 250 public housing dwelling units, such PHA may continue to use the full flexibility in section 9(g)(2) of the Act.

3. The PHA has a HUD-approved Capital Fund Five Year Action Plan and has complied with the requirements for reporting on open grants through the Performance and Evaluation Report. The PHA must comply with 24 CFR 806.300 of the Capital Fund Final rule regarding amendment of the Five Year Action Plan where the PHA proposes a Significant Amendment to the Capital Fund Five Year Action Plan.

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

5. Unless otherwise provided, the 24 month time period in which the PHA must obligate this CFP assistance pursuant to section 9(g)(1) of the Act and 48 month time period in which the PHA must expend this CFP assistance pursuant to section 9(g)(5) of the Act starts with the effective date of this CFP amendment (the date on which CFP assistance becomes available to the PHA for obligation). Any additional CFP assistance this FY will start with the same effective date.

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

7. The PHA shall continue to operate each public housing project as low-income housing in compliance with the ACC(s), as amended, the Act and all HUD regulations for a period of twenty years after the last disbursement of CFP assistance for modernization activities for each public housing project or portion thereof and for a period of forty years after the last distribution of CFP

assistance for development activities for each public housing project and for a period of ten years following the last payment of assistance from the Operating Fund to each public housing project. However, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing project(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition of any project covered by this amendment shall occur unless approved by HUD.

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

9. Implementation or use of funding assistance provided under this CFP Amendment is subject to the attached corrective action order(s).  
(mark one): ☐ Yes ☒ No

10. The PHA is required to report in the format and frequency established by HUD on all open Capital Fund grants awarded, including information on the installation of energy conservation measures.

11. If CFP assistance is provided for activities authorized pursuant to agreements between HUD and the PHA under the Rental Assistance Demonstration Program, the PHA shall follow such applicable statutory authorities and all applicable HUD regulations and requirements. For total conversion of public housing projects, the provisions of Section 7 of the ACC shall remain in effect for so long as HUD determines there is any outstanding indebtedness of the PHA to HUD which arose in connection with any public housing project(s) under the ACC(s) and which is not eligible for forgiveness, and provided further that, no disposition or conversion of any public housing project covered by these terms and conditions shall occur unless approved by HUD. For partial conversion, the PHA shall continue to operate each non-converted public housing project as low-income housing in accordance with paragraph 7.

12. CFP assistance provided as an Emergency grant or a Safety and Security grant shall be subject to a 12 month obligation and 24 month expenditure time period. CFP assistance provided as a Natural Disaster grant shall be subject to a 24 month obligation and 48 month expenditure time period. The start date shall be the date on which such funding becomes available to the PHA for obligation. The PHA must record the Declaration(s) of Trust within 60 days of the effective date or HUD will recapture the funds.

The parties have executed this CFP Amendment, and it will be effective on 4/13/2016. This is the date on which CFP assistance becomes available to the PHA for obligation.

U.S. Department of Housing and Urban Development By _____ Date: _____	PHA (Executive Director or authorized agent) By <u>Karen Henry</u> Date: <u>3/8/2016</u>
Title _____	Title <u>Executive Director</u>

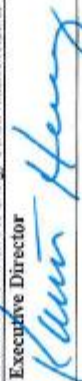
Previous versions obsolete

form HUD-52846-A OMB Approval No. 2577-0157 (exp. 01/31/17)

\*\*\*The Housing Authority of the County of Santa Clara is a Moving to Work Agency\*\*\*

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

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 8/31/2011

<b>Part I: Summary</b>		<b>Grant Type and Number</b>		<b>FFY of Grant: 2016</b>	
PHA Name: Housing Authority of the County of Santa Clara		Capital Fund Program Grant No: CA01P0990116		FFY of Grant Approval:	
Date of CFFP:		Replacement Housing Factor Grant No:			
<input checked="" type="checkbox"/> Original Annual Statement <input type="checkbox"/> Performance and Evaluation Report for Period Ending:		<input type="checkbox"/> Reserve for Disasters/Emergencies <input type="checkbox"/> Revised Annual Statement (revision no: )		<input type="checkbox"/> Final Performance and Evaluation Report	
<b>Line</b>	<b>Summary by Development Account</b>	<b>Original</b>	<b>Total Estimated Cost Revised<sup>2</sup></b>	<b>Obligated</b>	<b>Total Actual Cost<sup>3</sup> Expended</b>
1	Total non-CFF Funds				
2	1406 Operations (may not exceed 20% of line 21) <sup>3</sup>				
3	1408 Management Improvements				
4	1410 Administration (may not exceed 10% of line 21)				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Non-dwelling Structures				
13	1475 Non-dwelling Equipment				
14	1485 Demolition				
15	1492 Moving to Work Demonstration	\$280,061.00			
16	1495.1 Relocation Costs				
17	1499 Development Activities <sup>1</sup>				
18a	1501 Collateralization or Debt Services paid by the PHA.				
18ba	9000 Collateralization or Debt Service paid Via System of Direct Payment				
19	1502 Contingency (may not exceed 8% of line 20)				
20	Amount of Annual Grant: (sum of lines 2 - 19)	\$280,061.00	\$ 0.00	\$ 0.00	\$ 0.00
21	Amount of line 20 Related to LBP Activities				
22	Amount of line 20 Related to Section 504 Activities				
23	Amount of line 20 Related to Security - Soft Costs				
24	Amount of line 20 Related to Security - Hard Costs				
25	Amount of line 20 Related to Energy Conservation Measures				
<b>Signature of Executive Director</b> 		<b>Signature of Public Housing Director</b>		<b>Date</b> 3/8/2016	

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





Part III: Implementation Schedule for Capital Fund Financing Program					Federal FYF of Grant: 2016
PHA Name: Housing Authority of the County of Santa Clara					
Development Number Name/PHA-Wide Activities	All Fund Obligated (Quarter Ending Date)		All Funds Expended (Quarter Ending Date)		Reasons for Revised Target Dates
	Original Obligation End Date	Actual Obligation Enc Date	Original Expenditure End Date	Actual Expenditure End Date	
16/Deborah	4/12/2018		4/12/2020		
HA-Wide					
Management Improvements	4/12/2018		4/12/2020		
Administration	4/12/2018		4/12/2020		
Audit	4/12/2018		4/12/2020		
Fees & Costs	4/12/2018		4/12/2020		
Nondwelling Equipment Relocation	4/12/2018		4/12/2020		

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 8/31/2011

[illegible]

<sup>1</sup> Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.