

Sonoma County Community Development Committee



Human Services Dept. Representative: Oscar Chavez (Chair), **Tenant Representatives:** Stephanie Hiller, Jessica Vega
1st Dist: Betzy Chavez (Vice Chair) **2nd Dist:** Vacant **3rd Dist:** Karin Davis **4th Dist:** Willie Lamberson **5th Dist:** Linda Garcia
Executive Director: Margaret Van Vliet

Public Meeting
Wednesday, May 22, 2019
10:00am-11:30am
SCCDC Hearing Room
1440 Guerneville Road
Santa Rosa, California 95403

Agenda

- 1. Call to Order and Roll Call**
- 2. Public Comments for Items Not on the Agenda**
- 3. Approval of Minutes from April 17, 2019 Meeting (page 3)**
The Committee will discuss and may take action to approve the minutes from April 17, 2019 or may recommend changes to these minutes.
- 4. Committee Report Out: Fair Housing Conference Take-Aways**
- 5. Public Hearing: Changes to Housing Authority Administrative Plan (page 6)**
 - a. Open Public Hearing
 - b. Close Public Hearing
 - c. Committee Discussion
 - d. Recommendation for Changes to Housing Authority Administrative Plan
- 6. Adjournment**

Next Regular Meeting
June 19, 2018
10:00 am
Public Hearing Room
1440 Guerneville Road
Santa Rosa, CA

Any writings or documents presented to a majority of the Community Development Committee regarding any item on this agenda will be made available for public inspection in the Sonoma County Community Development Commission office located at 1440 Guerneville Road, Santa Rosa, CA 95403 during normal business hours.

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DISABLED ACCOMMODATION: If you have a disability which requires an accommodation, an alternative format, or requires another person to assist you while attending this meeting, please contact the Administrative Services Officer at (707) 565-7520, as soon as possible to ensure arrangements for accommodation.

Sonoma County Community Development Committee



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Public Hearing Concurrent with Cities and Towns Advisory Committee Wednesday, April 17, 2019

Minutes

1. Call to Order and Roll Call

Oscar Chavez called the meeting to order at 10:04AM and roll was called
CD Committee Members Present: Karin Davis, Willie Lamberson, Linda Garcia, Oscar Chavez

CD Committee Members Absent: Betzy Chavez, Stephanie Hiller, Jessica Vega,
CDC Staff Present: Geoffrey Ross, Assistant Executive Director; Felicity Gasser, Federal Funding Administrator; Angela Morgan, Affordable Housing Finance Associate; Valerie Johnson, Asset Management and Compliance Specialist; Darrin O'Hara, Administrative Aide; Maria Contreras, Affordable Housing Finance Specialist; Holly Trujillo, Senior Community Development Specialist

Guests Present:

Michelle Edwards, Boys & Girls Club of Sonoma County

Caterina G, Catholic Charities

Colleen Carmichael, Reach for Home

Jenna Garcia, City of Rohnert Park

Mark Krug, Burbank Housing

Bert Bangsberg, Catholic Charities

Lake Kowell, Disability Services and Legal Center

Stephen Sotomayor, City of Healdsburg

Eileen Berry, Exchange Bank

Pamela Swan, Catholic Charities

2. Public Comments for Items Not on the Agenda

Michelle Edwards, Executive Vice President of the Boys & Girls Club of Sonoma County thanked the Committee for their support of public projects and highlighted the benefits of the Boys & Girls Club for low income families throughout Sonoma and Marin counties. She expressed that the Boys & Girls Club owns several buildings throughout Sonoma County that would be a fit for Capital Projects funding and would look forward to working with the Committee in the future on these projects.

3. Approval of Minutes from March 20, 2019 Meeting

Linda Garcia moved to approve the minutes from the March 20th meeting, Willie Lamberson seconded.

Ayes: Karin Davis, Oscar Chavez

Nays: None

Abstain: None

Absent: Betzy Chavez, Stephanie Hiller, Jessica Vega

4. Committee Member Report Out: Fair Housing Conference Take-Aways

This item was moved to May agenda because participants of conference were not present.

5. Staff Report: Transfer of Successor Agency Funds from City of Sonoma to Commission for Administration

Angela Morgan presented an informational item on the transfer of successor agency funds from the City of Sonoma to the CDC for administration.

6. Public Hearing: Recommend the FY 2019-2020 Action Plan

The public hearing was opened at 10:13am

Felicity Gasser, Federal Funding Administrator, provided a summary of the draft action plan which contains staff determinations of funding eligibility of applications that were presented to the Committees in February. The requirement that applicants be present for the Hearing was waived. The draft Action Plan will be presented to the Board of Supervisors on April 30th.

Some notable changes staff highlighted were:

City of Rohnert Park withdrew their request for \$73,000 for bicycle and pedestrian improvements. This money is being transferred to the Sebastopol Bodega Highway improvement in lieu of using program income funds for this project.

Staff is recommending that we fund a comprehensive program between Legal Aid and Fair Housing Advocates. Staff will meet with each of the applicants to discuss filling the gaps identified at the last meeting. Staff will not make a final determination about contracts but for a full program staff recommends a combined award.

Linda Garcia asked if the Home Sonoma County Leadership Council would dissolve after the allocation of HEAP dollars. Geoffrey Ross, Assistant Executive Director responded that the Leadership Council will continue.

Public Comment

Frank Bell, General Manager at the Sea Ranch, expressed the importance of the Sea Ranch roof repair project. He appreciated the comments made and efforts to bring this project forward in summer upon approval of funding.

Oscar Chavez expressed his appreciation to staff for listening to concerns on disability and on the solution for bringing fair housing partners together in a commitment to collective action.

Henry Mikus, City of Sebastopol, expressed that this year was different from previous years. More user friendly and engaging and able to do better because of the information we were given. The community is very pleased with what has happened and staff efforts were appreciated.

7. Discussion: Committee Calendar

Felicity Gasser reviewed plans to hold offsite meetings in different areas of the County in the summer, including Sonoma and West County.

Committee members expressed interest in partnering with the newly formed municipal advisory committees (MACs) in Sonoma Valley and West County.

8. Adjournment

Oscar Chavez adjourned the meeting at 10:48AM

Respectfully submitted,
Holly Trujillo, Senior Community Development Specialist



Sonoma County Community Development Commission
Sonoma County Housing Authority
1440 Guerneville Road, Santa Rosa, CA 95403-4107

*Members of the
Commission*

David Rabbitt
Chair

Susan Gorin
Vice Chair

Shirlee Zane
James Gore
Lynda Hopkins

Margaret Van Vliet
Executive Director

MEMORANDUM

Date: May 22, 2019
To: The Community Development Committee
From: Martha Cheever, Housing Authority Manager
Subject: Item #5: Housing Authority Annual Plan

The Sonoma County Housing Authority (Housing Authority) administers the Voucher Program, under contract with the U.S. Department of Housing and Urban Development (HUD). Vouchers are the federal government's primary method for helping very low-income families, the elderly, and the disabled rent housing from private landlords. The Housing Authority's Voucher Program is also a useful tool to facilitate affordable housing development, which offers a subsidy to a new or rehabilitated developments through project-based vouchers, which tie assistance to specific units.

Federal regulation 24 CFR § 982.54 requires all Housing Authorities to adopt a written Administrative Plan (Admin Plan) to ensure that local programs operate within HUD's requirements. The Admin Plan dictates the program's waitlist management, preferences, and other local needs-based policies. If a Housing Authority proposes substantive changes to its Admin Plan, public engagement and a public hearing are required to solicit feedback on the changes.

In September 2017, CDC management identified possible opportunities for Voucher Program improvement and selected the firm Quadel Consulting and Training to review Housing Authority operations and policies. Quadel's original scope of work was narrowed following the October 2017 wildfires and changes in CDC staff. Through a revised work plan, Quadel reviewed Housing Authority process organization, staff capacity, and training, while CDC management concentrated on policies and procedures.

After Quadel's review began, HUD's Office of Fair Housing and Equal Opportunity (FHEO) conducted a routine review of the Housing Authority in May 2018. HUD's review was independent from the CDC-initiated analysis, though both took place concurrently. In June 2018, CDC management identified possible program issues that stemmed from the Voucher Program's "residency" preference and suspended use of the preference indefinitely.



Several months later, in September 2018, HUD completed its initial assessment, which confirmed staff's concerns over the residency preference and identified other areas that required attention. Based on CDC management's review and Quadel and HUD's assessments, the CDC began working to propose changes to improve the Voucher Program.

HUD's assessment, in particular, confirmed the need to update the Voucher Program. HUD and the CDC have reached a preliminary agreement that addresses these specific changes related to the waitlist and the application and selection processes, among other things. As reflected in the updated Admin Plan, the proposed changes also address Project Based Vouchers, Reasonable Accommodations, and the grievance process.

While many public housing authorities use waitlist lotteries as a way to fairly distribute scarce resources and give applicants a realistic timeframe for service, Sonoma County's waitlist has remained open for almost 20 years, operating on a first-come, first-served, preference-based system. As a result of this setup, the current waitlist has more than 26,000 households. With roughly 300 vouchers becoming available each year, it would take decades to reach every household currently on the waitlist.

Cancelling the current waitlist and converting to a lottery-based system will create an equitable system that provides a real expectation of service to applicants - a feature that does not exist under the current structure. This proposed practice aligns with expectations set by HUD in PIH Notice 2012-34(HA), stating that a Housing Authority should "ensure equitable and consistent treatment of applicants, that needy families receive assistance as quickly as possible..."

If approved by the Board of Commissioners, the current waitlist will be canceled and a new lottery-based waitlist system will begin. A new waitlist will open on July 1, 2019 for one month. Fourteen additional waitlists for project-based vouchers tied to specific units will be open simultaneously and be presented as part of the main voucher waitlist recruitment.

Once the application period closes on July 31, 2019, 500 applicants will be selected via lottery for placement on the new Voucher Program waitlist. Households on the new waitlist can expect to receive service within two years; the waitlist will remain closed until all 500 households are served, at which time the waitlist will reopen and the lottery system will repeat. Applicants not selected in the lottery may reapply during the next open application period.

Along with the removal of the residency preference, the proposed changes suggest removing the preference for veterans or spouses of veterans and the preference for families with minor children. Staff found that moving to a lottery waitlist system will make these preferences unnecessary, as everyone will have an opportunity to be served through the program.

In all, these changes will improve the Housing Authority's Voucher Program, making it more equitable and efficient. A summary of all of the proposed changes to the Administrative Plan is included as Attachment 1 to this memo and a full copy of the Sonoma County Housing Authority Administrative Plan with proposed changes in redline is included as Attachment 2.

As is allowed, the Housing Authority closed its waitlist on Friday, May 17, 2019 at 5:00 p.m. with the intention of cancelling the list in its entirety, should the proposed changes be approved. The need to cancel the entire waitlist stems from the fact that the current list is based on the preferences that created an unresponsive and exclusionary system. As such, drawing applicants from the current list would negatively impact all current and potential applicants. Households on the current waitlist were notified of these proposed changes and have been provided with an opportunity to attend the public hearing or to provide written comment. A summary of public comments received are included as attachments 3 to this memo. All public comments received as of noon on Friday, May 17, 2019, are included as an attachment 4 to this memo.

Requested Action: Consideration of the proposed changes to the Sonoma County Housing Authority Administrative Plan and Recommend of the approval either with or without changes be send to the Board of Commissioners for consideration.

Attachments:

- Attachment 1: Summary of Proposed changes to Administrative Plan (pg. 9)
- Attachment 2: Administrative Plan with Proposed Changes in Redline (pg. 18)
- Attachment 3: Summary of Public Comment (pg. 196)
- Attachment 4: Public Comment (pg. 197)

Attachment 1

Proposed changes to the Sonoma County Housing Authority Administrative Plan
May 22, 2019

Chapter 1 - Statement of Policies and Objectives

1. Updates the Mission Statement of the Community Development Commission to: “Opening doors to permanent housing”
2. Updates the policy for requesting a Reasonable Accommodation to:
 - a. Clarify who is eligible to request a reasonable accommodation;
 - b. Expand the group of individuals who are eligible verify a disability related need;
 - c. Delete the requirement that a medical professional must provide written verification of a disability related need
3. Updates the policy related to individuals with Limited English Proficiency (LEP) to:
 - a. Clarify that if a client prefers, they may provide their own interpreter, but that the interpreter must be 18 years of age or older;
 - b. Clarify that the Housing Authority will translate vital program documents into the language needed by a participating LEP family
4. Updates the Owner Outreach Policy to remove the specificity of organizations the Housing Authority participates in.

Chapter 2 - Eligibility for Admission

- Expands the group of individuals eligible to verify a disability related need for a Live-In Aide
- Clarifies documentation requirements for a Live-In Aide

Chapter 3 - Applying for Admission

Note: This Chapter contains substantive amendments.

1. Updates to the Preliminary Application and Full Application Taking Process include:
 - a. Substantially amends the waitlist application process to reflect that during times of an open waitlist, the waitlist will be generated via random lottery without regard to preferences from the preliminary applications received.
 - b. Identifies alternate means of application submission which may be utilized by the Housing Authority
 - c. Identifies that the Housing Authority may opt to limit the number of applicants placed on the waitlist to correspond to the number that may reasonably be expected to be reached within one year.
2. Updates to the Opening/Closing of the Waitlist include:
 - a. Updates the public noticing process to include the Press Democrat, minority media outlets, and the Community Development Commission website

- b. Removes specificity of advertising through various newspapers, radio stations, and non-profits
 - c. Clarifies public notification process for closing of waitlist
 - d. Eliminates “Limits on Who May Apply” section
- 3. Replaces “Initial” Application Procedure section with a “How to Apply” section.
 - a. Provides new policy for format and contents of preliminary applications
 - b. Provides new methods by which the Housing Authority may choose to accept preliminary applications
 - c. Provides that the Housing Authority will grant special accommodation requests for submission of preliminary applications without verifying applicant’s disability
 - d. Provides that the Housing Authority must remove an applicant from any other assisted housing programs before providing rental assistance through the Housing Choice Voucher program
- 4. Adds “Waitlist Structure” section
 - a. Provides that applicants will be selected for placement on the waitlist via random lottery after the close of the preliminary application period
 - b. Provides that applicants not selected for placement on the waitlist will be notified as soon as reasonably possible and that their preliminary application is no longer active
- 5. Modifies “Applicant Status While on Waitlist” section to:
 - a. Includes that no applicant has a right or entitlement to be listed on the waitlist or to any particular position on the waitlist
- 6. Updates process for policy related to purging the Waitlist
 - a. Clarifies that requests for updated application information will be sent to the last address that the Housing Authority has on file for the applicant
 - b. Clarifies that if an applicant does not respond to a request for updated information by the deadline stated in the mailer, the applicant will be removed from the applicable waitlist
 - c. Removes language that the Housing Authority will mail an update form to applicants’ whose mail is returned with a forwarding address
 - d. Clarifies that an applicant may be removed from the waitlist for failure to respond to a request for information or due to mail returned by the Postal Service
 - e. Clarifies that the Housing Authority may only consider requests for reinstatement which are made no more than one year from of the applicant’s removal from the waitlist and the waitlist that the applicant was originally part of is still active
- 7. Adds section “Final Draw from the Waiting List”
 - a. Provides that the Housing Authority may conduct a final draw from the waitlist or draw from the waitlist as needed to maintain maximum voucher utilization
 - b. Provides that applicants not included in a final draw will cancelled from the waitlist and be notified via US Mail

8. Updates the section “Completion of a Full Application”
 - a. Adds provision for when all adult family members are unable to attend the full Housing Authority interview, only the Head of Household and spouse or co-head are required to attend. Documentation signed by all adult household members must be provided at the full interview.

Chapter 4 - Establishing Preferences and Maintaining a Waitlist

Note: This Chapter contains substantive amendments

1. Update to the “Introduction” clarifying that an applicant does not always need to be eligible for a preference in order to be eligible for assistance.
2. Updates “Waiting List” section:
 - a. Clarifies that the Housing Authority may limit the number of applicants placed on the waitlist to the number who may reasonably be expected to be reached within one year.
 - b. Adds policy that the Housing Authority will establish the waitlist according to random lottery.
 - c. Removes “date and time of application” from information maintained for each applicant.
3. Substantive amendments were made to the “Local Preferences” section
 - a. Updates the waitlist selection process to include the use of a randomly assigned applicant numbers and Housing Authority preferences.
 - b. Combines the In-Place Homeless Prevention Super Preference and the Preference for Shortfall or Loss of Rental Assistance Funding for ease of use.
 - c. Provides that preference points will be cumulative and eliminates language regarding non-cumulative points.
 - d. Eliminates a preference for veterans or surviving spouses of veterans
 - e. Eliminates preference for families with minor children.
 - f. Adds a preference for persons with disabilities who are transitioning out of a mental health care institution or other segregated settings or are at serious risk of institutionalization.
 - g. Eliminates the jurisdiction preference meaning that the Housing Authority will not consider where a person currently lives or works when determining eligibility.
 - h. Clarifies that the use of an In-Place Preference will only be applicable during times that overall program utilization is at or below 95%.
 - i. Clarifies that 20% of the Housing Authority annual turn-over vouchers may be used for the Move-On program rather than 10% of all program vouchers. On average, this equates to roughly sixty vouchers per year
 - j. Clarifies that referrals for the Re-entry Pilot Program must come from organizations who have entered into an agreement with the Sonoma County Probation Department or other law enforcement agency.

- k. Proposes to allow 45 participants to enter the Re-Entry Pilot Program over a three-year period ending December 31, 2022. At the end of this period the Housing Authority may opt to make this an ongoing program or eliminate the program depending on outcomes recorded.
- 4. Clarification added to the section “Initial Determination of Local Preferences”
 - a. Clarifies that if an applicant is drawn from the waitlist based on an indicated preference for which they do not qualify, they will be returned to the waitlist in accordance with their original waitlist position without the addition of a preference.
 - b. Adds a section “Preference Denial” and provides the process by which an applicant who has not received a preference may request an informal review.

Chapter 5 - Subsidy Standards

There are no proposed changes to this Chapter.

Chapter 6 - Factors Related to Total Tenant Payment and Family Share Determination

In addition to minor changes to wording, this Chapter includes clarification to the Medical Expense Policy.

- 1. Changes to “Medical Expenses” section include:
 - a. Provides that in order for over-the counter medications to be used as an eligible medical expense, they must be prescribed by a knowledgeable medical practitioner to treat a specific medical condition. Non-prescription medications taken to maintain general good health are not eligible medical expenses for purposes of the program.
 - b. Provides that the Housing Authority will utilize the most current IRS Publication 502, Medical and Dental Expenses, as a guide to determine allowable medical expenses when HUD regulations and Housing Authority policies are unclear.
 - c. Provides that if a participant requests the inclusion of medical mileage, that the Housing Authority will use the IRS medical mileage rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment.
 - d. Provides that requests for medical mileage must be submitted on the Housing Authority Medical Mileage Expense form.

Chapter 7 - Verification Procedures

In addition to minor changes to wording, this chapter includes clarification to the following:

- 1. Clarifies that in addition to a medical practitioner, a social worker or other reliable third party with knowledge of a person disability related needs, may verify the

need for services of an attendant and/or auxiliary apparatus to permit the disabled individual to be employed for function substantially independently so another family member may be employed.

2. Clarifies that in addition to a medical practitioner, a social worker or other reliable third party with knowledge of a person disability may provide verification of disability.
3. Clarifies that medical expenses for dental expenses, eyeglasses, hearing aids and batteries will become eligible upon payment of expense.
4. Clarifies that for prescribed medications (prescription and non-prescription) a medical practitioner must complete a Medical Expense Form.
5. Clarifies that the Housing Authority requires documentation of scheduled payment program/plan for services the participant is making regular payments on.
6. Provides that the Housing Authority will allow medical mileage for transportation costs to and from required medical appointments using the IRS medical mileage rate.
7. Clarifies that the Housing Authority will not allow a medical expense deduction for food items (i.e. Ensure, organic foods).

Chapter 8 - Voucher Issuance and Briefings

In addition to changes in wording, this Chapter includes the following changes:

1. Provides that only the Head of Household is required to attend the full program Briefing.
2. Clarifies that the available unit listing will include accessibility features of units which have been reported by the property manager/owner.
3. Includes a statement that the Housing Authority will encourage participant families to search for housing in areas outside of minority or poverty concentration.
4. Deletes statements that the Housing Authority provides housing search assistance to families or has a Housing Search Workshop for families to assist them in locating a unit.

Chapter 9 - Request for Tenancy Approval and Contract Execution

1. Changes include minor language clean-up
2. Clarifies that in order to be an eligible housing type, a residential structure must be on a fixed foundation and permanently connected to utility services.
3. Updates the list of Housing Authority staff who are authorized to sign a Housing Assistance Payment contract for a specific unit.
4. Clarifies that the Housing Authority may not approve a tenant to rent a unit when the landlord and tenant are related by blood or marriage.

Chapter 10 - Housing Quality Standards and Inspections

1. Changes include minor language clean-up

2. Deletes old language related to quality control inspections and updates to indicate that these inspections will be performed by an individual who did not conduct the initial inspection
3. Clarifies that quality control inspections will be conducted throughout the year

Chapter 11 - Owner Rents, Rent Reasonableness, and Payment Standards

1. Updated method by which the Housing Authority tracks payments to owners/property managers
2. Updated to encourage Owners and Property Managers to utilize direct deposit for Housing Assistance Payments

Chapter 12 - Recertifications

1. Clarifies that families need only report eligible immigration status at annual recertification when there is a change or addition to the household
2. Clarifies that only the head of household is required to attend annual recertification appointments so long as they bring all of the required documents signed by all adult household members to the appointment

Chapter 13 - Moves with Continued Assistance

1. Includes general changes to wording
2. Removes language that a contract for a new unit may begin with five days of move from old unit. This language change is being made to provide families additional flexibility when switching units.
3. Clarifies that the Housing Authority may pay Housing Assistance Payments (HAP) through the end of the month that a family moves out. This change will allow an increased overlap time to provide families additional flexibility when switching units.
4. Includes co-head as an individual for whom consideration may be made for portability requests.
5. Includes language that portability requests which would otherwise be ineligible may be granted as a reasonable accommodation.

Chapter 14 - Contract Terminations

1. Provides that the Housing Authority may pay contract rent through the end of the month in which a Housing Assistance Payment contract terminates if funding is available.
2. Includes general language changes

Chapter 15 - Denial or Termination of Assistance

1. Updates mandatory denial policy related to life-time sex offender registrants to conform with Federal requirements
2. Updates the mandatory denial policy related to production of methamphetamine in federally assisted housing in conformance with Federal requirements

3. Updates the mandatory denial policy related to eviction from federally assisted housing to delete “for serious or repeated lease violations” and include “for drug-related criminal activity.” This change conforms local policy to Federal requirements.
4. Clarifies that persons evicted from federally assisted housing for drug-related criminal activity may be admitted to the program subject to informal review procedures.
5. Changes denial language from “commits” to “convicted” in relation to drug-related or violent criminal activity

Chapter 16 - Owner Disapproval and Restrictions

1. Clarifies that the Housing Authority will not approve a participant to rent a unit when the participant is related to the owner by either blood or marriage.

Chapter 17 - Veterans Affairs Supportive Housing

There are no proposed changes to this Chapter.

Chapter 18 - Owner or Family Debts to the Housing Authority

1. Changes include some minor language changes
2. Clarifies that when a family is subject to a Repayment agreement, the family’s payment history will be considered as part of the authorization to move process
3. Adds a provision related to personal checks returned by the banking institution for insufficient funds. After two checks returned for non-sufficient funds, the family will be required to make payments on repayment agreements in an alternate form such as cash, money order, or cashier’s check.
4. Provides that the Housing Authority may, under certain circumstances, allow a family who failed to report an increase in income to enter into a repayment agreement

Chapter 19 - Complaints and Appeals

1. Changes include some minor language changes
2. Provides that at the discretion of the Housing Authority, an extension to the time to request an informal review may be made.
3. Clarifies that informal hearing decisions will be mailed to the participant by the Housing Authority

Chapter 20 - Special Housing Types

1. Updates approved special housing types to include Congregate Housing
2. Incorporates general information, payment standard, utility allowance, and Housing Assistance Payment calculation information, and Housing Quality Standards for Congregate Housing.

3. Discontinues the Homeownership Program, but provides that program requirements will continue to be applicable to households on the Housing Authority's Homeownership Program prior to June 4, 2019

Chapter 21 - Project Based Voucher (PBV) Program

Note: This Chapter contains substantive changes

1. Provides that with HUD's approval an additional 10% (above and beyond regulatory limit) of the Housing Authority's Annual Contributions Contract (ACC) units may be made available under the Project Based Voucher program for units which are exclusively available to families eligible for supportive services or units exclusively available to elderly families.
2. Updates regulatory guidance references
3. Updates advertising process to include the Housing Authority website and reduces number of publications in the newspaper to one.
4. Clarifies project eligibility for the award of PBVs on a non-competitive basis to 9% low-income housing tax credits (LIHTC) or other comparable LIHTC
5. Updates the number of proposed number of units within a project which can be project-based to include a glossary reference and to remove single family dwellings
6. Provides that in the proposal ranking process, additional points will be granted to projects which are outside areas of minority concentration and areas of concentrated publicly supported housing
7. Clarifies requirement for environmental clearance for existing housing projects
8. Imposes a requirement that owners of existing housing who are seeking project based vouchers have an accessibility survey completed for the property
9. Updates factors for selecting applications to include that units are located outside areas of minority concentration, that the design exceeds ADA accessible units requirements, and that the design meets the design and construction requirements outlined in 24 CFR § 100.205
10. Provides that the Housing Authority will centrally maintain project-specific waitlists for developments with Project Based Vouchers
11. Provides that placement on the Project Based Voucher waitlist will be according to a randomly assigned tenant ID number.
12. Provides that applicants requiring accessible units will be referred for accessible units in the order of their randomly assigned applicant ID number before applicants who do not require the features.
13. Provides that there are vacant or turnover units specified for a specific population (i.e. disabled or elderly) and there are no applicants on the PBV waitlist needing that type of unit, the Housing Authority may draw names from its Section 8 waitlist.
14. Provides that when the HCV and PBV waitlists are open simultaneously, the Housing Authority must ensure that applications for all open waitlists are made available.

15. Provides that if a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waitlist or any other PBV waitlists. Rejection by the PBV owner, however, shall be grounds for removal from the PBV site-based waitlist.
16. Provides that upon request, the owner shall provide the Housing Authority with the basis for which an applicant was denied admission.

Glossary

1. Clarifies the definition of "Project" as a single building, multiple contiguous buildings, or multiple buildings on contiguous parcels of land. Single family homes, duplexes, triplexes, and fourplexes may constitute a project.

Chapter 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U.S. Housing Act of 1937. The Act has been amended from time to time and its requirements, as they apply to the Section 8 Tenant-Based Assistance Program, are described in and implemented throughout this Administrative Plan.

The purpose of the Section 8 Program is to provide rental assistance to low-income families and individuals to enable them to rent decent, safe and sanitary housing. The Section 8 rental assistance program is federally funded. It is available throughout the United States and is administered by public housing authorities. In Sonoma County, excluding the city of Santa Rosa, this program is operated by the Sonoma County Housing Authority (PHA).

Administration of the Section 8 Program and the functions and responsibilities of the PHA staff shall be in compliance with the Department of Housing and Urban Development's (HUD) Section 8 Regulations as well as all Federal, State and local Fair Housing Laws and Regulations. There is a written code of conduct for all PHA employees. These are included in the Personnel Policy and in the Incompatible Activities Policy.

A. PURPOSE OF THE PLAN [24 CFR 982.54]

The administrative plan is required by HUD. The purpose of the administrative plan is to establish policies for carrying out the programs in a manner consistent with HUD requirements and local goals and objectives contained in the PHA's agency plan. This administrative plan is a supporting document to the PHA agency plan, and is available for public review as required by CFR 24 Part 903.

This administrative plan is set forth to define the PHA's local policies for operation of the housing programs in accordance with federal laws and regulations. All issues related to the HCV program not addressed in this document are governed by such federal regulations, HUD handbooks and guidebooks, notices, and other applicable law. The policies in this administrative plan have been designed to ensure compliance with the consolidated ACC and all HUD-approved applications for program funding.

The PHA is responsible for complying with all changes in HUD regulations pertaining to the HCV program. If such changes conflict with this plan, HUD regulations will have precedence.

Administration of the HCV program and the functions and responsibilities of PHA staff shall be in compliance with the PHA's personnel policy and HUD regulations as well as all federal, state and local fair housing laws and regulations.

B. HOUSING AUTHORITY MISSION STATEMENT

The Sonoma County Housing Authority (PHA), operating under the umbrella of the Sonoma County Community Development Commission (CDC), administers the HCV Program under contract with the Department of Housing and Urban Development (HUD).

- The mission of the Sonoma County Community Development Commission (CDC) is ~~to promote decent and affordable housing, revitalize communities, and support public services that increase economic stability for County residents. “Opening doors to permanent housing and opportunity.”~~

~~We are committed to providing services in an effective, efficient and respectful manner.~~

C. ADMINISTRATIVE FEE RESERVE [24 CFR 982.54(d)(22), 24 CFR 982.155]

The total amount of all expenditures for the HCV program will be approved by the Housing Authority Board of Commissioners and made in accordance with the approved budget.

The PHA must maintain an administrative fee reserve for the program to pay program administrative expenses in excess of administrative fees paid by HUD for a PHA fiscal year. If funds in the administrative fee reserve are not needed to cover PHA administrative expenses, the PHA may use these funds for other housing purposes permitted by Federal, State and local law.

The Board of Commissioners approves the aggregate HCV program expenditures, which may include use of administrative fee reserves. HUD requires the PHA Board of Commissioners to establish the maximum amount that may be charged against the administrative fee reserve without specific approval. The PHA will not spend more than \$300,000 in administrative fee reserves in any fiscal year without receiving prior approval from the Board of Commissioners.

D. RULES AND REGULATIONS [24 CFR 982.52]

This Administrative Plan is set forth to define the PHA's local policies for operation of the housing programs in the context of Federal laws and regulations. All issues related to HCVs not addressed in this document are governed by such Federal regulations, HUD Memos, Notices and Guidelines, or other applicable law.

Applicable regulations include:

- 24 CFR Part 5: General Program Requirements
- 24 CFR Part 8: Nondiscrimination
- 24 CFR Part 35: Lead-Based Paint
- 24 CFR Part 982: Section 8 Tenant-Based Assistance: Housing Choice Voucher Program

- 24 CFR Part 983: Project-Based Vouchers
- 24 CFR Part 985: The Section 8 Management Assessment Program (SEMAP)

E. TERMINOLOGY

The Sonoma County Housing Authority is referred to as "PHA" or "Housing Authority" throughout this document.

"Days" when used to define time periods means calendar days unless specifically stated otherwise.

"Family" is used interchangeably with "Applicant" or "Participant" and can refer to a single person family.

"Tenant" is used to refer to participants in terms of their relation to owners.

"Owner" and "Property Manager" are used interchangeably.

"Disability" is used where "handicap" was formerly used.

"Non-citizens Rule" refers to the regulation effective June 19, 1995 restricting assistance to U.S. citizens and eligible immigrants.

The Section 8 programs are also known as the Housing Choice Voucher Program, Homeownership Voucher Program, and Project Based Voucher Program.

"HQS" means the Housing Quality Standards required by HUD regulations.

"Failure to Provide" and "Failure to Comply" refers to all requirements in the first three Family Obligations. See "Denial or Termination of Assistance," Chapter 15.

See Glossary for other terminology.

F. OVERVIEW OF NON DISCRIMINATION AND FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

Federal laws require PHAs to treat all applicants and participants equally, providing the same opportunity to access services, regardless of family characteristics and background. Federal law prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, age, familial status, and disability. In addition, HUD regulations provide for additional protections regarding sexual orientation, gender identity, and marital status. The PHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

- Title VI of the Civil Rights Act of 1964
- Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988)

- Executive Order 11063
- Section 504 of the Rehabilitation Act of 1973
- The Age Discrimination Act of 1975
- Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise Section 504 and the Fair Housing Amendments govern)
- The Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Final Rule, published in the *Federal Register* February 3, 2012 and further clarified in Notice PIH 2014-20
- Violence Against Women Reauthorization Act of 2013 (VAWA)

When more than one civil rights law applies to a situation, the laws will be read and applied together.

It is the policy of the PHA to comply fully with all Federal, State, and local nondiscrimination laws and with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment. (Addenda on Affirmatively Furthering Fair Housing in the HCV FSS and Family Unification programs are located at the end of this chapter.)

The PHA shall not deny any family or individual the equal opportunity to apply for or receive assistance under the HCV Program on the basis of race, color, gender, religion, creed, national or ethnic origin, age, familial or marital status, disability, sexual orientation, or gender identity.

To further its commitment to full compliance with applicable civil rights laws, the PHA will provide Federal/State/local information to voucher holders regarding unlawful discrimination and any recourse available to families who believe they are victims of a discriminatory act. Such information will be made available during the family briefing session, and all applicable Fair Housing Information and Discrimination Complaint Forms will be made a part of the voucher holder's briefing packet and available upon request at the front desk.

All PHA staff will attend fair housing training and be informed of the importance of affirmatively furthering fair housing and providing equal opportunity to all families, including providing reasonable accommodations to persons with disabilities, as a part of the overall commitment to quality customer service. Except as otherwise provided in 24 CFR 8.21(c)(1), 8.24(a), 8.25, and 8.31, no individual with disabilities shall be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination because the PHA's facilities are inaccessible to or unusable by persons with disabilities. Fair Housing posters and housing information are displayed in locations throughout the PHA's office including the lobby and interview areas in such a manner as to be easily readable from a wheelchair.

If an applicant or participant believes that any family member has been discriminated against by the PHA or an owner, the family should advise the PHA. The PHA will make

every reasonable attempt to determine whether the applicant's or participant's assertions have merit and take any warranted corrective action. In addition, the PHA will provide the applicant or participant with information about how to file a discrimination complaint. The PHA may also report the owner to HUD's Office of Fair Housing and Equal Opportunity (FHEO) or the local Fair Housing Organization.

G. REASONABLE ACCOMMODATIONS POLICY

Definition of Reasonable Accommodation:

A reasonable accommodation is an adjustment made to a rule, policy, practice, or service that allows a person with a disability to have equal access to the HCV program. For example, reasonable accommodations may include making home visits, extending the voucher term, or approving an exception payment standard in order for a participant to lease an accessible dwelling unit.

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the PHA, or result in a "fundamental alteration" in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider's operations.

Common Types of Reasonable Accommodations:

When needed, the PHA will modify normal procedures to accommodate the needs of a person with disabilities. Examples include:

- Permitting applications and reexaminations to be completed by mail
- Conducting home visits
- Using higher payment standards (either within the acceptable range or with HUD approval of a payment standard outside the PHA range) if the PHA determines this is necessary to enable a person with disabilities to obtain a suitable housing unit. Documentation of the accessibility features of a specific unit that meet a disability related need must be provided prior to higher payment standards being authorized.
- Providing time extensions for locating a unit when necessary because of lack of availability of accessible units or special challenges of the family in seeking a unit
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with PHA staff

It is the policy of the PHA to be service-directed in the administration of our housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services to families. A participant with a disability or a person acting on their behalf must first ask for a specific change to a policy or practice as an accommodation of their disability before the PHA will treat a person differently than anyone else. The PHA's policies and practices will be designed to provide assurances that persons with disabilities will be given reasonable accommodations, upon request, so that they may fully access and utilize the housing program and related services. The types of reasonable accommodations the PHA can provide include changes, exceptions, or adjustments to a rule, policy, practice, or service. The availability of requesting an accommodation will be made known to applicants and participants in certain PHA notices, forms and letters.

This policy is intended to afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as those who do not have disabilities and is applicable to all situations described in this Administrative Plan including when a family initiates contact with the PHA, when the PHA initiates contact with a family including when a family applies, and when the PHA schedules or reschedules appointments of any kind. An applicant, participant or family who has a disability must meet the essential obligations of the HCV Program and the lease or rental agreement with the owner. All applicants and participants must be able to pay rent, care for their unit, report required information to the PHA and refrain from disturbing neighbors. The applicant, participant or family may meet these obligations independently or with assistance from another person or agency.

The regulatory civil rights definition for persons with disabilities is provided in Section P, pages 1-11 and 1-12 at the end of this chapter. The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability which is used for waiting list preferences and income allowances.

To be eligible to request a reasonable accommodation, the accommodation must be made by or on behalf of a person with a disability. A person with a disability includes an individual with a physical or mental impairment that substantially limits one or more major life activities; an individual who is regarded as having such an impairment; or an individual with a record of such an impairment. The requester must ~~first~~ verify that ~~they are a person with a disability and that~~ the accommodation will enhance the family's access to the PHA's programs and services. Verification of disability related need may be provided by a doctor, other medical professional, a peer support group, a non-medical service agency or a reliable third party, who is in a position to know about the person's disability. -The PHA will verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation. The PHA will not inquire as to the nature or severity of a person's disability.

The family must explain what type of accommodation is needed to provide the person with the disability full access to the PHA's programs and services. If the need for the accommodation is not readily apparent or known to the PHA, the family must explain the

relationship between the requested accommodation and the disability. There must be an identifiable relationship, or nexus, between the requested accommodation and the individual's disability.

The PHA will encourage the family to make its request in writing using a reasonable accommodation request form. However, the PHA will consider the accommodation any time the family indicates that an accommodation is needed whether or not a formal written request is submitted.

~~Once the person's status as a qualified person with a disability is confirmed, the PHA will require that a knowledgeable medical professional or comparable professional third party competent to make the assessment, provides written verification that the person needs the specific accommodation due to their disability and the change is required for them to have equal access to the housing program. The PHA will request only information that is necessary to evaluate the disability-related need for the accommodation and will verify that the change is required.~~

If the PHA finds that the requested accommodation creates an undue administrative or financial burden, the PHA will either deny the request and/or present an alternate accommodation that will still meet the need of the person.

An undue administrative burden is one that requires a fundamental alteration in the nature of the program or service offered by the PHA (i.e., waiving a family obligation). A fundamental alteration is a modification that alters the essential nature of a provider's operations.

An undue financial burden is one that when considering the available resources of the agency as a whole, the requested accommodation would pose a severe financial hardship on the PHA. The PHA will provide a written decision to the person requesting the accommodation within a reasonable time, generally within 10 working days from the date the request is received. If a person is denied the accommodation or feels that the alternative suggestions are inadequate, they may request an informal hearing to review the PHA's decision.

Reasonable accommodation will be made for persons with a disability that require an advocate or accessible offices. A designee will be allowed to provide some information, but only with the permission of the person with the disability.

The PHA will approve a request for an accommodation if the following three conditions are met [Notice PIH 2010-26]:

- The request was made by or on behalf of a person with a disability.
- There is a disability-related need for the accommodation.
- The requested accommodation is reasonable, meaning it would not impose an undue financial and administrative burden on the PHA, or fundamentally alter the nature of the PHA's HCV operations (including the obligation to comply with HUD requirements and regulations).

Requests for accommodations will be assessed on a case-by-case basis, taking into account factors such as the cost of the requested accommodation, the financial

resources of the PHA at the time of the request, the benefits that the accommodation would provide to the family, and the availability of alternative accommodations that would effectively meet the family's disability-related needs. Before making a determination whether to approve the request, the PHA may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that the PHA may verify the need for the requested accommodation.

In the event that the PHA does receive confidential information about a person's specific diagnosis, treatment, or the nature or severity of the disability, the PHA will either redact medical diagnosis, or dispose of the information. In place of the information, the PHA will note in the file that the disability and other requested information have been verified, the date the verification was received, and the name and address of the knowledgeable professional who sent the information [Notice PIH 2010-26].

H. PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS

The PHA office is accessible to persons with disabilities. Accessibility for the hearing impaired is provided by the TDD telephone service provider. The TDD number is (707) 565-7555. The PHA also provides sign language interpreters when requested. To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request.

Additional examples of alternative forms of communication are having material explained orally by staff or having a third party representative (a friend, relative or advocate, named by the applicant) to receive, interpret and explain housing materials and be present at all meetings.

I. PHYSICAL ACCESSIBILITY

The PHA office is accessible to persons with disabilities. The PHA must comply with a variety of regulations pertaining to physical accessibility, including the following:

- PIH 2002-01 (HA), Accessibility Notice: this notice is posted in the HCV office in a conspicuous place and summarizes information about pertinent laws and implementing regulations related to non-discrimination and accessibility in federally-funded housing programs.
- PIH 2010-26
- Section 504 of the Rehabilitation Act of 1973
- The Americans with Disabilities Act of 1990
- The Architectural Barriers Act of 1968
- The Fair Housing Act of 1988

The person responsible to coordinate compliance with Section 504 is Martha Cheever, Housing Authority Manager. She may be reached at 707-565-7521, or martha.cheever@sonoma-county.org.

J. LIMITED ENGLISH PROFICIENCY (LEP)

The PHA will take affirmative steps to communicate with people who need services or information in a language other than English. A person with Limited English Proficiency (LEP) is a person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English. This policy was developed to serve applicants, participants, and/or persons eligible for housing assistance.

The PHA analyzes the various kinds of contacts it has with the public to assess language needs and decide what reasonable steps should be taken. In order to determine the level of access needed by LEP persons, the PHA will balance the following four factors:

- (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the HCV program;
- (2) the frequency with which LEP persons come into contact with the program;
- (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and
- (4) the resources available to the PHA and costs.

Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue burdens on the PHA.

The PHA has bilingual staff to assist non-English speaking families in Spanish. The PHA also translates documents into Spanish. Interpreter services will be provided on an as-needed basis for clients who speak languages other than Spanish or English. Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the PHA or provided by an outside vendor. The interpreter may not be a child but may be a family member or friend, [18 years of age or older](#). The PHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. "Reasonable steps" may not be reasonable where the costs imposed substantially exceed the benefits. Where feasible and possible, the PHA will encourage the use of qualified community volunteers.

[The PHA will translate vital program documents into the language needed by the family](#). In determining whether it is feasible to translate documents into other languages, the PHA will consider the following factors:

- Number of applicants and participants who do not speak English and speak the other language.
- Cost to translate into the other languages.
- Evaluation of the need for translation by the bilingual staff and by agencies that work with non-English speaking clients.
- The availability of organizations to translate documents, letters and forms for non-English speaking families.

- Availability of bilingual staff to explain untranslated documents to clients.

K. VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Act (VAWA) states that an incident or incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence, and shall not be good cause for terminating the assistance, tenancy, or occupancy rights of the victim of such violence. The PHA will comply with VAWA. In addition, the PHA will provide resource information to HCV applicants and participants about the YWCA's programs for victims of domestic violence. See Chapter 13 and Chapter 15 for additional information about VAWA.

L. MANAGEMENT ASSESSMENT OBJECTIVES

The PHA operates its housing assistance program with efficiency and can demonstrate to HUD auditors that it is using its resources in a manner that reflects its commitment to quality and service. The PHA policies and practices are consistent with the areas of measurement for the following HUD Section 8 Management Assessment Program (SEMAP) indicators.

- Selection from the Waiting List
- Reasonable Rent
- Determination of Adjusted Income
- Utility Allowance Schedule
- HQS Quality Control Inspections
- HQS Enforcement
- Expanding Housing Opportunities
- FMR/Exception Rent & Payment Standards
- Annual Re-examinations
- Correct Tenant Rent Calculations
- Pre-Contract HQS Inspections
- HQS Inspections
- Lease-up
- Family Self-Sufficiency Enrollment and Escrow Account Balances
- Bonus Indicator Deconcentration

Supervisory quality control reviews will be performed by a PHA Supervisor or other qualified person other than the person who performed the work, as required by HUD, on the following SEMAP factors:

- Selection from the waiting list
- Rent reasonableness

Determination of adjusted income

HQS Enforcement

HQS Quality Control

The annual sample of files and records will be drawn in an unbiased manner, leaving a clear audit trail.

The minimum sample size to be reviewed will relate directly to each factor under SEMAP regulations.

M. RECORD RETENTION

In order to demonstrate compliance with HUD and other pertinent regulations, the PHA will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to follow, monitor and or assess the PHA's operational procedures objectively and with accuracy and in accordance with SEMAP requirements with internal supervisory audits.

Supervisory staff will audit the following functions in accordance with SEMAP requirements:

- Reexaminations
- New applications

During the term of each assisted lease, and for at least three years thereafter, the PHA must keep:

- A copy of the executed lease;
- The HAP contract; and
- The application from the family.

In addition, the PHA must keep the following records for at least three years:

- Records that provide income, racial, ethnic, gender, and disability status data on program applicants and participants;
- An application from each ineligible family and notice that the applicant is not eligible;
- HUD-required reports;
- Unit inspection reports;
- Lead-based paint records as required by 24 CFR 35, Subpart B.
- Accounts and other records supporting PHA budget and financial statements for the program;

- Records to document the basis for PHA determination that rent to owner is a reasonable rent (initially and during the term of a HAP contract); and
- Other records specified by HUD.
- Notice PIH 2014-20 requires PHAs to keep records of all complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule.

If an informal hearing to establish a family's citizenship status is held, longer retention requirements apply for some types of documents.

RECORDS MANAGEMENT

PHAs must maintain applicant and participant files and information in accordance with the regulatory requirements described below.

- All applicant and participant information will be kept in a secure location and access will be limited to authorized PHA staff.
- PHA staff will not discuss personal family information unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

Privacy Act Requirements [24 CFR 5.212 and Form-9886]

The collection, maintenance, use, and dissemination of social security numbers (SSN), employer identification numbers (EIN), any information derived from these numbers, and income information of applicants and participants must be conducted, to the extent applicable, in compliance with the Privacy Act of 1974, and all other provisions of Federal, State, and local law.

Applicants and participants, including all adults in the household, are required to sign a consent form, HUD-9886, Authorization for Release of Information. This form incorporates the Federal Privacy Act Statement and describes how the information collected using the form may be used, and under what conditions HUD or the PHA may release the information collected.

Upfront Income Verification (UIV) Records

The PHA has adopted and implemented EIV security procedures required by HUD.

N. PRIVACY RIGHTS [24 CFR 982.551]

Applicants and participants, including all adults in their households, are required to sign the HUD 9886 form, Authorization for Release of Information. This document incorporates the Federal Privacy Act Statement and describes the conditions under which HUD/PHA will release family information.

The PHA's policy regarding release of information is in accordance with federal, state and local laws which may restrict the release of family information.

The PHA's practices and procedures are designed to safeguard the privacy of applicants and program participants. All applicant and participant files will be stored in a secure location which is only accessible by authorized staff.

PHA staff will not discuss family information contained in files unless there is a business reason to do so. Inappropriate discussion of family information or improper disclosure of family information by staff will result in disciplinary action.

The PHA will comply, on a case-by-case basis, with written information requests from Federal, State or local law enforcement officers regarding possible fugitive felons and/or parole or probation violators. If appropriate, the PHA will provide law enforcement officials with the individual's current address, Social Security number and photograph (if applicable) of any recipient of assistance.

O. OWNER OUTREACH [24 CFR 982.54(d)(5), 982.153(b)(1)]

The PHA encourages owners of decent, safe and sanitary housing units to lease to HCV families.

The PHA encourages participation by owners of suitable decent, safe and sanitary housing units located outside areas of poverty or minority concentration. Voucher holders are informed of a broad range of areas where they may lease units inside the PHA's jurisdiction and are given a list of landlords or other parties who are willing to lease units outside areas of poverty or minority concentration. The PHA makes a concerted effort to keep private owners informed of legislative changes in the tenant-based program, which are designed to make the program more attractive to owners. This includes informing participant owners of applicable legislative changes in program requirements.

The PHA conducts owner outreach to ensure that owners are familiar with the program and its advantages. The PHA conducts meetings with participating owners to improve owner relations and to recruit new owners.

The PHA maintains a list of units available for the HCV Program and updates this list at least weekly. When listings from owners are received, they are compiled by the PHA staff by bedroom size.

Printed materials are offered to acquaint owners and managers with the opportunities available under the program.

The PHA belongs to ~~a~~ local organizations comprised of private property owners, apartment owners and managers, and real estate brokers, ~~the North Coast Rental Housing Association~~. The PHA is an active participant and attends meetings regularly, updating landlords and managers on current HCV issues.

The PHA periodically establishes contact with civic, charitable and neighborhood organizations which have an interest in housing for low-income families and public agencies concerned with obtaining housing for displacements.

P. DEFINITION OF A PERSON WITH A DISABILITY UNDER FEDERAL CIVIL RIGHTS LAWS [24 CFR Parts 8.3 and 100.201]

A person with a disability, as defined under federal civil rights laws, is any person who:

- Has a physical or mental impairment that substantially limits one or more of the major life activities of an individual, or
- Has a record of such impairment, or
- Is regarded as having such impairment

The phrase “physical or mental impairment” includes:

- Any physiological disorder or condition, cosmetic or disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to: such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

“Major life activities” includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, and/or working.

“Has a record of such impairment” means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

“Is regarded as having an impairment” is defined as having a physical or mental impairment that does not substantially limit one or more major life activities but is treated by a public entity (such as the PHA) as constituting such a limitation; has none of the impairments defined in this section but is treated by a public entity as having such an impairment; or has a physical or mental impairment that substantially limits one or more major life activities, only as a result of the attitudes of others toward that impairment.

The definition of a person with disabilities does not include:

- Current illegal drug users

- People whose alcohol use interferes with the rights of others
- Persons who objectively pose a direct threat or substantial risk of harm to others that cannot be controlled with a reasonable accommodation under the HCV program

The above definition of disability determines whether an applicant or participant is entitled to any of the protections of federal disability civil rights laws. Thus, a person who does not meet this definition of disability is not entitled to a reasonable accommodation under federal civil rights and fair housing laws and regulations.

The HUD definition of a person with a disability is much narrower than the civil rights definition of disability. The HUD definition of a person with a disability is used for purposes of receiving the disabled family preference, the \$400 elderly/disabled household deduction, the \$480 dependent deduction, the allowance for medical expenses, or the allowance for disability assistance expenses.

The definition of a person with a disability for purposes of granting a reasonable accommodation request is much broader than the HUD definition of disability. Many people will not qualify as a disabled person under the HCV program, yet an accommodation is needed to provide equal opportunity.

Chapter 2 ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This Chapter defines both HUD and the PHA's criteria for admission and denial of admission to the program. The policy of this PHA is to strive for objectivity and consistency in applying these criteria to evaluate the eligibility of families who apply. The PHA staff will review all information provided by the family carefully and without regard to factors other than those defined in this Chapter. Families will be provided the opportunity to explain their circumstances, to furnish additional information, if needed, and to receive an explanation of the basis for any decision made by the PHA pertaining to their eligibility.

A. ELIGIBILITY FACTORS [982.201(B)]

The PHA accepts applications only from families whose head or spouse is at least 18 years of age or emancipated minors under State law.

To be eligible for participation, an applicant must meet HUD's criteria, as well as any permissible additional criteria established by the PHA.

The HUD eligibility criteria are:

- An applicant must be a "family" (See Section B)
- An applicant must be within the appropriate Income Limits
- An applicant must furnish Social Security Numbers for all family members
- An applicant must furnish declaration of Citizenship or Eligible Immigrant Status and verification where required. At least one member of the applicant family must be either a U.S. citizen or have eligible immigration status before the PHA may provide any financial assistance.
- An applicant must consent to the PHA's collection and use of family information as provided for in PHA-provided consent forms.

Reasons for denial of admission are addressed in Chapter 15, "Denial or Termination of Assistance." The reasons for denial, outlined in Chapter 15, constitute additional admission criteria.

Evidence of Citizenship/Eligible Immigrant Status will not be verified until the family is selected from the waiting list for final eligibility processing for issuance of a voucher.

Equal Access Rule. It is the policy of the PHA that determination of eligibility for housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status. The Equal Access Rule applies to all HUD-assisted housing including Section 8 Housing Choice Voucher (HCV), and Project Based Voucher (PBV).

No owner of HUD-assisted housing, or any other recipient or sub-recipient of HUD funds

may inquire about the sexual orientation or gender identity of an applicant for, or occupant of, HUD-assisted or HUD-insured housing for purposes of determining eligibility or otherwise making such housing available.

The Equal Access Rule applies to private owners that participate in housing programs funded under Section 8 of the U.S. Housing Act of 1937, 42 U.S.C §1437, who must make housing available without regard to actual or perceived sexual orientation, gender identity, or marital status. A private owner that participates in the HCV program becomes subject to the rule when the owner executes a housing assistance payments (HAP) contract with the PHA. It is at that point that the owner becomes subject to the rule.

The PHA and owners are prohibited from inquiring about an applicant's or participant's sexual orientation or gender identity for the purpose of determining eligibility or otherwise making housing available. This does not prohibit an individual from voluntarily self-identifying sexual orientation or gender identity.

B. FAMILY COMPOSITION [24 CFR 982.201]

To be eligible for assistance, the applicant must qualify as a family. A family may be a single person or a group of persons, regardless of actual or perceived sexual orientation, gender identity or marital status.

A "family" as defined by HUD includes a family with a child or children, two or more elderly persons or disabled persons living together, one or more elderly or disabled persons living with one or more Live-In Aides, or a single person. A single person family may be an elderly person, a near-elderly person, a displaced person, a disabled person, or any other single person. The PHA has the discretion to determine if any other group of persons qualifies as a family.

A family may also include two or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit.

A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members. Bedroom size determination will be assessed at recertification.

Live-In Aides [24 CFR 982.319]

To be approved for a Live-In Aide, a participant must have documentation from a Licensed Medical Practitioner, a social worker, or other reliable third party which states the need for a Live-In Aide, and a Live-In Aide must have been identified and approved by the housing authority. ~~This~~ The participant encouraged to utilize documentation must be on the HCV *Live-In Aide Verification Form*, stating the need for a Live-In Aide. This form documentation must be updated each year at the Annual Recertification. The participant must provide a completed PHA's Live-In Aide Declaration form to the

Housing Authority for approval of the aide. Additional bedrooms are not allowed for family members of a Live-In Aide.

If the Live-In Aide moves from the unit, the participant will be allowed 60 days to identify a new Live-In Aide and receive approval from the housing authority. If a new Live-In Aide has not been identified in 60 days, the Voucher will be downsized to exclude the extra bedroom for the Live-In Aide.

A Live-In Aide must not be obligated for the financial support of the participant, and would not be living in the unit except to provide care for the participant. This must be a full-time Live-In Aide's only residence.

A Live-In Aide is treated differently than family members:

- Income of the Live-In Aide will not be counted for purposes of determining eligibility or level of benefits.
- Live-In Aides may not be considered as a remaining member of the participant family.

Relatives are not automatically excluded from being Live-In Aides, but they must meet all of the elements in the Live-In Aide definition described above.

At any time, the PHA may refuse to approve a particular person as a Live-In Aide or may withdraw such approval if:

- They have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- They have committed drug-related criminal activity, violent criminal activity, or any other criminal activity; or are required to register as a sex offender.
- They currently owe rent or other amounts to the PHA or to another PHA in connection with Section 8 HCV or public housing assistance under the 1937 Act.
- They have previously terminated from the Section 8 or HCV Program.
- They do not pass the PHA's criminal background and sex offender status check.
- They are found to be in violation of any provisions of the Live-In Aide Policy.

See Live-In Aide Policy Addendum at the end of Chapter 2.

Split Households Prior to Voucher Issuance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation, and the new families both claim the same placement on the waiting list, and there is no court determination, the PHA will make the decision taking into consideration the following factors:

- Which family unit retains the children or any disabled or elderly members.

- Role of domestic violence in the split.
- Recommendations of social service agencies or qualified professionals such as children's protective services.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they may be denied placement on the waiting list for failure to supply information requested by the PHA.

Multiple Families in the Same Household

Households consisting of two families living together, (such as a mother and father, and a daughter with her own husband or children), must apply separately for assistance by filling out two waiting list preliminary applications.

Joint Custody of Children

Children who are subject to a joint custody agreement will only be considered members of one HCV household.

When both parents are on the Waiting List and have joint custody, the parent whose name reaches the top of the waiting list first must verify custody through court documents before being allowed to claim the school-age child as a dependent.

C. INCOME LIMITATIONS [24 CFR 982.201(b)]

In order to be eligible for assistance, an applicant must be either a very low-income family or a family in any of the following categories:

- A family whose income is at or below 60% of HUD's median annual income limit and includes an adult household member who is employed.
- A low-income family that is continuously assisted under the 1937 Housing Act. Programs include any housing federally assisted under the 1937 Housing Act.
- A low-income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract of a federally assisted project.

To determine if the family is income-eligible, the PHA compares the Annual Income of the family to the applicable income limit for the family's size as provided by HUD.

Families whose Annual Income exceeds the income limit will be denied admission and offered an informal review.

Portability: For initial lease-up at admission, families who exercise portability must be within the applicable income limit for the jurisdiction of the receiving PHA in which they want to live.

D. MANDATORY SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Families are required to provide verification of Social Security Numbers for all family members prior to admission, if they have been issued a number by the Social Security

Administration. This requirement also applies to persons joining the family after admission to the program. All family members must supply the PHA with a copy of their Social Security Card within 60 days of admission to the Program.

Failure to furnish verification of social security numbers is grounds for denial or termination of assistance.

Persons who have not been issued a Social Security Number must sign a certification that they have never been issued a Social Security Number.

Persons who disclose their Social Security Number but cannot provide verification must sign a certification and provide verification within 60 days. Elderly persons must provide verification within 120 days.

E. CITIZENSHIP/ELIGIBLE IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, a family member must be a U.S. citizen or eligible immigrant. Individuals who are neither, may elect not to contend their status. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD.

For the Citizenship/Eligible Immigration requirement, the status of each member of the family is considered individually before the family's status is defined.

Mixed Families. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed." Such applicant families will be given notice that their assistance will be pro-rated and that they may request a hearing if they contest this determination.

All members ineligible. Applicant families that include no eligible members are ineligible for assistance. Such families will be denied admission and offered an opportunity for a hearing.

Non-citizen students. Defined by HUD in the non-citizen regulations. Not eligible for assistance.

Appeals. For this eligibility requirement only, the applicant is entitled to a hearing exactly like those provided for participants.

Verification of Status Before Admission

The PHA will not provide assistance to families prior to the verification of eligibility for the individual or at least one member of the family pursuant to this section.

F. OTHER CRITERIA FOR ADMISSIONS [24 CFR 982.552(b)]

The PHA may apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:

- The family must not have violated any family obligation during a previous participation in the HCV program for 5 years prior to final eligibility

determination.

- The PHA will make an exception, if the family member who violated the family obligation is not a current member of the household on the application or for other mitigating circumstances.
- The family must pay any outstanding debt owed the PHA or another PHA as a result of prior participation in any federal housing program within 30 days of PHA letter to repay.
- The PHA will check criminal history for all adults in the household to determine whether any member of the family has violated any drug related or violent criminal activity regulations. The PHA will prohibit admission if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.
- If any applicant deliberately misrepresents the information on which eligibility or tenant rent is established, the PHA may deny assistance and may refer the family file/record to the proper authorities for appropriate disposition.

G. TENANT SCREENING [24 CFR 982.307]

The PHA will take into consideration any of the criteria for admission described in Chapter 15, "Denial or Termination of Assistance."

The owner is responsible for screening and selection of the family to occupy the owner's unit. At or before PHA approval of the tenancy, the PHA will inform the owner that screening and selection for tenancy is the responsibility of the owner.

H. CHANGES IN ELIGIBILITY PRIOR TO EFFECTIVE DATE OF THE CONTRACT

Changes that occur during the period between issuance of a voucher and lease up may affect the family's eligibility or share of the rental payment. The PHA will inform the family in writing of the requirement to report any changes.

I. INELIGIBLE FAMILIES

Families who are determined to be ineligible will be notified in writing of the reason for denial and given an opportunity to request an informal review, or an informal hearing if they were denied due to noncitizen status. See Chapter 19, "Complaints and Appeals" for additional information about reviews and hearings.

J. STUDENTS

A student who is enrolled at an institution of higher education who is under the age of 24, is not a veteran, is unmarried, and does not have any children, and the student's parents are individually, or jointly, ineligible for assistance, is not eligible for Section 8 Housing Choice Voucher rental assistance.

SONOMA COUNTY HOUSING AUTHORITY LIVE-IN AIDE POLICY

To be approved initially for a Live-In Aide, a Section 8 HCV participant must have the ***Section 8 Live-In Aide Form*** or other comparable documentation completed by a Licensed Medical Physician Practitioner, a social worker, or other reliable third party. This form must state that the participant needs a Live-In Aide who will be in the home on a nightly basis. This form documentation must be updated each year at the Annual Recertification.

When the Housing Authority has received the signed ***Section 8 Live-In Aide Form*** or comparable documentation, the participant will be provided with a ***Live-in Aide Declaration Form***, to be completed by the prospective Live-In Aide. When the completed ***Live-In Aide Declaration Form*** has been provided to the Housing Authority, a criminal background check will be completed with Sonoma County Courts to determine if the Live-In Aide has a history of criminal activity. The participant will be notified by the Housing Authority as to whether or not the Live-in Aide has been approved. If the Live-In Aide is approved, an additional bedroom will be added to the voucher.

A Live-In Aide cannot be obligated to support the participant. Live-In Aides reside in the unit at the will of the participant and do not have any claim, present or future, on the Section 8 HCV. The Section 8 unit must be the Live-In Aide's only residence. **To change the Live-In Aide**, the participant must notify the Housing Authority *prior to* allowing a new Live-In Aide to move into the unit. The participant will be provided with a new ***Live-In Aide Declaration Form*** to be completed by the new Live-In Aide and a ***Lease Addendum*** to be completed by the Property Owner or Manager. When both completed forms are returned to the Housing Authority, the participant will be notified by the Housing Authority as to whether the new Live-In Aide has been approved. If a Section 8 HCV participant has been previously approved to have a Live-In Aide, but they do not have an Aide for more than 60 days, the voucher size will be reduced to eliminate the bedroom for the Live-In Aide.

Live-In Aides ***may not*** move into a Section 8 HCV unit until they have been approved by the Housing Authority. Failure to comply could result in the termination of Section 8 HCV Rental Assistance.

Chapter 3

APPLYING FOR ADMISSION

[24 CFR 982.2041-207]

INTRODUCTION

The policy of the Housing Authority is to ensure that all families who express an interest in housing assistance are given an equal opportunity to apply, and are treated in a fair and consistent manner. At the time the waitlist is open, families wishing to participate in the housing choice voucher program must submit a preliminary application providing all information requested by the Housing Authority. Eligible applicants will be selected for placement on the waiting list without regard to preferences by a random lottery draw methodology.

This Chapter describes the policies and procedures for completing an initial application for assistance, placement and denial of placement on the waiting list, and limitations on who may apply. The primary purpose of the intake function is to gather information about the family, but the Housing Authority will also utilize this process to provide information to the family so that an accurate and timely decision of eligibility can be made. Applicants will be placed on the waiting list in accordance with this Plan.

OVERVIEW OF THE PRELIMINARY APPLICATION AND FULL APPLICATION TAKING PROCESS

The purpose of application or preliminary application taking is to permit the Housing Authority to gather information and determine placement on the waiting list about the applicant. -The preliminary application will contain questions designed to obtain pertinent program information.

Families who wish to apply for any of the Housing Authority's programs must complete a preliminary application form when the waiting list is open (exceptions will be made for applicants referred for participation in through special funding programs or limited preferences).

When the waiting list is open, any family asking to be placed on the waiting list for HCV rental assistance will be given the opportunity to complete a preliminary application. All preliminary applications received will be placed into a random lottery for placement on the waiting list

Preliminary applications will be available on-line through a link on the Housing Authority's website or, when SCHA determines that alternate means of submission are reasonable, preliminary applications will be available in alternate forms as identified within this Chapter. Paper preliminary applications will only be provided to interested families as a reasonable accommodation for persons with a disability that prevents them from applying on-line.

The application process will involve two Housing ~~Authorities~~ Authority applications. The first is the preliminary application for assistance (previously referred to as a

questionnaire). ~~This preliminary application may be submitted during times of waitlist opening. All eligible preliminary applicants will be placed in an applicant pool from which the waitlist will be generated. This first Housing Authority's results in the family's placement on the waiting list. The Housing Authority will conduct a random lottery to determine which preliminary applicants will be placed on the waitlist. The Housing Authority may opt to limit the number of applicants placed on the waitlist to correspond to a number that may be reasonably expected to be reached within one year's time in accordance with the process~~ outlined in Chapter 4.

The second Housing Authority form is the "final determination of eligibility" (referred to as the full application). The full application takes place when a family's name is drawn from the family reaches the top of the the waiting list. At this time the Housing Authority ensures that verification of all HUD and Housing Authority eligibility factors is current in order to determine the family's eligibility for the issuance of a voucher. The full application may be mailed to the applicant in advance to complete.

A. OPENING/CLOSING OF THE WAITING LIST [24 CFR 982.206, 982.54(d)(1)]

The Housing Authority will ~~utilize the following procedures announce its intent to for opening the waiting list~~ open the waiting list to accept preliminary applications for the purpose of establishing a waiting list by placing a public notice in *The Press Democrat*, a local newspaper of general circulation, and also by minority media and other suitable means, including the agency website at www.sonoma-county.org/cdc. ~~When the Housing Authority opens the waiting list, it will publicize the availability and nature of housing assistance for very low income families through public notice in the following newspapers, minority publications and media entities.~~

Newspapers

~~Argus Courier
Bodega Bay Navigator
Cloverdale Reveille
Healdsburg Tribune
Northern California Bohemian
Press Democrat
Sonoma Index Tribune
Sonoma West Times
Windsor Times~~

Television Stations

~~Media Labs – A Community Media Center for the North Bay (Channel 26, 27, 28, 30)
KRCB (Channel 22)~~

Radio Stations

~~KBBF (Spanish) 89.1 FM
KFGY 92.9 FM
KXFX 101.7 FM
KRVR 97.7 FM
KSRO 1350 AM
KRSH 95.9 FM
KJZY 93.7 FM
KRRS (Spanish) 1460 AM
KTOB 1490 AM
KRCB 91.1 FM
KZST 100.1 FM~~

To reach persons who cannot read the newspapers, the Housing Authority will distribute fact sheets to the broadcasting media, and initiate personal contacts with members of the news media and community service personnel. The Housing Authority will also utilize public service announcements.

~~The following organizations, as well as others, will be notified of the opening of the Housing Choice Voucher Waiting List.~~

~~Adult and Aging Services
La Luz Bilingual Center
Becoming Independent
NAACP
Boys and Girls Club of Cloverdale
Oaks of Hebron
Boys and Girls Club of Healdsburg
Community Action Partnership
Boys and Girls Club of Sonoma Valley
Petaluma People Services Center
California Human Development Corporation
California Parenting Institute
Fair Housing of Sonoma County
Catholic Charities
Sonoma County Human Services Dept.
Committee On The Shelterless
Sonoma County Dept. of Health Services
Town of Windsor
Community Support Network
Veteran's Service Office
Council on the Aging
Vietnam Veterans of America
Disability Services and Legal Center
Face to Face AIDS Network
Community and Family Service Agency~~

Family Support Center
YWCA

The notice will contain:

- The dates, times, and the locations where families may apply.
- The program(s) for which preliminary applications will be taken.
- A brief description of the program(s).
- Limitations, if any, on who may apply.
- Should the notice have a closing date, the notice will state that the list will remain open for limited preferences and referral based programs only

The notices will provide potential applicants with information that includes the Housing Authority address and telephone number, how to submit a preliminary application and information on eligibility requirements. Notices will also be provided in Spanish.

The Housing Authority will submit press releases to local newspapers, including minority newspapers, develop informational materials to distribute to other agencies, provide application forms to other public and private agencies that serve the low income population, and develop partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities.

At the Housing Authority's discretion, when the waitlist is closed, it may remain open for specific preferences (i.e., Special Admissions, Shortfall or Loss of Rental Assistance Funding, Limited Homeless Allocation Preference, Move-On Preference, and Housing Access and Reentry Pilot Program) ~~even when the wait list is closed~~. This information will be posted and updated at www.sonoma-county.org/cdc for families seeking housing assistance.

If at the time the waitlist is opened, and the closing date for waitlist has not yet been determined, the notice will indicate that the waitlist will be open until further notice. Once it becomes necessary to close the waitlist, the Housing Authority will apply the same advertising methods of broad general circulation for closing the waitlist as were used for opening of the waitlist.

Closing the Waiting List

~~The Housing Authority will announce the closing of the waiting list by public notice. The Housing Authority will add the applicants to the list by separating the new applicants into groups based on preferences and ranking applicants within each group by date and time of preliminary application.~~

Limits on Who May Apply

~~When the waiting list is open:~~

~~Any family asking to be placed on the waiting list for HCV rental assistance will be given the opportunity to complete a preliminary application.~~

~~When the preliminary application is submitted to the Housing Authority:~~

~~It establishes the family's preference, income eligibility (See Chapter 2, Section C), and date and time of receipt of preliminary application for placement order on~~

the waiting list.

B. "INITIAL" APPLICATION PROCEDURES [24 CFR 982.204(b)]

~~The Housing Authority will utilize an on-line preliminary application. The information is to be filled out by the applicant whenever possible. Translations will be provided in Spanish.~~

~~The purpose of the preliminary application is to permit the Housing Authority to preliminarily assess family eligibility or ineligibility and to determine placement on the waiting list. Ineligible families will not be placed on the waiting list.~~

~~If the family is determined to be ineligible based on the information provided in the preliminary application, the Housing Authority will notify the family in writing, state the reason(s), and inform them of their right to an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation.~~

~~Preliminary applications will not require an interview. The information on the preliminary application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.~~

B. HOW TO APPLY

SCHA is permitted by HUD to determine the format and content of preliminary applications. For the purpose of establishing a waitlist, preliminary applications will be accepted from any family wishing to apply for Housing Choice Voucher rental assistance. SCHA may select one or more of the following methods for applications:

1. Online
2. By phone
3. By mail
4. Submitted in person
5. By other method as described in the public announcement

At the time SCHA announces its intent to open the waitlist, the actual methods for accepting preliminary applications will be clearly stated in the public announcement and similar outreach methods.

If an applicant is disabled and requires special accommodation in submitting a preliminary application and the disability is obvious or otherwise known, SCHA will accommodate the request without verifying the disability. Specific instructions for making a reasonable accommodation request will be included in the public notice and other pre-preliminary application outreach materials.

SCHA must remove an applicant from any other assisted housing programs before the applicant can receive HCV assistance; ~~this is seto~~ ensure there is no double subsidy.

APPLICATION BY WEB APPLICATION

When this method is available, applicants can apply on-line at @-www.sonoma-county.org/cdc. Preliminary -applications may only be submitted online using a computer, smart phone, tablet or other electronic device with Internet access.

APPLICATION INTAKE BY PHONE OR BY MAIL

When this method is available, preliminary -applications will be taken by phone or mail. SCHA will record the date and time the pre-application is received.

APPLICATION INTAKE IN PERSON

When this method is available, preliminary -applications will be completed by the family and SCHA will record the date and time the preliminary -application is received.

C. WAITLIST STRUCTURE

Once the preliminary application period is completed, SCHA will select applicants for the waitlist according to random lottery. Applicants not selected during the random lottery will be notified as soon as reasonably possible that their application was not selected and that their preliminary application is no longer active. Determination of eligibility will not be assessed until the full formal application process which is covered in Chapter 4. Families will receive confirmation of their waitlist status within a reasonable time after waitlist close. For persons with disabilities who require reasonable accommodations, see Chapter 1 for the process.

Any information indicating the applicant may qualify for a local preference (e.g., an applicant's certification that they are elderly or disabled) will be accepted without verification at the preliminary application stage. Actual entitlement for a local preference will be verified during the full application process.

C.D. APPLICANT STATUS WHILE ON WAITING LIST [CFR 982.202 (c), 982.204]

Applicants on the waiting list are required to inform the Housing Authority in writing of changes in address or any other changes which affect the application. This will assist SCHA in establishing and maintaining a current and updated waitlist to more effectively plan for future waitlist intake openings. Applicants are also required to respond to requests from the Housing Authority to update information on their preliminary application and to determine their need for assistance continued interest in assistance.

If after a review of the preliminary application the family is determined to be preliminarily eligible, they will be notified in writing.

This written notification of preliminary eligibility will be mailed to the applicant by first class mail. No applicant has a right or entitlement to be listed on the waitlist, or to any particular position on the waitlist.

D.E. PURGING AND REMOVAL FROM THE WAITING LIST AND PURGING [24 CFR 982.204(c)]

The primary goal in purging a wait list is to obtain current information on interested applicants and to remove applicants no longer interested in participating in the program.

The Waiting List may be purged (updated) as needed by contacting applicants to ensure that ~~the waiting list~~their information is current and accurate. The notice will ask for confirmation of continued interest. The Housing Authority may opt to purge only enough applicants to enable the Housing Authority to have current information on those applicant families who are likely to reach the top of the waiting list in the next 12 to 24 months. This update request will be sent via U.S. Mail to the last address that SCHA has on record for the applicant. If no response is received by the deadline, the applicant is removed from the applicable list.

Applicants who are notified must complete a new preliminary application providing all information needed for placement on the waiting list, such as address and phone number, household composition, income, preferences claimed, and minority race and ethnicity designation of the head of household. Any notices to the applicant which require a response will have a clear and reasonable response deadline and state that failure to respond by the deadline will result in the applicant's name being dropped removed from the waiting list.

An extension of 30 days to respond will be granted, if requested and needed as a reasonable accommodation for a person with a disability.

~~If a letter is returned by the Post Office with a forwarding address, a waitlist update form will be sent to the applicant at the new address. If the waitlist update form is not returned within fourteen days, the applicant will be withdrawn without further notice.~~ If a letter is returned by the Post Office ~~because of unknown whereabouts~~, the applicant will be withdrawn without further notice, an image of the envelope and letter will be maintained in the file. If an applicant is removed from the waiting list for failure to respond or because a letter is returned by the Post Office, they will not be entitled to reinstatement unless the Housing Authority determines there were circumstances beyond the person's control and the request for reinstatement was made no more than one year from of the applicant's removal from the waitlist and the waitlist that the applicant was part of is still active. If the waitlist was reopened and new applications were taken and the applicant did not reapply then the applicant is deemed to have failed to respond.

Applicant may request a review of removal from the waitlist. An applicant may be reinstated after SCHA has conducted a review of the case and the applicant's request is approved. If the applicant did not respond to SCHA's request for information or updates, or failed to attend a scheduled appointment because of an applicant's disability, this fact will be verified and documented, and SCHA will reinstate the

applicant in the former position on the waiting list or reschedule the missed appointment if funding is available.

F. FINAL DRAW FROM THE WAITING LIST

SCHA may conduct a final draw from the waiting list, or draw from the waiting list as needed to maintain maximum voucher utilization. Applicants not included in the final draw will be cancelled from the waiting list and notified by mail.

E.G. TIME OF SELECTION [24 CFR 982.204, 5.410]

When funding is available, families will be selected from the waiting list in ~~their~~ determined sequence accordance with the policies in this Plan.

When there is insufficient funding available for the family at the top of the list, the Housing Authority will not admit any other applicant until funding is available for the first applicant.

F.H. COMPLETION OF A FULL APPLICATION

~~All~~If applicable, all preferences claimed on the preliminary application or while the family is on the waiting list will be verified after the family is selected from the waiting list, and prior to completing the full application.

The qualification for any applicable preference must exist at the time the preference is claimed and at the time of verification, because claim of a preference may determines ~~placement~~the order in which a family is drawn from ~~on~~ the waiting list.

After ~~the~~any applicable preference is verified, when the Housing Authority is ready to select applicants, applicants will be required to participate in a full application interview with a Housing Authority representative. During the interview, the applicant will be required to furnish complete and accurate information as requested by the interviewer. The Housing Authority interviewer will complete the full application form with information supplied by the applicant. The applicant will sign and certify that all information is complete and accurate.

Requirement to Attend Interview

The Housing Authority utilizes the full application interview to discuss the family's circumstances in greater detail, to clarify information which has been provided by the family, and to ensure that the information is complete. The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other Housing Authority services or programs which may be available.

When possible, All adult family members are ~~required~~requested to attend the interview and sign the housing application. When all adult family members are unable to attend the full interview, the Head of Household and spouse or co-head must attend and bring all documents signed by all family members to the interview.

Exceptions may be made for students attending school out of state or for members for whom attendance would be a hardship.

The head and spouse or co-head are both required to attend the interview.

It is the applicant's responsibility to reschedule the interview if s/he misses the appointment. If the applicant does not reschedule or misses two scheduled meetings, the Housing Authority will make an administrative determination that the family is no longer seeking rental assistance and will withdraw the application.

Applicants who fail to appear and want to reschedule a missed appointment must make the request to reschedule no later than ten days from the original appointment date.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to participate in the interview process, but only with permission of the person with a disability.

All adult members must sign the HUD Form 9886, Release of Information, the application form and all supplemental forms required by the Housing Authority, The declarations and consents related to citizenship/immigration status and any other documents required by the Housing Authority. Applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. Failure to do so will be cause for denial of the application for failure to provide necessary certifications and release as required by the Housing Authority.

If the Housing Authority determines at or after the interview that additional information or document(s) are needed, the Housing Authority will request the document(s) or information in writing. The family will be given a minimum of 10 days to supply the information.

If the information is not supplied in the specific time period, the Housing Authority will make an administrative determination that the family is no longer seeking rental assistance and will withdraw the application.

G.I. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified, using the verification procedures in Chapter 7, "Verification Procedures." Family composition, income, allowances and deductions, assets, full-time student status, eligibility and rent calculation factors, and other pertinent information will be verified. Verifications may not be more than 60 days old at the time of issuance of the Voucher.

H.J. FINAL DETERMINATION AND NOTIFICATION OF ELIGIBILITY [24 CFR 982.201]

After the verification process is completed, the Housing Authority will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the Housing Authority, and the current eligibility criteria in effect. If the family is determined to be eligible, the Housing Authority will mail

the family a letter inviting them to a briefing. The briefing will be scheduled for the issuance of a voucher and the family's orientation to the housing program.

Chapter 4

ESTABLISHING PREFERENCES AND MAINTAINING A WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206, 982.207]

INTRODUCTION

It is the Housing Authority's objective to ensure that families are ~~placed in the proper order on the waiting list and~~ selected from the waiting list for admissions in accordance with the policies in this Administrative Plan.

This Chapter explains the local preferences which the Housing Authority has adopted to meet local housing needs, defines the eligibility criteria for the preferences and explains the Housing Authority's system of applying them. An applicant does not need to be eligible for local preferences in order to be eligible for assistance.

By maintaining an accurate waiting list, the Housing Authority will be able to perform the activities which ensure that an adequate pool of qualified applicants will be available so that program funds are used in a timely manner.

A. WAITING LIST [24 CFR 982.204]

The Housing Authority uses a single waiting list for admission to its HCV tenant-based assistance program. The Housing Authority may opt to accept only the number of applicants who may be expected to be reached within one year in accordance with the policies outlined within this Chapter. Applicants who will be placed on the waitlist will be selected by random lottery. All applicants will be notified of their waitlist status within a reasonable time after waitlist close in accordance with the policies included in Chapter 3.

Except for Special Admissions, defined below, applicants will be selected from the Housing Authority waiting list in accordance with policies and preferences outlined in this chapter.

The Housing Authority will maintain information that permits proper selection from the waiting list.

The waiting list includes, but is not limited to, the following information for each applicant listed:

Applicant Name

Family Unit Size (number of bedrooms family qualifies for under Housing Authority subsidy standards)

~~Date and time of application~~

Randomly assigned applicant identification number

Qualification for any ~~local~~ preferences administered locally

Racial or ethnic designation of the head of household

B. SPECIAL ADMISSIONS [24 CFR 982.54(d)(e), 982.203]

If HUD awards the Housing Authority program funding that is targeted for specific families, the Housing Authority will admit these families under a Special Admission procedure.

Special Admissions families will be admitted outside of the regular waiting list process. They do not have to qualify for any preferences, nor are they required to be on the program waiting list.

The Housing Authority maintains separate records of these admissions.

Applicants who are admitted under Special Admissions, rather than from the waiting list, are identified by codes in the automated system.

If HUD awards a Housing Authority program funding that is targeted for families living in specified units, the Housing Authority must use the assistance for the families living in these units under a Special Admission procedure.

The following are examples of types of program funding that may be designated by HUD for families living in a specified unit:

A family displaced because of demolition or disposition of a public or Indian housing project;

A family residing in a multifamily rental housing project when HUD sells, forecloses or demolishes the project;

For housing covered by the Low Income Housing Preservation and Resident Home-ownership Act of 1990; and

A family residing in a project covered by a project-based Section 8 HAP contract at or near the end of the HAP contract term.

C. TARGETED FUNDING [24 CFR 982.204(e)]

When HUD awards special funding for certain family types, families who qualify are placed on the regular waiting list. When a specific type of funding becomes available, the waiting list is searched for the first available family meeting the targeted funding criteria.

D. LOCAL PREFERENCES [24 CFR 982.207]

In addition to a randomly assigned applicant number, Local the Housing Authority has preferences ~~will be~~ used to select families from the wait list when families eligible for such preferences are present on the waitlist. Each preference will receive an allocation of points so that the computer software can accurately determine the placement of

families on the wait list. The applicant's cumulative points will determine the preference status and how it affects applicant position on the wait list.

When verifying preferences, the Housing Authority reserves the right to verify the authenticity of any document it deems to be questionable or contains a discrepancy.

The Housing Authority uses has adopted the following Local Preference preference system:

~~a. Jurisdiction Preference. A preference is granted to applicants who reside or work in the jurisdiction of the Sonoma County Housing Authority, or with Sonoma County Coordinated Entry verification, applicants who are homeless or in a transitional housing program anywhere within Sonoma County. Under certain circumstances, the Housing Authority may accept verification from a homeless services provider located within Sonoma County. To receive the homeless in jurisdiction preference, applicants who are receiving benefits from another governmental agency, must be doing so within Sonoma County or in the process of transferring services to Sonoma County. This preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family. (100 points)~~

~~b. Preference for Shortfall or loss of Rental Assistance Funding: A preference is granted to applicants within the following groups (500 points):~~

- ~~• Income eligible households whose rental assistance is being terminated due to insufficient funding or term expiration of other rental assistance programs administered by the Housing Authority.~~
- ~~• Income eligible families whose rental assistance is being terminated due to insufficient funding of other rental assistance programs funded through the Sonoma County Continuum of Care.~~

a. ~~c.~~ In-Place Preference. During times when overall program lease-up is below 95%, a limited preference will be granted to families who are considered to be living in-place. This preference applies to those who have been living in a unit within the jurisdiction of the Sonoma County Housing Authority for at least three months and the landlord-property manager is certifies that he/she is willing to accept the HCV Program if the applicant is approved. This preference will be granted to 15% of all names pulled from the waitlist at each pull during times of low lease-up. Required documentation will include a letter from the landlord-property manager certifying that he/she will accept the voucher, a copy of applicant's lease in an appropriate size dwelling for the family listed in the housing application, and copies of utility bills for a 3 (three) month period verifying residency in the unit. Should a voucher be issued using this preference and the voucher is unable to be utilized in the "in place" unit, the voucher will be

rescinded and the applicant returned to the waiting list. ~~(200 points)~~ (Rev 07/10/20182019)

b. In-Place Homeless Prevention Super Preference. Subject to the availability of Annual Contributions Contract authorized voucher units, an absolute preference for Housing Choice Vouchers will be made available for in-place occupants when the unit they are residing in is subject to the loss of affordability restrictions or a subsidy tied to a specific facility or unit and the loss of the restriction or subsidy places the occupant at imminent risk of losing stable housing and/or becoming homeless. In order for an applicant to be eligible for this super preference, the Housing Authority must receive notification from a local municipality or partner agency of the Sonoma County Community Development Commission (“Commission”). All notifications are subject to Commission determination that the loss of stable housing and/or homelessness for in-place resident(s) is eminent.

This preference will also apply to in-place, income eligible households whose rental assistance is being terminated due to insufficient funding or term expiration of other rental assistance programs administered by the Housing Authority or whose rental assistance is being terminated due to insufficient funding of other rental assistance programs funded through the Sonoma County Continuum of Care.

b.c. Other Preference. ~~A p~~Preference ~~points will is be~~ granted to applicants with household members in the following groups. Preference points are cumulative (1 point):

- Seniors (1)
- ~~Veterans or surviving spouses of veterans,~~
- ~~Persons with disabilities, (1)~~
- ~~Seniors, and~~

~~Families with minor children. Persons with disabilities who are transitioning out of a mental health care institution or other segregated settings or at serious risk of institutionalization. (1)~~

•

~~This preference is non-cumulative, meaning only one preference is granted for an applicant household that may have members in more than one group. For example, a household with senior and Veteran members will receive only one preference. The third preference is weighted equally for all groups listed above.~~

~~All applications with the same amount of preferences or no preference are then ranked by date and time of receipt of a completed preliminary application.~~

e.d. Homeless Preference. To promote ending homelessness, and ~~S~~subject to the availability of Annual Contributions Contract authorized voucher units, ~~T~~thirty-six (36) Housing Choice Vouchers per year may be made available for families engaged in homeless assistance programs and/or initiatives within the County of Sonoma. These vouchers will be issued based on referrals from the Sonoma County Coordinated Entry Program. ~~from agencies that have adopted a Housing First model of homeless services programs.~~ The Eligible families referred ~~under through~~ this program will be granted ~~a “super”~~an absolute preference on the Housing Authority Waiting List. ~~Super Preference applicants~~Referred applicants must meet Housing Authority income and other eligibility requirements and be drawn from the waitlist. ~~(600 points)~~

e. Move On Allocation. Contingent upon funding, the Housing Authority will allocate up to ~~120%~~ of its annual turn-over program vouchers per year to serve households eligible for this limited preference. This preference is referral based and is intended for formerly homeless individuals/families who have successfully participated in a Permanent Supportive Housing (PSH) program (see Glossary for definition) within Sonoma County, and have been determined by the supportive services provider to be ready to move into housing without attached supportive services. Issuing these households tenant-based vouchers will create vacancies in PSH programs thereby allowing additional homeless families in need of services to be housed. Applicants referred for this program must be drawn from the waitlist and will be given an absolute preference. At its discretion, the Housing Authority will annually evaluate whether to renew this preference. Referrals will be taken from an approved PHA third party who have verified Permanent Supportive Housing units.

f. Housing Access and Reentry Pilot Program. The Housing Authority may consider adopting policies that allows individuals formerly incarcerated to live with their families in assisted housing, while receiving supportive services. An individual who would otherwise be ineligible for assisted housing assistance must have been referred to the Housing Authority by an approved partnering agency who has entered into an agreement with the Sonoma County Probation Department or other law enforcement agency. Referred applicants may be considered for housing based on adjusted policy criteria associated with the programs suitability standards, to exclude any period of time from the date of the offense or release from incarceration as indicated in Section 15.A. This reentry pilot program proposes to allow approximately 45 individuals to participate in the Housing Choice Voucher program as a newly admitted household (See Section 4.3) over a three year period ending December 31, 2022, at which time the Housing Authority will evaluate the program and the program may

convert from a pilot to an on-going preference or be terminated based upon outcomes recorded. There is no proposed cap on the number of individuals allowed to join a Housing Authority assisted household for the purpose of reunifying other family member households. All persons considered under this pilot program are subject to an Informal Review per the procedures outlined in Section 19.B. At its discretion, the Housing Authority will annually evaluate whether to renew this Pilot Program. Applicants for this Pilot Program must be drawn from the waitlist and will be given an absolute preference.

Exceptions to the suitability standards would not be extended to the following HUD required denials [24 CFR 960.204] to the following individuals:

- Persons convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing;
- Any person subject to a life time registration requirement under a state sex offender registration program.

E. INITIAL DETERMINATION OF LOCAL PREFERENCE QUALIFICATION [24 CFR 5.415]

At the time of application, an applicant's entitlement to a Local Preference may be made on the following basis:

An applicant's certification that they qualify for a preference will be accepted without verification at the time of preliminary application. When the family is selected from the waiting list for the final determination of eligibility, ~~the~~ any preference claimed will be verified.

If the preference verification indicates that an applicant does not qualify for the preference, the applicant will be returned to the waiting list in their original waitlist position without the addition of a preference. without the Local Preference and Applicant will given an opportunity for an informal review meeting to discuss the preference.

Change in Circumstances

Changes in an applicant's circumstances while on the waiting list may affect the family's entitlement to a preference. Applicants are required to notify the Housing Authority in writing when their circumstances change.

Preference Denial

[24 CFR 982.207]

If upon verification SCHA determines that the family does not qualify for the preference(s) claimed, the family will not receive the preference and will be placed back

on the waitlist; unless the family was selected during the final draw, in which case the waitlist application may be cancelled. The family will be notified in writing and advised of the family's right to request an informal review. For additional information refer to Chapter 19.

F. INCOME TARGETING

In accordance with the Quality Housing and Work Responsibility Act of 1998, each fiscal year the Housing Authority will reserve a minimum of seventy-five percent of its HCV new admissions for extremely low-income families. The Housing Authority will admit families who qualify under the Extremely Low Income limit to meet the income targeting requirement, regardless of preference.

If the family's verified annual income, at final eligibility determination, does not fall under the Extremely Low Income limit and the family was selected for income targeting purposes, the family will be returned to the waiting list.

The Housing Authority's income targeting requirement does not apply to low-income families continuously assisted as provided for under the 1937 Housing Act.

The Housing Authority is also exempted from this requirement where the Housing Authority is providing assistance to low-income or moderate income families entitled to preservation assistance under the tenant-based program as a result of a mortgage prepayment or opt-out.

Chapter 5 SUBSIDY STANDARDS [24 CFR 982.54(d)(9)]

INTRODUCTION

HUD guidelines require that Housing Authority's establish subsidy standards for the determination of family unit size, and that such standards provide for a minimum commitment of subsidy while avoiding overcrowding. The standards used for the unit size selected by the family must be within the minimum unit size requirements of HUD's Housing Quality Standards. This Chapter explains the subsidy standards which will be used to determine the voucher size (family unit size) for various sized families when they are selected from the waiting list, as well as the Housing Authority's procedures when a family's size changes, or a family selects a unit size that is different from the Voucher.

A. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

The Housing Authority does not determine who shares a bedroom/sleeping room, but there must be at least one person per bedroom on the Voucher. The Housing Authority's subsidy standards for determining voucher size shall be applied in a manner consistent with the needs of the family.

For subsidy standards, an adult is a person 18 years or older.

All standards in this section relate to the number of bedrooms on the Voucher, not the family's actual living arrangements.

The unit size on the Voucher remains the same as long as the family composition remains the same, regardless of the actual unit size rented.

Generally, the Housing Authority assigns one bedroom to two people within the following guidelines:

One bedroom will be allowed for adult(s) Head of Household.

Foster children will be included in determining unit size.

Live-In Aides who reside in the unit full-time will be provided a separate bedroom. This must be their only residence. No additional bedrooms are provided for the Aide's family.

Aides who reside in the unit part-time and who maintain a separate residence will not be provided a separate bedroom.

At the discretion of the housing authority, a child who is away at school but who lives with the family during school recesses, up to age 22, may be counted as part of the family in determining unit size. Verification must be provided to document that they are residing in the residence during school breaks.

GUIDELINES FOR DETERMINING VOUCHER SIZE

Voucher Size	Persons in Household	
	Minimum Number	Maximum Number
0 Bedroom	1	2
1 Bedroom	1	4
2 Bedrooms	2	6
3 Bedrooms	3	8
4 Bedrooms	4	10
5 Bedrooms	5	12
6 Bedrooms	6	14

B. EXCEPTIONS TO SUBSIDY STANDARDS [24 CFR 982.403(a) & (b)]

The Housing Authority may grant exceptions from the subsidy standards as a reasonable accommodation for a qualified person with a disability

Changes for Participants

The members of the family residing in the unit must be approved by the Housing Authority. The family must obtain approval of any additional family member before the new member occupies the unit except for additions by birth, adoption, or court-awarded custody, in which case the family must inform the Housing Authority within 14 days. If a unit does not meet HQS space standards due to an increase in family size (unit too small), the Housing Authority will issue a new Voucher of the appropriate size.

C. UNIT SIZE SELECTED [24 CFR 982.402(c)]

The family may select a different size dwelling unit than that listed on the Voucher. There are three criteria to consider:

Subsidy Limitation: The family unit size as determined under the Housing Authority subsidy standard for a family assisted in the Voucher program is based on the Housing Authority’s adopted payment standards. The payment standard for a family shall be the lower of:

The payment standard amount for the family unit size; or

The payment standard amount for the unit size rented by the family.

Utility Allowance: The utility allowance used to calculate the gross rent is based on the actual size of the unit the family selects, or the size authorized on the family's Voucher, whichever is less.

Housing Quality Standards: The standards allow two persons per living/sleeping room and permit maximum occupancy levels (assuming a living room is used as a living/sleeping area) as shown in the table below. The levels may be exceeded if a room in addition to bedrooms and living room is used for sleeping.

**HQS GUIDELINES FOR UNIT SIZE
SELECTED**

Unit Size	Maximum Number in Household
0 Bedroom	2
1 Bedroom	4
2 Bedrooms	6
3 Bedrooms	8
4 Bedrooms	10
5 Bedrooms	12
6 Bedrooms	14

Chapter 6

FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

[24 CFR Part 5, Subparts E and F; 982.153, 982.551]

INTRODUCTION

The Housing Authority will use the methods as set forth in this Administrative Plan to verify and determine that family income at admission and at annual reexamination is correct. The accurate calculation of Annual Income and Adjusted Income will ensure that families are not paying more or less money for rent than their obligation under the regulations.

This Chapter defines the allowable expenses and deductions to be subtracted from Annual Income and how the presence or absence of household members may affect the Total Tenant Payment (TTP). Income and TTP are calculated in accordance with 24 CFR Part 5, Subparts E and F, and further instructions set forth in HUD Notices and Memoranda. The formula for the calculation of TTP is specific and not subject to interpretation. The Housing Authority's policies in this Chapter address those areas which allow the Housing Authority discretion to define terms and to develop standards in order to assure consistent application of the various factors that relate to the determination of TTP.

A. INCOME AND ALLOWANCES [24 CFR 5.609]

Income: Includes all monetary amounts which are received on behalf of the family. For purposes of calculating the Total Tenant Payment, HUD defines what is to be calculated and what is to be excluded in the Federal Regulations. In accordance with this definition, all income which is not specifically excluded in the regulations is counted.

Annual Income is defined as the gross amount of income anticipated to be received by the family during the 12 months after certification or recertification. Gross income is the amount of income prior to any HUD allowable expenses or deductions, and does not include income which has been excluded by HUD. Annual income is used to determine whether or not applicants are within the applicable income limits.

Adjusted Income is defined as the Annual income minus any HUD allowable expenses and deductions.

HUD has five allowable deductions from Annual Income:

Dependent Allowance: \$480 each for family members (other than the head or spouse) who are minors, and for family members who are 18 and older who are full-time students or who are disabled.

Elderly/Disabled Allowance: \$400 per family for families whose head or spouse is 62 or over or disabled.

Allowable Medical Expenses: Deducted for all family members of an eligible

elderly/disabled family.

Child Care Expenses: Deducted for the care of children under 13 when child care is necessary to allow an **adult** member to work, attend school, or actively seek employment.

Allowable Disability Assistance Expenses: Deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an **adult** family member to work.

B. MINIMUM RENT [24 CFR 5.630]

Minimum Rent

Effective July 1, 2004, the Housing Authority implemented a "minimum rent" of \$50. Minimum rent refers to the Total Tenant Payment and includes the combined amount a family pays towards rent and/or utilities when it is applied.

Hardship Requests for an Exception to Minimum Rent

The Housing Authority recognizes that in some circumstances even the minimum rent may create a financial hardship for families. The Housing Authority will review all relevant circumstances brought to the Housing Authority's attention regarding financial hardship as it applies to the minimum rent. The following section states the Housing Authority's procedures and policies in regard to minimum rent financial hardship as set forth by the Quality Housing and Work Responsibility Act of 1998. HUD has defined circumstances under which a hardship could be claimed. (24 CFR 5.630)

Criteria for Hardship Exception

In order for a family to qualify for a hardship exception the family's circumstances must fall under one of the following HUD hardship criteria:

- The family has lost eligibility or is awaiting an eligibility determination for Federal, State, or local assistance, including a family with a member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act, and who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.
- The family would be evicted as a result of the imposition of the minimum rent requirement;
- The income of the family has decreased because of changed circumstances, including loss of employment, death in the family, or other circumstances as determined by the Housing Authority or HUD.

Housing Authority Notification to Families of Right to Hardship Exception

The Housing Authority will notify all families subject to minimum rents of their right to request a minimum rent hardship exception.

The Housing Authority notification will advise families that hardship exception determinations are subject to Housing Authority review and **informal** hearing procedures.

The Housing Authority will review all family requests for exception from the minimum rent due to financial hardships.

All requests for minimum rent hardship exceptions are required to be in writing **and include** -

~~Requests for minimum rent exception must include~~ a statement of the family hardship that **qualifies** the family for an exception.

The Housing Authority will request documentation as proof of financial hardship.

The Housing Authority will use its standard verification procedures to verify circumstances which have resulted in financial hardship.

Suspension of Minimum Rent

The Housing Authority will grant the minimum rent exception to all families who request it, effective the first of the following month.

The minimum rent will be suspended until the Housing Authority determines whether the hardship is:

Covered by statute

Temporary or long term

"Suspension" means that the Housing Authority must not use the minimum rent calculation until the Housing Authority has made this decision.

During the minimum rent suspension period, the family will not be required to pay a minimum rent and the housing assistance payment will be increased accordingly.

If the Housing Authority determines that the minimum rent is not covered by statute, the Housing Authority will impose a minimum rent including payment for minimum rent from the time of suspension.

Temporary Hardship

If the Housing Authority determines that the hardship is temporary, a minimum rent will not be imposed for a period of up to 90 days from the date of the family's request. At the end of the temporary suspension period, a minimum rent will be imposed retroactively to the time of suspension.

The Housing Authority will offer a repayment agreement to the family for any such rent not paid during the temporary hardship period. (See "Owner and Family Debts to the Housing Authority" chapter for Repayment agreement policy).

Long-Term Duration Hardships

If the Housing Authority determines that there is a qualifying long-term financial hardship, the Housing Authority must exempt the family from the minimum rent requirements for as long as the hardship continues. The exemption from minimum rent shall apply from the first day of the month following the family's request for exemption.

C. DEFINITION OF TEMPORARILY/PERMANENTLY ABSENT [24 CFR 982.54(d)(10), 982.551]

The Housing Authority must compute all applicable income of every family member who is on the lease, including those who are temporarily absent.- In addition, the Housing Authority must count the income of the spouse or the head of the household if that person is temporarily absent, even if that person is not on the lease.

"Temporarily absent" is defined as away from the unit for less than 30 consecutive days.

Income of persons permanently absent will not be counted. -If the spouse or co-head is temporarily absent and in the military, all military pay and allowances (except hazardous duty pay when exposed to hostile fire and any other exceptions to military pay HUD may define) is counted as income.

It is the responsibility of the head of household to report changes in family composition. The Housing Authority will evaluate absences from the unit using this policy.

Absence of Any Member

Any member of the household may be considered permanently absent if s/he is away from the unit for 30 or more consecutive days except as otherwise provided in this Chapter.

Absence due to Medical Reasons

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the Housing Authority will seek advice from a reliable qualified source as to the likelihood and timing of their return. -If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent.- If the verification indicates that the family member will return in less 180 consecutive days, the family member may not be considered permanently absent.

If the person who is determined to be permanently absent is the sole member of the household, assistance will be terminated in accordance with the Housing Authority's "Absence of Entire Family" policy, as described in this Chapter.

Absence Due to Full-time Student Status

Full time students who attend school away from the home will be treated in the following manner:

A student (other than head of household, spouse or co-head) up to age 22, who attends school away from home but lives with the family during school recesses may be considered either temporarily or permanently absent. If the Housing Authority decides that the member is permanently absent, income of that member will not be included in total household income, the member will not be included on the lease, and the member will not be included for determination of voucher size.

Absence due to Incarceration

If the sole ~~member~~ member of a household is incarcerated for more than 30 consecutive days, s/he will be considered permanently absent. Any member of the household, other than the sole member, will be considered permanently absent if s/he is incarcerated for 30 consecutive days.

The Housing Authority will determine if the reason for incarceration is for drug-related or violent criminal activity.

Absence of Children due to Placement in Foster Care

If the family includes a child or children temporarily absent from the home due to placement in foster care, the Housing Authority will determine from the appropriate agency when the child/children will be returned to the home.

If the time period is to be greater than 12 months from the date of removal of the child(ren), the voucher size will be reduced.- If all children are removed from the home permanently, the voucher size will be reduced in accordance with the Housing Authority's subsidy standards.

Absence of Entire Family

These policy guidelines address situations when the family is absent from the unit, but has not moved out of the unit. -In cases where the family has moved out of the unit, the Housing Authority will terminate assistance in accordance with appropriate termination procedures contained in this Plan.

Families are required both to notify the Housing Authority before they move out of a unit and to give the Housing Authority information about any family absence from the unit.

Families must notify the Housing Authority in advance if they are going to be absent from the unit for more than 14 consecutive days.

If the entire family is absent from the assisted unit for more than 30 consecutive days without notice to the Housing Authority, the unit will be considered to be vacated and the assistance may be terminated.

If it is determined that the family is absent from the unit, the Housing Authority will not continue assistance payments.

HUD regulations require the Housing Authority to terminate assistance if the entire family is absent from the unit for a period of more than 180 consecutive calendar days.

"Absence" means that no family member is residing in the unit.

In order to determine if the family is absent from the unit, the Housing Authority may:

- Write letters to the family at the unit
- Telephone the family at the unit
- Interview neighbors and property owner/manager

A person with a disability may request an extension of time as an accommodation, provided that the extension does not go beyond the HUD-allowed 180 consecutive calendar days limit.

Caretaker for Children

If neither parent remains in the household and the appropriate agency has determined that another adult is to be brought into the assisted unit to care for the children for an indefinite period, the Housing Authority will treat that adult as a visitor for the first 30 days.

If by the end of that period, court-awarded custody or legal guardianship has been awarded to the caretaker, the voucher will be transferred to the caretaker.

If the appropriate agency cannot confirm the guardianship status of the caretaker, the Housing Authority will review the status at 30-day intervals.

If custody or legal guardianship has not been awarded by the court, but the action is in process, the Housing Authority will secure verification from social services staff or the attorney as to the status.

If custody is awarded for a limited time in excess of stated period, the Housing Authority will state in writing that the transfer of the voucher is for that limited time or as long as they have custody of the children. -The Housing Authority will use discretion as deemed appropriate in determining any further assignation of the voucher on behalf of the children.

The caretaker will be allowed to remain in the unit, as a visitor, until a determination of custody is made.

The Housing Authority will transfer the voucher to the caretaker, in the absence of a court order, if the caretaker has been in the unit for more than three months and it is reasonable to expect that custody will be granted.

When the Housing Authority approves a person to reside in the unit as caretaker for the child~~(ren)~~, the income will be counted pending a final disposition. -The Housing Authority will work with the appropriate service agencies and the owner to provide a smooth transition in these cases.

If a member of the household is subject to a court order that restricts him/her from the home for more than 30 days, the person will be considered permanently absent.

Visitors

Any adult not included on the Housing Authority application and the HUD 50058 who has been in the unit more than 14 consecutive days without Housing Authority approval, or a total of 14 days in a 12-month period, will be considered to be living in the unit as an unauthorized household member.

Absence of evidence of any other address will be considered verification that the visitor is a member of the household.

Statements from neighbors and/or the landlord may be considered in making the determination.

Use of the unit address as the visitor's current residence for any purpose that is not explicitly temporary shall be construed as permanent residence.

The burden of proof that the individual is a visitor rests on the family.- In the absence of such proof, the individual will be considered an unauthorized member of the household and the Housing Authority will terminate assistance since prior approval was not requested for the addition.

Minors and college students who were part of the family but who now live away from home during the school year and are no longer on the lease may visit for up to 14 days per year without being considered a member of the household.

Reporting Additions to Owner and Housing Authority

Reporting changes in household composition to the Housing Authority is both a HUD and a Housing Authority requirement.

The family obligations require the family to request Housing Authority approval to add any other family member as an occupant of the unit and to inform the Housing Authority of the birth, adoption or court-awarded custody of a child. -The family must request prior approval of additional household members in writing.

If the family does not obtain prior written approval from the Housing Authority, any person the family has permitted to move in will be considered an unauthorized household member.

Families are required to report any additions by birth, adoption or court-awarded custody to the household in writing to the Housing Authority within 14 days of the move-in date.

An interim reexamination may be conducted for any additions to the household.

In addition, the Housing Authority will require the family to obtain prior written approval from the owner when there are changes in family composition other than birth, adoption or court awarded custody.

Reporting Absences to the Housing Authority

Reporting changes in household composition is both a HUD and a Housing Authority requirement.

If a family member leaves the household, the family must report this change to the Housing Authority, in writing, within 14 days of the change and certify as to whether the member is temporarily absent or permanently absent.

The Housing Authority will conduct an interim evaluation for changes which affect the Total Tenant Payment in accordance with the interim policy.

D. AVERAGING INCOME

When Annual Income cannot be anticipated for a full twelve months, the Housing Authority may:

Average known sources of income that vary to compute an annual income, or

Annualize current income and conduct an interim reexamination if income changes.

If there are bonuses or overtime which the employer cannot anticipate for the next twelve months, bonuses and overtime received the previous year will be used.

If, by averaging, an estimate can be made for those families whose income fluctuates from month to month, this estimate will be used so as to reduce the number of interim adjustments.

E. MINIMUM INCOME

There is no minimum income requirement. Families who report zero income may need to undergo an interim recertification every three months [as determined by the Housing Authority](#).

F. INCOME OF PERSON PERMANENTLY CONFINED TO NURSING HOME [24 CFR 982.54(d)(10)]

If a family member is permanently confined to a hospital or nursing home and there is a family member left in the household, the Housing Authority will calculate the income by using the following methodology and use the income figure which would result in a lower payment by the family:

Exclude the income of the person permanently confined to the nursing home and give the family no deductions for medical expenses of the confined family member.

G. REGULAR CONTRIBUTIONS AND GIFTS [24 CFR 5.609]

Regular contributions and gifts received from persons outside the household are counted as income for calculation of the Total Tenant Payment.

Any contribution or gift received at regular intervals will be considered a "regular" contribution or gift and counted as income. -This includes rent and utility payments made on behalf of the family and other cash or non-cash contributions provided on a regular basis. -It does not include casual contributions or sporadic gifts. (See "Verification Procedures" chapter for further definition.)

H. SPOUSAL SUPPORT AND CHILD SUPPORT [24 CFR 5.609]

Regular spousal support and child support payments are counted as income for calculation of Total Tenant Payment.

The Housing Authority will accept verification that the family is receiving an amount less than the court award if the Housing Authority receives written verification.

I. LUMP-SUM RECEIPTS [24 CFR 5.609]

Lump-sum additions to Family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker's compensation), capital gains, and settlement for personal or property losses, are not included in income but may be included in assets.

Lump sum payments from Social Security or SSI are excluded from income, but any amount remaining will be considered an asset. Deferred periodic payments which have accumulated due to a dispute will be treated the same as periodic payments which are deferred due to delays in processing.

J. CONTRIBUTIONS TO RETIREMENT FUNDS - ASSETS [24 CFR 5.603(d)]

Contributions to company retirement/pension funds are handled as follows:

While an individual is employed, count as assets only amounts the family can withdraw without retiring or terminating employment.

After retirement or termination of employment, count any amount the employee elects to receive as a lump sum.

K. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE [24 CFR 5.603(d)(3)]

The Housing Authority must count assets disposed of for less than fair market value during the two years preceding certification or reexamination. -The Housing Authority will count the difference between the market value and the actual payment received in calculating total assets.

Assets disposed of as a result of foreclosure or bankruptcy are not considered to be assets disposed of for less than fair market value. -Assets disposed of as a result of a divorce or separation are not considered to be assets disposed of for less than fair market value.

L. CHILD CARE EXPENSES [24 CFR 5.603]

Reasonable child care expenses, as determined by a periodic survey of local child care providers, will be allowed for children under 13 and may be deducted from annual income if they enable an adult to work or attend school full time, or to actively seek employment.

In the case of a child attending private school, only after-hours care can be counted as child care expenses.

Allowability-Allowance of deductions for child care expenses is based on the following guidelines:

Child care to work: The maximum child care expense allowed must be less than the amount earned by the person enabled to work. -The "person enabled to work" will be the adult member of the household who earns the least amount of income from working.

Child care for school: The number of hours claimed for child care may not exceed the number of hours the family member is attending school, including reasonable travel time to and from school.

The Housing Authority's Child Care Expense Verification form must be completed and verified in order to determine child care deductions.

M. MEDICAL EXPENSES [24 CFR 5.609(a)(2), 5.603]

As per the Housing Authority Medical Deduction Expense policy (See Chapter 7, page 15), medical expenses which are anticipated to be incurred during the 12 months following recertification, which are not covered by an outside source, will be considered as allowable for families who are eligible for the medical expense deduction. -All medical expenses must be documented on the Housing Authority's Medical Expense form.

~~For nonprescription~~Nonprescription medicines and over the counter items must be recommended by a knowledgeable medical practitioner to treat a specific medical condition. Nonprescription medicines and over the counter items used to maintain general good health are not considered eligible medical expenses.; ~~the~~The Housing Authority Medical Expense form must be completed by a doctor or knowledgeable medical practitioner stating the need for these items that the item has been prescribed to treat a specific medical condition. —A medical deduction will not be allowed for food items or travel expenses.

The most current IRS Publication 502, Medical and Dental Expenses, will be used as a guide to assist in determining allowable medical expenses in instances when the regulations or Housing Authority policies are unclear.

If participant requests inclusion of medical mileage, the Housing Authority will use mileage at the IRS medical mileage rate, or cab, bus fare, or other public transportation cost for verification of the cost of transportation directly related to medical treatment. Requests for medical mileage must be submitted on the Housing Authority Medical Mileage Expense form or other approved form.

N. PRORATION OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.520]

Applicability

Proration of assistance must be offered to any "mixed" applicant or participant family. A "mixed" family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

Prorated Assistance Calculation

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. Calculations for each housing program are performed on the HUD 50058 form.

O. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS [24 CFR 982.153, 982.517]

The same Utility Allowance Schedule is used for all tenant-based programs.

The utility allowance is intended to cover the cost of utilities not included in the rent. -The allowance is based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality.- Allowances are not based on an individual family's actual energy consumption.

The Housing Authority's utility allowance schedule, and the utility allowance for an individual family, must include the utilities and services that are necessary in the locality to provide housing that complies with the housing quality standards.

The Housing Authority may not provide any allowance for non-essential utility costs, such as costs of cable or satellite television.

The Housing Authority must classify utilities in the utility allowance schedule according to the following general categories: space heating, cooking, water heating, water, sewer, trash collection; other electric, refrigerator (for tenant-supplied refrigerator), range (cost of tenant-supplied range).

The Housing Authority will review the utility allowance schedule annually.- If the review finds a utility rate has changed by 10 percent or more since the last revision of the utility

allowance schedule, the schedule will be revised to reflect the new rate. Revised utility allowances will be applied in a participant family's rent calculation at their next reexamination.

The approved utility allowance schedule is given to families along with their voucher. The utility allowance is based on the actual unit size selected or the family's voucher size, whichever is less.

Where families provide their own range and refrigerator, the Housing Authority will establish an allowance adequate for the family to purchase or rent a range or refrigerator, even if the family already owns either appliance. Allowances for ranges and refrigerators will be based on the lesser of the cost of leasing or purchasing the appropriate appliance over a 120-month period.

Where the calculation on the HUD 50058 results in a utility reimbursement payment due the family, the Housing Authority will provide a Utility Reimbursement Payment for the family ~~each month~~ every three months. The check will be made out directly to the participant.

Chapter 7

VERIFICATION PROCEDURES

[24 CFR Part 5, Subparts B, D, E and F; 982.108]

INTRODUCTION

HUD regulations require that the factors of eligibility and Total Tenant Payment/Family Share be verified by the Housing Authority. Housing Authority staff will obtain written verification from independent sources whenever possible and will document participant files whenever third party verifications are not possible as to why third party verification was impossible to obtain.

Applicants and program participants must provide true and complete information to the Housing Authority whenever information is requested. The Housing Authority's verification requirements are designed to maintain program integrity. This Chapter explains the Housing Authority's procedures and standards for verification of preferences, income, assets, allowable deductions, family status, and changes in family composition. The Housing Authority will obtain proper authorization from the family before requesting information from independent sources.

A. METHODS OF VERIFICATION AND TIME ALLOWED [24 CFR 982.516]

The Housing Authority will verify information through at least one of the following methods of verification acceptable to HUD:

- Up-Front Income Verification (UIV)
- Third-Party Written Verification
- Third-Party Oral Verification
- Review of Documents
- Self-Certification

The Housing Authority will allow two weeks for return of third-party verifications. In the event they are not received, the Housing Authority will use an alternate acceptable method of verification.

For applicants, verifications may not be more than 60 days old at the time of voucher issuance. For participants, they may not be more than 120 days old.

Up-Front Income Verification (UIV)

UIV is the verification of income, before or during a family reexamination, through an independent source that systematically and uniformly maintains income information in computerized form for a large number of individuals. The Housing Authority will use available resources, including UIV techniques to obtain verification of participant-reported, including unreported or underreported income.

Enterprise Income Verification (EIV) is a HUD provided Internet-based tool that allows Housing Authorities to view employment information, wages, unemployment compensation and social security benefit information for HCV participants. The purpose of HUD's EIV System is to make integrated income data available from one source, via the Internet, for Housing Authorities to use to improve income verification during required income reexaminations.

The EIV system is used to validate participant reported income through a data matching process which allows Housing Authorities to view monthly information for participants within the Housing Authority's jurisdiction. It also provides income discrepancy reports to identify families who may have substantially underreported household income. The Housing Authority will use the EIV system as the primary source when available.

Third-Party Written Verification

Third-party verification is used to verify information directly with the source. Third-party written verification forms will be sent and returned via fax or mail. The family will be required to sign an authorization for the information source to release the specified information.

The Housing Authority will accept verifications in the form of computerized printouts from the following agencies:

- Social Security Administration
- Veterans Administration
- Welfare Assistance
- Department of Child Support Services
- Employment Development Department
- Unemployment Compensation Board
- Other City, County or Federal Agencies

When computer matching results in a discrepancy with information in the Housing Authority records, the Housing Authority will follow up with the family and verification sources to resolve this discrepancy.

The Housing Authority also will determine that third-party verification is not available when there is a service charge for verifying an asset or expense and the family has original documents that provide the necessary information.

Third-Party Oral Verification

Oral third-party verification may be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to

complete a certification of the document viewed or person contacted, noting with whom they spoke, the date of the conversation, and the facts provided.

Review of Documents

If the Housing Authority has determined that third-party verification is not available or not required, the Housing Authority will use documents provided by the family as verification. The Housing Authority may also review documents when necessary to help clarify information provided by third parties. In such cases the Housing Authority will document in the file how the Housing Authority arrived at a final conclusion about the income or expense to include in its calculations.

If the Housing Authority utilizes documents provided by the family as the primary source, the documents must provide complete information. All such documents, excluding government checks, will be photocopied and retained in the applicant file. In cases where documents are viewed which cannot be photocopied, staff viewing the document(s) will complete a certification of the document viewed or the person contacted.

The Housing Authority will accept the following documents from the family:

- Printed wage stubs

- Computer print-outs from the employer

- Signed letters

- Other documents noted in this Chapter as acceptable verification

Self-Certification

When information cannot be verified by a third party or by review of documents, the applicant or program participant will be required to submit self-certification attesting to the accuracy of the household information they have provided to the Housing Authority. This source of verification will only be used when all other options have not been successful.

B. RELEASE OF INFORMATION [24 CFR 5.230]

Adult family members will be required to sign the HUD 9886 Release of Information/Privacy Act form.

In addition, family members will be required to sign specific authorization forms when information is needed that is not covered by the HUD form 9886, Authorization for Release of Information/Privacy Act Notice.

Each member requested to consent to the release of specific information may be provided with a copy of the appropriate forms for their review and signature.

Family refusal to cooperate with the HUD prescribed verification system will result in denial of admission or termination of assistance because it is a family obligation to

supply any information and to sign consent forms requested by the Housing Authority or HUD.

C. ITEMS TO BE VERIFIED [24 CFR 982.516]

- All income.
- Full-time student status including High School students who are 18 or over.
- Current assets.
- Child care expense where it allows an **adult** family member to be employed or to further his/her education.
- Total medical expenses of all family members in households whose head or spouse is elderly or disabled.
- Disability assistance expenses for a disabled member of the family, which allow an **adult** family member to be employed.
- Disability for determination of preferences, allowances or deductions.
- Eligible ~~immigrant~~ immigration status.
- Social Security Numbers for all family members who have been issued a social security number.
- "Preference" status.
- Status when needed for non-citizen rule.
- Birthdates for minor household members.
- Verification of Reduction in Benefits for Noncompliance:

The Housing Authority will obtain written verification from the ~~welfare appropriate social services~~ agency ~~stating ensuring~~ that the family's benefits have not been reduced for fraud or noncompliance *before* ~~denying processing~~ the family's request for rent reduction.

D. VERIFICATION OF INCOME [24 CFR 982.516]

This section defines the methods the Housing Authority will use to verify various types of income.

Employment Income

Acceptable methods of verification include:

1. EIV
2. Verification of quarterly earnings may be requested from the Employment Development Department for adult household members under the age of 62.
3. Check stubs or earning statements, which indicate the employee's gross pay, frequency of pay or year to date earnings.
4. Employment verification form completed by the employer. Verification forms request the employer to specify the:
 - Dates of employment

- Amount and frequency of pay
- Estimated income from overtime, tips, bonus pay expected during next 12 months

5. W-2 forms plus income tax return forms.

6. Self-certifications or income tax returns signed by the family may be used for verifying self-employment income, or income from tips and other gratuities.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include:

- Enterprise Income Verification (EIV)
- Benefit verification form completed by agency providing the benefits.
- Award or benefit notification letters prepared and signed by the providing agency.
- Computer report electronically obtained or in hard copy.
- Direct deposit verification from bank statement.

Unemployment Compensation

Acceptable methods of verification include:

- Verification form completed by the unemployment compensation agency.
- Computer report electronically obtained or in hard copy, from unemployment office stating payment dates and amounts.
- Payment stubs.

Welfare Payments or General Assistance

Acceptable methods of verification include:

- Cal-Win computerized State system
- Housing Authority verification form completed by payment provider.
- Computer generated or written statement from payment provider indicating the amount of grant/payment, start date of payments, and 12 month print-out of benefits.
- Computer-generated Notice of Action.

Spousal Support or Child Support Payments

Acceptable methods of verification include:

- Verification form from Department of Child Support Services
- Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
- A letter from the person paying the support.
- Copy of the most recent checks and/or payment stubs from the agency or person paying support.

- Family's self-certification of amount received.
- Computer generated payment history.

Net Income from a Business

In order to verify the net income from a business, the Housing Authority will view IRS and financial documents from prior years and use this information to anticipate the income for the next 12 months.

Acceptable methods of verification include:

- IRS Form 1040, including:
 - Schedule C (Small Business)
 - Schedule E (Rental Property Income)
 - Schedule F (Farm Income)

Note: If accelerated depreciation was used on the tax return or financial statement, an accountant's calculation of depreciation expense, computed using straight-line depreciation rules.

- Audited or unaudited financial statement(s) of the business.
- Family's self-certification as to net income realized from the business during previous years, i.e.: ledgers and quarterly IRS reports.

Recurring Gifts

The family must furnish a statement from the person who provides the gifts which includes the following information:

The value of the gifts

The regularity (dates) of the gifts

The purpose of the gifts

Zero Income Status

The Housing Authority will check UIV sources and/or request information from third-party sources to verify that certain forms of income such as unemployment benefits, TANF, SSI, etc., are not being received by families claiming to have zero annual income. If no income appears on any of these, then the Housing Authority will require the family to complete a self-declaration form.

Full-time Student Status

Only the first \$480 of the earned income of full-time students, other than head, co-head, or spouse, will be counted towards family income.

Generally, financial aid, scholarships and grants received by full-time students are not counted towards family income. However, financial aid that exceeds the amount paid for tuition may count towards family income when the student is over 23 years of age and

has no dependent minor children in the household.

Verification of full-time student status includes:

- Written verification from the registrar's office or other school official.
- School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution.

Household members over 18 who claim on-going full-time student status will be required at each recertification to provide a transcript from the school in which they are enrolled and proof of current full-time enrollment.

E. INCOME FROM ASSETS [24 CFR 982.516]

Savings Account Interest Income and Dividends

Acceptable methods of verification include, in this order:

1. Account statements, passbooks, certificates of deposit, or Housing Authority verification forms completed by the financial institution.
2. Broker's statements showing value of stocks or bonds and the earnings credited the family. Earnings can be obtained from current newspaper quotations or oral broker's verification.
3. IRS Form 1099 from the financial institution.

Interest Income from Mortgages or Similar Arrangements

Acceptable methods of verification include, in this order:

1. A letter from an accountant, attorney, real estate broker, the buyer, or a financial institution stating interest due for next 12 months. (A copy of the check paid by the buyer to the family is not sufficient unless a breakdown of interest and principal is shown.)
2. Amortization schedule showing interest for the 12 months following the effective date of the certification or recertification.

Net Rental Income from Property Owned by Family

Acceptable methods of verification include, in this order:

1. IRS Form 1040 with Schedule E (Rental Income).
2. Copies of latest rent receipts, leases, or other documentation of rent amounts.
3. Documentation of allowable operating expenses of the property: tax statements, insurance invoices, bills for reasonable maintenance and utilities, and bank statements or amortization schedules showing monthly interest expense.
4. Lessee's written statement verifying rent payments to the family.

F. VERIFICATION OF ASSETS

Family Assets

The Housing Authority will require the information necessary to determine the current

cash value of the family's assets, (the net amount the family would receive if the asset were converted to cash).

Due to the prohibitive costs incurred by the Housing Authority to determine asset information directly from the financial institution, the Housing Authority will utilize a minimum of two months of current statements from the financial institution or broker and provided to the Housing Authority by the participant. Additional bank or financial statements may be requested by the Housing Authority to determine eligibility.

Acceptable verification may also include any of the following:

- Verification forms, letters, or documents from a financial institution or broker.
- Passbooks, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
- Quotes from a stockbroker or realty agent as to net amount family would receive if they liquidated securities or real estate.
- Real estate tax statements if the approximate current market value can be deduced from assessment.
- Financial statements for business assets.
- Copies of closing documents showing the selling price and the distribution of the sales proceeds.
- Appraisals of personal property held as an investment.
- Family's self-certification describing assets or cash held at the family's home or in safe deposit boxes.

Assets Disposed of for Less than Fair Market Value (FMV) During Two Years Preceding Effective Date of Certification or Recertification

For all Certifications and Re-certifications, the Housing Authority will obtain the family's certification as to whether any member has disposed of assets for less than fair market value during the two years preceding the effective date of the certification or recertification.

If the family certifies that they have disposed of assets for less than fair market value, certification is required that shows: (a) all assets disposed of for less than FMV, (b) the date they were disposed of, (c) the amount the family received, and (d) the market value of the assets at the time of disposition. Third party verification will be obtained wherever possible.

G. VERIFICATION OF ALLOWABLE DEDUCTIONS FROM INCOME [24 CFR 982.516]

Child Care Expenses

A Housing Authority child care provider verification form must be completed. The verification form will include the child care provider's name, address, telephone number, the names of the children cared for, the number of hours the child care occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods.

The family's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources is required.

Medical Expenses

Families who claim anticipated medical expenses will be required to complete the Housing Authority medical expense form which must be verified and signed by a knowledgeable medical practitioner.

Written confirmation by the insurance company or employer of health insurance premiums to be paid by the family will be accepted to document health insurance premiums to be paid by the family.

Written confirmation from the Social Security Administration of Medicare premiums to be paid by the family over the next 12 months will be accepted as verification.

For attendant care:

- A knowledgeable medical practitioner's certification that the assistance of an attendant is necessary as a medical expense.
- Attendant's written confirmation of amount and frequency of payments received from the family or agency (or copies of canceled checks the family used to make those payments) or stubs from the agency providing the services.

See Medical Expense Deduction Policy at end of Chapter 7.

Assistance to Persons with Disabilities [24 CFR 5.611(c)]

In All Cases:

Written certification from a knowledgeable medical practitioner, social worker -or other reliable third party with knowledge that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another family member to be employed.

Family's certification as to whether they receive reimbursement for any of the expenses of disability assistance and the amount of any reimbursement received.

Attendant Care:

Attendant's written certification of amount received from the family and frequency of receipt.

Certification of family and attendant and/or copies of canceled checks family used to make payments.

Auxiliary Apparatus:

Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.

In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

H. VERIFYING NON-FINANCIAL FACTORS [24 CFR 982.153(b)(15)] **Verification of Permanent Absence of Family Member**

If an adult member who was formerly a member of the household is reported permanently absent by the family, the Housing Authority will consider any of the following as verification:

- Husband or wife provides divorce action documentation.
- Husband or wife provides legal separation documentation.
- Order of protection/restraining order obtained by one family member against another.
- Proof of another home address, such as utility bills, canceled checks for rent, driver license, or lease or rental agreement, if available.
- Statements from other agencies such as social services or a written statement from the owner or manager that the adult family member is no longer living at that location.
- If no other proof can be provided, the Housing Authority will accept a self-certification from the head of household or the spouse or co-head, if the head is the absent member.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7) or verified by a knowledgeable medical practitioner, social worker, or other reliable third party -using the HUD language as the verification format.

Verification of Citizenship/Eligible Immigrant Status [24 CFR 5.508, 5.510, 5.512, 5.514]

To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by Immigration and Naturalization Service (INS). Each family member must declare their status once. Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants may be delayed while the Housing Authority hearing is pending.

Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.

Eligible Immigrants who were Participants and 62 or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The Housing Authority verifies the status through the INS SAVE system. If this primary verification fails to verify status, the Housing Authority must request within ten days that the INS conduct a manual search.

Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa but their status will not be verified and they do not sign a declaration but are listed on the statement of ineligible members.

Failure to Provide. If an applicant or participant family member fails to sign required declarations and consent forms or provide documents, as required, they must be listed as an ineligible member. If the entire family fails to provide and sign as required, the family may be denied or terminated for failure to provide required information.

Time of Verification

For applicants, verification of U.S. citizenship or eligible immigrant status occurs at the time of initial application.

The Housing Authority will not provide assistance to any family prior to the affirmative establishment and verification of the eligibility of at least one member of the family.

Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial Housing Authority does not supply the documents, the Housing Authority must conduct the determination.

Extensions of Time to Provide Documents

The Housing Authority may grant an extension of 30 days for families to submit evidence of eligible immigrant status.

Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

- Resident Alien Card (I-551)
- Alien Registration Receipt Card (I-151)
- Arrival-Departure Record (I-94)
- Temporary Resident Card (I-688)
- Employment Authorization Card (I-688B)
- Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept a minimum of five years.

If the Housing Authority determines that a family member has knowingly permitted another individual who is not eligible for assistance (i.e. an unauthorized person) to reside permanently in the family's unit, the family's assistance may be terminated.

Verification of Social Security Numbers [24 CFR 5.216]

Social security numbers must be provided as a condition of eligibility for all family members age six and over if they have been issued a number. Verification of Social Security numbers will be done through a Social Security Card issued by the Social Security Administration.

If a family member cannot produce a Social Security Card, the documents listed below showing his or her Social Security Number may be used for temporary verification.

- Identification card issued by a Federal, State or local agency

- Identification card issued by Medicare or Medicaid

- Benefit award letters from government agencies

New family members ages six and older will be required to produce their Social Security Card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in family composition is reported to the Housing Authority.

If an applicant or participant is able to disclose the Social Security Number but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect provided by the Housing Authority. The applicant/participant or family member will have an additional 60 days to provide proof of the Social Security Number. If they fail to provide this documentation, the family's assistance will be terminated.

In the case of an individual at least 62 years of age, the Housing Authority may grant an extension for an additional 60 days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the family's assistance will be terminated.

If the family member states they have not been issued a number, the family member will be required to sign a certification to this effect.

Medical Need for Larger Unit

A request for a reasonable accommodation must be submitted per Housing Authority guidelines. Requests will be evaluated on an annual basis to determine ongoing medical need.

I. VERIFICATION OF WAITING LIST PREFERENCES [24 CFR 5.410-5.430]

Preference information on preliminary applications will be updated as applicants are selected from the Waiting List. At that time, the Housing Authority will obtain necessary verifications of preference.

MEDICAL EXPENSE DEDUCTION POLICY

Participant families in the Section 8 Housing Choice Voucher Program in which the head of household, spouse or co-head is 62 years of age or older, or is a person with disabilities are entitled to the deduction. If the family qualifies for the deduction, the allowable medical expenses of all family members are considered, including the expenses of children and nonelderly adults.

The allowable medical expense deduction is that portion of a family's total annual unreimbursed medical expenses that exceeds 3% of the household's annual income.

Anticipated medical expenses are expenses expected to be incurred during the 12 months following recertification which are not covered by an outside source such as insurance. The medical expense deduction is not intended to give a family an allowance equal to last year's expenses, but to anticipate regular ongoing and anticipated expenses during the coming year. Generally, medical expenses are calculated annually at the time of Annual Recertification.

The following are expenses that may be included as long as they are actual anticipated out-of-pocket expenses that are not reimbursed or covered by insurance:

- Services of doctors and health care professionals
- Services of health care facilities
- Medical insurance premiums
- Prescription/nonprescription medicines (must be prescribed by a doctor)
- Dental expenses, eyeglasses, hearing aids, batteries (eligible upon payment of expense)
- Live-in or periodic medical assistance
- Monthly payment on accumulated medical bills (regular monthly payments on a bill that was previously incurred.) This deduction will only include the amount expected to be paid in the coming 12 months.

In order for the family to receive a medical deduction, each medical practitioner must complete and sign a Medical Expense Form, listing the name and cost for all prescriptions, and non-prescription and over the counter supplements/medications, and medical services that are anticipated to be paid by the participant during the upcoming 12 months. -For medical bills for which the participant is making monthly payments, the Housing Authority requires documentation of the payment program or documentation from the medical provider showing payments made. a list those payments on the Medical Expense Doctor Form.—Photocopies can be made of the Medical Expense

~~Doctor~~ Form if additional forms are needed. The Housing Authority ~~does not~~will -allow ~~allow~~ a deduction for mileage or other transportation costs to and from required medical appointments. The IRS medical mileage rate will be used. The Housing Authority will not allow a deduction ~~or~~ for food items (i.e. Ensure, organic foods). Allowable expenses for a verified, medically-necessary assistance animal are limited to an annual veterinarian examination and required vaccinations.

Chapter 8

VOUCHER ISSUANCE AND BRIEFINGS

[24 CFR 982.301, 982.302]

INTRODUCTION

The Housing Authority's goals and objectives are designed to assure that families selected to participate are equipped with the tools necessary to locate an acceptable housing unit. Families are provided sufficient knowledge and information regarding the program and how to achieve maximum benefit while complying with program requirements. When eligibility has been determined, the Housing Authority will conduct a mandatory briefing to ensure that families know how the program works. The briefing will provide a broad description of owner and family responsibilities, Housing Authority procedures, and how to lease a unit. The family will also receive a briefing packet which provides more detailed information about the program including the benefits of moving to areas outside areas of poverty and minority concentration. This Chapter describes how briefings will be conducted, the information that will be provided to families, and the policies for how changes in the family composition will be handled.

A. BRIEFING TYPES AND REQUIRED ATTENDANCE [24 CFR 982.301] **Initial Applicant Briefing**

A full HUD-required briefing will be conducted for applicant families who are determined to be eligible for assistance. The briefings will be conducted in groups or individual meetings.

Briefings will be conducted in English and Spanish.

The purpose of the briefing is to explain how the program works and the documents in the voucher holder's packet to families so that they are fully informed about the program. This will enable them to utilize the program to their advantage, and it will prepare them to discuss the program with potential owners and property managers.

The Housing Authority will not issue a Housing Choice Voucher to a family unless the head of household representative has attended a briefing and signed the voucher. Applicants who provide prior notice of inability to attend a briefing will automatically be scheduled for the next briefing. Applicants who fail to attend two scheduled briefings, without prior notification and approval of the Housing Authority, may be denied admission based on failure to attend and supply information needed for certification of eligibility. The Housing Authority will conduct individual briefings for families with disabilities as a reasonable accommodation upon request by the family.

Briefing Packet [24 CFR 982.301(b)]

The documents and information provided in the briefing packet for the HCV program will comply with all HUD requirements.

The family is provided with the following information and materials:

- The term of the voucher, and the Housing Authority policy for requesting extensions or suspensions of the voucher (referred to as tolling).
- A description of the method used to calculate the housing assistance payment for a family, including how the Housing Authority determines the payment standard for a family; how the Housing Authority determines total tenant payment for a family and information on the payment standard and utility allowance schedule. How the Housing Authority determines the maximum allowable rent for an assisted unit will also be included.
- Where the family may lease a unit. For a family that qualifies to lease a unit outside the Housing Authority jurisdiction under portability procedures, the information will include an explanation of how portability works.
- The HUD required tenancy addendum, which must be included in the rental agreement/lease as an attachment.
- The Request for Tenancy Approval form and a description of the procedure for requesting approval for a unit.
- A statement of the Housing Authority policy on providing information about families to prospective owners.
- The Housing Authority unit size standards.
- A brochure on how to select a unit and the HUD brochure "A Good Place to Live" on how to select a unit that complies with HQS.
- The HUD brochure on lead-based paint.
- Information on Federal, State and local equal opportunity laws and a copy of the housing discrimination complaint form. -The Housing Authority will also include the pamphlet "Fair Housing."
- A list of units available for rent to assisted households. This list includes
 - accessibility features of e-units as reported by property managers/landlords known to the Housing Authority.
- The Family Obligations under the program. See Chapter 15.
- The grounds on which the Housing Authority may terminate assistance for a participant family because of family action or failure to act.
- Housing Authority informal hearing procedures including when the Housing Authority is required to offer a participant family the opportunity for an informal hearing, and how to request the hearing.
- An explanation of how portability works and a list of neighboring housing agencies with the name, address and telephone number of each for use by families who move under portability.
- A map showing areas representing various income levels of the jurisdiction and surrounding areas for the purpose of expanding housing opportunities for families.
- Information regarding the Housing Authority's outreach program which assists families who are interested in, or experiencing difficulty in obtaining available housing units in areas outside of minority concentrated locations.

Move Briefing

A move briefing will be held for participants who will be reissued a voucher to move and have given notice of intent to vacate to their landlord.

B. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

The Housing Authority encourages owners of decent, safe and sanitary housing units in all parts of Sonoma County to lease to HCV families.

The Housing Authority makes a concerted effort to keep private owners informed of legislative changes in the HCV tenant-based program, which are designed to make the program more attractive to owners. This includes informing participant owners of applicable legislative changes in program requirements.

At briefings, when families are issued vouchers, they are encouraged to search for housing throughout all areas of the County, including ~~non-impacted~~ areas outside of minority or poverty concentration. ~~The Housing Authority will also provide housing search assistance to all families searching for housing. The Housing Authority has developed a Housing Search Workshop to assist families in locating a unit.~~

C. ASSISTANCE TO FAMILIES WHO CLAIM DISCRIMINATION

The Housing Authority will give participants a copy of HUD form 903.1, "Housing Discrimination Information," for information and in order to file a complaint.

D. SECURITY DEPOSIT REQUIREMENTS [24 CFR 982.313]

The owner is not required to but may collect a security deposit from the tenant.

Security deposits charged by owners may not exceed those charged to unassisted tenants nor the maximum prescribed by State or local law.

For lease-in-place families, responsibility for first and last month's rent is not considered a security deposit issue. In these cases, the owner should settle the issue with the tenant prior to the beginning of assistance.

E. TERM OF VOUCHER [24 CFR 982.303, 982.54(d)(11)]

During the briefing session, each household will be issued a voucher which represents a contractual agreement between the Housing Authority and the Family specifying the rights and responsibilities of each party. It does not constitute admission to the program which occurs when the lease and contract become effective.

The voucher is valid for a period of at least sixty calendar days from the date of issuance. The family must submit a Request for Tenancy Approval within the time period stated on the voucher unless an extension has been granted by the Housing Authority.

Extensions

The Housing Authority may extend the term of the voucher for up to 120 days from the beginning of the initial term. Reasons may include low vacancy rate and tight rental market. A family may request an additional 30 day extension of the voucher time period. All requests for extensions should be received prior to the expiration date of the voucher. Applicants may be directed to attend a Housing Search Workshop to verify

their need for an extension. The reasons for an extension may include, but are not limited to, disability, medical need, and reasonable accommodation.

Suspensions

When a Request for Tenancy Approval is received, the Housing Authority will deduct the number of days required to process the request from the term of the voucher. The Housing Authority refers to suspension as “tolling of the voucher.”

The length at the tolled period will include the time involved in scheduling and completing the inspection and subsequent periods waiting for the unit to pass Housing Quality Standards. This tolled period will not exceed 30 days for any one unit.

Assistance to Voucher Holders

Families who require additional assistance during their search may attend a Housing Search Workshop at the Housing Authority Office. Voucher holders will be notified at their briefing session that the Housing Authority periodically updates the listing of available units and how the updated list may be obtained.

The Housing Authority will assist families with negotiations with owners and provide other assistance related to the families' search for housing.

Expirations

If the voucher has expired, and has not been extended by the Housing Authority or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted, they may remain as a participant in their unit if there is an assisted lease/contract in effect.

F. VOUCHER ISSUANCE DETERMINATION FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In those instances when a family assisted under the HCV program becomes divided into two otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the Housing Authority Supervisor shall consider the following factors to determine which of the families will continue to be assisted:

- Which of the two new family units has custody of dependent children.
- The composition of the new family units, and which unit contains elderly or disabled members.
- Whether domestic violence was involved in the breakup. In the event of actual and immanent threat of bodily injury, the victim of domestic violence, dating violence, or stalking will receive the voucher.
- Which family members remain in the unit.
- Recommendations of social service professionals.

Documentation of these factors will be the responsibility of the requesting parties.

If documentation is not provided, the Housing Authority may terminate assistance on the basis of failure to provide information necessary for a recertification.

G. REMAINING MEMBER OF FAMILY - RETENTION OF VOUCHER
[24 CFR 982.315]

To be considered the remaining member of the participant family, the person must have been previously approved by the Housing Authority to be living in the unit, have been approved and added to the lease by the owner, and have resided in the dwelling for at least six months.

A live-in aide, by definition, is not a member of the family and will not be considered a remaining member of the family.

In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor, or
- The Housing Authority has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child(ren) for an indefinite period.

A reduction in family size may require a reduction in the voucher family unit size.

Chapter 9 REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION [24 CFR 982.302]

INTRODUCTION [24 CFR 982.305(a)]

The Housing Authority's program operations are designed to utilize available resources in a manner that is efficient and provides eligible families timely assistance based on the number of units that have been budgeted. The Housing Authority's objectives include maximizing HUD funds by providing assistance to as many eligible families and for as many eligible units as the budget will allow.

After families are issued a voucher, they may search for a unit anywhere within the jurisdiction of the Housing Authority, or outside of the Housing Authority's jurisdiction if they qualify for portability. The family must find an eligible unit under the program rules, with an owner/property manager who is willing to enter into a Housing Assistance Payments Contract with the Housing Authority. This Chapter defines the types of eligible housing, the Housing Authority's policies which pertain to initial inspections, lease requirements, owner disapproval, and the processing of Requests for Tenancy Approval (RTA).

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.302, 982.305(b)]

The Request for Tenancy Approval (RTA) and a copy of the proposed Rental Agreement/Lease, including the HUD prescribed tenancy addendum, must be submitted by the family during the term of the voucher. The family must submit the Request for Tenancy Approval in the form and manner required by the Housing Authority.

The Request for Tenancy Approval must be signed by both the owner and voucher holder.

The Housing Authority will not permit the family to submit more than one RTA at a time.

The Housing Authority will review the proposed Rental Agreement and the Request for Tenancy Approval documents to determine whether or not they are approvable. The Request will be approved ~~if-when~~ the following conditions are met:

- The unit is an eligible type of housing
- The rent is reasonable
- The unit meets HUD's Housing Quality Standards (and any additional criteria as identified in this Administrative Plan)
- The Total Tenant Payment is under the adopted threshold adopted by the Housing Authority
- The Security Deposit is approvable in accordance with any limitations in this plan
- The proposed Rental Agreement complies with HUD and Housing

Authority requirements (See "Rental Agreement/Lease Review" section below)

The owner certifies that the unit will be ready for occupancy within 60 days from the date of the RTA.

The owner is approvable, and there are no conflicts of interest (See Chapter 16, "Owner Disapproval"). In addition to the above, at the time a family initially receives assistance in a particular unit, the family share of rent may not exceed 40 percent of the family monthly adjusted income (See Chapter 11, "Owner Rents, Rent Reasonableness and Payment Standards").

Disapproval of RTA

If the Housing Authority determines that the Request for Tenancy Approval (RTA) cannot be approved for any reason, the landlord and the family will be notified by telephone. The Housing Authority will instruct the owner and family of the steps that are necessary to approve the RTA.

When, for any reason, an RTA is not approved, the Housing Authority will furnish another RTA form to the family so that the family can continue to search for eligible housing.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.353, 982.54(d)(15)]

The Housing Authority will approve any of the following types of housing in the voucher program:

All residential structure types on a fixed foundation and permanently connected utility services can be utilized.

Manufactured homes where the tenant leases the mobile home and the pad.

Manufactured homes where the tenant owns the mobile home and leases the pad.

C. RENTAL AGREEMENT/LEASE REVIEW [24 CFR 982.308]

The Housing Authority will review the rental agreement, particularly noting the approvability of optional charges and compliance with regulations and State and local law. The tenant also must have legal capacity to enter into a contract under State and local law. Responsibility for utilities, appliances and optional services must correspond to those provided on the Request for Tenancy Approval.

The family and owner must submit a standard form rental agreement used in the locality by the owner and that is generally used for other unassisted tenants in the premises. The terms and conditions of the rental agreement must be consistent with State and local law. The HUD prescribed tenancy addendum must be included and/or attached to the rental agreement word-for-word before the rental agreement is executed.

House Rules of the owner may be attached to the rental agreement as an addendum, provided they are approved by the Housing Authority to ensure they do not violate any fair housing provisions and do not conflict with the tenancy addendum.

Actions Before Lease Term

All of the following must always be completed before the beginning of the initial term of the rental agreement for a unit:

The Housing Authority has inspected the unit and has determined that the unit satisfies the HQS;

The landlord and the tenant have executed the rental agreement, including the HUD-prescribed tenancy addendum;

The Housing Authority has approved renting of the unit in accordance with program requirements.

D. SEPARATE AGREEMENTS

Separate agreements are not necessarily ~~illegal~~ unauthorized side agreements. Families and owners will be advised of the prohibition of ~~illegal-unauthorized~~ side payments for additional rent, or for items normally included in the rent of unassisted families, or for items not shown on the approved rental agreement.

The family is not liable under the rental agreement for unpaid charges for items covered by separate agreements and nonpayment of these agreements cannot be cause for eviction.

Owners and families may execute separate agreements for services, appliances (other than range and refrigerator) and other items that are not included in the rental agreement if the agreement is in writing and approved by the Housing Authority.

Any appliances, services or other items which are routinely provided to unassisted families as part of the rental agreement (such as air conditioning, dishwasher or garage) or are permanently installed in the unit, cannot be put under separate agreement and must be included in the rental agreement. For there to be a separate agreement, the family must have the option of not utilizing the service, appliance or other item.

If the family and owner have come to a written agreement on the amount of allowable charges for a specific item, so long as those charges are reasonable and not a substitute for higher rent, they will be allowed.

All agreements for special items or services must be attached to the rental agreement/lease approved by the Housing Authority. If agreements are entered into at a later date, they must be approved by the Housing Authority and attached to the lease.

E. INITIAL INSPECTIONS [24 CFR 982.305(a) & (b)]

See Chapter 10, "Housing Quality Standards and Inspections."

F. RENT LIMITATIONS [24 CFR 982.503]

The Housing Authority will make a determination as to the reasonableness of the proposed rent in relation to comparable units available for lease on the private unassisted market, and the rent charged by the owner for a comparable unassisted unit in the building or premises.

G. DISAPPROVAL OF PROPOSED RENT [24 CFR 982.502]

In any of the programs, if the proposed Gross Rent is not reasonable, at the family's request, the Housing Authority will negotiate with the owner to reduce the rent or to include some or all of the utilities in the rent to owner.

If the rent can be approved after negotiations with the owner, the Housing Authority will continue processing the Request for Approval of Tenancy and Rental Agreement.

If the owner does not agree to reduce the rent after the Housing Authority has tried to negotiate a revised rent, the Housing Authority will inform the family and owner that the assisted tenancy is disapproved.

H. INFORMATION TO OWNERS [24 CFR 982.307(b), 982.54(d)(7)]

In accordance with HUD requirements, the Housing Authority will furnish prospective owners the name, address and telephone number of the current landlord and past landlords participating in the Section 8 Program with the subject client.

A statement of the Housing Authority's policy on release of information to prospective landlords will be included in the briefing packet which is provided to the family.

The Housing Authority will inform owners that it is the responsibility of the landlord to determine the suitability of prospective tenants. Owners will be encouraged to screen applicants for rent payment history, payment of utility bills, eviction history, respecting the rights of other residents, damage to units, drug-related criminal activity or other criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

I. CHANGE IN TOTAL TENANT PAYMENT (TTP) PRIOR TO HAP EFFECTIVE DATE

When the family reports changes in factors that will affect the Total Family Share prior to the effective date of the HAP contract at admission, the information will be verified and the Total Family Share may be recalculated. If the family does not report any change, the Housing Authority need not obtain new verifications before signing the HAP Contract, even if verifications are more than 60 days old. An interim change may be done for changes after lease-up.

J. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

The Housing Authority prepares the Housing Assistance Payments (HAP) Contract for execution. The family and the owner will execute the rental agreement/lease, and the owner and the Housing Authority will execute the HAP Contract. Copies of the documents will be furnished to the parties who signed the respective documents. The

Housing Authority will retain a copy of all signed documents.

The Housing Authority makes every effort to execute the HAP Contract before the commencement of the lease term. The HAP Contract may not be executed more than 60 days after commencement of the lease term and no payments will be made until the contract is executed.

The following Housing Authority representatives are authorized to execute a contract on behalf of the Housing Authority; Housing Authority Supervisor, ~~Deputy Director~~-Housing Authority Manager, Assistance Executive Director, Executive Director.

Owners or their agents must provide an Employer Identification Number or Social Security Number and complete and sign an IRS Payee Data Record form provided by the Housing Authority.

Unless their lease was effective prior to June 17, 1998, a family may not lease properties owned by a parent, child, grandparent, grandchild, sister or brother of any family member related by either blood or marriage. The Housing Authority will waive this restriction as a reasonable accommodation for a family member who is a person with a disability.

K. CHANGE IN OWNERSHIP

See Chapter 16, Section C, "Owner Disapproval and Restriction."

Chapter 10

HOUSING QUALITY STANDARDS AND INSPECTIONS

[24 CFR 982.401]

INTRODUCTION

Housing Quality Standards (HQS) are the HUD minimum quality standards for tenant-based programs. HQS standards are required both at initial occupancy and during the term of the lease. HQS standards apply to the building and premises, as well as the unit. Newly leased units must pass the HQS inspection before the beginning date of the assisted lease and HAP contract.

The Housing Authority will inspect each unit under contract at least biennially. The Housing Authority will also perform quality control inspections on the number of files required for file sampling by SEMAP annually to maintain the Housing Authority's required standards and to assure consistency in the Housing Authority's program. This Chapter describes the Housing Authority's procedures for performing HQS and other types of inspections, and Housing Authority standards for the timeliness of repairs. It also explains the responsibilities of the owner and family, and the consequences of non-compliance with HQS requirements for both families and owners. The use of the term "HQS" in this Administrative Plan refers to the combination of both HUD and Housing Authority requirements. (See the additions to HQS listed under "Acceptability Criteria and Exceptions to HQS" later in this chapter.)

A. GUIDELINES/TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

Efforts will be made at all times to encourage owners to provide housing above HQS minimum standards. The Housing Authority will not promote any additional acceptability criteria which are likely to adversely affect the health or safety of participant families, or severely restrict housing choice.

All utilities should be in service prior to the inspection. If the utilities are not in service at the time of inspection, the Inspector will notify the tenant or owner, whoever is responsible for the utilities according to the Request for Tenancy Approval (RTA) form, to have the utilities turned on.

If the tenant is responsible for supplying the stove and/or the refrigerator, the Housing Authority will allow the stove and refrigerator to be placed in the unit after the unit has passed all other HQS. The family must then certify that the appliances are in the unit and working. The Housing Authority may conduct a reinspection.

B. There are five types of inspections the Housing Authority will perform:

1. Initial/Move-in: Conducted upon receipt of RTA.
2. Biennial: Must be conducted within 24 months of the last biennial inspection.
3. Move-Out/Vacate
4. Special/Complaint: At request of owner, family or an agency or third-party.
5. Quality Control

C. INITIAL HQS INSPECTION [24 CFR 982.401(a)]
Timely Initial HQS Inspection

The Housing Authority will inspect the unit, determine whether the unit satisfies the HQS and notify the family and owner of the determination.

The Housing Authority will make every reasonable effort to conduct initial HQS inspections for the family and owner in a manner that is time efficient and indicative of good customer service.

The Initial Inspection will be conducted to:

Determine if the unit and property meet the HQS defined in this Plan.

Document the current condition of the unit to assist in future evaluations as to whether the condition of the unit exceeds normal wear and tear.

Document the information to be used for determination of rent-reasonableness.

If the unit fails the initial Housing Quality Standards inspection, the family and owner will be advised to notify the Housing Authority once repairs are completed. Repairs must be made within 30 days. An additional two weeks or 30 days may be given by the HQS Inspector for completion of the repairs. For major repairs, the Housing Authority Supervisor may approve an extension beyond this period.

Modifications

Modifications or adaptations to a unit due to a disability must meet all applicable HQS and building codes.

Extension for repair items not required by HQS will be granted for modifications/adaptations to the unit if agreed to by the tenant and landlord. Housing Authority will allow execution of the HAP contract if unit meets all requirements and the modifications do not affect the livability of the unit.

D. BIENNIAL HQS INSPECTIONS [24 CFR 982.405(a)]

The Housing Authority conducts an inspection in accordance with Housing Quality Standards at least biennially, and as required by SEMAP. Special inspections may be scheduled between biennial inspections.

HQS deficiencies which cause a unit to fail must be corrected by the property owner unless it is a fail for which the tenant is responsible. The Housing Authority may verify correction by owner or participant certification together with receipts for materials or labor and photographs of the repair.

The family must allow the Housing Authority to inspect the unit at reasonable times with reasonable notice. [24 CFR 982.51 (d)]

Inspection: The family is notified of the date and time of the inspection appointment by mail. If the head of household is unable to be present, an adult representative for the family can stand in during the inspection. The family must notify the Inspector in advance if the adult representative will not be the head of household.

The Housing Authority requires each unit to meet all HQS. The items below must also meet the Housing Authority standards:

- An operational deadbolt lock is required on each door that leads to the exterior of the unit. This typically would include the front door, the door leading to the garage from the house and any other door leading from the house outside. It is not required that deadbolt locks be installed on owner occupied manufactured homes.
- Holes in walls, floors, and doors, regardless of size, need to be repaired.
- Carbon Monoxide Detectors are required on or before July 1, 2011 for all existing single-family dwelling units intended for human occupancy that have a fossil fuel burning heater or appliance, fireplace, or an attached garage. Carbon Monoxide Detectors are required on or before January 1, 2013, for all other existing dwelling units intended for human occupancy with a fossil fuel burning heater or appliance, fireplace, or an attached garage.

If the family fails to be available for the scheduled inspection, the Housing Authority will send a letter to the family requiring them to contact the Housing Authority during regular business hours within five business days to reschedule the inspection. If the family fails to schedule the appointment after receiving the letter or, after scheduling the appointment, fails to be available for the inspection, or the family fails two inspection appointments due to tenant caused HQS deficiencies the Housing Authority will consider the family to have violated a Family Obligation and their assistance may be terminated in accordance with the termination procedures in the Plan.

The family is also notified that it is a Family Obligation to allow the Housing Authority to inspect the unit. If the family was responsible for a breach of HQS identified in the "Denial or Termination of Assistance," Chapter 15 of this Administrative Plan, they will be advised of their responsibility to correct the deficiencies.

Time Standards for Repairs

Emergency items which endanger the family's health or safety must be corrected by the owner within 24 hours of notification. (See Emergency Repair Items, Section G of the chapter.)

For non-emergency items, repairs must be made within 30 days. An additional two weeks or 30 days may be given by the Housing Authority for completion of the repairs.

For major repairs, the Housing Authority Supervisor may approve an extension beyond this period.

Rent Increases

Rent increases may not be approved if the unit is in a failed condition.

E. MOVE OUT/VACATE

A move out inspection will be performed only at the landlord's or tenant's request.

F. SPECIAL/COMPLAINT INSPECTIONS [24 CFR 982.405(c)]

If at any time the family or owner notifies the Housing Authority that the unit does not meet Housing Quality Standards, the Housing Authority will conduct an inspection.

The Housing Authority may also conduct a special inspection based on information from third parties such as neighbors or public officials.

The Housing Authority will inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.

G. QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b)]

Quality Control inspections will be performed on the number of files required by SEMAP. They will be performed by the Housing Authority Supervisor or any HQS Inspector who did not conduct the initial inspection whose caseload is different from the area in which the Quality Control Inspection will be performed. The purpose of a Quality Control inspections is to ascertain that each inspector is conducting accurate and complete inspections, and to ensure that there is consistency among inspectors in application of the HQS.

Quality Control inspections will be conducted periodically throughout the year and ~~The~~include a sampling of files from recently completed inspections (within the prior three months), representative of a cross-section of neighborhoods, and a cross-section of inspectors.

H. EMERGENCY REPAIR ITEMS [24 CFR 982.401(a)]

The following items are considered of an emergency nature and must be corrected by the owner or tenant (whoever is responsible) within 24 hours of notice by the Inspector:

- Lack of security for the unit
- Waterlogged ceiling in imminent danger of falling
- Major plumbing leaks or flooding
- Fuel leak
- Electrical problem which could result in shock or fire
- No heat between October and May
- Utilities not in service
- No running hot water

Broken glass where someone could be injured
Obstacle which prevents tenant's entrance or exit
Lack of functioning toilet

This is not an exclusive list.

The Housing Authority may give a short extension whenever the responsible party cannot be notified or it is impossible to complete the repair within the 24-hour period.

In those cases where there is leaking gas or potential of fire or other threat to public safety, and the responsible party cannot be notified or it is impossible to make the repair, proper authorities will be notified by the Housing Authority.

If the emergency repair item(s) are not corrected in the time period required by the Housing Authority, and the owner is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.

If the emergency repair item(s) are not corrected in the time period required by the Housing Authority, and it is an HQS breach which is a family obligation, the Housing Authority will terminate the assistance to the family.

Smoke Detectors

The Housing Authority will issue a written warning to any family determined to have purposely disconnected the unit's smoke detector. The warning will state that deliberate disconnection of the unit's smoke detector is a health and fire hazard and is considered a violation of the HQS.

I. CONSEQUENCES IF OWNER IS RESPONSIBLE (NON-EMERGENCY ITEMS) [24 CFR 982.405, 982.453]

When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner is responsible for completing the necessary repair(s) in the time period specified by the Housing Authority, the assistance payment to the owner will be abated.

Abatement

A Notice of Abatement will be sent to the owner. The notice is generally for 30 days, depending on the nature of the repair(s) needed.

The Housing Authority will inspect abated units after the owner's notification that the work has been completed.

If the owner makes repairs during the abatement period, payment will resume on the day the unit passes inspection.

No retroactive payments will be made to the owner for the period of time the rent was abated and the unit did not comply with HQS unless any new information is received

that would limit or negate abatement. The notice of abatement states that the tenant is not responsible for the Housing Authority's portion of rent that is abated.

The Housing Authority will grant the owner an extension of time to make repairs in lieu of abatement in the following cases:

The owner has a good history of HQS compliance.

There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services.

The owner makes a good faith effort to make the repairs.

The repairs are expensive (such as exterior painting or roof repair) and the owner needs time to obtain the funds.

The repairs must be delayed due to climate conditions.

Termination of Contract

If the owner is responsible for repairs, and fails to correct all the deficiencies cited prior to the end of the abatement period, the owner will be notified in writing that the unit is being terminated from the Program. Prior to the effective date of the termination, the abatement will remain in effect.

If repairs are completed before the effective termination date, the termination may be rescinded by the Housing Authority if the tenant chooses to remain in the unit. No more than two Housing Quality Standards inspections will be conducted after the termination notice is issued.

J. DETERMINATION OF RESPONSIBILITY [24 CFR 982.404, 982.54(d)(14)]

Certain HQS deficiencies are considered the responsibility of the family:

Tenant-paid utilities not in service

Failure to provide or maintain family-supplied appliances

Damage to the unit or premises caused by a household member or guest beyond normal wear and tear

The owner is responsible for all other HQS violations.

The owner is responsible for vermin infestation even if caused by the family's living habits. However, if such infestation is serious and repeated, it may be considered a lease violation and the owner may evict for serious or repeated violation of the lease. The Housing Authority may terminate the family's assistance on that basis.

If the family is responsible but the owner carries out the repairs, the owner will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

K. CONSEQUENCES IF FAMILY IS RESPONSIBLE [24 CFR 982.404(b)]

If emergency or non-emergency violations of HQS are determined to be the responsibility of the family, the Housing Authority will require the family make any repair(s) or corrections within 24 hours for emergency repairs and 30 days for non-emergency repairs. Repairs made by the tenant must be authorized by the owner. If the repair(s) or correction(s) are not made in this time period, the Housing Authority will terminate assistance to the family, after providing an opportunity for an informal hearing. Extensions in these cases must be approved by the Housing Authority. The owner's housing assistance payment (HAP) will not be abated for items which are the family's responsibility.

If the tenant is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

Chapter 11

OWNER RENTS, RENT REASONABLENESS, AND PAYMENT STANDARDS

[24 CFR 982.505, 982.503, 982.504]

INTRODUCTION

The policies in this chapter reflect the amendments to the HUD regulations, which were implemented by the Quality Housing and Work Responsibility Act of 1998 for the Section 8 Tenant-Based Assistance Program. These amendments became effective on October 1, 1999, which is referred to as the “merger date”. These amendments complete the merging of the Section 8 Certificate and Voucher Programs into one program, called the Housing Choice Voucher Program.

In accordance with the regulations, for those Section 8 participant families where there is a HAP Contract in effect entered into prior to October 1, 1999, the Housing Authority will continue to uphold the rent calculation methods of the premerger Regular Certificate and Voucher tenancies until the 2nd regular reexamination of family income and composition following the “merger date”. However, all new rental agreements/leases, moves and new admissions taking effect on or after October 1, 1999 will be subject to the regulations of the new Housing Choice Voucher Program.

The Housing Authority will determine rent reasonableness in accordance with 24 CFR 982.507(a). It is the Housing Authority's responsibility to ensure that the rents charged by owners are reasonable based upon unassisted comparables in the rental market, using the criteria specified in 24 CFR 982.507(b).

This Chapter explains the Housing Authority's procedures for determination of rent-reasonableness, payments to owners, adjustments to the Payment Standards, and rent adjustments.

A. RENT TO OWNER IN THE HOUSING CHOICE VOUCHER PROGRAM

The Rent to Owner is limited only by rent reasonableness. The Housing Authority must demonstrate that the Rent to Owner is reasonable in comparison to rent for other comparable unassisted units.

At the time a family initially receives tenant-based assistance for occupancy of a dwelling unit, whether it is a new admission or a move to a different unit, the family share may not exceed 40 percent of the family's monthly adjusted income.

During the initial term of the rental agreement/lease, the owner may not raise the rent.

B. MAKING PAYMENTS TO OWNERS [24 CFR 982.451]

Once the HAP Contract is executed, the Housing Authority begins processing payments to the landlord. ~~A HAP Register will be used as a basis for~~ The Housing Authority will use its software system to monitoring the accuracy and timeliness of payments.

Owners are highly encouraged to sign up for direct deposit for HAP. When checks are issued and ~~Checks that are~~ not received, a replacement check will not be ~~replaced~~ issued until a request has been received from the payee and a stop payment has been put on the check.

Excess Payments

The total of rent paid by the tenant plus the Housing Authority housing assistance payment to the owner may not be more than the rent to owner. The owner must immediately return to the Housing Authority any excess payment made by the Housing Authority.

Owners who do not return excess payments will be subject to penalties as outlined in Chapter 18, "Owner or Family Debts to the Housing Authority."

C. RENT REASONABLENESS DETERMINATIONS [24 CFR 982.507]

The Housing Authority will determine and document on a case-by-case basis that the approved rent is reasonable in comparison to rent for other comparable unassisted units in the market. This applies to all Section 8 programs.

The Housing Authority will not approve a rental agreement/lease until it determines that the initial rent to owner is a reasonable rent. The Housing Authority must redetermine the reasonable rent before any increase in the rent to owner.

The Housing Authority must redetermine rent reasonableness if directed by HUD and based on a need identified by the Housing Authority's auditing system. The Housing Authority may elect to redetermine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner may not exceed the reasonable rent as most recently determined or redetermined by the Housing Authority.

The owner will be advised that by accepting each monthly housing assistance payment s/he will be certifying that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

If requested, the owner must give the Housing Authority information on rents charged by the owner for other units in the premises or elsewhere.

The data for other unassisted units will be gathered from newspapers, Realtors, professional associations, inquiries of owners and property management companies, market surveys, and/or other available sources.

The following items may be used in determining rent reasonableness:

Size (number of Bedrooms)

Location

Quality

Age of unit (if available)

Unit Type

Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

The Housing Authority ~~maintains an automated~~utilizes a -database which includes data on unassisted units for use by staff in making rent reasonableness determinations. The data is updated on an ongoing basis.

D. PAYMENT STANDARDS FOR THE VOUCHER PROGRAM [24 CFR 982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at the Housing Authority's discretion, the Voucher Payment Standard amount is set by the Housing Authority between 90 percent and 110 percent of the HUD published FMR. This is considered the basic range. The Housing Authority reviews the appropriateness of the Payment Standard at least annually when the FMR is published. In determining whether a change is needed, the Housing Authority will ensure that the Payment Standard is always within the range of 90 percent to 110 percent of the new FMR, unless an exception payment standard has been approved by HUD.

The Housing Authority will establish voucher payment standard amounts in the Housing Authority jurisdiction. The Housing Authority will establish payment standard amounts for each "unit size".

The Housing Authority may approve a payment standard of not more than 120 percent of the FMR without HUD approval if required as a reasonable accommodation for a family that includes a person with disabilities. The Housing Authority must determine that the requested rent is reasonable. In addition, the Housing Authority must maintain documentation that that the unit has the feature(s) required to meet the needs of the person with disabilities.

Chapter 12 RECERTIFICATIONS [24 CFR 982.516]

INTRODUCTION

In accordance with HUD requirements, the Housing Authority will reexamine the income and household composition of all families at least annually. Families will be provided accurate annual and interim rent adjustments. Recertifications and interim examinations will be processed in a manner that ensures families are given reasonable notice of rent increases. All annual activities will be coordinated in accordance with HUD regulations. It is a HUD requirement that families report all changes in household composition and income. This Chapter defines the Housing Authority's policy for conducting annual recertifications and coordinating annual activities. It also explains the interim reporting requirements for families, and the standards for timely reporting.

A. ANNUAL ACTIVITIES [24 CFR 982.516, 982.405]

Recertification of Income and Family Composition

B. ANNUAL RECERTIFICATION/REEXAMINATION [24 CFR 982.516]

Families are required to be recertified at least annually. Family members must report and verify U.S. citizenship/eligible immigrant status if there have been changes and for any added household members.

Moves Between Reexaminations

When families move to another dwelling unit:

A review of family income and household composition will be completed prior to issuance of a voucher to move. An annual recertification may be scheduled if a recertification is due within 120 days from the date of the mover voucher.

Income limits are not used as a test for continued eligibility at recertification.

Reexamination Notice to the Family

The Housing Authority will maintain a reexamination tracking system and the household will be notified by mail of the date and time for their interview at least 90 days in advance of the anniversary date. The Housing Authority will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities.

Completion of Annual Recertification

The Housing Authority will have all recertifications for families completed before the anniversary date, giving families reasonable notice of any changes in rent.

Persons with Disabilities

Persons with disabilities who are unable to come to the Housing Authority's office will be granted a ~~n-accommodation~~ reasonable accommodation by conducting the interview at the person's home, upon verification that the accommodation requested meets the need presented by the disability.

Collection of Information [24 CFR 982.516(f)]

The Housing Authority has established appropriate recertification procedures necessary to ensure that the income data provided by families is complete and accurate.

The Housing Authority representative will interview the family and enter the information provided by the family on the recertification form, collect written verifications, review the information with the family and have them sign the form.

Documents Required From the Family

In the notification letter to the family, the Housing Authority will include instructions for the family to provide the following:

Documentation of all income and assets, as described in Chapter 7.

Documentation of any deductions/allowances, as described in Chapter 7.

Verification of Information

The Housing Authority will follow the verification procedures and guidelines described in Chapter 7. Verifications for reexaminations must be less than 120 days old.

Requirements to Attend

The head of household is required to attend the recertification interview. All-When possible, all adult household members ~~will be required to~~ should attend the recertification interview. ~~If requested, Housing Authority staff will work with households to accommodate schedules of employed family members.~~

If the head of household is unable to attend the interview, the appointment will be rescheduled. If other household members are unable to attend the interview, the head of household and spouse/co-head should bring required documents signed by all adult household members to the interview.

Failure to Respond to Notification to Recertify

The Housing Authority's written notification must state which family members are required to attend the interview. The family may call to request another appointment date.

If the family does not appear for the recertification interview, and has not rescheduled or made prior arrangements with the Housing Authority, the Housing Authority will **send a letter to the participant requesting they contact the Housing Authority within seven (7) days to reschedule the appointment.**

If the family fails to appear for the second appointment, the Housing Authority will send a letter advising the family that Housing Authority is considering termination of their housing assistance and advising them to contact the Housing Authority within five working days to reschedule the appointment. If the family makes no contact, the Housing Authority will send the family a notice of termination and offer them an informal hearing.

Tenant Rent Increase and Decrease

If tenant rent increases or decreases, a notice is mailed to the family prior to the scheduled effective date of the annual recertification.

If the family causes a delay so that the processing of the reexamination is not completed by the anniversary date, the rent change will be effective on the first day of the month following completion of the reexamination processing by the Housing Authority.

C. REPORTING INTERIM CHANGES [24 CFR 982.516]

Program participants must report all changes in household composition to the Housing Authority between annual reexaminations. This includes additions due to birth, adoption and court-awarded custody. The family must obtain Housing Authority approval prior to all other additions to the household.

If any new family member is added, family income must include any income of the new family member. The Housing Authority will conduct a reexamination to determine such additional income and will make the appropriate adjustments in the housing assistance payment and family unit size.

The U.S. citizenship/eligible immigrant status of additional family members must be declared and verified as required at the first interim or regular recertification after moving into the unit.

When a head of household has a member that turns 18 years of age, they must inform the Housing Authority.

Interim Reexamination Policy

The Housing Authority may conduct interim reexaminations when families have an increase in income. The Housing Authority must conduct an interim reexamination when families report a decrease in income.

Families will be required to report all changes in income/assets and household composition within 14 days of the change.

Housing Authority Errors

If the Housing Authority makes a calculation error at admission to the program or at an annual reexamination, an interim reexamination will be conducted, if necessary, to correct the error, but the family will not be charged retroactively. Families will be given decreases, when applicable, retroactive to when the decrease for the change would have been effective if calculated correctly.

D. OTHER INTERIM REPORTING ISSUES

An interim reexamination does not affect the date of the annual recertification.

An interim reexamination may be scheduled for families with low or fluctuating income every 90 days.

E. INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The Housing Authority will not reduce the family share of rent for families whose welfare assistance is reduced for any of the following:

- fraud
- failure to participate in an economic self-sufficiency program
- noncompliance with a work activities requirement

However, the Housing Authority will reduce the rent if the welfare assistance reduction is a result of any of the following:

- The expiration of a lifetime time limit on receiving benefits
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment

(See Chapter 7, "Verification Procedures.")

Cooperation Agreements

The Housing Authority has taken a proactive approach towards an effective working relationship between the Housing Authority and the Sonoma County Human Services Department and other supportive service agencies. These partnerships identify economic self-sufficiency programs throughout the community that are available to HCV tenant-based assistance families.

F. NOTIFICATION OF RESULTS OF RECERTIFICATIONS [HUD Notice PIH 98-6]

The HUD form 50058 will be completed and transmitted as required by HUD.

The Notice of Change which gives the tenant and Housing Authority rent portions is mailed to the owner and the tenant. Families are advised to call the Housing Authority if they have questions. If the family disagrees with the rent portion adjustment, they may request an informal hearing.

G. CHANGES IN VOUCHER SIZE AS A RESULT OF FAMILY COMPOSITION CHANGES [24 CFR 982.516(c)]

(See "Subsidy Standards" Chapter 5.)

H. CONTINUANCE OF ASSISTANCE FOR "MIXED" FAMILIES [24 CFR 5.518]

Under the Noncitizens Rule, "Mixed" families are families that include at least one citizen or eligible immigrant and any number of ineligible members.

The Noncitizens Rule was implemented on or after June 19, 1995. Mixed families may receive prorated assistance only. For example, a two person family with only one eligible member would receive a 50% subsidy.

I. MISREPRESENTATION OF FAMILY CIRCUMSTANCES

If any participant deliberately misrepresents the information on which eligibility or tenant rent is established, the Housing Authority may terminate assistance and may refer the family file/record to the proper authorities for appropriate disposition. Such authorities may include, but are not limited to:

- Sonoma County Sheriff Department for investigation
- Welfare Fraud Investigators
- SSI/Medi-Cal fraud investigators
- HUD Inspector General

J. STREAMLINED ANNUAL REEXAMINATIONS

The Housing Authority may opt to conduct a streamlined reexamination of income for elderly families and disabled families when 100 percent of the family's income consists of fixed income. In a streamlined reexamination, Housing Authorities will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

The term 'fixed income' includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

Chapter 13

MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

[24 CFR 982.314, 982.353, 982.355(a)]

INTRODUCTION

HUD regulations permit families to move with continued assistance to another unit within the Housing Authority's jurisdiction, or to a unit outside of the Housing Authority's jurisdiction under Portability procedures. The regulations also allow the Housing Authority the discretion to develop policies which define any limitations or restrictions on moves. This Chapter defines the procedures for moves, both within and outside of the Housing Authority's jurisdiction, and the policies for restrictions and limitations on moves.

A. ALLOWABLE MOVES

A family may move to a new unit with continued assistance under one of the following circumstances:

- The assisted lease for the old unit has terminated because the Housing Authority has terminated the HAP contract for owner breach, or the lease was terminated by mutual agreement of the owner and the family.
- The owner has given the family a notice to vacate, or has commenced an action to evict the tenant, or has obtained a court judgment or other process allowing the owner to evict the family. Families with owner notices undergo an eligibility review to determine program violations or ongoing eligibility.
- The family has given proper notice of lease termination and the family has a right to terminate the lease under the terms of their lease.
- The family has been displaced by a verified catastrophic disaster, e.g. wildfires, earthquakes, floods
- The Violence Against Women Reauthorization Act of 2013 provides that a family may receive a voucher from a Housing Authority and move to another jurisdiction under the HCV program if the family has complied with all other obligations of the program and has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, sexual assault, or stalking and who reasonably believed he or she was imminently threatened by harm from further violence if he or she remained in the assisted dwelling unit.

B. RESTRICTIONS ON MOVES [24 CFR 982.314, 982.552(a)]

The Housing Authority may deny permission to move under the following circumstances:

- The family has violated a Family Obligation (See Chapter 15 for a list of Family Obligations).

- The family owes the Housing Authority money. This may be due to a damage claim from a prior tenancy or an overpayment made by the Housing Authority for a family's rent.
- The family has moved with assistance within the past 12 months.

C. PROCEDURE FOR MOVES [24 CFR 982.314]

Issuance of Voucher

Subject to the restrictions on moves, the family's income and household composition will be reviewed prior to issuance of a voucher to move. An annual recertification may be scheduled if a recertification is due within 120 days from the date of the mover voucher.

If the family does not locate a new unit, they may remain in the current unit so long as the owner permits.

Notice Requirements

Briefing sessions emphasize the family's responsibility to give the owner and the Housing Authority proper written notice of any intent to move.

The family must give the owner the required number of days written notice of intent to vacate specified in the rental agreement or lease and must give a copy to the Housing Authority simultaneously.

Time of Contract Change

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit. ~~The contract for the new unit may begin within 5 days inclusive of the date in which the family moved from the old unit.~~

If the family vacates from the rental unit in accordance with their rental agreement, the Housing Authority ~~will~~ ~~pm~~ ~~pay~~ through the ~~end of the month that date~~ the family vacates ~~if funding is available~~. If the family moves in violation of the rental agreement or is evicted due to violation of the rental agreement, the Housing Authority will pay through the end of the month in which they vacate.

A move within the same building or project, or between buildings owned by the same owner, will be processed like any other move.

D. PORTABILITY [24 CFR 982.353]

Portability applies to families moving out of or into the Housing Authority's jurisdiction within the United States and its territories.

OUTGOING PORTABILITY [24 CFR 982.353, 982.355]

Within the limitations of the regulations and this policy, a participant family has the right to receive HCV tenant-based voucher assistance to lease a unit outside the Housing Authority's jurisdiction, anywhere in the United States, in the jurisdiction of a Housing Authority with a HCV tenant-based program. When a family requests to move outside of

the Housing Authority's jurisdiction, the request must specify the area to which the family wants to move.

Restrictions on Portability

Non-Resident Applicants

If neither the head of household or co-head/spouse had a legal residence within the jurisdiction of Housing Authority at the time the family first submitted an application to waitlist, the family will be required to lease a unit in the jurisdiction of the Sonoma County Housing Authority for a twelve month period before they will be permitted to use portability. Waivers to this policy may be available for persons who have been displaced by a federally, state declared disaster within Sonoma County or as a reasonable accommodation due to a disability related need.

Participants

The Housing Authority may deny portability to higher cost areas when the Housing Authority would be unable to avoid terminating assistance to current participants in order to remain within its available HAP funding, and the receiving Housing Authority will not absorb the family. Participants denied portability under this section will be notified in writing at the time of denial. The Housing Authority will hold the move request for 60 days and will notify the family if funds become available for the move within that time period.

INCOMING PORTABILITY [24 CFR 982.354, 982.355]

The Housing Authority will accept a family with a valid voucher from another jurisdiction and administer or absorb the voucher utilizing the Housing Authority's policies regarding subsidy and payment standards.

The Housing Authority may absorb incoming portable families and issue a voucher from its own ACC provided there is funding available.

If the Housing Authority does not absorb, the Housing Authority will "administer" the family using the initial Housing Authority's voucher. The Housing Authority will provide eligibility and inspection services. The Housing Authority will bill the initial Housing Authority for HAP paid and administrative fees according to HUD regulations.

New incoming portable applicants must be income eligible in this jurisdiction.

The receiving Housing Authority does not redetermine eligibility for a portable family that was already receiving assistance in the initial Housing Authority HCV tenant-based program, but does conduct a recertification interview to determine any changes. The recertification of the family will not cause a delay in the issuance of a voucher, unless there is a question of eligibility due to changes.

If the family has a change in family composition which would change the voucher size, the Housing Authority will change to the proper size based on its own Subsidy

Standards. If the family has a change in income, the Housing Authority will make appropriate adjustments.

If the family's income is such that a \$0 subsidy amount is determined prior to lease-up in the Housing Authority's jurisdiction, the Housing Authority will refuse to enter into a contract on behalf of the family at \$0 assistance.

Requests for Approval of Tenancy

When the family submits a Request for Tenancy Approval, it will be processed using the Housing Authority's policies. If the Family does not submit a Request for Tenancy Approval or does not execute a rental agreement/lease, the Initial Housing Authority will be notified after the expiration date of the voucher.

If the family leases up successfully, the Housing Authority will notify the Initial Housing Authority and the billing or absorb process will commence.

The Housing Authority will notify the initial Housing Authority if the family fails to submit a Request for Tenancy Approval for an eligible unit within the term of the voucher.

If the Housing Authority denies assistance to the family, the Housing Authority will notify the Initial Housing Authority at the same time they notify the family and the family will be offered a review or hearing.

The Housing Authority will notify the family of its responsibility to contact the Initial Housing Authority if the family wishes to move outside the Housing Authority's jurisdiction under continued portability.

Regular Program Functions

The Housing Authority will perform all program functions applicable to the HCV tenant-based assistance program, such as:

Annual reexaminations of family income and composition;

HQS inspection of the unit; and

Interim Examinations when requested or deemed necessary by the Housing Authority

Terminations

The Housing Authority will notify the Initial Housing Authority in writing of any termination of assistance within 30 days of the termination. If an Informal Hearing is required and requested by the family, the hearing will be conducted by the Housing Authority, using the regular hearing procedures included in this Plan (See Chapters 15 and 19).

The Initial Housing Authority will be responsible for collecting amounts owed by the family for claims paid and for monitoring repayment. If the Initial Housing Authority notifies the Housing Authority that the family is in arrears or the family has refused to

sign a Payment Agreement, the Housing Authority will terminate assistance to the family.

Required Documents

As Receiving Housing Authority, the Housing Authority will require the documents listed on the HUD Portability Billing Form from the Initial Housing Authority.

Billing Procedures

As Receiving Housing Authority, the Housing Authority will bill the Initial Housing Authority one time with a HUD 52665 form for Housing Assistance Payments, including Administrative Fees and Special Claims.

The Housing Authority will bill 100% of the Housing Assistance Payment, 100% of Special Claims and 80% of the Administrative Fee (at the Initial Housing Authority's rate) for each "Portability" voucher leased as of the first day of the month. The Housing Authority will notify the Initial Housing Authority of changes in subsidy amounts and will expect the Initial Housing Authority to notify the Housing Authority of changes in the Administrative Fee amount to be billed.

Chapter 14 CONTRACT TERMINATIONS [24 CFR 982.311, 982.314]

INTRODUCTION

This section deals with termination of contracts which include the Housing Assistance Payments (HAP) Contracts, rental agreements and leases. Prior to 10/1/99, a lease was provided by the Housing Authority. After that date, a rental agreement/lease is provided by the landlord and a Tenancy Addendum is provided by the Housing Authority and attached to the rental agreement.

The Housing Assistance Payments (HAP) Contract is the contract between the owner and the Housing Authority which defines the responsibilities of both parties. The Contract is provided by the Department of Housing and Urban Development and has specific language that must be used. This Chapter describes the circumstances under which the contract can be terminated by the Housing Authority and the owner, and the policies and procedures for such terminations.

A. CONTRACT TERMINATION [24 CFR 982.311]

The term of the HAP Contract is the same as the term of the lease/rental agreement. The Contract between the owner and the Housing Authority may be terminated by the Housing Authority, or by the owner or tenant terminating the lease/rental agreement.

If the family continues to occupy the unit after the Section 8 contract is terminated, the family is responsible for the total amount of rent due to the owner.

After a contract termination, if the family meets the criteria for a move with continued assistance, the family may lease-up in another unit.

If the family vacates the rental unit in accordance with the rental agreement, the Housing Authority ~~will pay~~ may pay HAP through the ~~end of the month that date~~ the family vacates if funding is available. If the family moves in violation of their rental agreement or is evicted due to violation of the rental agreement, the Housing Authority will pay through the end of the month in which they vacate.

No future subsidy payments on behalf of the family will be made by the Housing Authority to the owner after the month in which the Contract is terminated. The owner must reimburse the Housing Authority for any subsidies paid by the Housing Authority for any period after the contract termination date.

B. TERMINATION OF CONTRACTS BY THE OWNER [24 CFR 982.310, 982.455]

The owner can terminate the contract with the Housing Authority by terminating the tenancy in accordance with the rental agreement and Tenancy Addendum. If the owner wishes to terminate the rental agreement, the owner is required to provide proper notice as stated in the rental agreement and in accordance with State and local law.

During the term of the lease/rental agreement, the owner may not terminate the tenancy except for the grounds stated in the HUD regulations.

HUD regulations state that during the initial term of the lease/rental agreement the owner may only evict/terminate tenancy for:

- Serious or repeated violations of the lease/rental agreement, including but not limited to failure to pay rent or other amounts due under the lease/rental agreement, or repeated violation of the terms and conditions of the lease/rental agreement;
- Violations of federal, state or local law that impose obligations on the tenant in connection with the occupancy or use of the premises;
- Criminal activity by the tenant, any member of the household, a guest or another person under the tenant's control that threatens the health, safety or right to peaceful enjoyment of the premises by the other residents, or persons residing in the immediate vicinity of the premises or any drug-related criminal activity on or near the premises.
- Other good cause.

Note: During the initial term of the lease/rental agreement, the owner may not terminate the tenancy for “other good cause” unless the owner is terminating the tenancy because of something the family did or failed to do (see 982.310).

The owner must provide the tenant a written notice specifying the grounds for termination of tenancy, at or before the commencement of the eviction action. The notice may be included in, or may be combined with, any owner eviction notice to the tenant.

The owner eviction notice means a notice to vacate, or a complaint, or other initial pleading used under State or local law to commence an eviction action.

Housing assistance payments are paid to the owner under the terms of the HAP Contract. If the owner has begun eviction and the family continues to reside in the unit, the Housing Authority may continue to make housing assistance payments to the owner until the tenant has vacated the unit as a result of a court judgment or other process allowing the owner to evict the tenant.

If the action is finalized in court, the owner must provide the Housing Authority with the documentation, including notice of the lock-out date.

The Housing Authority must continue making housing assistance payments to the owner in accordance with the Contract as long as the tenant continues to occupy the unit and the Contract is not violated. By accepting the monthly housing assistance payment (HAP) from the Housing Authority, the owner certifies that the tenant is still in the unit, the rent is reasonable and s/he is in compliance with the contract.

If an eviction is not due to a serious or repeated violation of the lease/rental agreement, and if the Housing Authority has no other grounds for termination of assistance, the Housing Authority may issue a new voucher so that the family can move with continued assistance.

C. TERMINATION OF THE CONTRACT BY HOUSING AUTHORITY [24 CFR 982.404(a), 982.453, 982.454, 982.552(a)(3)]

The term of the HAP contract terminates when the lease/rental agreement terminates, when the Housing Authority terminates program assistance for the family, and when the owner has breached the HAP contract. (See "Owner Disapproval and Restriction" Chapter 16.)

- The Housing Authority may terminate assistance for the following reasons:
 - Violation of Family Obligations under the HCV Program
 - The family is required to move from a unit when the unit does not meet the HQS space standards because of an increase in family size or a change in family composition.
 - Funding is no longer available under the Annual Contributions Contract (ACC).
- When insufficient funding exists to support all HAP contracts, the Housing Authority may terminate existing contracts in the following order:
 1. Households with over \$100,000 in reported assets;
 2. Households with no seniors, persons with disabilities, or minor children;
 3. Households with current housing assistance payments less than \$100 per month.
 4. Households whose owner or manager has not authorized the direct deposit of the Housing Assistance Payment (HAP).

When sufficient funding becomes available within the same calendar year, households terminated for insufficient funding may be restored to the HCV Program in the reverse order as the HAP contracts were terminated.

- The contract will terminate automatically if 180 days have passed since the last housing assistance payment to the owner.

Notice of Termination

When the Housing Authority terminates the HAP contract under the violation of HQS space standards, the Housing Authority will provide the owner and family written notice

of termination of the contract, and the HAP contract terminates at the end of the calendar month that follows the calendar month in which the Housing Authority gives such notice to the owner.

Zero HAP Contract Termination [24 CFR 982.455]

A zero (\$0) Housing Assistance Tenancy refers to a situation where the family pays the full rent amount and there is no Housing Assistance Payment from the Housing Authority to the owner.

A family may remain in the unit at \$0 assistance for up to 180 days after the last HAP payment. If the family is still in the unit after 180 days, the assistance will be terminated. If, within the 180 day timeframe, an owner rent increase or a decrease in the Total Tenant Payment causes the family to be eligible for a housing assistance payment, the Housing Authority will resume assistance payments for the family.

In order for a family to move to another unit during the 180 days, the rent for the new unit would have to be high enough to necessitate a housing assistance payment.

Chapter 15

DENIAL OR TERMINATION OF ASSISTANCE

[24 CFR 982.552, 982.553]

INTRODUCTION

The Housing Authority may deny or terminate assistance for a family because of the family's action or failure to act. The Housing Authority will provide families with a written description of the Family Obligations under the program, the grounds under which the Housing Authority can deny or terminate assistance, and the Housing Authority's informal hearing procedures. This Chapter describes when the Housing Authority is required to deny or terminate assistance, and the Housing Authority's policies for the denial of a new commitment of assistance and the grounds for termination of assistance under an outstanding HAP contract.

A. GROUNDS FOR DENIAL/TERMINATION

Denial of assistance for an applicant may include any or all of the following:

The Housing Authority may:

- Deny placement on the Housing Authority waiting list
- Deny or withdraw a voucher
- Refuse to enter into a HAP contract or approve a tenancy
- Refuse to process or provide assistance under portability procedures

Termination of assistance for a participant may include any or all of the following:

The Housing Authority may:

- Refuse to enter into a HAP contract or approve a tenancy
- Terminate housing assistance payments under an outstanding HAP contract
- Refuse to process or provide assistance under portability procedures

Mandatory Denial and Termination [24 CFR 982.552(b), 982.553]

The Housing Authority must deny assistance to applicants, and terminate assistance for participants:

- If any member of the family fails to sign and submit HUD or Housing Authority required consent forms for obtaining eligibility information.
- If no member of the family is a U.S. citizen or eligible immigrant. (See Section C of this Chapter)
- If the family is under contract and 180 days have elapsed since the Housing Authority's last housing assistance payment was made.

- If any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing
- If any member of the household is subject to a lifetime registration requirement under a State sex offender registration program.

Should a PHA discover that a member of an assisted household was subject to a lifetime registration requirement at admission and was erroneously admitted after June 25, 2001, the PHA must immediately terminate assistance for the household member.

In this situation, the PHA must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the PHA must terminate assistance for the household.

~~The Housing Authority must permanently deny assistance to applicants, and terminate the assistance of persons convicted of manufacturing or producing methamphetamine in violation of any Federal or State law.~~

~~The Housing Authority must permanently deny assistance to applicants and terminate the assistance of persons required to register as a sex offender under the laws of any state.~~

The Housing Authority must deny admission for three years if any member of the family has been evicted from federally assisted housing for ~~serious violation of the lease/rental agreement~~drug-related criminal activity. The Housing Authority may admit the applicant in accordance with the informal review procedures included in Chapter 19 and the applicant(s) has successfully completed a supervised drug rehabilitation program or the circumstances leading to the eviction no longer exist.

The Housing Authority must terminate program assistance for a family evicted from housing assisted under the program for serious violation of the lease/rental agreement.

Grounds for Denial or Termination of Assistance [24 CFR 982.552(c)]

The Housing Authority may deny program assistance for an applicant, or terminate program assistance for a participant, for any of the following reasons:

- The family violates any family obligation under the program as listed in 24 CFR 982.551.
- Any member of the family has been evicted from public housing in the last 5 years.
- If any Housing Authority has terminated assistance under the program for any member of the family within the past 5 years.
- If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

- The family currently owes rent or other amounts to the Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.
- The family has not reimbursed any Housing Authority for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease/rental agreement.
- The family breaches an agreement to pay amounts owed to a Housing Authority, or amounts paid to an owner by a Housing Authority. (The Housing Authority at its discretion may offer the family the opportunity to enter into a repayment agreement. The Housing Authority will prescribe the terms of the agreement.)
- The family has engaged in or threatened abusive or violent behavior toward Housing Authority personnel.

"Abusive or violent behavior toward Housing Authority personnel" includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language, written or oral, that is customarily used to insult or intimidate, may be cause for termination or denial.

"Threatening" refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.

Actual physical abuse or violence will always be cause for termination.

- Any member of the family whose drug or alcohol abuse interferes with the health, safety or peaceful enjoyment of other residents.
- If any member of the family commits drug-related criminal activity or violent criminal activity.
- If any family member participates in any criminal activity that may threaten the health, safety, or right to peaceful enjoyment of other residents or persons residing in the immediate vicinity of the premises. This would include members who are identified by law enforcement as participants in gang-related criminal activity.
- A family enrolled under Special Admission fails to comply with contracted services from the referring agency.

Refer to "Eligibility for Admission" Chapter 2, Section F, "Other Criteria for Admission" for further information.

If denial or termination is based upon behavior resulting from a disability, the Housing Authority may delay the denial or termination in order to consider if an accommodation

requested by the participant will address the behavior that caused the lease or program violation.

B. PROCEDURES FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Denial or Termination due to Ineligible Immigrant Status

Applicant or participant families in which all members are neither U.S. citizens nor eligible immigrants are not eligible for assistance and must have their assistance terminated. -The Housing Authority must offer the family an opportunity for an informal hearing. (See "Eligibility for Admission" Chapter 2, Section E, on Citizenship/Eligible Immigration Status.)

Assistance may not be terminated while verification of the participant family's eligible immigration status is pending.

The Housing Authority will give an applicant an opportunity to provide a declaration as an eligible immigrant or an opportunity to elect not to state their status.

Procedure for Denial or Termination

If the family (or any member) claimed eligible immigrant status and the INS primary and secondary verifications failed to document the status, the family may make an appeal to the INS and request a hearing with the Housing Authority either after the INS appeal or in lieu of the INS appeal.

After the Housing Authority has made a determination of ineligibility, the family will be notified of the determination, the reasons, and the family will be informed of the option for prorated assistance, if applicable.

C. FAMILY OBLIGATIONS [24 CFR 982.551]

The Family Obligation's listed below are from the HUD Housing Choice Voucher.

The family must supply any information that the Housing Authority or HUD determines is necessary in the administration of the program, including submission of required evidence of citizenship or eligible immigration status (as provided by 24 CFR 982.551). "Information" includes any requested certification, release or other documentation.

The family must supply any information requested by the Housing Authority or HUD for use in a regularly scheduled reexamination or interim reexamination of family income and composition in accordance with HUD requirements.

The family must disclose and verify Social Security Numbers (as provided by 24 CFR 5.216) and must sign and submit consent forms for obtaining information in accordance with 24 CFR 5.230.

All information supplied by the family must be true and complete.

The family is responsible for an HQS breach caused by the family as described in

24 CFR 982.404(b) and Chapter 10 of this Administrative Plan.

The family must allow the Housing Authority to inspect the unit at reasonable times and after reasonable notice.

The family may not commit any serious or repeated violations of the lease.

The family must notify the owner and, at the same time, notify the Housing Authority before the family moves out of the unit or terminates the lease upon sufficient notice to the owner.

The family must promptly give the Housing Authority a copy of any owner eviction notice.

The family must use the assisted unit for residence by the family. The unit must be the family's only residence.

The composition of the assisted family residing in the unit must be approved by the Housing Authority. The family must promptly inform the Housing Authority of the birth, adoption or court-awarded custody of a child. The family must request Housing Authority approval in advance before adding any other family member as an occupant of the unit.

The family must promptly notify the Housing Authority if any family member no longer resides in the unit.

If the Housing Authority has given approval, a foster child or a live-in aide may reside in the unit. If the family does not request approval or Housing Authority approval is denied, the family may not allow a foster child or live-in aide to reside with the assisted family.

Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to primary use of the unit as a residence by members of the family.

The family must not sublease or let the unit.

The family must not assign the lease/rental agreement or transfer the unit.

The family must supply any information or certification requested by the Housing Authority to verify that the family is living in the unit, or relating to family absence from the unit, including any Housing Authority-requested information or certification on the purposes of family absences. The family must cooperate with the Housing Authority for this purpose. The family must promptly notify the Housing Authority of absence from the unit.

The family must not own or have any interest in the unit with the exception of an owner occupied mobile home renting a space.

The members of the family must not commit fraud, bribery or any other corrupt or criminal act in connection with the programs.

The members of the family may not engage in drug-related criminal activity or violent criminal activity.

The members of the family may not engage in any criminal activity that threatens the health, safety, and right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

An assisted family, or members of the family, may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative (as determined by HUD or in accordance with HUD requirements) Federal, State or local housing assistance program.

D. ENFORCING FAMILY OBLIGATIONS

The term "Promptly" when used with the Family Obligations always means "within 14 days." Denial or termination of assistance is always optional except where this Plan or the regulations state otherwise.

In deciding whether to deny or terminate assistance because of action or failure to act by members of the family, the Housing Authority has discretion to consider all of the circumstances in each case, including the seriousness of the case. The Housing Authority will use its discretion in reviewing the extent of participation or culpability of individual family members and the length of time since the violation occurred. The Housing Authority may also review the family's more recent history and record of compliance, and the effects that denial or termination of assistance may have on other family members who were not involved in the action or failure to act.

The Housing Authority may impose, as a condition of continued assistance for other family members, a requirement that family members who participated in, or were culpable for the action or failure to act, will not reside in the unit. The Housing Authority may permit the other members of a family to continue in the program.

HQS Breach

The HQS Inspector will determine if an HQS breach as identified in 24 CFR 982.404 (b) is the responsibility of the family. The Housing Authority may give extensions to families to cure HQS breaches.

Lease Violations

The following criteria will be used to decide if a serious or repeated violation of the lease/rental agreement will result in termination of assistance:

If the owner terminates tenancy through court action for serious or repeated violation of the lease. Holding over after the termination of the tenancy is considered a serious violation of the lease.

If the owner notifies the family of termination of tenancy assistance for serious or repeated lease violations, and the family moves from the unit prior to the completion of court action, and the Housing Authority determines that the cause is a serious or repeated violation of the lease based on available evidence.

If there are police reports, neighborhood complaints or other third party information, that has been verified by the Housing Authority.

Nonpayment of rent is considered a serious violation of the lease.

Notification of Eviction

A family's request to move may be denied or delayed if the family requests assistance to move and they did not notify the Housing Authority of an eviction within seven days of receiving the Eviction Notice.

Proposed Additions to the Family

The Housing Authority may deny a family's request to add additional family members who are:

Persons who have been evicted from public housing.

Persons who have previously violated a family obligation listed in 24CFR 982.51 of the HUD regulations.

Persons who have been part of a family whose assistance has been terminated under the Certificate or ~~V~~Voucher program.

Persons who ~~commit~~ have been convicted of drug-related criminal activity or violent criminal activity.

Persons who do not meet the Housing Authority's definition of family.

Persons who commit fraud, bribery or any other corrupt or criminal act in connection with any federal housing program.

Persons who currently owe rent or other amounts to the Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.

Persons who have engaged in or threatened abusive or violent behavior toward Housing Authority personnel.

Persons who have not received approval from the property owner to reside in the unit.

Family Member Moves Out

Families are required to notify the Housing Authority if any family member leaves the assisted household. When the family notifies the Housing Authority, they must furnish the following information:

The date the family member moved out.

The new address, if known, of the family member.

A statement as to whether the family member is temporarily or permanently absent.

Limitation on Profit-Making Activity in Unit

If the Housing Authority determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a program violation.

If the Housing Authority determines the business is not legal, it will be investigated to determine if it is a program violation.

Fraud

In each case, the Housing Authority will consider which family members were involved, the circumstances, and any hardship that might be caused to innocent members.

Drug-Related and Violent Criminal Activity

Drug-related criminal activity is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance. Drug-related criminal activity means on or off the premises, not just on or near the premises.

Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

Alcohol abuse is the abuse of alcohol in a way that may interfere with the health, safety or right to peaceful enjoyment of the premises by other residents.

Applicants will be ineligible for assistance if:

Any household member has engaged in violent or drug-related criminal activity within the last three years plus one year from the date of release from any incarceration for such activity. The Housing Authority may determine, based on a preponderance of the evidence, that a household member has engaged in violent or drug-related activity regardless of whether the household member has been arrested or convicted of such activity. [24 CFR §982.553(c)]

The Housing Authority will prohibit admitting any person to Section 8 Programs in cases where the Housing Authority determines that there is reasonable cause to believe that the person is illegally using a controlled substance, or abuses alcohol. This includes cases where the Housing Authority determines that there is a *pattern* of illegal use of a controlled substance, or a *pattern* of alcohol abuse. The Housing Authority will consider the use of a controlled substance or alcohol to be a *pattern* if there is more than one incident during the previous 12 months. The Housing Authority may waive this policy if the person demonstrates to the Housing Authority's satisfaction that the person is no longer engaging in the illegal use of a controlled substance or abuse of alcohol, and:

- Has successfully completed a supervised drug or alcohol rehabilitation program;
- can document at least six months of sobriety; and
- continues to participate in a supervised drug or alcohol rehabilitation program.

Participants may be terminated if:

- Any household member engages in violent or drug-related criminal activity. The Housing Authority may determine, based on a preponderance of the evidence, that a household member has engaged in violent or drug-related activity regardless of whether the household member has been arrested or convicted of such activity. [24 CFR §982.553(c)]
- Any household member illegally uses a controlled substance.
- Any household member has abused alcohol in a way that has interfered with the health, safety or right to peaceful enjoyment of the premises of other residents.

In appropriate cases, the Housing Authority may permit the family to continue receiving assistance provided that family members determined to have engaged in the prescribed activities will not reside in the unit. If the violating member is a minor, the Housing Authority may consider individual circumstances with the advice of Juvenile Court officials.

Confidentiality of Criminal Records

The Housing Authority will ensure that any criminal record received is maintained confidentially and not misused or improperly disseminated.

Denial and Termination of Assistance for Sex Offenders

The Housing Authority will deny admission or terminate assistance if any member of the household is subject to a lifetime registration requirement under a State sex offender registration program. In screening applicants, the Housing Authority will perform criminal history background checks to determine whether any household member is subject to a lifetime sex offender registration requirement.

Disclosure of Criminal Records to Family

Applicants will be provided an opportunity to review and dispute criminal records at an informal review.

Participants will be provided an opportunity to review and dispute criminal records at an Informal Hearing.

Required Evidence

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

Preponderance of evidence may not be determined by the number of witnesses, but by the greater weight of all evidence. Credible evidence may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.

E. NOTICE OF TERMINATION OF ASSISTANCE

In any case where the Housing Authority decides to terminate assistance to the family, the Housing Authority must give the family written notice which states includes all of the following:

- The specific reasons for the proposed action or decision, including the specific breach or violation forming the basis for the proposed action or decision, and the specific facts and evidence upon which the Housing Authority bases its action or decision and the names of all Housing Authority staff having knowledge of any fact or evidence relating to the Housing Authority's action or decision.
- The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- The family's right to discuss with the Housing Authority the basis of the Housing Authority's decision.
- The date by which a request for an Informal Hearing must be received by the Housing Authority.

After a decision by the Hearing Officer, the Housing Authority will provide written notice of the contract termination to the owner and participant, if appropriate. Notice to the owner will not include any details regarding the reason for termination of assistance. Owners will be given a minimum of 30 days' notice of termination of contract.

F. OPTION NOT TO TERMINATE FOR MISREPRESENTATION [24 CFR 982.551, 982.552(c)]

If a family has misrepresented any facts that caused the Housing Authority to overpay assistance, the Housing Authority may choose not to terminate and may offer to continue assistance, provided that the family makes arrangements to repay the monies due to the Housing Authority by signing a Repayment Agreement.

For participants who continue to receive assistance from the Section 8 Program, the Repayment Agreement will require the balance due to be paid in three (3) to twelve (12) equal monthly payments, depending on the amount owed, the reason for the overpayment, and the financial resources of the family. If a family can provide satisfactory evidence that the repayment term applicable to the family's debt would impose an undue hardship, the Housing Authority may, in its sole discretion determine that a lower monthly payment, over a longer agreement term, is reasonable. In making this determination, the Housing Authority will consider all relevant information including the following:

- The amount owed by the family to the PHA
- The reason for the debt, including whether the debt was the result of family action/inaction or circumstances beyond the family's control
- The family's current and potential income and expenses
- The family's current family share, as calculated under 24 CFR 982.515
- The family's history of meeting its financial responsibilities

Families who are terminated from the Section 8 Program due to misrepresentation of income information will be requested to sign a Repayment Agreement. The length and payment amount of the Agreement will be determined by the Housing Authority.

G. MISREPRESENTATION IN COLLUSION WITH OWNER

If the family intentionally, willingly, and knowingly commits fraud or is involved in any other illegal scheme with the owner, the Housing Authority will deny or terminate assistance.

In making this determination, the Housing Authority will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

H. MISSED APPOINTMENTS AND DEADLINES [24 CFR 982.551, 982.552 (c)]

It is a Family Obligation to supply information, documentation, and certification as needed for the Housing Authority to fulfill its responsibilities. The Housing Authority schedules appointments and sets deadlines in order to obtain the required information. The Obligations also require that the family allow the Housing Authority to inspect the unit, and appointments are made for this purpose.

An applicant or participant who fails to keep an appointment, or to supply information required by a deadline, without notifying the Housing Authority, may be sent a Notice of Denial or Termination of Assistance for failure to provide required information, or for failure to allow the Housing Authority to inspect the unit.

The family will be given information about the requirement to keep appointments.

Appointments will be scheduled and time requirements will be imposed for the following events and circumstances:

- Eligibility for Admissions
- Verification Procedures
- Voucher Issuance and Briefings
- Housing Quality Standards and Inspections
- Recertifications
- Appeals

Acceptable reasons for missing appointments or failing to provide information by deadlines are:

Medical emergency

Family emergency

Procedure when Appointments are Missed or Information is not Provided

For most purposes in this Plan, the family will be given two opportunities before being issued a notice of termination or denial for breach of a family obligation.

After issuance of the termination notice, if the family offers to correct the breach within the time allowed to request a hearing, the termination may be rescinded after the family cures the breach.

I. VIOLENCE AGAINST WOMEN ACT (VAWA) AND TERMINATION OF ASSISTANCE

Criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an affiliated individual of the tenant is the victim or threatened victim of the domestic violence, dating violence, sexual assault, or stalking.

The Housing Authority may terminate the assistance to remove a lawful occupant or tenant who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual without terminating the assistance or evicting victimized lawful occupants. If such bifurcation occurs, and the removed tenant or lawful occupant was the sole tenant eligible to receive assistance under a covered housing program, the Housing Authority shall provide any remaining tenant the opportunity to establish eligibility for the covered housing program. If the remaining tenant cannot establish eligibility, the Housing Authority is required to provide the tenant with a reasonable time to find new housing or establish eligibility under another covered housing program.

The Housing Authority may honor court orders regarding the rights of access or control of the property, and other orders issued to protect the victim, which are used to address the distribution or possession of property among household members where the family "breaks up."

There is no limitation on the ability of the Housing Authority to terminate assistance for other good cause unrelated to the incident or incidents of domestic violence, dating violence or stalking, other than the victim may not be subject to a more demanding standard than non-victims.

There is no prohibition on the Housing Authority terminating assistance if it can demonstrate an actual and imminent threat to other tenants or those employed at or providing service to the property if that tenant's (victim's) assistance is not terminated.

Any protections provided by law which give greater protection to the victim are not superseded by these provisions.

The Housing Authority may require certification by the victim of victim status on such forms as the Housing Authority and/or HUD shall prescribe or approve.

Definitions

The same definitions of “domestic violence,” “dating violence,” and “stalking,” and of “immediate family member” are provided in Sections 606 and 607. While definitions of domestic and dating violence refer to standard definitions in the Violence Against Women Act, the definition of stalking provided in Title VI is specific to the housing provisions.

These are:

1. *Domestic Violence* - [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(6) - “DOMESTIC VIOLENCE - The term ‘domestic violence’ includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

2. *Dating Violence* - [as defined in Section 40002 of VAWA 1994] which states as follows:

SEC 40002(a)(8) - “DATING VIOLENCE- The term ‘dating violence’ means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.”

3. *Stalking* - “means -

(A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and

(B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to -

(i) that person;

(ii) a member of the immediate family of that person; or

(iii) the spouse or intimate partner of that person; ...”

Affiliated Individual means a spouse, parent, brother, sister or child of an individual, or an individual to whom that individual stands in loco parentis (in the place of a parent), or any individual, tenant, or lawful occupant living in the household of that individual.

Chapter 16

OWNER DISAPPROVAL AND RESTRICTION

[24 CFR 982.54, 982.306, 982.453]

INTRODUCTION

It is the policy of the Housing Authority to recruit owners to participate in the voucher program. The Housing Authority will provide owners with prompt and professional service in order to maintain an adequate supply of available housing throughout the jurisdiction of the Housing Authority. The regulations define when the Housing Authority must disallow an owner participation in the program, and they provide the Housing Authority discretion to disapprove or otherwise restrict the participation of owners. This Chapter describes the criteria for owner disapproval, and the various penalties for owner violations.

A. DISAPPROVAL OF OWNER [24 CFR 982.306, 982.54(d)(8)]

The owner does not have a right to participate in the program. For purposes of this section, "owner" includes a principal or other interested party, such as property manager, on-site manager, broker or other agent assigned by the owner.

The Housing Authority will disapprove an owner for the following reasons:

- HUD or other Federal or State agency, such as the Internal Revenue Service, has informed the Housing Authority that the owner has been disbarred, suspended, or subject to a limited denial of participation under any federal regulation governing participation in the Section 8 Program.
- HUD has informed the Housing Authority that the federal government has instituted an administrative or judicial action against the owner for violation of the Fair Housing Act or other federal equal opportunity requirements and such action has provided an injunction to prevent the owner from participating in the Section 8 Program.
- HUD has informed the Housing Authority that a court or administrative agency has determined that the owner has violated the Fair Housing Act or other federal equal opportunity requirements.
- Unless their original lease was effective prior to June 17, 1998, the owner may not be a parent, child, grandparent, grandchild, sister or brother of any family member. This includes relations by blood or marriage. The Housing Authority may waive this restriction as a reasonable accommodation for a family member who is a person with a disability. See Chapter 1 regarding reasonable accommodation.

In cases where the owner and participant bear the same last name, the Housing Authority may, at its discretion, require the family and/or owner to certify whether they are related to each other in any way.

- The owner has violated obligations under a housing assistance payments contract under Section 8 of the 1937 Act (42 U.S.C. 1437f).
- The owner has committed fraud, bribery or any other corrupt act in connection with any federal housing program.
- The owner has engaged in drug-related criminal activity or any violent criminal activity.
- The owner has a history or practice of non-compliance with the HQS for units leased under the tenant-based programs or with applicable housing standards for units leased with project-based Section 8 assistance or leased under any other federal housing program.
- The owner has a history or practice of renting units that fail to meet State or local housing codes.
- The owner has a history or practice of failing to terminate tenancy of tenants of units assisted under Section 8 or any other federally assisted housing program for activity by the tenant, any member of the household, a guest or another person under the control of any member of the household that:
 - Threatens the right to peaceful enjoyment of the premises by other residents;
 - Threatens the health or safety of other residents, of employees of the Housing Authority, or of owner's employees or other persons engaged in management of the housing.
 - Threatens the health or safety of, or the right to peaceful enjoyment of their residences, by persons residing in the immediate vicinity of the premises; or
 - Is involved in drug-related criminal activity or violent criminal activity;
- The owner has not paid State or local real estate taxes, fines or assessments.
- The owner has failed to comply with regulations, the mortgage or note, or the regulatory agreement for projects with mortgages insured by HUD or loans made by HUD.

The Housing Authority maintains a database of disapproved owners.

B. OWNER RESTRICTIONS AND PENALTIES [24 CFR 982.453]

If an owner has committed fraud or abuse or is guilty of frequent or serious contract violations, the Housing Authority will restrict the owner from future participation in the program for a period of time commensurate with the seriousness of the offense. The Housing Authority may also terminate some or all contracts with the owner.

Before imposing any penalty against an owner the Housing Authority will review all relevant factors pertaining to the case, and will consider such factors as the owner's record of compliance and the number of violations.

C. CHANGE IN OWNERSHIP

The Housing Authority will process a change of ownership, payee and address to which payment is to be sent only upon the written request of the new owner. Additional paperwork will be necessary to process a change of ownership. Paperwork may include: a new contract, new rental agreement, copy of documents showing the transfer of title, recorded deed, Direct Deposit Authorization, and a Payee Data Record form signed by the new owner or his/her agent.

If the new owner does not want an assignment of the contract, the Housing Authority will terminate the HAP contract with the old owner, since they are no longer the owner. The new owner may offer the family a new assisted lease/rental agreement. The family may elect to enter into the new lease or move to another unit.

Chapter 17

VETERANS AFFAIRS SUPPORTIVE HOUSING [24 CFR 982]

INTRODUCTION

The HUD-VASH program combines HUD HCV rental assistance for homeless veterans with case management and clinical services provided by the Department of Veterans Affairs (VA) at its medical centers and in the community. Ongoing VA case management, health, and other supportive services will be made available to homeless veterans.

HUD-Veterans Affairs Supportive Housing (HUD-VASH) program will be administered in accordance with regular HCV program requirements (24 CFR Part 982), except as described below.

A. FAMILY ELIGIBILITY AND SELECTION

The PHA will receive referrals from the Veterans Affairs Medical Center (VAMC) instead of pulling families from a waitlist. Written documentation of these referrals must be maintained in the tenant file at the PHA.

B. INCOME ELIGIBILITY

The PHA must determine income eligibility for HUD-VASH families in accordance with 24 CFR Part 982.201 or a low income family eligible for VASH and who needs the voucher as a reasonable accommodation. Families whose Annual Income exceeds the applicable income limit will be denied admission.

C. INITIAL TERM OF THE VOUCHER

HUD-VASH vouchers are issued with an initial search term of 120 days. Extensions, suspensions, and progress reports will remain under the policies in the PHA's Administrative Plan, but will apply after the minimum 120-day initial search term.

D. INITIAL LEASE TERM

Under the HCV program, voucher participants must enter into an initial lease with the owner for one year, unless a shorter term would improve housing opportunities for the tenant and the shorter term is a prevailing market practice.

E. PORTABILITY OF HUD-VASH VOUCHERS

An eligible HUD-VASH voucher holder wishing to exercise portability to another jurisdiction must choose a location where there is a VAMC to provide case management services with an available VASH voucher or portability is not allowed.

(1) Portability Moves Where Case Management is provided by the Initial PHA's Partnering VAMC.

If the family moves under portability, and the initial PHA's partnering VAMC will still be able to provide the necessary case management services due to its proximity to the partnering VAMC, the receiving PHA must process the move in accordance with the portability procedures of 24 CFR Part 982.355. If the receiving PHA has VASH vouchers

available, they may absorb or administer the voucher. Both the VAMC and the PHA must be in support of the family's relocation before approving the family to port.

(2) Portability Moves Where Case Management is provided by the Receiving PHA's Partnering VAMC. If a family wants to move to another jurisdiction where it will not be possible for the initial PHA's partnering VAMC to provide case management services, the VAMC must first approve the family's relocation and then determine that the HUD-VASH family could be served by another VAMC that is participating in VASH and the receiving PHA must have a HUD-VASH voucher available for this family. In these cases, the families must be absorbed by the receiving PHA either as a new admission (if the family did not participate in the initial PHA's VASH program) or as a portability move-in (after an initial leasing in the initial PHA's jurisdiction). When the VASH voucher is absorbed by the receiving PHA, the initial PHA's HUD-VASH voucher will become available to lease to a new HUD-VASH eligible family, as determined by the partnering VAMC, and the absorbed family will count toward the number of HUDVASH slots awarded to the receiving PHA.

If VASH case management services are no longer needed for the veteran and if an HCV tenant-based voucher is available the family may be offered a tenant-based voucher, provided the family meets all HCV eligibility criteria.

F. DENIAL OF ASSISTANCE

At initial intake, the VASH family can only be determined ineligible due to:

- Income limitations or
- Having any member of the household subject to a lifetime registration requirement under a state sex offender registration program.

A PHA cannot deny assistance to a Veteran that previously participated in a Public Housing program (Housing Choice Voucher or Conventional) and still owes money.

In any case where the PHA decides to deny assistance to the family, the PHA must give the family written notice which states:

- The reason(s) for the denial of assistance.
- The family's right to request an informal review to be held before denial of assistance.
- The date by which a request for an informal review must be received by the PHA.
- Once the applicant becomes a resident, the resident must follow all of the PHA rules including the family obligations. (See the section in Chapter 15 entitled "Denial or Termination of Assistance").

As a condition of HCV rental assistance, a HUD-VASH eligible family must receive the case management services from the VAMC. Therefore, a HUD-VASH family's HCV assistance must be terminated for failure to participate, without good cause, in case management as verified by the VAMC. However, a VAMC determination that the participant family no longer requires case management is not grounds for termination of assistance.

If VASH case management services are no longer required for the veteran and the family wants to port to another jurisdiction, the family may be offered a tenant based HCV voucher if it is available.

G. VASH VOUCHER ISSUANCE

Since VASH vouchers are for homeless Veterans, the VASH vouchers must always remain with the Veterans. In the case of divorce or separation, the voucher remains with the Veteran.

If the Veteran dies, the VASH voucher could remain with the remaining members of the tenant family. The family may continue to utilize the HUD-VASH voucher. If VASH case management services are no longer needed, and if a tenant-based voucher is available, the remaining family member(s) may be offered a tenant-based voucher, provided the family meets all HCV eligibility criteria. This would allow the VASH voucher to again be utilized for another Veteran who needs case management services.

The Housing Authority may convert tenant based VASH vouchers to PBV's or apply directly to HUD for set-aside PBV vouchers which may be through a competitive process. The PHA will utilize a Housing First Model to house the VASH PBV families. Project-Based VASH Vouchers approved by HUD and the Veterans Administration will be administered in accordance with PIH 2009-011 dated March 16, 2009, PIH 2010-23 dated June 25, 2010, and PIH 2011-50 dated September 15, 2011, PIH 2016-11 dated July 1, 2016, and other subsequent notices that are released by HUD and 24 CFR part 983.

Chapter 18

OWNER OR FAMILY DEBTS TO THE HOUSING AUTHORITY

[24 CFR 982.552]

INTRODUCTION

This Chapter describes the Housing Authority's policies for the recovery of monies which have been overpaid for families, and to owners. It describes the methods that will be utilized for collection of monies and the guidelines for different types of debts. It is the Housing Authority's policy to meet the informational needs of owners and families, and to communicate the program rules in order to avoid owner and family debts. Before a debt is assessed against a family or owner, the file must contain documentation to support the Housing Authority's claim that the debt is owed. The file must further contain written documentation of the method of calculation, in a clear format for review by the owner, the family or other interested parties.

When families or owners owe money to the Housing Authority, the Housing Authority will make every effort to collect it. The Housing Authority will use a variety of collection tools to recover debts including, but not limited to:

- Requests for lump sum payments
- Civil suits
- Abatement of rent for owner debt
- Reductions in HAP to owner for owner debt

A. REPAYMENT AGREEMENT FOR FAMILIES

A RePayment Agreement as used in this Plan is a document entered into between the Housing Authority and a person who owes a debt to the Housing Authority. It is similar to a promissory note, but contains more details regarding the nature of the debt, the terms of payment, any special provisions of the agreement, and the remedies available to the Housing Authority upon default of the agreement.

The Housing Authority will prescribe the terms of the repayment agreement, including determining whether to enter into a repayment agreement with the family based on the circumstances surrounding the debt to the Housing Authority.

B. DEBTS OWED FOR CLAIMS [24 CFR 792.103, 982.552 (b)(6-8)]

If a family owes money to the Housing Authority for claims paid to an owner the Housing Authority will require the family to pay the amount in full.

Late Payments

For existing Repayment Agreements, a payment will be considered to be in arrears if two monthly payments are missed.

If the family's payment agreement is in arrears, and the family has not contacted or made arrangements with the Housing Authority, the Housing Authority may:

- Require the family to pay the balance in full
- Pursue civil collection of the balance due
- Terminate the housing assistance

If the family requests a move to another unit and has a payment agreement in place for the payment of an owner claim, the family's payment history will be considered and the family may ~~will~~ be required to pay the balance in full prior to the issuance of a Voucher.

Personal Checks Returned for Non-Sufficient Funds

After two instances of a personal check being returned by a banking institution for non-sufficient funds, no further personal checks will be accepted for payment from the participant. Payments will need to be made in alternate form and may include cash, money order, or cashier's check.

C. DEBTS DUE TO MISREPRESENTATIONS/NON-REPORTING OF INFORMATION [24 CFR 982.163]

HUD's definition of program fraud and abuse is a single act or pattern of actions that:

Constitutes false statement, omission, or concealment of a substantive fact, made with intent to deceive or mislead, and that results in payment of HCV program funds in violation of HCV program requirements.

Families who owe money to the Housing Authority due to the family's failure to report increases in income will be required to pay in a lump sum within 60 days of notification by the Housing Authority. If the family pays the amount in full within this time period, the Housing Authority may continue assistance to the family. Under certain circumstances, at the Housing Authority's discretion, the Housing Authority may allow the family to enter into a Repayment Agreement for the amount owed. Termination of assistance may be pursued for repeated failures to report changes in household income.

If a family owes an amount which equals or exceeds \$10,000 as a result of program fraud, the case will be referred to the Inspector General. Where appropriate, the Housing Authority will refer the case for criminal prosecution.

Additional Monies Owed:

If the family already has a Payment Repayment Agreement in place and incurs an additional debt to the Housing Authority, the original entire amount ~~will~~ may become due and payable. If the amount due is not paid in a timely manner, the family is subject to the termination of their rental assistance.

D. OWNER DEBTS TO THE HOUSING AUTHORITY [24 CFR 982.453(b)]

If the Housing Authority determines that the owner has retained Housing Assistance or Claim Payments the owner is not entitled to, the Housing Authority may reclaim the amounts from future Housing Assistance or Claim Payments owed the owner for any units under contract.

If future Housing Assistance or Claim Payments are insufficient to reclaim the amounts owed, the Housing Authority will:

Require the owner to pay the amount in full within 60 days, or

Pursue collections through the local court system, or

Restrict the owner from future participation.

Chapter 19

COMPLAINTS AND APPEALS

INTRODUCTION

The informal hearing requirements defined in HUD regulations are applicable to participating families who disagree with an action, decision, or inaction of the Housing Authority. This Chapter describes the policies, procedures and standards to be used when families disagree with a Housing Authority decision. The procedures and requirements are explained for informal reviews and hearings. It is the policy of the Housing Authority to ensure that all families have the benefit of all protections due to them under the law.

A. COMPLAINTS TO THE HOUSING AUTHORITY

The Housing Authority will respond promptly to complaints from families, owners, employees, and members of the public. All serious complaints will be documented. The Housing Authority may require that complaints be put in writing. HQS complaints may be reported by telephone.

Section 504 grievances will be given due process in accord with the ~~Informal Hearing Procedures set forth in Section C. of this chapter~~[Housing Authority 504 Grievance Procedure](#).

The Housing Authority hearing procedures will be provided to families in the briefing packet.

Categories of Complaints

Complaints from families: If a family disagrees with an action or inaction of the Housing Authority or owner.

Complaints from families will be referred to the Occupancy Specialist. If a complaint is not resolved, it will be referred to the Housing Authority Supervisor.

Complaints from owners: If an owner disagrees with an action or inaction of the Housing Authority or a family.

Complaints from owners will be referred to ~~the a~~ Housing Authority Supervisor. If a complaint is not resolved, it will be referred to the Housing Authority Manager.

Complaints from staff: If a staff person reports an owner or family either violating or not complying with program rules, the complaint will be referred to the responsible Occupancy Specialist.

Complaints from the general public: Complaints from persons in the community in regard to the Housing Authority, a family or an owner.

If complaints remain unresolved, they will be referred to staff in the following order; the ~~Deputy Director~~ Housing Authority Manager, the Assistant Executive Director, the Executive Director.

B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS **[24 CFR 982.54(d)(12), 982.554]**

Reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. However, an applicant who is denied assistance for citizenship or eligible immigrant status is entitled to an informal hearing.

When the Housing Authority determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain all of the following:

- The reason(s) they are ineligible,
- The procedure for requesting a review if the applicant does not agree with the decision, and
- The time limit for requesting a review.

The Housing Authority must provide applicants with the opportunity for an Informal Review of decisions denying any of the following:

- Listing on the Housing Authority's waiting list
- Issuance of a voucher
- Participation in the program

Informal Reviews are not required for established policies and procedures and Housing Authority determinations such as:

- Discretionary administrative determinations by the Housing Authority
- General policy issues or class grievances
- A determination of the family unit size under the Housing Authority subsidy standards
- Refusal to extend or suspend a voucher
- A Housing Authority determination not to grant approval to lease a unit under the program or to approve a proposed lease
- Determination that unit is not in compliance with HQS
- Determination that unit is not in accordance with HQS due to family size or composition

Procedure for Review

A request for an Informal Review must be received in writing by the close of the business day, no later than ten working days from the date of the Housing Authority's notification of denial of assistance. At the discretion of the Housing Authority, an extension of time to request an Informal Review may be made for circumstances outside

of the control of the ~~The~~applicant. The Informal Review will be scheduled within 45 days from the date the request is received.

The Informal Review may not be conducted by the person who made or approved the decision under review, nor a subordinate of such person.

The Informal Review may be conducted by:

- The A Housing Authority Supervisor
- A staff person who is at the Housing Authority Supervisor level or above

The applicant will be given the option of presenting oral or written objections to the decision. Both the Housing Authority and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense.

A Notice of the Review findings will be provided in writing to the applicant within 14 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision.

All requests for a review, supporting documentation, and a copy of the final decision will be retained in the family's file.

C. INFORMAL HEARING PROCEDURES **[24 CFR 982.555(a-f), 982.54(d)(13)]**

When the Housing Authority makes a decision regarding the eligibility and/or the amount of assistance, applicants and participants must be notified in writing. The Housing Authority will give the family prompt notice of such determinations which will include the following information:

- The proposed action or decision of the Housing Authority;
- The date the proposed action or decision will take place;
- The specific reasons for the proposed action or decision, including the specific breach or violation forming the basis for the proposed action or decision, the specific facts and evidence upon which the Housing Authority bases its action or decision, and the names of all Housing Authority staff having knowledge of any fact or evidence relating to the Housing Authority's action or decision.;
- The family's right to discuss with the Housing Authority the basis for the Housing Authority's decision;
- The procedures for requesting an Informal Hearing if the family disputes the action or decision;
- The time limit for requesting the hearing.

The Housing Authority must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following Housing Authority determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment
- Appropriate utility allowance used from schedule
- Family unit size determination under Housing Authority subsidy standards
- Determination to terminate assistance for any reason
- Citizenship or eligible immigrant status
- Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account

The Housing Authority must always provide the opportunity for an Informal Hearing before termination of assistance.

Informal Hearings are not required for established policies and procedures and Housing Authority determinations such as:

- Discretionary administrative determinations by the Housing Authority
- General policy issues or class grievances
- Establishment of the Housing Authority schedule of utility allowances for families in the program
- A Housing Authority determination not to approve an extension or suspension of a voucher term
- A Housing Authority determination not to approve a unit or lease
- A Housing Authority determination that an assisted unit is not in compliance with HQS (Housing Authority must provide hearing for family breach of HQS because that is a family obligation determination)
- A Housing Authority determination that the unit is not in accordance with HQS because of the family size
- A Housing Authority determination to exercise or not exercise any right or remedy against the owner under a HAP contract

Notification and Scheduling of Hearing

It is the Housing Authority's objective to resolve disputes and to make every effort to avoid the most severe remedies. However, if this is not possible, the Housing Authority will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the Housing Authority receives a request for an Informal Hearing, a hearing shall be scheduled within 45 days. The Housing Authority must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

The notification of hearing will contain information regarding the following information:

- The date and time of the hearing
- The location where the hearing will be held
- The fact that the hearing will be ~~tape~~ recorded
- The specific reasons for the proposed action or decision, including the

specific breach or violation forming the basis for the proposed action or decision, the specific facts and evidence upon which the Housing Authority bases its action or decision, and the names of all Housing Authority staff having knowledge of any fact or evidence relating to the Housing Authority's action or decision.

- The family's right to bring evidence and witnesses and legal or other representation at the family's expense
- The family's right to question adverse witnesses
- The family's right to view any documents or evidence in the possession of the Housing Authority upon which the Housing Authority based the proposed action. The family may request, at their own expense, copies of file documents prior to the hearing. Written requests for such documents or evidence must be received no later than seven days before the hearing date.
- A notice to the family that the Housing Authority will request a copy of any documents or evidence the family will use at the hearing.

After a hearing date is set, the family may request to reschedule only upon showing "good cause," which is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family.

If the family does not appear at the scheduled hearing time, and did not make arrangements in advance, the hearing will not take place, and the Housing Authority may continue with the proposed termination of benefits. However, if the family contacts the Housing Authority within five business days after the scheduled hearing time, the Housing Authority will reschedule the hearing, if the family can show good cause for the failure to appear.

The Housing Authority's Hearing Procedures

Families have the right to the following:

- Present written or oral objections to the Housing Authority's determination;
- Examine the documents in the file which are the basis for the Housing Authority's action, and all documents submitted to the Hearing Officer;
- Copy any relevant documents at their expense;
- Present any information or witnesses pertinent to the issues at the hearing;
- Question adverse witnesses; and
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

In addition to other rights contained in this Chapter, the Housing Authority has a right to:

- Present evidence and any information pertinent to the issue of the hearing;
- Be notified in advance if the family intends to be represented by legal counsel, advocate, or another party;
- Be notified if the family intends to present any witnesses at the informal hearing;

- Examine and copy any documents to be used by the family prior to the hearing;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present.

The Informal Hearing shall be conducted by the Hearing Officer appointed by the Housing Authority who is neither the person who made or approved the decision, nor a subordinate of that person.

The hearing shall address only the issues related to the family's termination of assistance. The Housing Authority may not introduce evidence of facts supporting termination unless the Housing Authority disclosed those facts to the family in its notice of informal hearing, except to rebut evidence introduced by the family at the informal hearing.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Housing Authority will make an audio recording of the informal hearing.

The Hearing Officer may ask the family for additional information and may adjourn the Informal Hearing in order to reconvene at a later date, before reaching a decision.

The Hearing Officer shall limit the issues under consideration at the Informal Hearing to those set forth in the Housing Authority's notice of termination. The Hearing Officer will determine whether the action, inaction or decision of the Housing Authority is in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony provided at the Informal Hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the Informal Hearing.

Following the conclusion of the hearing, the Hearing Officer shall prepare and provide written findings to the Housing Authority ~~and the family~~ within 14 days. The Housing Authority will then provide the written findings to the family. The written findings ~~which~~ shall include the following:

- A clear summary of the decision and reasons for the decision;
- The date the decision goes into effect.

The Housing Authority is not bound by hearing decisions as follows:

- Which concern matters in which the Housing Authority is not required to provide an opportunity for a hearing
- Which conflict with or contradict HUD regulations or requirements;
- Which conflict with or contradict Federal, State or local laws; or
- Which exceed the authority of the person conducting the hearing.

The Housing Authority shall send a letter to the participant within 14 days. The letter shall include the Housing Authority's decision and if the decision involves money owed, the amount owed.

All requests for a hearing, supporting documentation, and a copy of the final decision will be retained in the family's file.

D. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS"
[24 CFR Part 5, Subpart E]

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the Housing Authority will take the following procedures:

- Notify the applicant or participant within ten days of receipt of information from INS
- Inform applicant or participant of their right to appeal to the INS within thirty days or to request an informal hearing with the Housing Authority, either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the Housing Authority a copy of the appeal and proof of mailing or the Housing Authority may proceed to deny or terminate. The time period to request an appeal may be extended by the Housing Authority for good cause.

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal.

The request for a Housing Authority Informal Hearing must be made within 14 days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within 14 days of receipt of that notice.

Assistance to a family may not be terminated or denied while the Housing Authority hearing is pending but assistance to an applicant may be delayed pending the Housing Authority hearing.

After receipt of a request for an Informal Hearing, the hearing is conducted as described in this Chapter for both applicants and participants. If the Hearing Officer decides that the individual is not eligible, and there are no other eligible family members, the Housing Authority will do one of the following:

- Deny the applicant family
- Defer termination if the family is a participant and qualifies for deferral
- Terminate the participant if the family does not qualify for deferral

If there are eligible members in the family, the Housing Authority will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status:

If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.

Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.

Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

Chapter 20
SPECIAL HOUSING TYPES
[24 CFR 982.601]

INTRODUCTION

The Housing Authority will permit the use of the following special housing types in its program

- Single Room Occupancy Housing
- Shared housing
- Manufactured Homes
- Congregate Housing
- Group Homes
- Homeownership (dissolved June 4, 2019)

A. SINGLE ROOM OCCUPANCY [24 CFR 982.602 through 982.605]

A single room occupancy (SRO) unit provides living and sleeping space for the exclusive use of the occupant but requires the occupant to share sanitary and/or food preparation facilities with others. More than one person may not occupy an SRO unit. HCV regulations do not limit the number of units in an SRO facility, but the size of a facility may be limited by local ordinances.

When providing HCV assistance in an SRO unit, a separate lease and HAP contract are executed for each assisted person, and the standard form of the HAP contract is used.

SRO Payment Standard

The payment standard for SRO housing is 75 percent of the zero-bedroom payment standard amount on the PHA's payment standard schedule.

Utility Allowance

The utility allowance for an assisted person residing in SRO housing is 75 percent of the zero-bedroom utility allowance.

Housing Assistance Payment

The HAP for an assisted occupant in an SRO facility is the lower of the SRO payment standard amount minus the TTP or the gross rent for the unit minus the TTP.

Housing Quality Standards (HQS)

The Housing Authority will ensure that all SRO units approved for the program are in compliance with all of the Housing Quality Standards for SROs as regulated in 24 CFR §982.605. However, since SRO units are not intended to house children, the housing quality standards applicable to lead-based paint do not apply.

B. SHARED HOUSING [24 CFR 982.615]

An assisted family may reside in shared housing. In shared housing, an assisted family may share a unit with another resident or residents of a unit. The unit may be a house or an apartment.

Types of Occupancy

The following may reside in a shared housing unit:

- The assisted family with other residents of the unit.
- Other persons who are assisted under the tenant-based program.
- The owner of a shared housing unit, unless s/he is related to the participant by blood or marriage.

HAP Contract and Rent

A resident or non-resident owner may enter into a HAP contract with the Housing Authority. However, housing assistance may not be paid on behalf of an owner. The Housing Authority will not approve assistance for a person or family that is related by blood or marriage to a resident owner.

There will be a separate housing assistance payment contract and lease for each assisted family residing in a shared housing unit.

For shared housing, the family subsidy will be based on the pro-rata portion of the applicable payment standard of the rental unit. The proration is based on the lesser of the voucher bedroom size or the number of bedrooms the family occupies.

The subsidy will be based upon current HCV Program calculations for new contracts.

The rent to owner for the family may not exceed the pro-rata portion of the reasonable rent for the shared housing dwelling unit. The reasonable rent must be in accordance with the guidelines set in the "Owner Rents, Rent Reasonableness, and Payment Standards," Chapter 11.

Utility Allowance

The utility allowance for an assisted family living in shared housing is the pro-rata portion of the utility allowance for the shared housing unit.

Housing Quality Standards

The Housing Authority will ensure that all shared housing units approved for the program are in compliance with all of the Housing Quality Standards for shared housing as regulated in 24 CFR 982.618.

C. MANUFACTURED HOMES [24 CFR 982.620]

The Housing Authority will permit a family to lease a manufactured home and space with assistance under the program. The Housing Authority will provide assistance for a family that owns the manufactured home and leases only the space.

Housing Quality Standards [24 CFR 982.621]

A manufactured home must meet all the HQS requirements outlined in Chapter 10, "Housing Quality Standards and Inspections" and regulated by 24 CFR 982.401. In addition, the manufactured home also must meet the following requirements:

A manufactured home must be placed on the site in a stable manner, and must be free from site hazards.

Manufactured Home Space Rental [24 CFR 982.622]

Rent to owner for a manufactured home space will comply with California Civil Code 798.

Rent to owner does not include the cost of utilities and trash collection for the manufactured home. However, the owner may charge the family a separate fee for the cost of utilities or trash collection provided by the owner.

Reasonable Rent

During the assisted tenancy, the rent to owner for the manufactured home space may not exceed a reasonable rent as determined by the Housing Authority.

The Housing Authority will not approve a lease for a manufactured home space until the Housing Authority has determined that the initial rent to owner for the space is a reasonable rent. During the assisted tenancy, the Housing Authority will redetermine that the rent is reasonable when a rent increase is requested.

The Housing Authority will determine whether the rent to owner for a manufactured home space is a reasonable rent in comparison to rents for other comparable manufactured home spaces. The Housing Authority will consider the size and location of the space and any services and maintenance provided by the owner in accordance with the lease.

By accepting each monthly housing assistance payment from the Housing Authority, the owner of the manufactured home space certifies that the rent to owner for the space is not more than rent charged by the owner for unassisted rental of comparable spaces

in the same manufactured home park or elsewhere. If requested by the Housing Authority, the owner must provide the Housing Authority information on rents for other manufactured home spaces.

Housing Assistance Payments for Manufactured Home Space

PIH 2017-18 notice eliminates the separate FMR and payment standard previously used for manufactured home space rentals. The payment standard used by the PHA to calculate the HAP for a manufactured home owner family is now the same payment standard that would be used for an ordinary rental unit of the same bedroom size under the PHA's HCV program, based on the HUD published FMR for the area.

Subsidy Calculation for the Housing Choice Voucher Program

During the term of a voucher tenancy, the amount of the monthly housing assistance payment for a family will equal the lesser of:

The payment standard minus the total tenant payment; or

The rent paid for rental of the real property on which the manufactured home owned by the family is located (the space rent) minus the total tenant payment.

The space rent is the sum of the following as determined by the Housing Authority:

Rent to owner for the manufactured home space;

Owner maintenance and management charges for the space;

The utility allowance for tenant paid utilities.

Utility Allowance Schedule for Manufactured Home Space Rental [24 CFR 982.624]

The Housing Authority will use its standard utility allowance schedule for detached units for manufactured home space rental.

D. CONGREGATE HOUSING

General

Congregate or Residential Care Facility housing is intended for use by elderly persons or persons with disabilities. These types of housing facilities contain a shared central kitchen and dining area and a private living area for the individual household that includes at least a living room, bedroom and bathroom. Food service for residents must be provided.

If approved by the PHA, a family member or live-in aide may reside with the elderly person or person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing HCV assistance in congregate housing or residential care facilities, a separate lease and HAP contract are executed for each assisted family, and the standard form of the HAP contract is used.

Congregate Housing/Residential Care Facility Payment Standard, Utility Allowance and HAP Calculation

The payment standard for an individual unit in a congregate housing facility is based on the number of rooms in the private living area. If there is only one room in the unit (not including the bathroom or the kitchen, if a kitchen is provided), the PHA must use the payment standard for a zero-bedroom unit. If the unit has two or more rooms (other than the bathroom and the kitchen), the PHA must use the one-bedroom payment standard.

The HAP for an assisted occupant in a congregate housing facility or residential care facility is the lower of the applicable payment standard minus the TTP or the gross rent for the unit minus the TTP.

The gross rent for the unit for the purpose of calculating HCV assistance is the shelter portion (including utilities) of the resident's monthly housing expense only. The residents' costs for food service should not be included in the rent for a congregate housing unit.

Congregate/ Residential Care Facility Housing Quality Standards

HQS requirements as described in Chapter 10 apply to congregate housing and resident care facilities except for the requirements stated below.

Congregate housing must have (1) a refrigerator of appropriate size in the private living area of each resident; (2) a central kitchen and dining facilities located within the premises and accessible to the residents, and (3) food service for the residents, that is not provided by the residents themselves.

The housing quality standards applicable to lead-based paint do not apply.

D.E. GROUP HOMES

General

A group home is a state-licensed facility intended for occupancy by elderly persons and/or persons with disabilities. Except for live-in aides, all persons living in a group home, whether assisted or not, must be elderly persons or persons with disabilities. Persons living in a group home must not require continuous medical or nursing care.

A group home consists of bedrooms for residents, which can be shared by no more than two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents.

No more than 12 persons may reside in a group home including assisted and unassisted residents and any live-in aides.

If approved by the PHA, a live-in aide may live in the group home with a person with disabilities. The PHA must approve a live-in aide if needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.

When providing HCV assistance in a group home, a separate lease and HAP contract is executed for each assisted family, and the standard form of the HAP contract is used.

Group Home Payment Standard, Utility Allowance and HAP Calculation

Unless there is a live-in aide, the family unit size for an assisted occupant of a group home must be zero- or one-bedroom, depending on the PHA's subsidy standard. If there is a live-in aide, the aide must be counted in determining the household's unit size.

The payment standard used to calculate the HAP is the lower of the payment standard for the family unit size or the prorata share of the payment standard for the group home size. The prorata share is calculated by dividing the number of persons in the assisted household by the number of persons (assisted and unassisted) living in the group home.

The HAP for an assisted occupant in a group home is the lower of the payment standard minus the TTP or the gross rent minus the TTP.

The utility allowance for an assisted occupant in a group home is the prorata share of the utility allowance for the group home.

The rents paid for participants residing in group homes are subject to generally applicable standards for rent reasonableness. The rent for an assisted person must not exceed the prorata portion of the reasonable rent for the group home. In determining reasonable rent, the PHA should consider whether sanitary facilities and facilities for food preparation and service are common facilities or private facilities.

Group Home Housing Quality Standards

HQS requirements described in Chapter 10 apply to group homes except for the requirements stated below.

- *Sanitary Facilities:* A group home must have at least one bathroom in the facility, with a flush toilet that can be used in privacy, a fixed basin with hot and cold running water, and a shower or bathtub with hot and cold running water. A group home may contain private or common bathrooms. However, no more than four residents can be required to share a bathroom.
- *Food Preparation and Service:* Group home units must contain a kitchen and dining area with adequate space to store, prepare, and serve food. The facilities for food preparation and service may be private or may be shared by the residents. The

kitchen must contain a range, an oven, a refrigerator, and a sink with hot and cold running water. The sink must drain into an approvable public or private disposal system.

- *Space and Security.* Group homes must contain at least one bedroom of appropriate size for every two people, and a living room, kitchen, dining area, bathroom, and other appropriate social, recreational, or community space that may be shared with other residents.
- *Structure and Material.* To avoid any threat to the health and safety of the residents, group homes must be structurally sound. Elevators must be in good condition. Group homes must be accessible to and usable by residents with disabilities.
- *Site and Neighborhood.* Group homes must be located in a residential setting. The site and neighborhood should be reasonably free from hazards to the health, safety, and general welfare of the residents, and should not be subject to serious adverse conditions, such as:
 - Dangerous walks or steps
 - Instability
 - Flooding, poor drainage
 - Septic tank back-ups
 - Sewage hazards
 - Mud slides
 - Abnormal air pollution
 - Smoke or dust
 - Excessive noise
 - Vibrations or vehicular traffic
 - Excessive accumulations of trash
 - Vermin or rodent infestation, and
 - Fire hazards.

The housing quality standards applicable to lead-based paint do not apply.

E.F. HOMEOWNERSHIP [24 CFR 982.625]

General

The Housing Authority does not have a homeownership option ~~is used to assist afor~~ assisted -familiesy residing in a home purchased and owned by one or more members of the family.

For families who entered the Housing Authority homeownership program prior to the dissolution of the homeownership option on June 4, 2019, the The Housing Authority will offer monthly homeownership assistance payments to qualified families according to the policies contained in this chapter. All guidance in this section is applicable to those assisted families who entered the homeownership program prior to June 4, 2019.

Monthly Homeownership Assistance Payments

The Housing Authority will offer monthly homeownership assistance only to participating families who:

Are working toward becoming self-sufficient

Are elderly or disabled and are working toward leading the most independent and productive life possible

Family Self-Sufficiency (FSS) participants who have been on FSS for at least one year may receive a preference if they are in compliance with their FSS Contract of Participation

Monthly Homeownership Assistance: Eligibility Requirements [24 CFR 982.627]

The family must meet all of the requirements listed below before the commencement of homeownership assistance.

- The family must currently be a participant on the Housing Choice Voucher program.
- The family must qualify as a first-time homeowner.
- The family must meet the Federal minimum income requirement. The family must have a gross annual income equal to the Federal minimum wage multiplied by 2000, based on the income of adult family members who will own the home.
- For elderly or disabled families, the minimum income requirement is equal to the current SSI monthly payment for an individual living alone, multiplied by 12. Welfare assistance payments for adult family members who will own the home will be included in determining whether the family meets the minimum income requirement.
- The family must meet the Federal minimum employment requirement.
 - At least one adult family member who will own the home must be currently employed full time and must have been continuously employed for one year prior to homeownership assistance.

- HUD regulations define “full time employment” as not less than an average of 30 hours per week.

The Federal minimum employment requirement does not apply to elderly or disabled families.

Any family member who was an adult member of a family that previously defaulted on a mortgage obtained through the homeownership option is barred from receiving future homeownership assistance.

The Housing Authority will impose the following additional initial requirements:

- The family is not within the initial first year on the Section 8 Program.
- The family does not owe money to the Housing Authority.
- The family has been in compliance with the Section 8 Program obligations for the past two years.

Homeownership Counseling Requirements [24 CFR 982.630]

When the family has been determined eligible, they must attend and complete homeownership counseling sessions approved by the Housing Authority.

The following topics will be included in the homeownership counseling sessions:

Home maintenance (including care of the grounds);

Budgeting and money management;

Credit counseling;

How to obtain homeownership financing and loan preapprovals, including a description of types of financing that may be available, and the pros and cons of different types of financing.

Eligible Units [24 CFR 982.628]

The unit must meet all of the following requirements:

- The unit already existed or was under construction at the time the family was determined eligible for homeownership assistance.
- The unit is a one-unit property or a single dwelling unit in a cooperative or condominium.
- The unit has been inspected by the Housing Authority and by an independent inspector designated by the family.
- The unit meets HUD Housing Quality Standards.

- The unit may be a home where the family will not own fee title to the real property (such as a manufactured home), if the home has a permanent foundation and the family has the right to occupy the site for at least 40 years.

The unit must meet HUD's "Eligible Housing" requirements. The unit may not be any of the following:

- A public housing or Indian housing unit;
- A unit receiving Section 8 project-based assistance;
- A nursing home, board and care home, or facility providing continual psychiatric, medical or nursing services;
- A college or other school dormitory;
- On the grounds of penal, reformatory, medical, mental, or similar public or private institutions.

The Housing Authority must not approve the seller of the unit if the Housing Authority has been informed that the seller is debarred, suspended, or subject to a limited denial of participation. The Housing Authority may disapprove the seller for any reason provided for disapproval of an owner in the voucher program.

Housing Authority Search and Purchase Requirements [24 CFR 982.629]

The Housing Authority has established the maximum time that will be allowed for a family to locate and purchase a home.

The family's deadline date for locating a home to purchase will be 120 days from the date the family's eligibility for the homeownership option is determined.

The family must obtain financing for the home within 60 days of locating a home to purchase.

The Housing Authority will require periodic reports on the family's progress in finding and purchasing a home. Such reports will be provided by the family at intervals of 60 days.

If the family is unable to purchase a home within the maximum time limit, the Housing Authority will issue the family a voucher to lease a unit.

Inspection and Contract [24 CFR 982.631]

The unit must meet Housing Quality Standards, and must also be inspected by an independent professional inspector selected and paid by the family.

The independent inspection must cover major building systems and components. The inspector must be qualified to identify physical defects and report on property

conditions, including major building systems and components. These systems and components include, but are not limited to:

- Foundation and structure;
- Housing interior and exterior;
- Roofing;
- Plumbing, electrical and heating systems.

The independent inspector must not be a Housing Authority employee or contractor. The Housing Authority will not require the family to use an independent inspector selected by the Housing Authority.

Copies of the independent inspection report will be provided to the family and the Housing Authority. Based on the information in this report, the family and the Housing Authority will determine whether any pre-purchase repairs are necessary.

The Housing Authority may disapprove the unit for homeownership assistance because of information in the report.

The family must enter into a contract of sale with the seller of the unit. A copy of the contract must be given to the Housing Authority. The contract of sale must specify the price and terms of sale, and provide that the purchaser will arrange for a pre-purchase independent inspection of the home. The contract must also:

- Provide that the purchaser is not obligated to buy the unit unless the inspection is satisfactory;
- Provide that the purchaser is not obligated to pay for necessary repairs; and
- Contain the seller's certification that he or she has not been debarred, suspended or subject to a limited denial of participation.

Financing [24 CFR 982.632]

The family is responsible for securing financing. The Housing Authority has established financing requirements, listed below, and may disapprove proposed financing if the Housing Authority determines that the debt is unaffordable.

The Housing Authority will prohibit the following forms of financing:

- Balloon payment mortgages
- Variable interest rate loans

The Housing Authority will require a minimum cash down payment of three percent of the purchase price. One percent of this must be paid by the family's own resources.

Continued Assistance [24 CFR 982.633]

Homeownership assistance may only be paid while the family is residing in the home. The family or lender is not required to refund homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.

The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to CFR 982.551 (h) and (i).

The family must supply information to the Housing Authority or HUD as specified in CFR 982.551(b). The family must further supply any information required by the Housing Authority or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses.

The family must notify the Housing Authority before moving out of the home.

The family must notify the Housing Authority if the family defaults on the mortgage used to purchase the home.

No family member may have any ownership interest in any other residential property.

Before commencement of homeownership assistance, the family must execute a statement in which the family agrees to comply with all family obligations under the homeownership option.

Maximum Term of Homeownership Assistance [24 CFR 982.634]

Except in the case of elderly or disabled families, the maximum term of homeownership assistance is:

15 years, if the initial mortgage term is 20 years or longer, or

10 years in all other cases.

The elderly exception only applies if the family qualified as elderly at the start of homeownership assistance. The disabled exception applies if, at any time during receipt of homeownership assistance, the family qualifies as disabled.

If the family ceases to qualify as elderly or disabled during the course of homeownership assistance, the maximum term becomes applicable from the date assistance commenced. However, such a family must be afforded at least 6 months of homeownership assistance after the maximum term becomes applicable.

If the family receives homeownership assistance for different homes, or from different Housing Authorities, the total is subject to the maximum term limitations.

Homeownership Assistance Payments and Homeownership Expenses [24 CFR 982.635]

The monthly homeownership assistance payment is the lower of: the voucher payment standard minus the total tenant payment, or the monthly homeownership expenses minus the total tenant payment.

In determining the amount of the homeownership assistance payment, the Housing Authority will use the same payment standard schedule, payment standard amounts, and subsidy standards as those described in this plan for the Housing Choice Voucher program.

The Housing Authority will pay the homeownership assistance payment to a lender on behalf of the family.

Some homeownership expenses are determined by the Housing Authority in accordance with HUD regulations. These are used in determining expenses for all homeownership families and are not based on the condition of the home.

Homeownership expenses include:

- Principal and interest on mortgage debt.

- Mortgage insurance premium.

- Taxes and insurance.

- The Housing Authority utility allowance used for the voucher program.

- The Housing Authority allowance for routine maintenance costs.

- The Housing Authority allowance for major repairs and replacements.

- Principal and interest on debt for improvements.

If the home is a cooperative or condominium, expenses also include operating expenses or maintenance fees assessed by the homeowner association.

Portability [24 CFR 982.636, 982.353(b) and (c), 982.552, 982.553]

Subject to the restrictions on portability included in HUD regulations and in Chapter 13 of this plan, the family may exercise portability if the receiving Housing Authority is administering a voucher homeownership program and accepting new homeownership families.

The receiving Housing Authority may absorb the family into its voucher program, or bill the initial Housing Authority. The receiving Housing Authority arranges for housing counseling and the receiving Housing Authority's homeownership policies apply.

Moving With Continued Assistance [24 CFR 982.637]

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

The Housing Authority prohibits more than one move by the family during any one year period.

The Housing Authority will deny permission to move with continued rental or homeownership assistance if the Housing Authority determines that it does not have sufficient funding to provide continued assistance.

Denial or Termination of Assistance [24 CFR 982.638]

Termination of homeownership assistance is governed by the policies for the Housing Choice Voucher program contained in Chapter 15 of the Administrative Plan. However, the provisions of CFR 982.551 (c) through (j) are not applicable to homeownership.

The Housing Authority will terminate homeownership assistance if the family is dispossessed from the home due to a judgment or order of foreclosure.

The Housing Authority will permit such a family to move with continued voucher rental assistance. However, rental assistance will be denied if the family defaulted on an FHA-insured mortgage, and the family fails to demonstrate that:

The family has conveyed, or will convey, title to the home as required by HUD, and

The family has moved, or will move, within the period required by HUD.

The Housing Authority will not permit such a family to move with voucher rental assistance.

The Housing Authority will terminate homeownership assistance if the family violates any of the family obligations contained in this section.

The Housing Authority will terminate homeownership assistance if the family violates any of the following family obligations:

Transfer or conveyance of ownership of the home;

Providing requested information to the Housing Authority or HUD;

Notifying the Housing Authority before moving out of the home;

The Housing Authority may issue the family a HCV if the default of the mortgage occurred under circumstances beyond the control of the family.

Chapter 21

PROJECT BASED VOUCHER (PBV) PROGRAM

[24 CFR 983]

INTRODUCTION

The Sonoma County Housing Authority (Housing Authority) implemented a project-based assistance program as part of its Section 8 Housing Choice Voucher Program in 2004. Up to 20% of the Housing Authority's Annual Contributions Contract (ACC) may be made available for this program which attaches the funding to specific units rather than using it for tenant-based assistance. With HUD's approval, an additional 10% of the Housing Authority's Annual Contributions Contract (ACC) units may be made available under the Project Based Voucher program for units which are exclusively available to families eligible for supportive services or units exclusively available to elderly families. The Housing Authority will determine the availability of vouchers and the need for project-based assistance.

The Project-Based Assistance (PBV) Program attaches Section 8 rental assistance to selected units for a period of up to 20 years. The Housing Authority implemented the PBV Program due to the difficult rental market of Sonoma County and its impact on the supply of affordable housing. Project-basing units under this program will create a stable, long-term resource of affordable housing and will help ensure the preservation of and continued access to the existing stock of affordable housing. The PBV Program will also serve as an additional marketing tool to attract owner participation in providing units for low-income participants. The following policy is established in compliance with the PBV Program Final Rule dated October 13, 2005 regarding 24 CFR Section 9383, and the Housing Opportunity Through Modernization Act (HOTMA) of 2016 which outlines the procedures by which the Sonoma County Housing Authority will select units to receive rental assistance through its Project Based Assistance Program for new construction projects, rehabilitated projects, and existing housing.

The Sonoma County Housing Authority's PBV Program will be consistent with the Housing Authority Annual Plan which includes a statement indicating the maximum number of total PBV units that will be placed under contract by the Housing Authority. No more than 25% of the units in any PBV project may receive assistance except for single family dwellings (four or fewer units), dwellings specifically designated for elderly, or dwellings specifically designated for disabled families.

Note: For purposes of this Chapter the term "Owner" and "PBV Owner" are used interchangeably and both refer to "PBV Owner" as defined in the glossary.

A. SELECTION OF PBV OWNER PROPOSALS

The Housing Authority will select PBV proposals by either of the following two methods.

- 1) Request for Proposals (RFP) procedure in accordance with the provisions of this Chapter.

- 2) Non competitive award procedure in accordance with the provisions of this Chapter.

B. PROCESS FOR SELECTING UNITS BY MEANS OF A REQUEST FOR PROPOSALS (PBV)

Advertising Procedures

The Housing Authority will advertise on its website and in a newspaper of general circulation, currently the **Press Democrat**, by publishing a public notice that indicates that the Housing Authority will accept applications from property owners for the purpose of selecting projects to be assisted under a PBV Program.

The advertisement will be published in a newspaper of general circulation once a week for three consecutive weeks one time and will remain on the Housing Authority's website until such time that the application period is closed. The notice will include the following information:

- Number of vouchers the Housing Authority will make available under the PBV program.
- Number of units in a building that may be project-based.
- Type of units (existing, new construction and/or rehabilitation) that will be considered for project-basing.
- Application Deadline (at least 30 days after the last published date of advertisement).
- Statement that participation in the program requires compliance with Fair Housing and Equal Opportunity requirements, and that the Federal Labor Standard provisions may be applicable for new and rehabilitation projects.
- The Housing Authority's selection policies as outlined below in Application Review.

Application Requirements and Evaluation Criteria

Application Submission Deadline

Owner applications will be accepted until the published deadline at the Housing Authority Office indicated on the RFP. This deadline will be a date at least 30 days after the last publication dated ~~date of~~ the advertisement. The Housing Authority will date and time stamp all applications upon receipt. Applications received after the published deadline date will not be accepted for consideration under the RFP process. Postmarks are not acceptable.

Incomplete and Non-Responsive/Non-Compliant Applications

If a supporting document required by the RFP is not under the control of the applicant and cannot be obtained within the filing deadline, the applicant must include a written explanation in the application detailing the cause of the delay and the anticipated date the document will be delivered. The Housing Authority will review the information provided and accept the application, but classify it as non-responsive pending receipt of

the document. The application will be re-dated upon receipt of the document. In no case will documentation be accepted more than ten (10) days after the final deadline.

If the Housing Authority finds that an application is found to be non-responsive or non-compliant with the RFP, written selection criteria and procedures, or HUD program regulations, it will be rejected and returned to the applicant with notification stating the reason for rejection.

In cases where the application meets the minimum information requirements, but is defective through typographical or minor calculation errors, the application will be processed.

The Housing Authority reserves the right to reject applications at any time for misinformation, errors, or omissions of any kind, no matter how far they have been processed.

C. PROCESS FOR SELECTING UNITS ON NON-COMPETITIVE BASIS

The Sonoma County Housing Authority may select, without competition, a proposal for project based housing assisted under a federal, State, or local government housing assistance, community development, or supportive services program that required competitive selection of proposals, where the proposal has been selected in accordance with such program's competitive selection requirements within 3 years of the PBV proposal selection date, and the earlier competitively selected housing assistance proposal did not involve any consideration that the project would receive PBV assistance.

Additionally, the PHA may add units to an existing PBV HAP Contract without engaging in a competitive process in order to preserve funding or provide additional resources to serve homeless families.

Non-Competitive proposals can be submitted to the Housing Authority at any time on a form provided by the Housing Authority. The Housing Authority will select proposals for PBV assistance on a non-competitive basis, in cases where one or more of the following circumstances exist:

- The project has been awarded funding through the CDC's HOME competitive selection process (This does not include HOME Tenant-Based Assistance awards).
- The project has been awarded 9% low-income housing tax credits (LIHTCs) or other comparable LIHTC
- Any other federal, State or local government affordable housing program that awards funding for the development of new housing units or the rehabilitation of existing housing that is designed to be affordable to individuals and families at or below 80 percent of the area median income (based upon the family composition).

In cases where non-competitive awards are made by SCHA, the developer/owner must do all of the following:

- Demonstrate that the financial analysis of the earlier competitive selection proposal demonstrated project feasibility without PBV assistance.
- Clearly document the PBV proposal to demonstrate what circumstances have changed so that PBV assistance is now needed for project feasibility.
- Agree that all households to be assisted with PBV assistance must be at 30% AMI or below.
- Agree to take the lead in initiating and completing the required subsidy-layering review and environmental impact report per HUD rules.

The total number of PBV units awarded will be within the allowed maximum number per the Housing Authority Annual Plan. PBV awards are made in accordance with this policy and at the discretion of the CDC Executive Director.

The Housing Authority will publish the award of any units under the PBV Program in a newspaper of general circulation. Every effort will be made to publish the results of any awards under the PBV Program within 30 days of the award date.

D. APPLICATION REVIEW AND AWARD PROCESS FOR COMPETITIVE PBV AWARDS

Application Review Panel

The Executive Director of the Housing Authority, or his/her designee, will appoint a PBV selection panel of at least three people who will review, evaluate and select applications in accordance with the provisions of this Chapter. The committee will score applications and submit its recommendations to the Executive Director within 45 days of PBV application period.

Application Review

The Housing Authority will review all applications. Before selecting units, the Housing Authority will determine that each application is responsive to and in compliance with the Housing Authority's written selection criteria and procedures, and in conformity with HUD program regulation and requirements at 24 CFR 983 including the following items:

1. Evidence of site control.
2. Certification that the owner and other project principles are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs.
3. Proposed initial gross rents must not exceed 110% of the established Fair Market Rents (FMR) or any HUD-approved "exception payment standard" for the area where the housing is located.

4. Property must meet applicable eligibility requirements under Section 983 and HUD environmental regulations as per 24 CFR parts 50 and 58. (Does not apply for existing housing projects).
5. No rehabilitation or construction has commenced prior to the execution of the Agreement to Enter into a HAP Contract (AHAP), as evidenced by Housing Authority inspection. (Does not apply to existing housing).
6. Proposed number of units to be project-based does not exceed 25% of the total units in the project (see definition of project in glossary), except in the case of a housing project for seniors or persons with disabilities, ~~or single-family dwellings (4 units or less per building)~~, or families that are receiving supportive services. In which case up to 100% of the units in such buildings may be proposed for PBV assistance.
7. The site is located in a census tract with a poverty rate of not more than 20%. Projects located in areas with higher poverty rates may also be considered, but the owner must submit justification for the need to project-base their development in such an area.
8. For rehab only: Housing units that exist on the proposal selection date, but do not substantially comply with the HQS on that date, and are developed/rehabilitated, pursuant to an Agreement between the Housing Authority and owner, for use under the PBV program (as evidenced by Housing Authority inspection).
9. For existing housing only: Property meets the definition of “existing housing” for purposes of the PBV Program, if the units can be brought into HQS compliance within 45 days of proposal selection. All units must pass HQS before execution of the HAP contract.
10. Project meets requirements of Section 504 of the Rehabilitation Act of 1973 and the Fair Housing Amendments Act of 1988.
11. For rehab and existing housing, current tenants must be low-income and meet income eligibility requirements for the Section 8 Voucher Program. The Housing Authority may not select a unit, or enter into an Agreement with respect to a unit, if the unit is occupied by persons who are not eligible for participation in the program.

PBV projects must comply with Section 983.57 regulations regarding site and neighborhood standards.

RFP Evaluation and Ranking Process

Proposals that meet the requirements will be evaluated and ranked according to the rating and ranking factors described in the RFP.— Additional points will be granted to projects which meet the following requirements:

- Outside an area or census tract of minority concentration (As defined by HUD)

- Outside an area or census tract of concentrated publicly supported housing of the same occupancy type of the proposal

A PBV Ranking List will be prepared according to points awarded to each proposal. The application scoring the highest points and that is responsive to and in compliance with the Housing Authority's written selection criteria and procedures, and HUD program regulations, will be awarded project-based vouchers up to the amount requested (and allowed per regulations and Housing Authority policy) for the particular development, but not to exceed the number of vouchers advertised as available for the program.

If, after awarding the highest scoring application, there are still vouchers available, the Housing Authority will award the next highest ranking applications until the available vouchers have been assigned. If the Housing Authority determines that an application is eligible for PBV funding but cannot be fully funded at the amount requested by the owner, the owner will be given the opportunity to receive partial funding.

If a proposal does not meet the requirements as indicated above, it will be designated as non-compliant and a notice to that effect, identifying the disqualifying factor, will be sent to the applicant.

Award of Funding

The Housing Authority will give prompt written notice to the party that submitted a selected proposal. The Housing Authority will also give prompt public notice of such selection in a newspaper of general circulation, currently the **Press Democrat**, by publishing a public notice of the selection.

Tied Applications

In the case of a tie score between two or more applications and not enough units available to award each tied application, the following factors will be considered to determine the application to be selected:

1. The application that will provide the most number of units to be project-based will be awarded.
2. The application with the earliest submittal date and time.

Applications meeting the requirements as described above will be awarded Project-Based Assistance in the order that they are received (or for RFPs, as of the date they are considered "complete"; see Incomplete and Non-Responsive/Non-compliant Applications) until the available PBV Vouchers are assigned. If the Housing Authority determines that an application is eligible for PBV funding but cannot be fully funded at the amount requested by the owner, the owner will be given the opportunity to receive partial funding.

E. APPLICATION FORMAT AND CONTENT

The following guidelines apply to all projects submitted for PBV funding.

Owner applications are to be completed using the applicable forms provided by the Housing Authority and/or format described in the Request for Proposals.

The application will list ineligible properties and will state that properties awarded PBV must meet the property requirements as indicated in HUD regulations and as pertaining to each type of housing (new construction, rehabilitation or existing), including the site and neighborhood standards, zoning requirements, per unit minimum cost factor (rehab only), and other Federal Requirements.

The application will require that applications from owners must meet the requirements listed above and must contain the following information:

1. A detailed description of the housing project including:
 - a. The number of buildings in the project, and identification, by building, of the number of units by size (square footage), bedroom count and bathroom count.
 - b. A listing of amenities and services.
 - c. A detailed description of the supportive services provided (or to be provided) for the residents. Include information on the type of services, the frequency the services are offered, whether the services are provided on-site and whether there is a fee charged.
 - d. The poverty rate of the census tract in which the site/project is located.
 - e. A description of the area in which the project is located, including a list of all employment centers, schools or colleges, public transportation, health facilities, and parks and recreational areas that are in the general area of the site/project and the distance of each from the site.
 - f. The estimated dates for the commencement and completion of construction. (Does not apply for existing housing projects.)
 - g. Architectural schematic level drawings of the proposed project including elevations, unit plans, and the site plan. (Does not apply for existing housing projects.)

For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation.

2. Evidence of site control.
3. Evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, or evidence to indicate that the needed rezoning is likely to be obtained and will not delay the project. (Does not apply to existing housing projects.)

4. The current (does not apply to new construction) and proposed contract rent per unit, including units to be project-based, including an indication of which utilities, services, and equipment are included in the rent and which are not included. For those utilities that are not included in the rent, an estimate of the average monthly cost of each unit type for the first year of occupancy.
5. A statement identifying:
 - a. A list of the persons (families or businesses) occupying the property on the date of the submission of the application. If families, include their address, unit size, family size, current rent and approximate annual income. (Does not apply to new construction.)
 - b. The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex; (Applies only to rehabilitation projects.)
 - c. The estimated cost of relocation payments and services, and the sources of funding; (Does not apply for existing housing or new construction projects)
 - d. The organization(s) that will carry out the relocation activities (Does not apply to existing housing or new construction); and
6. Information regarding the owner and other project principals, including:
 - a. The identity of the owner and other project principals and the names of officers and principal members, shareholders, investors, and other parties having a substantial interest.
 - b. Certification showing that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and non-procurement programs;
 - c. A disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP contract; and
 - d. Information on the qualifications and experience of the principal participants.

Information concerning any participant who is not known at the time of the owner's submission must be provided to the Housing Authority as soon as the participant is known.

7. The owner's plan for managing and maintaining the units and identification of the proposed property management agent.
8. A Project Financing Plan with evidence of financing or lender interest and the proposed terms of financing. Financing Plans which are dependent upon future awards of funding from the Sonoma County Community Development Commission

through a competitive process are not eligible (Does not apply for existing housing projects.)

9. Basic project financing schedules to include the following:
 - a. A sources and uses of funds table to include the required estimate of construction costs. (Does not apply to existing housing.)
 - b. A detailed estimate of anticipated project construction costs prepared by either a general construction contractor deemed reasonably qualified to construct the project or a professional cost estimating firm. (Does not apply to existing housing.)
 - c. A twenty (20) year operating period pro forma cash flow analysis presenting anticipated initial contract rents for all units, both assisted and unassisted through PBV. (Does not apply to existing housing.)
 - d. For existing housing only: Operating proforma statement and current year operating budget including estimated Section 8 subsidy amount.
10. The proposed term of the HAP contract; and
11. Such other information as the Housing Authority believes necessary as identified in the Public Notice, RFP/application, or in the selection and/or ranking criteria.

Other Requirements

The application will inform applicants that the following items must be completed before the Housing Authority can execute an Agreement or Housing Assistance Payments Contract with any selected owner.

1. Establish the rents in accordance with Section 983.
2. Complete a subsidy layering contract rent review when required. Property must meet applicable eligibility requirements under Section 983, including eligible and ineligible properties, other Federal requirements, and site and neighborhood standards.
3. Obtain environmental clearance in accordance with Section 983. ~~(Does not apply to existing housing.)~~ In cases of existing housing the responsible entity ("RE") must determine whether or not PBV assistance is categorically excluded from review under the National Environmental Policy Act and whether or not the assistance is subject to review under the laws and authorities listed in 24 CFR 58.5.
4. For rehabilitation projects, the owner must prepare work write-ups and, where determined necessary by the Housing Authority, specifications and plans. The Housing Authority has flexibility to determine the appropriate documentation to be submitted by the owner based on the nature of the identified rehabilitation. The

work write-ups must address the specific work items identified by the Housing Authority.

5. For existing and rehabilitation projects, the owner must have an accessibility survey completed for the property. Accessibility survey should include all common areas and areas available to the general public, all walkways, parking areas, and units designated as accessible. If deficiencies exist a transition plan must be submitted.
6. Before an Agreement is executed for new construction units, the owner must submit the design architect's certification that the proposed new construction reflected in the working drawings and specifications complies with housing quality standards, local codes and ordinances, and zoning requirements.

F. FACTORS FOR SELECTING APPLICATIONS

The following factors will be used by the Housing Authority to select applications for the PBV Program:

- Site
- Design
- Previous Experience of Owner and Participants in Development, Marketing and Management of Affordable Low-income Housing
- Feasibility of the Project as a Whole (including likelihood of financing and marketability)
- Local Objectives
- Units are Located Outside Areas/Census Tracts of Minority or Poverty Concentration as defined by HUD
- Design exceeds the requirements for ADA accessible units identified in 24 CFR § 8.22 and 24 CFR 983
- Design meets the requirements for Design and Construction in 24 CFR § 100.205

G. OTHER PROGRAM GUIDELINES

The following guidelines apply to all projects awarded with project-based assistance.

Contract Term

The initial term of the Housing Assistance Payment Contract may be up to 20 years and is subject to future availability of appropriations and future availability of funding under the Housing Authority's Annual Contribution Contracts.

PBV HAP Contract Extension

The Housing Authority may agree to enter into an extension of the HAP contract at the time of the initial HAP contract execution or anytime before the expiration of the contract

if the Housing Authority determines an extension is appropriate to continue providing affordable housing for low-income families. The maximum term for an extension of the HAP contract is 20 years. The Housing Authority may allow multiple extensions, however, such extensions shall not exceed 20 years, cumulatively. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension.

The Housing Authority will provide the owner 12-month's notice of the expiration of the PBV HAP contract, and invite the owner to submit a letter requesting an extension. The Housing Authority may extend the term of the contract administratively, without an open competition, for one or more additional terms of up to 20 years total if the Housing Authority determines an extension is required for the project to continue providing housing for low-income families at or below 50% AMI.

Extension of PBV HAP contracts will be considered on a case by case basis, including whether (a) to extend for a full 20 years or a shorter timeframe, and (b) the project is able continue housing families at or below 50% AMI with a smaller number of PBVs than originally approved (i.e. reduce the number of PB units at the property). When determining whether or not to extend an expiring PBV contract, for how long, and the number of units, the Housing Authority within its sole discretion will consider several factors including, but not limited to:

- The total HAP cost of the contract extension and the amount of available budget authority;
- The staffing capacity of the Housing Authority to continue administering the PBV contract;
- The condition of the contract units;
- The owner's record of compliance with obligations under the HAP contract and lease(s);
- Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities;
- Evidence of financial needs of the property (including an examination of operating, reserve, and other budgets and financial documentation);
- Demonstrated need of the minimum number of project based vouchers required to achieve long-term affordability of the housing including (i) financing debt for rehabilitation activity, (ii) meeting the contractual obligation to rent to households at or below 50% of AMI, and (iii) covering a reasonable operating deficit;
- Current demand for the units by households with tenant based or project based assistance; and
- Whether the funding could better serve extremely low-income households at another property seeking PBV assistance (or new construction project), or in the tenant based voucher program.

Tenant Selection

Many of the policies and provisions of the tenant-based voucher regulations also apply to the PBV program. This includes requirements related to determining eligibility and

waiting list preferences. The Housing Authority will centrally maintain project-specific waitlists for developments with project based vouchers. During times of open waitlist, applicants will be selected for placement on each waitlist according to a random lottery. Placement on the waitlist will be assigned according to a randomly assigned applicant ID number. When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the Housing Authority will first refer families who require such features to the owner in the order of their applicant ID number. use the same selection preferences that are used for the tenant-based voucher program. The provisions of the tenant-based voucher regulations that do not apply to the PBV program are listed at 24 CFR 983.2.

HUD regulations mandate that the Housing Authority apply income targeting requirements that require 75% of the families admitted to the Section 8 Housing Choice Voucher Program (including PBV) be families whose annual income does not exceed 30% of Area Median Income (AMI). Consequently, the Housing Authority may require the residents of units selected to be project-based to meet this income requirement.

Applicants who will occupy vacant or turnover units with PBV assistance are selected from the appropriate PBV Housing Authority's waiting list. If there are vacant or turnover units specified for a specific population (i.e. disabled or elderly) and there are no applicants on the PBV waitlist needing that type of unit, the Housing Authority may draw names from its Section 8 waitlist. The Housing Authority uses its existing Section 8 tenant-based waiting list to refer applicants for vacant project-based units. At times the Housing Authority Section 8 HCV and PBV waitlists are open simultaneously, the Housing Authority must ensure that applicants applications for all open waitlists are made available.

Families that have previously been issued a tenant based voucher and are interested in leasing a vacant project based unit may surrender their tenant based voucher and move into the project based unit, without having to reapply to the SCHA waiting list. All other eligibility factors, including income targeting apply. At the end of the project based lease term, the family may be eligible to receive another tenant based voucher if they want to move and tenant based vouchers are available to be issued (see Family Choice to Move with Continued Assistance on page 21-11 for more information).

~~When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the Housing Authority will first refer families who require such features to the owner.~~

Disapproval By Landlord [24 CFR 983.251(E)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list or any other PBV waitlists. Rejection by the PBV owner, however, shall be grounds for removal from the PBV site-based wait-list. Upon request, the owner shall provide the Housing Authority with the basis for which an applicant was denied admission.

Moves

Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.259]

If the Housing Authority determines that a family is occupying a wrong size unit, based on the Housing Authority's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, the Housing Authority must promptly notify the family and the owner of this determination, and the Housing Authority must offer the family the opportunity to receive continued housing assistance in another unit.

If the Housing Authority offers the family a tenant-based voucher, the Housing Authority must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by the Housing Authority).

If the Housing Authority offers the family another form of assistance that is not a tenant-based voucher, such as another PBV unit, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by the Housing Authority, or both, the Housing Authority must terminate the housing assistance payments for the unit at the expiration of a reasonable period, generally 30 days from the date of the offer to accept the offer and move out of the PBV unit.

If the family does not move out within this 30-day time frame, the Housing Authority will terminate the housing assistance payments at the expiration of this 30-day period. The Housing Authority may make exceptions to this 30-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

Family Choice to Move with Continued Assistance

A family who resides in a Project Based Voucher unit for at least twelve (12) months may move with continued assistance with a tenant-based Housing Choice Voucher or its equivalent if and when one is available. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to the Housing Authority. If the family wishes to move with continued tenant-based assistance, the family must contact the Housing Authority to request the rental assistance prior to providing notice to terminate the lease. If the family terminates the lease in accordance with these requirements, the Housing Authority will offer the family the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, the Housing Authority will give the family priority to receive the next available opportunity for continued tenant-based assistance. If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

Rent Calculation

HUD regulations provide that the PBV rents must be rent reasonable in relation to rents charged in the private market for comparable unassisted units in the area. The Housing Authority will use its standard Rent Reasonableness determinations (See Chapter 11).

Contract rents are limited to 110% of the established FMR or HUD-approved “exception payment standard” and include the utility allowance for both the initial rent and annual adjustments.

For certain tax credit units, the rent limits are determined differently than for other PBV units. The Housing Authority will follow HUD regulations in determining rent limits for these units.

The Housing Authority will provide PBV assistance only in accordance with HUD subsidy layering regulations (24 CFR 4.13) and other requirements. When a subsidy layering review is conducted, the Housing Authority may not enter an Agreement or HAP contract until HUD or an independent entity approved by HUD has conducted any required subsidy layering review and determined that the PBV assistance is in accordance with HUD subsidy layering requirements.

The subsidy layering review is intended to prevent excessive public assistance for the housing by combining (layering) housing assistance payment subsidy under the PBV program with other governmental housing assistance from federal, state, or local agencies, including assistance such as tax credits.

NOTE: When determining comparability, the units in the building receiving a Low Income Housing Tax Credits (LIHTC) shall not be used since these units are considered to be assisted units.

GLOSSARY

A. ACRONYMS USED IN SUBSIDIZED HOUSING

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustment.
ACC	Annual Contributions Contract
ADA	Americans with Disabilities Act of 1990
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as "the regulations". The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement a statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
ELI	Extremely low income
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FmHA	Farmers Home Administration
FMR	Fair Market Rent
FSS	Family Self-Sufficiency (Program)
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GR	Gross Rent
HAP	Housing Assistance Payment
HCV	Housing Choice Voucher
HCDA	Housing and Community Development Act
HQS	Housing Quality Standards
HUD	The Department of Housing and Urban Development or its designee.
IG	Inspector General
IGR	Independent Group Residence

IPA	Independent Public Accountant
IRA	Individual Retirement Account
IRS	Internal Revenue Service
LBP	Lead-based paint
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
MTCS	Multi-family Tenant Characteristics System (now the Form HUD-50058 submodule of the PIC system)
NOFA	Notice of funding availability
OMB	Office of Management and Budget
PASS	Plan for Achieving Self-Support
PHA	Public Housing Agency
PHRA	Public Housing Reform Act of 1998 (also known as the Quality Housing and Work Responsibility Act)
PIC	PIH Information Center
PIH	(HUD Office of) Public and Indian Housing
PMSA	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
PSH	Permanent Supportive Housing
QC	Quality Control
QHWRA	Quality Housing and Work Responsibility Act of 1998 (also known as the Public Housing Reform Act)
<u>RCF</u>	<u>Residential Care Facility</u>
REAC	(HUD) Real Estate Assessment Center
RTA	Request for tenancy approval
RFP	Request for Proposals
RRP	Rental Rehabilitation Program
SEMAP	Section 8 Management Assessment Program
SRO	Single Room Occupancy
SSA	Social Security Administration

SSI	Supplemental security income
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area.
TANF	Temporary assistance for needy families
TR	Tenant Rent
TTP	Total Tenant Payment
UA	Utility Allowance
URP	Utility Reimbursement Payment
VAWA	Violence Against Women Reauthorization Act of 2005

B. GLOSSARY OF TERMS IN SUBSIDIZED HOUSING

ABSORPTION. This term is used in portability, which means renting a unit outside the jurisdiction of the Initial Housing Authority. Absorption is when the receiving Housing Authority uses funds available under its own ACC, rather than billing the Initial Housing Authority for assistance on behalf of a portability family.

ACC RESERVE ACCOUNT (FORMERLY "PROJECT RESERVE"). Account established by HUD from amounts by which the maximum payment to the Housing Authority under the consolidated ACC (during a Housing Authority fiscal year) exceeds the amount actually approved and paid. This account is used as the source of additional payments for the program when the annual HAP payments exceed the amount budgeted for that year.

ACCESSIBLE. The facility or portion of the facility can be approached, entered, and used by individuals with mobility impairments.

ADJUSTED INCOME (or Adjusted Annual Income). The family's annual income, less allowable HUD deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the Housing Authority for administration of the program. See §982.152.

ADMINISTRATIVE FEE RESERVE (ALSO KNOWN AS "UNRESTRICTED NET ASSETS). Account established by Housing Authority from administrative fee income savings due to prudent program management. The administrative fee reserve must be used for housing purposes. See §982.155. Administrative fee reserves from FY 2004 and later are further restricted to activities related to the provision of tenant-based rental assistance authorized under Section 8.

ADMINISTRATIVE PLAN. The HUD required written policy of the Housing Authority governing its administration of the Section 8 Housing Choice Voucher Program. The Administrative Plan and any revisions must be approved by the Housing Authority's board and included as a supporting document to the Housing Authority Plan. See §982.54.

ADMISSION. The point when the family becomes a participant in the program. The date used for this purpose is the effective date of the first HAP contract for a family (first day of initial lease term) in a tenant-based program.

ANNUAL BUDGET AUTHORITY. The maximum annual payment by HUD to a Housing Authority for a funding increment.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A written contract between HUD and a Housing Authority. Under the contract HUD agrees to provide funding for operation of the program, and the Housing Authority agrees to comply with HUD requirements for the program

ANNUAL INCOME. The anticipated total Annual Income of an eligible family from all sources for the 12-month period following the date of determination of income, computed in accordance with the regulations.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) less the HUD-approved allowances.

APPLICANT. (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

AREA EXCEPTION RENT. Rent based on a HUD-approved payment standard amount that is higher than the basic range for a designated part of the fair market rent area ("exception area").

ASSETS. (See Net Family Assets.)

ASSISTED TENANT. A tenant who pays less than the market rent as defined in the regulations. Includes tenants receiving rent supplement, Rental Assistance Payments, or Section 8 assistance and all other 236 and 221 (d)(3) BMIR tenants, except those paying the 236 market rent or 120% of the BMIR rent, respectively.

BUDGET AUTHORITY. An amount authorized and appropriated by Congress for payment to HAs under the program. For each funding increment in a Housing Authority program, budget authority is the maximum amount that may be paid by HUD to the Housing Authority over the ACC term of the funding increment.

VOUCHER HOLDER. A family holding a voucher which has not expired.

CHILD CARE EXPENSES. Amounts paid by the family for the care of minors under 13 years of age where such care is necessary to enable a family member to be employed or for a household member to further his/her education.

CO-HEAD. An adult individual in the household who is equally responsible for the lease with the Head of Household. A family may have a spouse or co-head, but not both. A co-head never qualifies as a dependent.

CONGREGATE HOUSING. Housing for elderly persons or persons with disabilities that meets the HQS for congregate housing

COOPERATIVE. A dwelling unit owned and or shared by a group of individuals who have individual sleeping quarters and share common facilities such as kitchen, living room and some bathrooms.

CONTIGUOUS MSA. In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial Housing Authority is located.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

CONTRACT. (See Housing Assistance Payments Contract.)

DEPENDENT. A member of the family household (excluding foster children) other than the family head or spouse, who is under 18 years of age or is a Disabled Person, or is a full-time student 18 years of age or over.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled family members which enable a family member (including the disabled family member) to work.

DISABLED PERSON. A person who is any of the following:

A person who has a disability as defined in section 223 of the Social Security Act. (42 U.S.C.423).

A person who has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently; and is of such a nature that ability to live independently could be improved by more suitable housing conditions.

A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)).

DISABLED FAMILY. A family where the head (including co-head), spouse or sole member is a person with a disability.

DISPLACED PERSON/FAMILY. A person or family displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802)).

DRUG TRAFFICKING. The illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute or use, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

ELDERLY FAMILY. A family whose head (including co-head), spouse or whose sole member is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

ELDERLY PERSON. A person who is at least 62 years old.

EXCEPTION RENT. An amount that exceeds the published fair market rent.

EXTREMELY LOW-INCOME FAMILY. A family whose annual income does not exceed 30 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

FAIR MARKET RENT (FMR). The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of modest (non-luxury) nature with suitable amenities. Fair market rents for existing housing are established by HUD for housing units of varying sizes (number of bedrooms) and are published in the *Federal Register*.

FAMILY. "Family" includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

A single person who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or

A group of persons residing together, and such group includes, but is not limited to:

- A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);
- An elderly family;
- A near-elderly family;
- A disabled family;
- A displaced family;
- The remaining member of a tenant family

FAMILY SELF-SUFFICIENCY PROGRAM (FSS PROGRAM). The program established by a Housing Authority to promote self-sufficiency of assisted families, including the

provision of supportive services.

FAMILY SHARE. The amount calculated by subtracting the housing assistance payment from the gross rent.

FAMILY UNIT SIZE. The size of the voucher issued to the family based on the Housing Authority's subsidy standards.

FMR/EXCEPTION RENT LIMIT. The fair market rent published by HUD headquarters. In the voucher program the Housing Authority may adopt a payment standard up to the 110% of the FMR/exception rent limit.

FOSTER CHILD CARE PAYMENT. Payment to eligible households by state, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is attending school or vocational training on a full-time basis.

FUNDING INCREMENT. Each commitment of budget authority by HUD to a Housing Authority under the consolidated annual contributions contract for the Housing Authority program.

GENDER IDENTITY. Actual or perceived gender-related characteristics.

GROSS RENT. The sum of the Rent to Owner and the utility allowance. If there is no utility allowance, Rent to Owner equals Gross Rent.

GROUP HOME. A dwelling unit that is licensed by a State as a group home for the exclusive residential use of two to twelve persons who are elderly or persons with disabilities (including any live-in aide).

HAP CONTRACT. (See Housing Assistance Payments contract.)

HEAD OF HOUSEHOLD. The adult member of the household who is designated by the family as head. This is the person who assumes legal and financial responsibility for the household and is listed on the application as head. Emancipated minors who qualify under the State law will be recognized as head of household.

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974. Act in which the U.S. Housing Act of 1937 (sometimes referred to as the Act) was re-codified, and which added the Section 8 Programs.

HOUSING ASSISTANCE PAYMENT. The monthly assistance payment by a Housing Authority. The total assistance payment consists of:

A payment to the owner for rent to owner under the family's lease.

An additional payment to the family if the total assistance payment exceeds the rent to owner. The additional payment is called a "utility reimbursement" payment.

HOUSING ASSISTANCE PAYMENTS CONTRACT. (HAP contract). A written contract between a Housing Authority and an owner in the form prescribed by HUD headquarters, in which the Housing Authority agrees to make housing assistance payments to the owner on behalf of an eligible family.

HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the tenant-based programs.

HUD FORM 50058: The HUD form that Housing Authorities are required to complete for each assisted household in order to record information used in the certification and re-certification process, and for interim examination.

HUD REQUIREMENTS. HUD requirements for the Section 8 Program are issued by HUD headquarters as regulations, Federal Register notices or other binding program directives.

IMPUTED ASSET. Asset disposed of for less than Fair Market Value during two years preceding examination or reexamination.

IMPUTED INCOME. HUD passbook rate x total cash value of assets. Calculation used when assets exceed \$5,000.

INITIAL PHA. In portability, the term refers to both:

A Housing Authority that originally selected a family that later decides to move out of the jurisdiction of the selecting Housing Authority; and

A Housing Authority that absorbed a family that later decides to move out of the jurisdiction of the absorbing Housing Authority.

INITIAL PAYMENT STANDARD. The payment standard at the beginning of the HAP contract term.

INITIAL RENT TO OWNER. The rent paid to owner by the Housing Authority at the beginning of the initial contract term.

INCOME. Income from all sources of each member of the household as determined in accordance with criteria established by HUD.

INCOME FOR ELIGIBILITY. Annual Income.

JURISDICTION. The area in which the Housing Authority has authority under State and local law to administer the program.

LANDLORD. This term means either the owner of the property or his/her representative or the managing agent or his/her representative, as shall be designated by the owner.

LEASE. A written agreement between an owner and a tenant for the leasing of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP contract between the owner and the Housing Authority. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement establishes the conditions for occupancy of the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the Housing Authority.

LEASE ADDENDUM. See Tenancy Addendum

LIVE-IN AIDE. A person who resides with an elderly person or disabled person and who:

Is determined to be essential to the care and well-being of the person.

Is not obligated for the support of the person.

Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the Housing Authority to select among applicant families.

LOW-INCOME FAMILY. A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

MANUFACTURED HOME. A manufactured structure that is built on a permanent chassis, is designed for use as a principal place of residence, and meets the HQS. A special housing type. See 24 CFR 982.620 and 982.621.

MANUFACTURED HOME SPACE. In manufactured home space rental: A space leased by an owner to a family. A manufactured home owned and occupied by the family is located on the space. See 24 CFR 982.622 to 982.624

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. A deduction for Elderly Households only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of Annual Income.

MINOR. A member of the family household (excluding foster children) other than the family head or spouse who is under 18 years of age.

MIXED FAMILY. A family with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3)

MONTHLY ADJUSTED INCOME. 1/12 of the Annual Income after Allowances or Adjusted Income.

MONTHLY INCOME. 1/12 of the Annual Income.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NEAR-ELDERLY FAMILY. A family whose head (including co-head), spouse or sole member is a person who is at least 50 years of age but below the age of 62; or two or more persons who are at least 50 years of age but below the age of 62, living together; or one or more persons who are at 50 years of age but below the age of 62.

NET FAMILY ASSETS. Value of equity in savings, checking, IRA and Keogh accounts, real property, stocks, bonds, and other forms of capital investment. The value of necessary items of personal property such as furniture and automobiles is excluded from the definition.

NET FAMILY CONTRIBUTION. Former name for Tenant Rent.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. Standards established by a Housing Authority to determine the appropriate number of bedrooms for families of different sizes and compositions.

OPT OUT: Rental housing projects which have contracts with HUD that are expiring and the owner decides not to renew the contract.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A family that has been admitted to the Housing Authority's voucher program. The family becomes a participant on the effective date of the first HAP contract executed by the Housing Authority for the family (First day of initial lease term).

PAYMENT STANDARD. The maximum subsidy payment for a family (before deducting the family contribution). The Housing Authority sets a payment standard in the range from 90 to 110 percent of the current FMR/exception rent limit.

PERMANENT SUPPORTIVE HOUSING. Housing model that combines low barrier affordable housing and supportive housing to help individuals and families lead more stable lives.

PERSONS WITH DISABILITIES. Individuals with any condition or characteristic that renders a person an individual with a disability as defined in 24 CFR 8.2.

PHA PLAN. The Public Housing Agency Plan which includes an annual plan and 5-year plan. It must be adopted by the Housing Authority and approved by HUD in accordance with 24 CFR part 903.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the initial Housing Authority.

PORT-IN FAMILIES: Families that are moving their Section 8 assistance into a new jurisdiction.

PREMISES. The building or complex in which the dwelling unit is located, including common areas and grounds.

PRIVATE SPACE. In shared housing: The portion of a contract unit that is for the exclusive use of an assisted family.

PROGRAM. The Section 8 Housing Choice Voucher rental assistance program.

PROGRAM RECEIPTS. HUD payments to the Housing Authority under the consolidated ACC, and any other amounts received by the Housing Authority in connection with the program.

PROJECT. A single building, multiple contiguous buildings, or multiple buildings on contiguous parcels of land. Single family homes, duplexes, triplexes, and four-plexes may constitute a project. The units as defined in Attachment A of a Project Based Voucher (PBV) contract.

PUBLIC ASSISTANCE. Welfare or other payments to families or individuals, based on need, which are made under programs funded, separately or jointly, by Federal, state, or local governments.

PUBLIC HOUSING AGENCY (PHA). PHA includes any State, county, municipality or other governmental entity or public body which is authorized to administer the program (or an agency or instrumentality of such an entity), or any of the following:

A consortia of housing agencies, each of which meets the qualifications in paragraph (1) of this definition, that HUD determines has the capacity and capability to efficiently administer the program (in which case, HUD may enter into a consolidated ACC with any legal entity authorized to act as the legal representative of the consortia members).

Any other public or private non-profit entity that was administering a Section 8 tenant-based assistance program pursuant to a contract with the contract administrator of such program (HUD or a Housing Authority) on October 21, 1998; or

For any area outside the jurisdiction of a Housing Authority that is administering a tenant-based program, or where HUD determines that such Housing Authority is not administering the program effectively, a private non-profit entity or a governmental entity or public body that would otherwise lack jurisdiction to administer the program in such area.

QUALITY HOUSING AND WORK RESPONSIBILITY ACT (QHWRA): It enacted substantial revisions to the laws governing the Section 8 Program. QHWRA was attached to the Fiscal Year 1999 appropriations bill (H.R. 4194) and amends the United States Housing Act of 1937.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market, and not more than the rent charged for comparable unassisted units in the premises.

RECEIVING Housing Authority. In portability: An Housing Authority that receives a family selected for participation in the tenant-based program of another Housing Authority. The receiving Housing Authority issues a voucher and provides program assistance to the family.

RECERTIFICATION. Sometimes called reexamination. The process of securing documentation of total family income used to determine the rent the tenant will pay for the next 12 months if there are no additional changes to be reported. There are annual and interim recertifications.

REMAINING MEMBER OF TENANT FAMILY. Person left in assisted housing after other family members have left and become unassisted.

RENT TO OWNER. The total monthly rent payable to the owner under the lease for the unit. Rent to owner covers payment for any housing services, maintenance and utilities that the owner is required to provide and pay for.

~~**RESIDENCY PREFERENCE.** A Housing Authority preference for admission of families that reside anywhere in a specified area, including families with a member who works or has been hired to work in the area (“residency preference area”).~~

~~**RESIDENCY PREFERENCE AREA.** The specified area where families must reside to qualify for a residency preference.~~

RESIDENT ASSISTANT. A person who lives in an Independent Group Residence and provides on a daily basis some or all of the necessary services to elderly and disabled individuals receiving Section 8 housing assistance and who is essential to these individuals' care or wellbeing. A Resident Assistant shall not be related by blood, marriage or operation of law to individuals receiving Section 8 assistance nor contribute to a portion of his/her income or resources towards the expenses of these individuals.

RESIDENTIAL CARE FACILITY. A

non-medical facility that provides room, meals, housekeeping, personal care assistance, etc.

RESPONSIBLE ENTITY. For the public housing and Section 8 tenant-based assistance, project-based certificate assistance and moderate rehabilitation program, the responsible entity means the Housing Authority administering the program under an ACC with HUD. For all other Section 8 programs, the responsible entity means the Section 8 owner.

SECRETARY. The Secretary of Housing and Urban Development.

SECURITY DEPOSIT. A dollar amount which can be applied to unpaid rent, damages or other amounts to the owner under the lease.

SENIOR. See Elderly Person.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SEXUAL ORIENTATION. Homosexuality, heterosexuality, or bisexuality.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the Housing Authority waiting list or without considering the applicant's waiting list position.

SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for SRO housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPOUSE. The husband or wife of the head of the household.

SUBSIDIZED PROJECT. A multi-family housing project (with the exception of a project owned by a cooperative housing mortgage corporation or association) which receives the benefit of subsidy in the form of:

Below-market interest rates pursuant to Section 221(d)(3) and (5) or interest reduction payments pursuant to Section 236 of the National Housing Act; or

Rent supplement payments under Section 101 of the Housing and Urban Development Act of 1965; or

Direct loans pursuant to Section 202 of the Housing Act of 1959; or

Payments under the Section 23 Housing Assistance Payments Program pursuant to Section 23 of the United States Housing Act of 1937 prior to amendment by the Housing and Community Development Act of 1974;

Payments under the Section 8 Housing Assistance Payments Program pursuant to Section 8 of the United States Housing Act after amendment by the Housing

and Community Development Act unless the project is owned by a Public Housing Agency;

A Public Housing Project.

SUBSIDY STANDARDS. Standards established by a Housing Authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD UNIT. Substandard housing is a dwelling that is dilapidated and does not provide safe, adequate shelter and it endangers the health, safety and well-being of the occupants.

SUSPENSION/TOLLING. Stopping the clock on the term of a family's voucher, for such period as determined by the Housing Authority, from the time when the family submits a request for Housing Authority approval to lease a unit, until the time when the Housing Authority approves or denies the request.

TENANCY ADDENDUM. In the lease between the tenant and the owner, the lease language required by HUD.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TENANT RENT. The amount payable monthly by the family as rent to the unit owner.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNIT. Residential space for the private use of a family.

UTILITIES. Utilities means water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

UTILITY ALLOWANCE. If the cost of utilities (except telephone) including range and refrigerator, and other housing services for an assisted unit is not included in the Contract Rent but is the responsibility of the family occupying the unit, an amount equal to the estimate made or approved by a Housing Authority or HUD of a reasonable consumption of such utilities and other services for the unit by an energy conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthy living environment.

UTILITY REIMBURSEMENT PAYMENT. The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.

VERY LOW INCOME FAMILY. A Lower-Income Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

VETERAN. A person who has been discharged or released from active duty in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard under conditions other than dishonorable discharge including “clemency discharges.”

VIOLENT CRIMINAL ACTIVITY. Any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage.

VOUCHER HOLDER. A family holding a voucher with an unexpired term (search time).

VOUCHER PROGRAM. The Housing Choice Voucher program.

WAITING LIST ADMISSION. An admission from the Housing Authority waiting list.

WAITING LIST. A list of families organized according to HUD regulations and Housing Authority policy who are waiting for subsidy to become available.

WELFARE ASSISTANCE. Income assistance from Federal or State welfare programs, including assistance provided under TANF and general assistance. Does not include assistance directed solely to meeting housing expenses, nor programs that provide health care, child care or other services for working families.

C. GLOSSARY OF TERMS USED IN THE NONCITIZENS RULE

CHILD. A member of the family other than the family head or spouse who is under 18 years of age.

CITIZEN. A citizen or national of the United States.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

HEAD OF HOUSEHOLD. The adult member of the family who is the head of the household for purpose of determining income eligibility and rent.

HUD. Department of Housing and Urban Development.

INS. The U.S. Immigration and Naturalization Service.

MIXED FAMILY. A family whose members include those with citizenship or eligible immigration status and those without citizenship or eligible immigration status.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NONCITIZEN. A person who is neither a citizen nor nation of the United States.

PHA. A housing authority- either a public housing agency or an Indian housing authority or both.

RESPONSIBLE ENTITY. The person or entity responsible for administering the restrictions on providing assistance to noncitizens with ineligible immigration status (the Housing Authority).

SECTION 214. Section 214 restricts HUD from making financial assistance available for noncitizens unless they meet one of the categories of eligible immigration status specified in Section 214.

SPOUSE. Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common-law marriage. It does not cover boyfriends, girlfriends, significant

Attachment 3

Summary of Public Comment

Below is a brief summary of the common threads of both opposition and support identified within the public comment received as of 5:00 PM on Wednesday, May 15, 2019. All public comment is included as an attachment to this summary. Public comment received after May 15, 2019, will be presented at the public hearing on May 22, 2019.

Common Threads Included in Opposition:

We received a significant amount of public comment (109 comments as of May 15th at 5PM) in strong opposition to the cancelation of the existing waitlist and the transition to a lottery based system. A lesser number of those people opposed the removal of the residency preference. Comments included feelings of anger, shock, dismay, hopelessness, and fear. There is a strong sense within the public comment that people were fearful that even if their wait may be unknowingly long, at least they were on a waitlist whereas under the proposed system they may not have that assurance.

There was also a thread of opposition amongst those currently residing within the jurisdiction of the Housing Authority who have been waiting patiently to be reached. Many of these applicants have been waiting between five and seven years and have expected at any time to be receiving notification that their name had been reached. The letter regarding the proposed changes was a shock to them and has left them feeling emotions ranging from hopeless and crestfallen to humiliation and outrage. Several people feel as though they have been waiting and struggling for naught and will be unable to remain in Sonoma County if they are not able to receive rental assistance.

Another repeated sentiment included in the opposition was that if the waitlist does get canceled, the seniors and disabled on our current waitlist should be automatically placed on the new waitlist or that the lottery should be drawn from the existing waitlist and not opened up to new applicants.

Common Threads General Included in Support:

As of May 15, 2019, at 5PM, the Housing Authority received 39 public comments in general support of the proposed changes or in support of general changes with requests for the process operating in a slightly different manner.

Among the supportive public comment, there was a thread of support for the cancellation of the existing waitlist and creating a new waitlist via a lottery. Amongst the support, there was a feeling of optimism about the lottery system and the appreciation for the equity the new system will create. Comments include statements such as the new process will inject stability, practicality, and predictability into the system. Some expressed that they would like to live in Sonoma County to be near their family or because of the general inclusive nature amongst the County, but they will be unable to ever reside here unless they can receive rental assistance. There was also a thread included in the support that the proposed system would actually give people a chance at housing that doesn't exist within the current system.

There was also a distinctive thread supporting the removal of the jurisdiction, or residency, preference included in the public comment. Supportive public comment was made on behalf of individuals with elderly parents who had to leave the area due to lack of affordability, and some who stated that the jurisdiction preference was a form of segregation.

Attachment 4 - Public Comment

Comments in General Opposition to Proposed Waitlist Changes

Mario Gallardo – Phone call, May 10, 2019 2:35 PM

This process is wasting people's time, it is wasting paper, print, postage, my time. It should be about efficiency but you are making it about job security. You are just wasting people's time and you are being paid to talk on the phone, you are probably paid to sit there right now. A status of "active" doesn't mean anything after waiting 6 or 7 years. Things are not moving at all. Maybe I will come on the 22nd and maybe they will cut staff and you won't have a job anymore.

Anonymous – Phone call, May 8, 2019 11:00 AM

I don't agree with this at all. Where is this fair where someone has been on the list for 6 years and you are proposing to cut everybody off who has been on the list, they have to reapply and there is a lottery? Someone that's a lotto winner that just got on a list when there are people who have been on the list for 6 years and has been struggling? That's not fair, no. Ridiculous, no, I am not going to agree, no.

Julie Price – Phone call, May 8, 2019 10:26 AM

I have been on the waitlist for quite some time. I live in Sonoma County and I really worry that my name will be taken off the waiting list that I have been on for so long. I have disabilities.

Joan Dow – Phone call, May 8, 2019 9:11 AM

Son has been on list for 5 years, he lives with me but can live alone. I am 90 and afraid that I will pass before he gets a chance to have a place in which case he will be homeless. Please vote against this possibility, I feel that it is not equitable for those of us who have waited so long. I have lived in Sonoma County for 40 years and think he should remain on the list.

Lana Laughlin – Phone call, May 7, 2019 5:45 PM

On the list for over 5 years now, I came up and I was not able to access the voucher. I am a family of 3 and I was hoping to get a voucher. I am hoping our names can come up before this changes so that we don't have to start over again.

Walter Young – Phone call, May 7, 2019 3:28 PM

I have been an applicant for close to two years now. I think it is kind of ridiculous and doesn't make any sense with so many who have signed up for housing and then you propose to cancel the current list and have people sign up yet again and wait as long as it may take to get on the lottery. I would advise that you do not close it down and give those people that already signed up a chance to get housing first or first dibs at getting on the lottery.

Rebecca Diaz – Phone call, May 7, 2019 9:43 AM

Mother of 3, I have been on the list since 2014. We live in one room right now, I have been struggling to find a place. I don't think it's fair to start the list over. I want to put my vote on not closing the wait list. I am alone in Sonoma County, I am only here because my job is here. I have been checking in regularly. I am so desperate to find a house for me and my kids.

Courtney Dickens – Phone call, May 10, 2019 9:35 AM

If you are already on the list, once you start the new list, everyone on the list should have the chance to get on that list and get housing.

People who were on that list had hope to get a voucher, it's not right for the list to be completely washed away. It's a gamble there's no guarantee.

Louisa- Phone call, May 06/2019 7:16 PM

I have been on the list for a long time and I need housing desperately and now I get a letter saying its going to be deleted. I need housing badly, please do not delete me. Whatever you do, lottery or whatever please put me on it. I am really nervous now, it is so disrespectful and I feel so mistreated. Please do not delete me. Thank you.

Anonymous caller – Phone call, May 6, 2019 3:03 PM

I was very shocked to get this letter as I imagine a lot of applicants are – to me it seems -- -- far more appropriate -- for residents of Sonoma County to have a preference -- for people who live and work your then people who may be live in Minnesota who are seeking an open wait list or anywhere in the country. I understand there's a long wait list -- and something about canceling your current waitlist with people who have been on the waiting list so long does not feel right, I imagine most people in Sonoma County who are on the waitlist feel this way -- and I absolutely hope that these current proposed changes are absolutely not made.

Jeanine Onofre(?) – Phone call, May 06/2019 4:57 PM

On the list for several years, 81 years old. Very upset about this plan to purge the list. It is ridiculous, will be talking to a lawyer to see how this can be stopped. This is totally unfair to those who have been playing by the rules and waiting, waiting, waiting. And then just to wipe it out is totally unacceptable.

Kim – Phone call, May 8, 2019 12:04 PM

I just got your blessed letter. I am livid, disabled, all but homeless. On wait list for over 6 years with a promise of an 8-10 wait time that I put in for. I am coming up on 55 years of age, how the heck dare you even consider this. I had put 6 or 7 years of my life waiting for an opening and now to maybe get a chance of one in 500. This is not fair, this is not acceptable. Do not do this. I have been screwed over by enough housing authorities and will not take one more.

I am mad, I am livid. Do not do this. Thank you

Anonymous caller – Phone call, May 8, 2019 9:12 PM

That would not be fair to us because we have waited for 5 years, so it is not possible that you can do this. How is this done, it's totally unfair for us. I don't think that is right, how are you going repay for those five years, are you doing it because of ...

Kevina Woodson – Phone call, May 7, 2019 2:58 PM

I'm on the current waiting list. I've been waiting for a whole year I've been looking forward to moving out there with me and my family -- I think in very unfair for you guys to close the waiting list and open a new one because if I apply what if I don't get picked.

Heather Reed – Phone call, May 08, 2019 1:37 PM

My name is Heather Reed I'm at Old Redwood Highway. And I am then on the list for a long time -- and I'm getting this message about the lottery – etc. I'm a little confused about what's going on here -- but again so my name and it's Heather Reed– Little confused about this message.

Cynthia Rose- Phone call, May 08, 2019 1:11 PM

Hi my name is Cynthia Rose and I'm opposed to the upcoming changes to your waiting list because I've been on a waiting list for four years and I don't think its fair I have to start all over. thank you.

Ray Grabner – Phone call, May 08, 2019 12:46 PM

This new lottery that you are proposing is not fair to the people that are currently on the list. If you do a lottery you should do a lottery with the people that are on the list currently and not add new people, don't you think? That's pretty simple, geniuses! I have been on the list for over 6 years.

Carla Harsh – Phone call May 7, 2019, 9:01 AM

I have been on the list for 13 years and I really don't understand, I don't feel this is right. Why should I have to start over from the bottom?

Email Comment, Louisa Malaspina, May 6, 2019, 8:20 PM

My name is Louisa Malaspina, and I have been waiting a long time for housing and have been on the wait list, I received a letter today that wants to end the wait list and make a lottery, I have heard of these lotteries, and which it really is a selective preference made by the county, and usually leaves those in need who have been waiting for years out to the streets.

I am very disappointed, and feel so humiliated, and mistreated, that i will be bumped and turned away, and turned away for many who have not waited .

what has the governor said about this ?

I want to remain on the list, i do not want to be forgotten and dumped like a piece of garbage. please do not delete me.

I need housing , and it us unfair to take a preference over those who have patiently waited so long,and are in need, its just wrong and inhumane.Have a heart, be fair , and just.

thank you Louisa malaspina

Email Comment, Elizabeth, May 6, 2019, 3:14 PM

Hello,

My name is Elizabeth.

I am the parent of a 25 yr. daughter.

She has a 56 IQ. She is Autistic.

Her name as been on the list for years now.

I thought to myself, wow...She must be getting close to the top.

I wonder if this letter is to notify us it's finally her turn to get help.

No, it was to be notified that after years of waiting we're told it was all in vain.

That SOMEBODY, decided their system wasn't working.

That SOMEBODY, decided to PENALIZE those who have been waiting YEARS!

That SOMEBODY, who probably doesnt know what waiting those years entails...

Who probably isnt homeless, who doesnt have a clue whats it like to eat or pay your rent...

Do you think its fair to NOW have a lottery?

So those who just got in line, can cut the line ahead of someone who as been waiting years!

Now you impose a local preference?

You should have thought about that a LONG TIME AGO!!!

If you have to do anything, and it would still be bad, have a lottery of the existing applicants.

Not some random person who snuck in like a thief...

Its is absolutely disgusting... What if it was one of your kids?

Would you be so understanding?

I am floored by such callousness, by your oh well attitude...

I understand you cannot help everyone ok, but dont do an about face because of your failure to control a situation you knew was uncontrollable.

Close the list until you help those who have waited all these years.

A random lottery now is unfair, and very disappointing.

I have never been so disgusted in my life.

Sonoma is a place I love...Your commission should be ashamed of yourselves.

Like I said, if it was your kid, I doubt you would be so understanding.

I don't know you could sleep at night.

Karma...

Email Comment, Tammy Jackson, May 6, 2019, 4:21 PM

Hello. I received your letter today. My name is Tammy Jackson. If I am understand this letter right everyone who has been on this waitlist for sometime, will be taken off and the have to re apply between July 1st-31th? That seems so unfair to me. Because then you go into a lottery pool of 500. If your have been on the list already for 6-7 years you might not never get on the list. So, if this takes place, do you call in or write in to be put on the new wait list application period? Very unclear. I hope it doesn't change.

Tammy Jackson

Email Comment, Angie Bryant, May 4, 2019, 9:02 AM

I am currently homeless and a disabled senior. I will be 67 years old on June 7th. I have been on the waiting list for 4 1/2 years. It doesn't seem fair to me that people who have been waiting for a voucher should have to re-apply again for the lottery. I am not young and I am in desperate need of a place to live. Thanks

Email Comment, Brenda Saetern, May 6, 2019, 4:04 PM

Attention: Martha Cheever,

On behalf of myself and my family, I feel that it is unfair to erase everyone from the waitlist to start a new lottery list. Everyone have been waiting years to be a part of housing, many are even homeless now and are still waiting. It would break a lot of people's hearts who were hoping to get a place of their own soon. It's even more devastating for those who were next in line. Everyone has been waiting for as long time. Please don't do this to everyone who have been waiting for a long time.

Best regards,

Brenda Saetern

Email Comment, Mark Connely, May 6, 2019, 11:10 PM

Sonoma County Community Development Commission

Sonoma County Housing Authority

ATTN: Martha Cheever

Dear Ms. Cheever:

I am in receipt of your letter dated May 1, 2019 concerning the hearing scheduled for May 22 to discuss proposed changes to the Sonoma County housing Authority waitlist.

I have to say that I am surprised and confused by the content of that letter. I am a Santa Rosa resident since 1995, and have been on the waitlist for housing since 2011. When I first applied, I was told I could expect a wait of 3 to 5 years. Later that changed to 7 - 8 years. I have now been waiting 9 years, and I'm shocked and dismayed to hear that you want to cancel the waitlist altogether. And while I understand there is to be a hearing to discuss various possibilities, it's clear from the tone and wording of your letter that what you want is to cancel the waitlist.

I find it daring of you to talk of subjecting people's lives to a frivolous gamble, a lottery of chance, so that they might win "an expectation of service".

How brazen! Make no mistake, Ms. Cheever, that an expectation of service *is already mine*, was already given me 9 years ago when my name was applied to the waiting list. I have and retain just such an expectation! I've struggled these past nine years to stave off homelessness, to maintain a rented room in a friend's home against even his wishes. It has cost me our friendship, and has been a source of great stress and hardship for both parties. The anxiety engendered by such a housing situation has contributed to the deterioration of my mental and physical health. XXXXX and XXXXXX render me increasingly debilitated, without the strength and resilience needed to find another way. I have waited in good faith and full confidence that my name will eventually come up on the waitlist, so don't presume to tell me that cancelling the waitlist and having "staff" draw names from a hat is now considered a fine way to provide service to me or anyone. While I realize the matter doesn't rise to the level of contract law, you nonetheless have a legal obligation to provide the service you are charged with providing, which is your job and responsibility to provide, and for the provision of which you draw a regular paycheck.

I will attend the hearing, disheartening as I fear it may be. I remain,

Your client,

Mark H. Connely

Email Comment, Drew Bassignani, May 6, 2019, 3:39 PM

Ludicrous, "an expectation of service" you say....how about the next 300 applicants now on the list....they should be served next. They and we have been waiting over 7years, the same 27,000 apps will still look need help and there will still be only 300 people helped. So why after waiting for so long shall it now be upended and changed...so that someone whom has just recently been homeless get service right away because they got lucky???...NOT COOL AT ALL....

ITS LIKE WAITING IN LINE FOR ANYTHING SHOULD YOU STAND THERE THEN HAVE THOSE IN POWER TELL YOU...OK WELL YOUR NOT NEXT WEVE DECIDED TO JUST PULL STRAWS NOW YOUVE WAITED OVER 7 YEARS!!!

GUESS AGAIN,DONT DO IT!!!

Email Comment, Drew Bassignani, May 6, 2019, 3:52 PM

You will still have 27,000 needing housing....you STILL will only to be able to help 300 why would you now upend the 900 now about to relieve housing after waiting over 10years NOTHING FAIR ABOUT THAT!!! WHY CHANGE IT....OBVIOUSLY THERES MONEY TO BE MADE OTHERWISE THEY WOULDNT SUGGEST TO CHANGE IT

Email Comment, Louisa Malaspina, May 6, 2019, 8:20 PM

My name is Louisa Malaspina, and I have been waiting a long time for housing and have been on the wait list, I received a letter today that wants to end the wait list and make a lottery, I have heard of these lotteries, and which it really is a selective preference made by the county, and usually leaves those in need who have been waiting for years out to the streets.

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I want to remain on the list, i do not want to be forgotten and dumped like a piece of garbage. please do not delete me.

I need housing , and it us unfair to take a preference over those who have patiently waited so long,and are in need, its just wrong and inhumane.Have a heart, be fair , and just.

thank you Louisa malaspina

Email Comment, Shula Zuckerman, Applicant, May 5, 2019, 6:13 PM

I, for one, have measured the years in terms how much longer it will be before I will be able to have a Section 8 Housing voucher to help defray the cost of renting my apartment in Sebastopol. I am grateful for having an apartment – for there are many who do not have a roof over their heads – but as a low-income senior, I could certainly use some assistance in the amount of rent I pay so that I can enjoy getting older without worry about my economic survival. I will have been on the Section 8 Waiting List for 6 years this coming June 2019, and I respectfully ask you to continue to fund this program. Thank you.

Shula Zuckerman

Email Comment, Stephane Krieshok, May 6, 2019, 5:15 PM

Hello Martha Cheever,

This is Stephane M. Krieshok. I have been on the wait list for Sonoma County Sec 8 housing for 8 years. I was told 8 years ago that it would be 6-8 years before my name would come up on the list. That most likely means I am **somewhere** near the **top of the list?**

If the proposed changes were to be voted in, the current list would be '**cancelled**'??!!

I am now also a senior and partially disabled. For me to have the current list cancelled, and a random lottery happen would **probably not be beneficial.**

I can not attend the public hearing on May 22nd at 10 a.m.

I would like to register my **strong disagreement** with this new proposal.

Unless you can tell me that my name is nowhere near the top of the list?

But, apparently that is against the rules.

I am in danger of becoming homeless very soon, so this new proposal is not good news for me.

I would also like to **strongly** suggest hat Sonoma County ban AirBnB.

I have no doubt that many home-owners who would otherwise be glad to list an in-law unit or extra room as 'available for Sec 8 occupants' are now instead opting to make more money 'renting' their extra unit or extra room to lovers of online convenience and cheaters of hotel/motel taxes.

Thank you for your time and attention,
Stephane M. Krieshok

Email Comment, Cathleen Springer, Applicant, May 7, 2019, 12:30 PM

I am a 70-year-old grandma whose patience just flew out the window after reading the May 1 SCCDC letter regarding housing vouchers in Sonoma County. Are you kidding me? A friggin' lottery system open to ALL? I can't begin to tell you how negatively this will impact my world. Such a update (scha.update), indeed. This is disastrous for many who have need and who are patiently awaiting their rise to the top of the voucher list. I vote for the first-come, first-served approach.

While on the surface, it looks as though this lottery system may be advantageous, as it opens the field up to those who do not currently live in Sonoma County, nor who have been waiting on the current list the balance of fairness is out the window.

It just feels gutting. It feels bad. At least first serve those who are awaiting good news for a housing voucher. Close your list, but keep those of us who have applied in the last, say 3 to 5 years, as is. Then after these people have received a voucher, lottery away, if you must.

Sincerely,
Cathleen Springer

Email Comment, Michelle Lutz, Applicant, May 6, 2019, 4:01 PM
Dear to whom it may concern,

I can't make it to the housing hearing.

My comment is I have been on your waitlist voucher list since March 2014 and If the new program gets approved will that automatically kick me off the list that i have already been on since 2014. My concern is what affects it will have on me for being on list for so long.

Thank you Michelle Spencer /AKA Michelle Lutz application # 14010100

Email Comment, Mary Anne Heffernan, Applicant, May 6, 2019, 3:56 PM

I would like to include my comments regarding the possibility of changing the current waiting list.

I understand your need to close the list so that no more names are added but those of us who have been on the list for years should still be preferentially in line for the upcoming spaces.

The idea that we are going to have to start over and may not even make it onto the waiting list after we've been waiting for years is just wrong!

The idea that there will be no preferences for people with disabilities, seniors or people with children doesn't seem right either.

About nine months ago you sent a letter asking us to let you know whether the location we are currently living accepts housing and I understood that meant we would be moved to the top of the list. Now that would be going away too!

I think something that might make more sense would be to try to send out a notification to the 26,000 households that are on your list and give everybody 30 days to respond and let you know if they are still interested in being on the list. I would guess that a lot of those people don't even live in the county anymore or don't need the housing anymore or may not qualify. At least that would pair down the list so that you weren't working with so many names and maybe can come up with another plan to help those of us who have been waiting for years instead of kicking us off and we start over. By doing this you would be opening a new list that people who may not have ever been on it at all could suddenly become number one or number 10 while those of us who have been on the list for years won't get on in the list at all. That just seems like the wrong way to serve the people of Sonoma who have been waiting so patiently.

I hope that you are able to come up with a better solution.

Sincerely ,

Mary Anne Heffernan

Email Comment, Ellie Madden, Applicant, May 6, 2019, 8:42 PM

To whom it may concern,

Please allow me to introduce myself. My name is Ellie Madden and I have been on the waitlist for a voucher for five years now. I have two children and I am disabled receiving Social Security benefits. In this tough economy with a horrible housing market in Sonoma County, this new plan to eliminate the waitlist is scaring me.

I really need to get a voucher so that we can find and maintain affordable housing in Sonoma County where I am born and raised. I do feel like there should be some changes to the HUD program, like stopping taking people from other states or counties and focus on housing the people that live in Sonoma County.

I'm not sure eliminating the waitlist and starting over is the right answer. Would there still be preference to seniors, veterans, people with disabilities and people with children under 18? To me those are really important populations to serve.

Thank you for inviting comments and concerns. I can't make it to the meeting but those are my comments.

Respectfully,

Ellie Marie Madden

Email Comment, Rickey Carthon, May 7, 2019, 7:10 PM

ATTENTION: MARTHA CHEEVER

MY NAME IS RICHARD CARTON HERE IS MY INPUT ON CANCELING THE CURRENT WAITLIST IS NOT FAIR FOR THOSE APPLICANTS WHO HAS BEEN ON THE CURRENT WAITLIST FIVE PLUS YEARS ANTICIPATING A FEDERAL HOUSING CHOICE VOUCHER WHEN CURRENT TIMES IS HARD TO PAY RENT EXTREMELY HARD FOR A SINGLE PARENT LIKE MYSELF WORKING TWO JOBS ONE THE CITY OF SANTA ROSA AND RICHMOND JUST TO PAY BILLS AND TAKE CARE OF MY SON HERE'S A SUGGESTION MY OPINION ONLY THE APPLICANTS WHO IS CURRENTLY WAITING FOR ADEQUATE HOUSING LIKE MYSELF AND MY FAMILY SHOULD BE GIVEN A CHOICE VOUCHER BEFORE SONOMA COUNTY HOUSING AUTHORITY DO AWAY WITH THE CURRENT WAITLIST THIS IS JUST MY

OPINION

YOURS TRULY,

RICHARD CARTHON

Email Comment, Dana Britomaris, May 6, 2019 7:19 PM

Dear Development Commissioners:

The proposed change from a first come, first served waitlist system to a lottery system would only exacerbate a problem that is already doing great harm to a significant percentage of Sonoma County's population. The proposed change would establish a system in which it doesn't matter how quick one is to apply, once a person has lost their housing, nor how diligent one is in keeping the Commission up to date on mailing address, etc., the outcome is random. This would only increase the sense of futility and the despair of people who, like me, have lost their housing through deceit (as when the county auctions off properties it knows it will never allow the buyers to use) and not through being bad tenants. It will still take 90 years to serve 26,000 households; the only difference is that there would be no rhyme or reason to when a household got served. Please keep the first come, first served system and reject the lottery system; please also retire tax-defaulted properties that the county government wants people not to use.

As to changing the order of preference in which a household is served, the most reasonable priority--after households with minor children--is households in which the only paid worker has a job in Sonoma County but must commute from a home in another county. This would save on gasoline use and air pollution; traffic regulation, congestion and accidents; road building and maintenance; and people's wasted time.

Dana Bellwether

Santa Rosa

Email Comment, Cheri Tomlinson, May 7, 2019, 12:30 PM

Sonoma Country Community Development Commission:

This is so unfair what you are proposing! In December 2016, I was told I was eligible for a voucher. Eligibility requirements for the voucher excluded me from finding housing within the City of Santa Rosa limits where I now live. I was told I would have to try and find approved housing outside the city in areas like Wikiup, Larkfield, Sebastopol, Glen Ellen, Windsor, etc. I was unable to find voucher-approved housing outside the city limits of Santa Rosa but within Sonoma Country, basically, because there isn't much of anything available is there? I called and

spoke to someone at 707-565-7500. I explained that I was unable to use the voucher because I was unable to find housing in those areas and that I was limited in having the time to look because I work full time and no housing complex office is open on the weekends. I was told not to worry, that I would remain eligible and would not be dropped from the voucher list and to keep looking for approved housing. Now I find out via your letter of May 1, that if these proposed changes are approved I will have lost my eligibility for a voucher and have to start the process ALL OVER AGAIN?

I'm 65 years old and work full time for low wages. I'm a caregiver. I receive no sick or vacation time. I don't work, I don't get paid. After paying my Medicare and supplemental Medicare coverage I'm left with \$300 a month after rent on Social Security alone. Obviously, this means I cannot retire, I must work to support myself. But under the rules of Social Security, I'm capped at a low amount of wages I can earn without being taxed to death (tax = \$1 for every \$2 I earn over the capped amount). How long do you think I can work while I wait AGAIN, likely for YEARS until I'm reselected? I have medical issues which are not improving with age. Now, with these proposed changes, I've lost the only hope I have of retiring at a reasonable age with affordable housing. Under these proposed changes, by the time I'm reselected, I will likely be dead after living on the streets, which is simply a fact, not drama nor exaggeration.

I am alone with no family to help me. These proposed changes are cruel and inhumane and are devastating to me personally. What do I do? Start over at age 65 and move to another state far from here where the rents are more reasonable but leave behind the only people I have in my life, a few friends? Can I even afford to move? Would my 22-year-old car even get me there?

The least that could have been done in this proposal is to propose grandfathering in those people who have already been approved for a voucher but cannot utilize it because they have been unable to find approved/eligible housing. Without that, the proposed changes, should they be implemented, impact me so negatively I feel completely and utterly hopeless.

Cheri A. Tomlinson

Santa Rosa, CA 95403

Phone Call, Harriet Oden, May 8, 2019, 4:05 PM

Is opposed to the removal of the residency preference and opposed to the cancellation of the waitlist. She feels like this is a broken promise. There should be a grandmother clause to allow people who have been on the waitlist for more than five years to remain on the waitlist. That feels like a broken promise on Mother's Day. She is desperate need of assistance and feels as though she was getting close to beyond the top of the waitlist and this is unfair. She is pleading for a grandmother clause.

Voicemail Comment, Janeen Audiffred, May 6, 2019, 4:57 PM

Totally opposed to purging the waitlist after all this time. It is ridiculous. It is unfair to the people who have been playing by the rules and waiting and waiting. To just wipe it out is totally unacceptable.

Voicemail Comment, Mohammed Qawasmeh, May 7, 2019, 3:03 PM

He applied in 2015, is disabled and having trouble supporting his family.

Voicemail Comment, Ray Grabner, May 10, 2019, 10:31 AM

New lottery that is proposed is not fair to those currently on the list. If you are going to do a lottery, you should do it with the people who are currently on the list and not add new people. He has been on the list for over six years.

Phone Call, Zakariah Shabazz, May 10, 2019, 11:47 AM

I opposed to the change. With a waitlist of only 500 people, he may never get on a waitlist. He respects that we are trying to make the system better, but people who have been on the current waitlist for four or five years already should be served first.

Voicemail, Wanda Walker, May 6, 2019, 2:22 PM

She is very concerned about the lottery based system as there is no guarantee that she will be selected for the waitlist. She has applied to waitlist lotteries in other Counties and not made it onto the waitlist.

Voicemail, May 6, 2019

Opposed to cancellation of the current list. She has been on the waitlist for a very long time. It would not be fair to just eliminate the list and she won't have a chance to get on the waitlist. Right now she lives in the City of Oakland living house to house so she doesn't know if she will be able to make it. It is hard trying to get your own place and her only hope is to get a voucher. She is not for cancelling the current list and going to a lottery based system. She waited her time and should be able to get her voucher. If this happens then she doesn't have any chance of getting her own home as rent prices in the Bay Area are so high.

Phone Comment, Tonia Foley, May 11, 2019, 9:24 AM

Why did you continue to take people onto waitlist if there are so many people on the waitlist that they can't be served? It seems very unfair to all of the people who made it onto the waitlist and then to cancel it. This change will be very difficult for people.

Email Comment, Ann Finney, May 10, 2019, 11:19 AM

Imagine how crestfallen I felt when I opened this letter expecting that my long-awaited voucher had finally arrived, and instead it contained only more options for delay.

I feel it is deeply unfair to exclude me because I currently (and very miserably) lived in Redding where I was forced to move 1 1/2 years ago due to the sale of my mother's house. Until then I lived in Sonoma for over 50 years and consider it my true home. Now I have to be shunted aside?

Okay, I can see how the lottery would work better, and this choice is definitely more equitable than the second choice. That said, should the lottery option be chosen. why does one have to reapply? And if this is the case, people who have been excluded from the first lottery must be quickly informed that it is time to reapply.

Better yet, why not just let the folks who have been waiting the longest receive their vouchers; then you could proceed with the lottery.

Sincerely,

Ann Finney.

Email Comment, Leosha Cregget, May 9, 2019

To who this may concern,

My name is Leosha Creggett and I've been on the wait list for a while to receive a housing voucher. I understand that some proposed changes may be made, but I feel that it is unfair for families such as myself I work in Sonoma county and I'm currently living house to house with my children. Being on the wait list gave me hope that one day we can find stable housing. I think converting to a lottery pick is unfair for those such as myself who are anticipating and awaiting to be placed. Especially when I have been responding to the update letters of me still needing assistance. I know that you guys have remained open for 20 plus years on a first come first serve basis. For that you guys are greatly appreciated because I know that many families have been placed & helped, but I think that upon those years the wait list should have gotten closed periodically to accommodate everyone instead of just now proposing that action be taking .I do not think it's fair for me and others to have to hope that our name is picked and

that if not picked that we have to start all over again. I understand that it is a lot to deal with and overwhelming especially with everyone on the list and it been calculated that it can take up to 90 years to service everyone. I think that placement of people on the waiting should remain if the person live, or work in the Sonoma county. I received the letter and these are my thoughts I'm very great full for being on the list I am one of many who does need housing assistance I have four children under the age of 18. Thank you for taking the time out to hear my thoughts. May God bless

Best Regards,

L.c

Email Comment, Brenda Tong, May 10, 2019, 5:49 PM

Hi,

I am totally against the mailed proposals to turn the Housing Authority wait list into a lottery! I am disabled and have been waiting for over 3 years on the list (since Sept 2016). I am also living in a shabby cabin home in violation of many of the health guidelines for housing (just this winter found fungus and mold growing on my ceiling!) and am desperate to vacate as soon as I am granted my HUD housing status! Please keep the wait list as it is now... at least I am guaranteed that my turn will come up! As a former tax payer for over 48 years... I feel it is my right to have my turn in this program. Turning it into a lottery is something left for gamblers, not the government!

Sincerely,

Brenda Tong

Email Comment, Cathleen Springer, May 9, 2019, 7:39 AM

Sorry.....but are you crazy? Do NOT do this. My patience (and my years on the planet) are wearing thin. At 72 years of age I "patiently" await word of my voucher coming available. The lottery was bad enough, but as a senior who was born and raised in California and enjoys her so-called Golden Years (two decades) in Sonoma County, I am deeply opposed to having the local preference removed.....as well as the idea of a lottery.

Cathleen Springer

Petaluma, CA

Email Comment, Cherry Gonzalez, May 9, 2019, 9:47 AM

May 9, 2019

To whom it may concern,

This is Luis and Cherry Gonzalez, we had an application for SCHA for over 3 years now and currently active on the waitlist and we are and still will patiently waiting for us to have the opportunity to be approved for the benefit that will help us through scha.

We found it unfairly on our behalf if scha will remove and cancel the current waitlists which we are in. And if the new applicants that will get the benefit instead of us that has been waiting for a long time is not equal.

Although I'm speaking for us and hoping scha would hear my small voice i would like to recommend a suggestion that maybe every year scha will do the updates and send letter to each applicant that is in active on the waitlist and if they're interested they have to return the letter and those who didn't response with the certain amount of time will be out on the waitlist. I am aware that scha are doing their best for our county and help each and every families that is in need.

Sincerely,
Cherry Gonzalez

Email Comment, Conway Burns, May 9, 2019, 12:44 PM

Good afternoon,

What happens to us registered applicants that have been on the list for many years and are still waiting? Will we be removed and added to this lottery system as if we are completely new applicants? If this is the case, this is very unfair.

Please let me know what happens to current registered applicants if the new lottery system is approved.

Thank you,

Conway Burns

Email Comment, Linda Beavers, May 8, 2019, 10:15 AM

We feel that changing to a lottery system will consistently exclude some who have already been waiting for years for the ability to live in a home.

We had been on Section 8 until deceived into giving it up to move to a senior complex owned by the same company but on a different subsidy program. We immediately reapplied and have been waiting for over 3 years already.

Due to the 90 day requirement to find an appropriately subsidized apartment, once approved, and due to the housing crisis, it would be impossible for most to obtain living quarters on the voucher program anyway.

I don't think either option would work for us.

Linda Beavers

Email Comment, Mary Caponio, May 8, 2019, 5:35 PM

Hello,

I have been the payee on my brother's SSI for many years. Recently, with landlord problems, he signed up to get on the waitlist. The landlord sent him a 60-day notice 58 days ago. He is very anxious right now because, affordable housing is almost non-existent in Sonoma County. His monthly fixed income is hardly sufficient to cover all his expenses. If he moves tomorrow to the place he was offered, his rent will be doubled and it is far from everything and everybody he knows. Bottom line is, this is not good news for him.

We received your letter notifying us of your proposed changes. I work and cannot attend. He doesn't drive so he won't be in attendance as well. Here are the comments I hope you will include along with all the others you are bound to receive.

1. The lottery system in my view, what could possibly happen is some unfortunate person's name never comes up year after year.
2. I think cancelling everyone on the current waitlist is totally unfair! All those people in need have been patiently waiting and hoping their name would come up soon. Now all that time has been wasted and they waited in vain!

How will we hear whether the changes have gone through or not? Because you've said, if they do, the application period is from July 1-31, 2019. We can contact you to reapply as we did before?

Sincerely,

Mary Caponio, older sister of Sam Caponio, who is on the current waitlist

Email Comment, Alicia Campos, May 9, 2019, 11:48 AM

To the Housing Authority and anyone it may concern,

My name is Alicia Campos and I have been on the waitlist for 5 years now and am currently retired. I do not agree with the proposed changes removing the waitlist and using a lottery system.

Although, providing services for Sonoma County families sounds nice I believe on a lottery system I would have less probability of ever getting on the list to receive services. I need these services and have been patiently waiting and would not want to have to start from scratch and now never know if I will even get picked.

Thank you for your time to take my opinion into consideration.

-Alicia Campos

Email Comment, Shirley Tierney, May 9, 2019, 12:06 PM

Good afternoon,

Im writing in regards to the proposed waitlist change. I am a single mother of a 10 year old and I have been on the list since my child was 4. Six years we have been waiting and talking about finally getting our own place without roommates. I have had to move an hour away to Fairfield a year and a half ago. I kept my job in Sonoma county to stay on this list. Committing 2 hours a day . I moved back a year ago because my daughter missed her school and friends. I cannot afford a place here in Sonoma county by myself without the help of the section 8 program. We are coming down the wire and I believe my voucher will come up soon. I have been purchasing used furniture to decorate our new apartment in belief that we will get our voucher this year. We talk about it on a weekly basis. Im devastated that all this waiting and preparing for the voucher will be in vain. I understand the system is full and we all have to wait. But that's how it's always been. I really don't want to move back to Fairfield. My daughter's school here in Cotati is amazing. She can go to this school till she's in 8th grade. She is in 4th going on 5th and has been at this school since kindergarten. Minus the 6 months we were in Fairfield. Please don't do a lottery. Im so looking forwards to the voucher. I've been waiting a long time. I don't feel it's fair to those of us that have been patiently waiting on this list. Im able to furnish our own apartment with the help of marketplace on Facebook. Something I've been dreaming about for 6 years. I have a deposit ready to go. Please again I ask you not to change this for it will shatter our dream of a home of our own.

Sincerely

Shirley Tierney

Still waiting. Thank you.

Email Comment, Linda Bryan, May 9, 2019, 12:34 PM

To whom it may concern,

I think the idea of a voucher lottery is ridiculous. Not only is it completely unfair to those that have been waiting, but it does nothing to create more available housing, so what's the point.

Please just leave things the way they are or you are going to have a lot of very unhappy people to deal with.

Thank you,

Linda Bryan

Email Comment, Michelle Csitos, May 9, 2019, 2:23 PM

Dear Martha,

I am very upset about this change. I have been borrowing money from friends and relatives to pay my rent expenses. I have been working 2 to 3 jobs and no one will give more than 20 to 30 hours of work due to benefits, etc.

I have been on the list for 3 years and have a landlord that is willing to take section 8 assistance. Please don't make me start over.

Sincerely,

Michelle Csitos

Email Comment, Kristina Garland, May 9, 2019, 3:43 PM

Hello there,

I imagine many people will have the same outlook on this as myself. I have been on the waitlist going on 5 years. I have waited with my husband and our 2 boys 9 and 12 one of which has ASD, in a travel trailer hoping to one day be able to live in more than our 300 sqft abode. It is a very tight squeeze and to be honest sometimes the only thing that helps me keep it together is knowing I have reached my 4-6 year wait period and one day soon I may be able to receive help with housing.

An idea I had,

Perhaps close the list until a time when everyone who has been waiting half a decade has been placed? Then start over by opening as a lottery? It just seems unfair for those who have been waiting for so long to be told, oh too bad for you, reapply and pray. Anyhow, thank you for reading this far.

Best Regards,

Kristina Garland

Email Comment, Michelle Morgan, May 9, 2019, 4:30 PM

I'm not clear on how service would be improved to the many people, such as myself, who would be dumped from the current wait list that we have been on for four years or more.

While evaluation for forward progress constantly needs analysis for potential improvements, the fact that the county would cancel those faithfully waiting for years is absurd.

Perhaps the county could require the 26,000 families to complete a mandatory update of their situation and status to see if that's even an accurate number. And why not a yearly online update on the waitlist families to see if they wish to remain on the waitlist and still qualify. At the very least, allow those on the current list to be the pool in which you choose the lottery participants from.

With the magnitude of people displaced from Sonoma County due to fires and cost, why would the county remove a local preference?

I returned to Sonoma County, where I was born and raised, after the death of my husband in 2014. I applied for assistance as I had four children under 18. I am fortunate that I have been able to remain here. However, as life changes, my situation has changed as well and it may not be financially viable to remain. My hopes that my approximate four years on the waiting list would potentially come to light with assistance where I am residing have diminished upon reading this letter that my family will potentially be dropped from the waitlist to start all over.

Again, while I support the efforts for efficiency and change; I ask that you please consider those that have been waiting a long time; and those who are already in the county and wanting to remain.

Thank you for your time and consideration. Much luck in your efforts.

Sincerely,
Michelle Morgan

Email Comment, Maureen Colliss, May 9, 2019, 4:59 PM

Dear Ms. Cheever

I am writing on behalf of my disabled brother, Raymond Bouchard, who resides at 6351 Country Club Dr, Apt F52, Rohnert Park, CA.

Ray is on the current waitlist that your letter indicates will be eliminated for a lottery system. Ray has been on this list for about five years and has high hopes that he will soon receive assistance with housing costs. His rent has increased from \$950 per month to approximately \$1700 per month (including fees charged by the landlord) since moving into this complex several years ago. For a disabled person receiving only \$2047 per month from Social Security, this causes substantial burden to cover his living expenses and food each month. Affordable housing in Sonoma County for people like Ray is impossible to find. I have been praying that any day now, he will be notified he is at the top of the list.

Ray suffered a traumatic brain injury on his way to work one day in Sonoma County. He is now deaf, has short term memory loss, gets dizzy walking up and down stairs, but insists on living on his own. We've not been able to move him because we can't find affordable housing and his memory loss causes him to become lost if he is not on familiar turf. How will your lottery help

people like him....people who are disabled and have been waiting patiently for years to get to the top of your list, struggling to make ends meet??? Will he be given extra consideration??? Or will he now be in a pool of thousands, all sharing the same odds of "getting a lucky number"?

It is morally unfair to just toss out people who have been waiting SO long, giving no consideration to them and their time on the list. Why not help them first and begin a new list for your lottery system after they have been served?

Thank you for your consideration.

Maureen Colliss on behalf of Raymond Bouchard

Email Comment, Steph, May 9, 2019, 5:18 PM

Martha,

If it is true that: *"Presently there are roughly 8,000 applicants who would theoretically be served before you."*

Then how many people were ahead of me 8 years ago when I was told the wait would be 6 to 8 years?

Were there different policies in place back then about priority for Sonoma Co residents?

I understand that the fire victims were given priority, but the numbers still seem off.

What number was I when I first applied?

Thanks, Steph

Email Comment, Shirley Tierney, May 10, 2019, 12:09 PM

I'd also like to add that if you do decide to do away with the waitlist. Maybe you should take the first 500 on the list that way nobody gets screwed over. Then next year start the lottery. It would be more fair that way. Thank you

Good afternoon,

Im writing in regards to the proposed waitlist change. I am a single mother of a 10 year old and I have been on the list since my child was 4. Six years we have been waiting and talking about finally getting our own place without roommates. I have had to move an hour away to Fairfield a year and a half ago. I kept my job in Sonoma county to stay on this list. Committing 2 hours a day . I moved back a year ago because my daughter missed her school and friends. I

cannot afford a place here in Sonoma county by myself without the help of the section 8 program. We are coming down the wire and I believe my voucher will come up soon. I have been purchasing used furniture to decorate our new apartment in belief that we will get our voucher this year. We talk about it on a weekly basis. Im devastated that all this waiting and preparing for the voucher will be in vain. I understand the system is full and we all have to wait. But that's how it's always been. I really don't want to move back to Fairfield. My daughter's school here in Cotati is amazing. She can go to this school till she's in 8th grade. She is in 4th going on 5th and has been at this school since kindergarten. Minus the 6 months we were in Fairfield. Please don't do a lottery. Im so looking forwards to the voucher. I've been waiting a long time. I don't feel it's fair to those of us that have been patiently waiting on this list. Im able to furnish our own apartment with the help of marketplace on Facebook. Something I've been dreaming about for 6 years. I have a deposit ready to go. Please again I ask you not to change this for it will shatter our dream of a home of our own.

Sincerely

Shirley Tierney

Email Comment, Nyame Davis, May 10, 2019, 7:19 PM

Hello my name is Nyame Davis and I think it's unfortunate to start a new waiting list after I been on waiting for over six years . However, if waiting list has to start over after the hearing, and I get a the new application sent to my email so I can make sure I stay signed up?

Email Comment, Naita Saelee, May 10, 2019, 8:16 PM

Hi my name is Naita Saelee. I'm sending this email as a response to the current waitlist might be canceled. I feel like this is a unnecessary proposal due to the fact that there were many applicants already applied and got place on the waitlist. It is unfair to the people that is already placed on the waitlist. Having us re-apply would affect those who were already placed on the waitlist already. This proposal should not take affect at all. Please contact me by email or phone at (510)570-6939 for anymore comments.

Email Comment, Angelique Payton, May 8, 2019 1:08 PM

I don't agree with the changes I been on the wait list for 5 years I am still homeless and have a disability I think the whole preference thing with living are working in that county should go but too cancel a in tire list and do a raffle and make peo... (note: email cut off)

Email Comment, Shayla Vaughn, May 10, 2019, 9:04 PM

Whatever way is the quickest most efficient way to get people housed on the list would be the best decision.

I do not agree with people being exited off of the list but maybe categorize the lists in something like a alphabetical order.

- People in shelters should come first
- domestic violence survivors would come before others
- single mothers - categorize by how many children present
- persons with disabilities
- vets

Whatever you all do I trust that you will put your best foot forward in getting us housed.

Email Comment, Jamie Gheza, May 11, 2019, 9:45 PM

Hello my name is Jamie and my family has been on the waitlist since July of 2017. I feel these changes would be unfair to the many families like mine that have been on the WL for a couple of years already. I feel that the lottery would be a good idea in theory but with the current applicants. My idea if I were on the decision committee would be to close the current waitlist. With the current waitlist being closed I would set a team or few employees maybe even volunteers to go through the list and weed out the applications that do not have current contact information i.e phone numbers being first criteria and then send out a letter giving x amount of days to respond either via email or phone call. I can promise your wl will have a dramatic change from being around 26000 to way less. From there I would see how many applicants are homeless families with small children under a certain age, despite people saying it is not against the law to be homeless with children cps does remove children from homes because of shitty situations. In Sonoma County that would probably be around your 300 vouchers for the year. Or instead of checking applications to see if any of the families are homeless then just give the verified contact applications a lottery number and go from there, because like I stated it would be extremely unfair to the applicants that have maintained and or updated their contact info that has already been on the list for a year or more like me who has 3 small children 5, 4 and 7.5 months I am homeless my children are in foster care and can not be reunited with myself or fiance until we can provide them an actual home since cps feels that it is detrimental to my family living in a motel. I truly want to keep my family in Sonoma county I feel this is the best place to raise my children and applied the first week we moved out here because I knew if something happened to my fiance job which provided us a home we would not be able to afford to stay out here which saddens me especially because my fiance lost his job in January we lost our home in February. He obtained a new job March 22 and then we lost our children less than a week after he got his job and then lost his new job less than a week after losing our family. I am only telling you this to support my unfairness to canceling the current waitlist I'm sure we are not the only family that cannot reunify with their babies until there is stable housing provided that are currently on the list and to have us start all over again could be extremely detrimental to the families especially the innocent children that just want to be with their mommies and daddies.

Email Comment, Ron Brown, May 11, 2019, 11:45 AM

I understand your need to update the voucher system but i feel it isn't right to drop everyone that has been on the waiting list for a long time.

You should keep the people that are already on the list and put them in the new lottery system that you are proposing.

Your considration is greatly appreciated. Thanks

Lawrence Kramer – Phone call, May 07, 2019 10:22 AM

I just received your letter stating how you were going from first come first served to a lottery, are you kidding? I have been waiting 6 years on this list, and you are just going to throw it up to whoever you pull out of a hat. That's absolutely ridiculous. First come first served is the only way to be fair, period. There is no fairness in a lotter and it's ripe for misconduct, its ripe for people to decide maybe this person needs it more or maybe they know somebody on the panel or whoever is doing this lottery, its scammy on every level, you should be ashamed of yourselves for leading people on for years only to pull some kind of crap like this. I don't know what's wrong with you other than you're screwing a lot of people who have been waiting a very, very long time. I could care less about the back log, I have had to wait for the back log so can everyone else in line, in order, it's the way the world works. You do things in order, you don't get to jump the line because of some scam-lottery thing. You know how that's going to go, nobody on the face of the planet will find a lottery anything but gambling. You are gambling on people's lives and existence. I am being priced out of existence. The next time I get a rent increase where I am at, I will have to either live on the street or shoot myself in the head. Those are the only options I've got so stop taking options away from me. How dare you, how dare you, how dare you.

Linda Hardy – Phone call, May 08, 2019 11:18 AM

I applied back in 2002 and I received information that I am still on the waiting list for almost 20 years and I am going to be homeless if I have to restart this whole process play the luck of the lottery. This seems highly unfair, I am 62 years old, still working, in the same home that I rent since 2002, on the list for almost 20 years and I expect to retire soon and if I don't have this voucher in the next 5 years or so I am going to wind up homeless. I would really appreciate some answers. I have been very patient. I cannot start at ground zero again at my age. Please explain to me how this is going to work.

Louis Sapien – Phone call, May 14, 2019 9:57 AM

On the waiting list, not sure where. If I understand the letter correctly, I hope that I will be able to stay on the list where I am at. Right now I am homeless and disabled, so I hope that the changes don't kick me off and I have to start the process all over from the beginning again. Thank you.

Gregory Graham – Phone call, May 13, 2019 12:35 PM

I am calling to speak to Martha Cheever. I will be at the meeting on the 22nd. I object after waiting for 5 years. I have been waiting for Section 8 since I was 60 years old and now I am turning 65. I was supposed to get it last year and they told me that I have to wait another year and now I am at 5 years and I don't think a lottery is that right thing to go by. I will be at the meeting.

Harriet Odin – Phone call, May 8, 2019 3:34 PM

I have been on the list for over 5 years. After having been told the wait would be 4 – 6 years, I am just stunned by receiving notice that my application after 5 ½ years of waiting is about to be canceled and I am being told that I should reapply to the waiting list. I am an elderly person having lived in Sonoma for all of this time over 5 years and I just cannot understand how the whole list could be canceled without any kind of grandmother clause for people who have been waiting as I have for over 5 years., It is just appalling to me to be disregarded as part of the thousands of people not all of whom have been looking in the mail for the kind of letter which came today telling me that my voucher at last had been approved but instead the whole list is being canceled. Please speak to my breaking heart.

Email Comment, Sarah Pertz, May 11, 2019, 5:10 PM

To whom it may concern:

I have been on the Voucher list for about 5 years. It doesn't feel fair to possibly be bumped off the wait list after all this time. I feel very frustrated that I might not even be on the list at all, or put down further on the list! I don't see anything wrong with the way it is set up now. Changing it after I have been on the list this long isn't fair. I would appreciate it if you would NOT change the system.

Thank you very much,

Sarah Pertz

Email Comment, Davis Lomax, May 12, 2019, 11:34 AM

To Whom I t may Concern:

I am very upset that you are even considering canceling the current wait list. I have been waiting for affordable housing and have been on the list for about 10 years now. I am disabled and trying to live off the income I get from SSI and a part time job. I have been homeless at times and am currently living in a tiny travel trailer that my mother bought so that I wouldn't be homeless again. The trailer is only 19 feet long and really only meant for weekend trips. I have been unable to find affordable housing in this area. Please don't cancel the wait list. It is unfair to me and the other people who have been waiting so long.

Thank you,
Davis Lomax

Email Comment, Ari Silva, May 12, 2019, 6:36 PM

I am Ari Silva, disabled and living off of Social Security disability (only) I am on the waiting list for a number of years.

I want this opportunity to express my opinion and frustration of this new idea of proposing a lottery housing opportunity. Are you kidding me? are you serious? is this some type of non-sense joke?

How dare can you or you feel as God to play with people feelings and life? How dare you?

This new proposal is with no doubt to only fulfill your personal interest. It is ridiculous that you take advantage of a disabled people like me whos only hope is to wait for the listing opportunity and now you want to change it only with the purpose to cause harm and promote yourself.

How dare you make me wait for all of these years and now you think this is a casino that you can bingo with people.

I oppose, I was under the impression and hope that your division had people with integrity that were doing their jobs and updating the list making sure that we all would be giving the rights of opportunity.

Please do not take away our hopes and opportunities that obviously is only to fulfill your non-sense ego.

I do hope that I am wrong with my opinion and that you would honor the existent waiting list.

Sincerely,

Ari Silva

a person with a disability.

Email Comment, Shula Zuckerman, May 10, 2019, 2:14 PM

I received a letter from the Sonoma County Housing Authority stating that it intends to "cancel" the current Section 8 wait list - for which I applied almost 6 years ago, in June 2013 - and initiate a lottery system. I am both shocked and dismayed that the Housing Authority has the authority to do this and/or would choose to do this in an effort to handle the housing crisis in Sonoma County. If they do in time change over to the lottery system, it is only fair that they do so by starting with those names on the wait list that have been filed less than 4-5 years ago .At

age 86 I consider myself a low-income senior and will rely on this assistance to survive in my old age which is just about upon me, thankfully.

Shula Zuckerman

Email Comment, Catherine Carpenter, May 14, 2019, 7:29 PM

Dear Martha Cheever,

I was distressed to receive your letter regarding the changes to the housing voucher program in Sonoma County. I have been on the waiting list for five and half years. All the time I have been waiting for my number to come up and to have a home. Claiming that it is a first come first come system, per your letter, this is false. I know of people that stayed in a shelter and within a few months received a housing voucher. I don't think that is first come first served.

Since applying for the housing assistance program I also registered at Catholic Charities for the sleep in my car parking permit. I was denied the Coordinated Entry List because I had arranged housing for the next few weeks. I belong to a church community and arrange temporary housing within the needs of the congregation. I find it is stressful, but works better for me than staying in a shelter or sleeping in my car. This also leaves beds in the shelter for others.

So, no, I do not think the county should go to this lottery system after I have been waiting for five and half years. It may be something you can begin at another date. To be denied my housing now is most devastating.

When can I expect to receive my housing voucher?

Regards,

Catherine Carpenter

Email comment, Diana Storm, May 14, 2019 11:57 AM

I received the letter regarding the housing choice voucher and am deeply upset. I have been on the waiting list for three years; MediCal tells me. I make too much money and I have to pay \$742. a month cost of share; I cannot afford to pay my \$400. Pg&E bill, and soon I will be a 70 year old disabled homeless woman and I am not looking forward to that. If I need to be put on another waiting list, I will probably die before it hits my name. I would love to get on to Section 8 and thereby being able to pay bills and buy groceries,

Email comment, Corinna Reyes, May 14, 2019 12:00 PM

Public Hearing May 22, 2019 @ 10am-11:30am

1. Don't convert to a lottery until 3 years from hearing date.
2. Those that have been waiting on the current waitlist for 3 years only have 2 years more to go and have been waiting patiently to come up on the top of the list for SCHA S8 Housing Voucher.
3. DO remove specific preferences in 2 years from now.
4. Don't cancel current waitlist bc it would be detrimental to the health and safety of those already waiting for years.

Best,
Corinna Reyes
Wait listed for a long 3 years!!!!!!!

Email comment, Erin Kline, Tue 5/14/2019 12:56 PM

To Whom it May Concern,

I am a XXXXX person that joined the section 8 waiting list just about a year ago. It may be my only chance to be able to live independently. I collect federal disability and work part time. I need the federal disability medicare coverage to cover my (doctors), (care team) and medication. I also am on medi-cal for extra medical coverage. Without having preferences for in county and disabled people, my chances of winning a lottery spot are very small. I live with my parents currently because a one bedroom rent got too expensive for me to pay.

I hope you will choose not to do away with preferences and that you will not go to a lottery system for section 8. I know it may be a three year wait for me still the way it is, but a lottery would take even longer for me to get a spot I am sure of it. Without a program like section 8 having a spot for me on a waiting list, there is nothing else to help me get a place of my own in the future. I desperately want to get into independent housing and all my hopes were with section 8. I am very depressed about the possible changes and do not know what kind of future living accomodations I will have now.

Please do not remove preferences for disabled people or the preference for in the county coming first.

Sincerely,

Erin Kline

Email Comment, Kathy Lawrence, 5/14/2019 9:29 PM

I received a letter dated May 1, 2019 from Sonoma County community development commission regarding a proposition of changes to the Federal housing choice voucher program.

Where are you are proposing the change of canceling the current program of the waitlist for federal housing that your program and you are submitting or would like to submit a new waitlist that's going to become a lottery application.

I deeply do not agree with your request for a proposition to have a lottery random computer software to select 500 applications for the new wait list to get into the housing program.

This is completely unfair to those of us who are elderly with low income have been on the waitlist for six years and now you like just to toss that waitlist out and create a lottery program meaning someone who's been on the waitlist for one week could randomly get pulled by the lottery system and get federal housing whereas someone who is been on the waitlist for six years has to apply again and what were their odds are the chances be of actually being polled as an applicant.

I do not wish to have to wait again by chance pick up a random computer software of the 500 people to be placed and once they are for the lottery to go through again.

I've been waiting my turn patiently and struggling financially in the meantime I think it's fair to leave the waitlist alone the way it has been rather than your proposed change of the house in about your program to be.

My vote is No on the new changes you are looking into.

Thankyou

Kathy Lawrence

(A 5 1/2 year waiting Participate)

Email Comment, Jennifer Williams, 5/15/2019 9:29 AM

Dear Martha,

I am unable to come speak at the May 22 hearing, and wish very much to add my voice to your effort. I hope I can hear your response to my voice via email.

I greatly appreciate the Housing Authority's need to address the current system which does grossly underserve the need for lower income housing in Sonoma County, for the 26,000 eligible people of our county. The problem appears to originate from: 1) The basic necessity of living space is allowed to be sold to highest bidders, effectively bidding out low income families. There is no real estate profit cap. 2) The enforcement of enough affordable units to build in planning was not provided. 3) huge wealth gaps (ownership of living space) necessitated rent control to equalize basic needs resources, but was not provided.

The solution being tabled for hearing May 22, is to my mind, terribly unfair. It does not address the problem of serving the basic needs of people who cannot compete with higher wages.

I, for one, would feel terrible getting a place before someone else who is also disabled and waited longer.

Changing to lottery wipes out the fairness of first come first serve with preference for disabled.

It is luck alone, gambling with people's necessity.

Though common sense, it must be fought for; a disabled person has far fewer options than a person who can share rent anywhere. Just having XXXX means I cannot rent a room with anyone using any scented products, with job options extremely rare.

My argument:

If there is no minimum wage set in our County that will afford local housing, and there is no Rent Control, then we are obligated as a decent citizenry to provide non-toxic land/buildings for working and retired and disabled folks to live here.

I can only see one way to give you the power to serve as you ask to do.

A Plan to Create low income housing. We must give you the power and means to do so.

Suggestion:

- 1) A County Commission staff to coordinate data from the City Managers, and Rural land owner data, to find obtainable buildings that can be repurposed as housing units.
- 2) Obtain or use County owned pieces of land for Tiny Home and Trailer Parks that are well regulated just as all Section 8 housing is. Note some County/City revenue can be generated.
- 3) Contact owners with large tracts of land who will rent space that can be used for mobile home FEMA type housing, and Tiny House parks, where County sewer lines and electric/solar can be hooked to. Change zoning regs to allow for this necessity. Make parts of land Multi-use and mandate food farming on these sites to make sustainable. Again, make those parts Section 8 rules.

A final point: Community members who have worked here for 30+ years and raised a family here but could not afford to buy here, have paid into city and landlord pockets all these years, earning a right to live here. Years of residency, being a good part of the community, should take precedence, after disabled, over someone just moved here.

Please keep first-come first-served. Please, create disabled and low income County housing.

Standing in line,

Jennifer Williams

Healdsburg, CA

Email comment – Shula Zuckerman, May 15, 2019 10:59 AM

I think your intention to dismantle the Section 8 Waiting List in order to appease HUD is “draconian” in nature, and shocking! These people (including myself) – numbering thousands – who have been following the rules and waiting on a list for years and years and years – will be told that they have waited in vain. And essentially, wasted their precious time which could have been applied elsewhere. I believe that this will prove to be illegal!

Shula Zuckerman

Tierra Bud – Phone call, May 8, 2019 10:30 AM

Hi my name is Tierra Bud (not clear) my telephone number is: XXX. I received a letter in the mail about upcoming possible changes in the waiting list. I think that it is a good idea to some extent, but it is not

really fair to the people that have been on the waiting on the waiting list. I have been waiting since 2014. When I got on the waiting list, I was fleeing domestic violence with my two kids and I was homeless. So I have been waiting since 2014 for my name to come up on the list and if you cancel the whole waiting list that means that I have been waiting this whole time for nothing. And it is really unfair, because I have always kept this plan in my head to escape my situation and I have been waiting for my name to come up on the list. I call every month to make sure all of my information is up-to-date and I don't think that it is really fair to cancel the whole waiting list. Because even my kids are looking forward to this opportunity that we have been waiting for since 2014 and I have been told that the minimum wait is 4 to 6 years and it is coming up on my 5th year on the waiting list. So to cancel it when I barely have a year left to wait is really unfair. And I do not agree with the changes. I think that they should close the waiting list and then do the lottery, but everyone that is already on the waiting list should stay on the waiting list. It has been almost 5 years and now to do this when it is almost my time to come is really unfair! Like I said, I was fleeing domestic violence; my kid's father has been murdered and I have 2 kids and I just need - need this housing to come through for me and my kids and if you cancel the waiting list and go through a lottery that means that someone who just signed up yesterday can get housing before me and my kids. And it is not really fair.

Anonymous - Phone call, May 9, 2019 12:16 PM

Yes, I have been on the wait list for Sonoma County for a very long time and I am a citizen and I have had the hope and the dream of getting housing. Just because I am a citizen does not mean that you can take me off the waiting list and put whoever you want on there. We know what is going on. I deserve to be on that list and I don't think that you have the right to just delete it. Choice and pick whoever you want for housing. I think that this is an issue that needs to go to court. You cannot treat people so inhuman and destroy our hopes and dreams. This is cruel and inhuman. You have no right to do this. It is horrible. All of us have waited a long time for housing and just because we have misfortunes and tragedies in our families and our citizens does not mean we have privileges. I have none and I don't know even what that means. I need the housing. I have been on that list for a long time and I do not want to be treated like a piece of garbage, like you want to treat me. You keep me on that waiting list. I have notified the Governor and I am going to take this to court. If you mistreat me and treat me like garbage and take me off that list. (Message ended).

Anonymous - Phone call, May 9, 2019 9:09 AM

Yes I'd like to make my comment on the upcoming proposed changes. I won't be able to make the meeting. I think it's a good idea. I think this situation is impossible. I mean, I simply can't believe that it takes 90 years to get done what you guys don't call me – when I apply is that I'll probably be dead by the time I get in. So in other words -- program is none existent. This program isn't for anybody and I did get 26,000 people it seems like 300 a year – you'd be dead before it gets done then you have to jump through this process and they are asking us if the landlord cares or whatever you can be dead honey it's just like ridiculous it's been you don't even remotely meet the needs of the community.

Jesus Christ.

Email comment – Miriam Moore, May 14, 2019 3:32 PM

Buenas tardes,

A quien corresponda Mi nombre is Miriam Moore con dirección XXXX, Le escribo para informarle que no podré estar presente en la audiencia pública el 22 de mayo de 2019 . Mi pregunta es ¿Por que los que ya tenemos años esperando ? Nos sales que tenemos que aplicar de nuevo ? No me queda realmente claro . Pero por favor espero me aclare esta duda . Y si por favor me puede informar con lo acontecido en la reunión que se llevará acabo .

Muchas gracias

Atentamente,

Miriam Moore

Translated:

Good afternoon.

To whomever it may concern, My name is Miriam Moore with address of XXXX. I write to you to let you know I will not be able to attend the public hearing May 22, 2019.

My question is, Why us, that have been waiting for a long time? Will we need to apply again? It is not real clear to me.

But please, I hope you can answer this question.

And if you can please let me know of the outcome of the meeting that will take place.

Sincerely,

Miriam Moore

Janice Alfort – Phone Call, May 11, 2019 8:37 PM

Hi my name is Janice Alfort and my phone number is XXX. I am calling regarding a letter that I received in the mail. I feel like it's wrong that we've been waiting on the waiting list for so long and you guys to just start it all over again. How do we know that we would even be chosen? I've been homeless for going on 4 years. I have an adult son that is XXX, we are not able to live in a shelter because of his condition. I also have some XXX issues, I had a XXX, and I am disabled. And I don't understand what is taking so long for us to receive housing. I understand you guys are trying to make it better for people; but put this in mind as people who are waiting that have nowhere to go and nobody to turn to and we are really crying out for help. So please do what you guys can do to make sure that everybody that needs help gets it. Not just my family, other families. My son is going on 23 years old. He is unable to work; he does not have an income at the moment. I have a daughter that does in home care for me and another son that is not working and he has mental issues. So I hope you guys consider us and help us to get housing. Please call me back at XXX and I think that I have been very patient. Thank you, bye bye.

Anonymous – Phone call, May 10, 2019 6:26 PM

Hello I'm calling cause I wanted to let you know that I received a letter in regard to the community development commission about housing authority, and it's all in Spanish which I do not speak or read. I thought oh dear I hope they didn't do a whole mailing in the wrong language to people, this letter, to whomever with my name on it is not going to be good because I can't read it. That's number 1 is I don't speak Spanish. And number 2 is I've owned my own home here in Sonoma county for 50-60 years so I shouldn't be on the list for the people you are wanting to serve. I thought I should probably let you know so that you could just check that and see if other people are also receiving these letters that won't be helpful. Sorry for not being a carrier of good news I applaud you are working hard. I've retired and I have a house now and I have had for a long time I'm not going to look in any other direction and good luck to you bye.

Anonymous - Phone call, May 10, 2019 4:32 PM

Yes hi I'm calling about the proposal which I'm totally against eliminating the waiting list that I've been on for 5 or 6 years now. I'm in my 80s, I'm disabled, I have played by the rules I've been keeping up with everything I'm supposed to do to stay on the waiting list and hopefully get a decent apartment. If I do not get that soon I'm going to have to sign up for welfare I don't see any other options. This is very upsetting it's very unfair to people who have been on this list and patiently waiting as myself and I just don't know what you're thinking that just eliminating it is going to solve anything. Just give the available vouchers to the people who have been waiting the longest that only makes sense instead of people who just happen to get lucky on the lotto this is not a gamble this is a very serious issue and I hope to heck that you don't pass this, it's criminal. Thank you

Larry Jones, Written Comment – Received May 9, 2019

Larry Jones, XXX, Santa Rosa CA. I don't understand how your new policy is fair. I signed up for the Santa Rosa Housing list in May 2015. Now I'm told all that waiting and struggling was for naught. You're starting a new Santa Rosa list based on a lottery and on that someone who has only waited a few weeks or a few months could get a place whereas I've already waited 4 full years. How is that fair? Why not first come, first serve? Thank you.

Eden Berhone, Written Comment – Received May 9, 2019

To Whom May Concern. I am a single mother with a 3 year old who needed permanent housing. It's difficult for me and my child can't afford it without getting into housing authority in Sonoma County. I am under the government with a small amount and that doesn't even cover full room for rent and I am asking to review my letter especially a single mother and my child to get us permanent. It would us to build future better and career. Thank you, Eden Berhone.

Louisa Malaspina, Written Comment – Received May 9, 2019

I have been waiting a long time to get housing, and I am in need. And now I get a letter of closure. What is going on? I would like some response back, as I need housing desperately. Please do not delete me. Thank you, Louisa Malaspina, XXX Pacifica, CA.

Emily Maxwell, Written Comment – Received May 14, 2019

Emily Maxwell, Address: XXX, Sonoma CA 95476

Please keep waiting list as is.

Brandon Chai, Written Comment – Received May 9, 2019

Dear Martha, I just received notice that you intend to remove my name from your Housing Choice Voucher waitlist and replace it with a lottery. With all do respect, I have not been lucky. In fact, I have not been very lucky. In fact, I have been unlucky the last several years and converting to a lottery is almost certain doom for me.

I am desperately in need of another housing choice voucher. I had one for several years in Sacramento County. When I got engaged, I was forced to give up my voucher because my girlfriend cam into a very large inheritance. She ended up giving me half her inheritance and we bought a house together. However, the marriage only lasted 3 months because she went crazy me.

She kicked me out of our house and caused me to become homeless. I cannot work because I am disabled but yet can't collect disability because my ailment is not on their approved list of conditions...even though I haven't been able to leave my house for over 4 years now due to my condition.

I am desperate. Nobody has been willing to help me. Everyone has kicked me to the wayside including God it seems.

Please keep me on the list and give me at least hope.

Thanks,

Brandon Chai

Harriett Oden, Written Comment – Received May 14, 2019

Dear Ms. Cheever: We talked by phone last week, when I was in shock after receiving notice that the waiting list will be cancelled this Friday. I have decided to fax this written response asking for an exemption from cancellation, via my proposal of a "grandmother clause" that allows me to receive a voucher before the closing date of May 17 at 5 pm.

It is common for a "grandfather clause" to maintain service following scheduled discontinuances. I am realizing, during this week following mother's day, that being cancelled from the list I have been on for well over five years brings me face to face with imminent homelessness.

When I talked with Cynthia on February 14, 2018, she said I was in good shape after four years of waiting. She added that currently vouchers were granted after five years, and so I have held on

expecting a letter any day announcing my selection. I went to our manager here at Sea Ranch Apartments, asking to have the enclosed documentation ready.

My financial hardship is an extreme struggle to cover 5rent, utilities, and food from month to month. As a seventy-eight year old grandmother, in safe housing about to be unable to pay rent, waiting to win a lottery for placement on a future list of 500, I am convinced that losing my home here is not in the best interest of our community.

While living here in Sea Ranch apartments for six years, I have done pro bono psychotherapy, founded and facilitated a dialogue group meeting bi-weekly at The Gualala Arts Center, and walked weekly with the "Thursday Ramblers." My proposal for some kind of exemption is the most responsible input I am able to find.

Appreciatively,

Harriet Oden

ENCLOSURE: Letter from the Resident Manager of Sea Ranch Apartments on their letterhead.

August 6, 2018

To: Housing Authority

Re: Harriet Oden

Sea Ranch Apartments is part of Burbank Housing. We rent to all section 8 voucher holder. Harriet Oden has been my resident since 2013. She always pays the rent on time and is a great tenant.

I hope her name will come up on your wait list and she will be part of your wonderful program.

Sincerely,

Ann Hibner

Resident Manager

Brenda Rose De Clario, Written comment, Received May 10, 2019

Dear Martha Cheever,

After having been on the H.C.V waitlist program for 5 years I was disconcerted to ready your May 1, 2019 letter stating that a proposed "lottery" system will displace my name for yet another 2 year wait list limbo. This is just cruel.

I am confused by the logic that "converting to a lottery waitlist, removing" Sonoma County resident preference & "cancelling the current waitlist" will "improve service." Please define your meaning of service & how sophisticated will this lottery be.

I have no relations, no savings & will be 71 on my next birth date. When my rent was increased 3 times in 3 years it was imperative I find a PT job since the rent took 100% of my SS monthly benefit. The PT job is assisting in the produce dept. at the local supermarket. It requires heavy lifting & a rigid schedule. My fear is to imagine just how long my stamina will prevail. It should be noted that my present landlord of

10 years allows H.C.V. therefore obviating the 1st/last/deposit & moving expenses for everyone. I am planning on attending the May 22 meeting but in the event I cannot or time will not permit my verbal input, I am sending this letter. I am not looking for your sympathy but am appealing to your sense of merit. I urge your office to not adopt a lottery which in effect will eliminate justice for those of us who have patiently waited 5 years. I thank you for your attention to this letter.

Sincerely,

Brenda Rose De Clario

Debbie Elliot, Written comment, Received May 10, 2019

Debbie Elliot, Voucher Applicant

May 7, 2019

Dear Sonoma County Community Development Commission:

I as a voucher applicant am responding to your letter referring to cancelling the current waitlist. The first come, first-served basis is the most fair system and my biggest fear is that I will not get notified of the next lottery when not selected. I do not get emails and if I have to remember when to re-apply without being mailed an application to re-apply I will not get to re-apply. Remembering when to reapply is too complicated. I have missed enrollment due to that before and although the list is long and first-come, first-served is the fairest way and we then can have an idea of when our time is coming instead of always being in limbo on the edge of do we get to move or not.

Sincerely,

Debbie Elliot

Joan Dow, Written comment, Received May 10, 2019

Ladies & Gentlemen: attn.: Martha Cheever

I write on behalf of my disabled son who has been waiting for a voucher for 5 years. He is 65 now. My son lives with me while waiting but I am now 90 and fear I will pass & he will be homeless. I believe he must be close to the top, but if you cancel & go to the lottery, it is impossible to think of losing those 5 precious years of hope.

Please vote against this, I implore you. As a 40 year Sonoma County resident, I don't think this can be judged "fair and equitable".

Sincerely,

Joan Dow

Kelly Klain, Written comment, Received May 13, 2019

Martha Cheever

Sonoma County Housing Authority,

I am definitely concerned about some of the changes to the Section 8 application process being considered by the Sonoma County Housing Authority. I've been on the waitlist for about 4 years (since 7/14/15) and by this time I'm sure I've moved a bit closer to finally receiving a voucher. First and foremost, for those who have already been on the list for an extended period of time, it isn't right to negate all those years essentially forcing people to start the process all over again but this time with no guarantee if getting on a list or anything. With this lottery system the 500 picked will be served (approx 1-2 years) and the rest left to reapply again with no guarantee of any sort of progress.

I know demand far exceeds supply but it will still be the 26,000 households waiting for the 300 vouchers you mention changing who gets picked is not going to change the numbers and, if the system is to be opened to all qualified applicants in the U.S. isn't this just going to increase demand even more? How is adding more people into the mix going to make it any better? Is Sonoma County the only county to be burdened with this new influx of applicants?

Secondly, some of the preference used to move people forward in the process are extremely important if not potentially lifesaving. Veterans, the disabled, single mothers, seniors on fixed incomes often lack resources financially and otherwise making the wait tune a precarious situation at best. Are you to do away with these considerations as well as the live/work locality preference? This could literally be risking lives.

I for one receive \$858 a month. If it weren't for cheap rent in a room of a family members' residence I would have nowhere. As it is it isn't a good fit, living with too much dirt and dander from pets and, a sometimes over controlling and volatile personality. Still it is a place to "lay my head" at night so I generally suck it up and try to remain patient and positive as I await Sec. 8.

Perhaps Sonoma County should have periodically closed the waitlist as other counties have done. Sure, hindsight is 20/20 but throwing it all "up in the air" to start again isn't going to make a voucher available any time sooner.

This "expectation of service" as you call it per the lottery is meaningful only to the fortunate 500. The rest are left to reapply when the time comes with no guarantee of ever moving forward to the goal of finally having a place to call one's own.

Please, think these issues thought with compassion and wisdom.

Respectfully yours,

Kelly P. Klain

Ny Van Do, Written comment, Received May 13, 2019

To whom it may concerns, Martha Cheever.

I cannot attend at the hearing. I wish to stay on the waitlist because I need housing for my disability and a home.

Thank you.

Sincerely,

Ny Van Do

Joann Negro-Puentes – Phone Call May 10, 2019 2:33 PM

Hi my name is Joanne Negro-Puentes and I have been on the housing list for close to 7 years now. I even went down to talk to somebody about 4 months ago in the HUD office that said I was actually getting closer, and that I might see some things coming through the mail box about communities that they are working on. I have in fact responded to some of those and recently gotten excited about it. I am 65 years old I am on disability I've worked my tail off in this county as my family did and this is where I want to live. I really think there has to be some sort of a compromise maybe the first 10,000 I don't know how we're going to fix this, but definitely wiping this clean isn't fair at least I don't feel it is. My phone number is XXX. I will attend the meeting I will also email everybody that I can and I know you're getting a million phone calls maybe in favor of this but definitely people who have worked and lived in this community for 30-40 years...You get to certain age where I can't go out and work anymore. And this was something that I was told that if I did this that housing may come. It might be a while, but I might get it. Thank you Martha and whoever is listening to this, I will see you soon bye.

Laura Bouchard – Phone Call May 10, 2019 12:32 PM

Hi my name is Laura Bouchard. I'm calling about the section 8 letter. You know I've been on this waiting list since 9/7 of 2013, which makes it very discouraging. This is not a permanent fix where I am living, and I would like to someone to call me to give me a little more information about this. Please call me at XXX I would appreciate it very much I would hate to get kicked off of this list when I have been waiting on it for so many years. Hopefully you can call me before 2 weeks, and I will try back again on Monday. Thank you. Again my name is Laura Bouchard (gives password and application ID).

Robin K Ray – Phone Call, May 9, 2019 2:58 PM

Hi my name is Robin K Ray my phone number is (707) 364-0983 and I don't understand what this letter is about. I don't understand. I am a cancer survivor, I put in an application years ago. What the hell? Please call me back thank you.

Gina Crespo – Phone Call, May 9, 2019 1:26 PM

I believe this message is for Martha Cheever my name is Gina Crespo. I am currently on the Housing Voucher wait list. I have been on the waitlist between 4-5 years. I am currently and, have been, permanently disabled collecting social security with child who is 15 years old in high school. We are living in our car and we have been waiting for this voucher to go through. I really do not think that it's fair that people who have been waiting on the wait list that long be taken off of the waitlist they should be housed first especially considering the circumstances. I want to know what the most efficient way to have my voice be heard because it really is not fair to have to reapply. I can't wait another 5 years...I just don't understand this. I have been waiting so long, I have been so patient there's nothing more that I

can do but this is ridiculous. My phone number is XXX I would appreciate a phone call back as soon as possible thank you.

Alex - Phone call, May 9, 2019 12:48 PM

Hello Alex (last name?) here I apologize for calling again but I wanted to finish my message. I just wanted to give you a real life example. I lived alone apartment did not have any accommodations, my work injuries that I've had which were very serious before retriggered and I've acquired even more disabilities because of lack of accommodations. I ended up moving then with my family only to find out there is a law that prohibits families from living together. I did put that in my note but I did not put down the law. That law, I've been trying and I'm still trying to change it. It really can help, it's one of the solutions. In fact, there is a law in that that has a solution but people are not applying it. The law is 24CFR Code of Federal Regulations and this section is 982.615 between brackets the lowercase d and the number 3. The embedded law in this law is, again, 24CFR, which stands for code of regulations part 8 and particularly part 8.4 that says "denying the person benefits of section 8 assistance because they are living with their family is discrimination". I was in the process of acquiring that when the administration changed from President Obama to President Trump. I found that I'm not getting anywhere with HUD in San Francisco or in DC who flat out told me that they will not deal with me. I am the recipient, I should not be doing that; it should be the housing authority that is reaching out to them to do that. I am on the city of Santa Rosa now they've tried they showed me their application waiver and I acquired the response from Washington DC that says no flat out they told me no Washington DC is not going to accommodate a disabled person. That is very strange because disability laws in our country takes over from any other law. Laws of accommodation are #1; everything else is #2 whether it's federal state or so on. If that law is changed, it can really, really make things much easier. I came with the family with the understanding that it would take me a while to recover, could be 2-3 years with the doctor evaluation of course. Within about a couple of years, I felt maybe I could live alone again provided there are accommodations in the unit that I'll be in. I was called by two people, one of them HAD the accommodation and I told them thank you I cannot accept the accommodation because my voucher has expired. So that is the timing issue that I talk about between places available, no voucher, I have the voucher, there's no place. So that is one of the solutions. Using that law somehow for acquiring a permanent waiver regardless of which housing authority the person is under whether it's Santa Rosa, Sonoma County, if we can acquire that than I have written to the white house telling the president please issue an executive decision or order to make a permanent waiver for them. It would save a lot of people from staying homeless if they can stay with their families. And, it will save HUD a lot of money on the amount of vouchers. The amount of payment by housing authority would be on shared basis which is nearly half of what is paid if the person is in a unit on their own. I prefer to be in a unit on my own of course but is important to have that kind of flexibility. I think that is all I have to say for now, and I think I have covered the subject pretty good. If we can succeed in getting the crucial items out and implemented that would be really awesome meaning: housing first, vouchers don't expire, more number of vouchers to acquire, maybe 1000 or 2 every year.

Somewhat or Generally Supportive of Some Component or Somewhat Supportive with Specific Changes

[Marcus Mills, Written comment](#), Received May 13, 2019

Mrs. Martha:

My name is Marcus A. Mills and my wife name is Judi Mills. We have lived in Cotati, California. Our landlord has said that she would be ok with us on assistance Section 8. I just received a letter stating that the assistance I have been on a waitlist for quite a while. I would like to be on the new list if a condition will be changed.

Thank you,

Al Mills

P.S. I received the letter 4-8-19

[Julie Mills](#)– Phone Call May 7, 2019, 9:14 AM

Feels that seniors currently on the waitlist should be provided an automatic spot on the new waitlist because a lot of people who are older should be taken care of. She will sign up for the waitlist

[Email Comment](#), Angeline Bryant, May 4, 2019, 9:07 AM

My name is Angeline Bryant and I think that seniors should not be removed from the waiting list but automatically added to the lottery. I don't think it's fair that I should be have to wait another 2-3 years on top of the 41/2 years I have already waited for a voucher. Thanks again

[Email Comment](#), Patricia Hammons, May 6, 2019, 3:06 PM

Hi,

I received your letter dated May 1, 2019, about a public hearing on the proposed changes to your federal Housing Choice Voucher program.

Just one note, the program is federal, and even though I am not living or working in Sonoma county, my preference being for Healdsburg, I have driven and accessed many of Santa Rosa's and Healdsburg's amenities.... gas stations and cafe's. I have often reflected on these communities for retirement as I drove through, (visiting the redwoods)... I would hope the federal government still reflects on its citizens who continue to cooperate and support its past "outlying communities".

Thank You

Patricia Lynn Hammons

[Elaina Peralta – Phone call](#), May 14, 2019 1:26 PM

We have been homeless for about 5 months. I am on a couple lists for shelter programs. I have a new child who was born premature and having structure and stability is really important for their developmental health. I don't know how you guys do the lottery but it would mean the world to us if we got housing.

[Email Comment](#), Natalie Harmon, May 7, 2019, 11:05 AM

Hello, my name is Natalie Harmon and I wanted to comment on the proposed waitlist changes. I am disabled and pay 70% of my income in rent, not including some utilities and laundry. Elderly people and those with disabilities should be given first preference, on the waitlist. I live in a rural area, Forestville which has very little in the way of services, and I have been trying to move to another area with bus service and to be near libraries or jobs when I can work part time. My Mother is a half hour away by car but I don't see her for several weeks sometimes.

My Mother is 68 and living on social security as well. She is living without transportation and sharing a room in Petaluma on a farm, where there are no stores, or buses. No paratransit. She has a hard time getting food or getting to Dr. appointments and she has several medical conditions. I have a car that barely runs. My Mother is sick and can't get to the Dr. because she has to pay people to take her anyplace. Nobody where she lives cares about her. Without better housing my Mother could die and she does not have resources. We are hoping to move to Santa Rosa, or Sebastopol where there are grocery stores and buses and be closer together.

Two years is a long time to wait, and if disabled people and elderly people are not given first preference, it's a horrible life. We are both on the waitlist.

Thank You, Natalie

[Email Comment](#), Ebony Trambel, May 8, 2019, 11:37 AM

Dear Sonoma County Housing Authority:

I received the letter regarding an effort to improve service.

I have been on the current waiting list since December 16th 2012. It is unfortunate that I would have to reapply to be included into a lottery system that may or may not place my name on the new waiting list. However, I do understand why the changes need to be made.

Thank you for your time,

Ebony Tramble

[Email Comment](#), Jazmine Gordon, May 10, 2019, 8:48 PM

I think a lottery is a good idea however, I would like to remain on the list once the public hearing happens. I am a homeless mom living at a program trying to find a place.

[Email Comment](#), Gwendel Rodriguez. May 8, 2019, 9:35 AM

Greetings!

My name is Gwendel Rodriguez and I have been on the Sonoma County's Housing Choice Voucher waitlist for nearly 5 years.

I know that the wait can take upwards of 8 - 11 years, but I'm always looking for a miracle where there is little hope. That is why, when I saw a letter from you in the mail, I thought that perhaps my prayers to be delivered from the conditions we are currently living under had been answered.

Instead, it was about the public hearing to be held on the 22nd of this month.

Before I continue, I'd like to thank you for the opportunity to speak. You must be inundated with responses to your proposed changes and although, I sometimes feel that my voice will not be heard, I cannot let such an important decision be made while I remain silent.

There are several ways of looking at the proposed lottery system and it is indeed that....a total gamble.

Many have been on the waitlist much longer than I have, yet with this system, what we've been longing for and working towards will most likely be for naught. As you stated, there are over 26,000 waiting yet, 25,500 will be turned away. I feel as though this system would be gambling with our lives and no one should be given such power over others. Especially, those who are low-income and seeking help. With about "...300 vouchers becoming available each year..", you would only be saving approximately 4 years off of the current system according to what "...would take 90 years to serve every household that is currently on the waitlist." Four years isn't a long time when you consider the headaches, conflicts, angry households and paperwork only to have to do it all over again less than two years later. It's a colossal waste of time for everyone involved. Is it worth it?

On the other hand, the first 500 will be blessed, indeed. The question is, am I or anyone else on the list willing to take that chance? Should anyone besides ourselves have the right to make that decision for us? Our livelihood is on the line.

Lastly, the removing of the "...local preference that essentially blocks 18,000 waitlist families from receiving service" is a win-win proposal. Not just because I am one who would no longer be blocked (I live in Sacramento), but because it will take the HCV program back to what it was originally intended. As the saying goes, if it's not broke, don't fix it and locking thousands of people from a program that's suppose to be open to all qualified U.S. applicants is hypocrisy.

It is a form of segregation. How can something be open and blocked at the same time? It's not possible.

Again, thank you for allowing us the opportunity to have our voices heard.

Whether they are taken into account is up to you.

I wish you well!

Gwendel Rodriguez

[Jeanna Olivetta - Phone call](#), May 9, 2019 12:16 PM

Hi my name is Jeanna Olivetta and I am on the wait list. I agree this process is good. If anyone wants to chat, so please call me at XXX. I just want to know if I am still on the wait list, because it says to apply by...what date is that...by....oh, the current wait list will close, Friday, May 17th. So, I am not sure if I am on it or I have to do it again. But I did get this letter from Sonoma County Community Development Commission. So yes, I am going to want to apply and also wanted to make sure that I am on the wait list. Thank you.

[Email Comment](#), Shad'E Pinkins, May 10, 2019, 10:13 PM

Hi,

I agree with creating a new system of implementing a lottery pull that way it can give people like me who don't either live and/or work in Sonoma County an opportunity to receive section 8 benefits if picked. However, I wonder in order to start the new system if a lottery pull of 500 people were picked from the applicants who are already on the waitlist and then moving forward continue with the new system?

Thank you for giving me the platform to share my comment,

Warm,

Shad'e Pinkins

Community Services Worker
Transitional Age Youth Program
Fred Finch Youth Center

[Tracy Williams](#)— Phone Call May 7, 2019, 8:52 AM

Not really happy with being kicked off the waitlist, but is supportive of the removal of the residency preference. She wants to be on the waitlist so she will reapply, but is worried if she doesn't get on.

[Alex Elshirbiny, Written Comment](#), Received May 9, 2019

Alex Elshirbiny, XXX, Rohnert Park CA.

RE: Changes to HCV.

The Problems:

- 1) Lack of housing for HCV recipients.
 - 1.1) Lack of housing projects that can accommodate recipients of HCV that has some funds for manufactured houses.
- 2) Vouchers expiring: [Timing]
 - 2.1) When vouchers are available, a residence is not.
 - 2.2) when residence unit is available the voucher is not.
- 3) Specific preferences.
 - 3.1) OK to remove living and working in Sonoma County but:
 - 3.2) removing homeless, senior, disabled and Veterans [Hope for Veteran Town Project] May put some in a residence before homeless and young before old.

Comments:

- 1) Santa Rosa has 17,777 on lottery, Sonoma County 26,000 is there duplication? How much?
- 2) If duplication: How many are need will it be 10,000 or 15,000!
- 3) If the 500 cannot find housing it will block others for year.
- 4) Cancelling the residing in Sonoma County (working) will add 18,000 more people to the 26000!

The Solution:

- 1) Questionnaire to find exact number needing HCV. Some may have moved to another state.
- 2) Build PLENTY of affordable housing the work of students under contractor supervision, and Burbank Housing.
- 3) Apply for Federal fund to provide HCV for all needing it, with no expiration of vouchers.
- 4) Find the number able to live with the families and provide permanent waiver to the Federal Law prohibiting this.
- 5) Find number of recipients able to buy manufactured home [on a project] Sonoma County HA pays only on land.
- 6) Will reduce voucher amounts, leaving more money for other HCV.

Respectfully, Alex Elshirbiny

[Alex Elshirbiny - Phone call](#), May 7, 2019 5:32 PM

I have sent a letter in response to the mailing that I received because and the letter is quiet complicated and I wanted to explain every point and I wasn't sure if I can fit it on your telephone message. But I wanted to say again, of course, I hope you received the letter and I hope it is considered. But I wanted to quickly let you know just in case you don't receive the letter that removing specific preferences from the wait list is good with respect to the people have to be living and working in Sonoma County, but then in the correspondence you sent me it does say that could add additional 18,000 people and you also say that you have 26,000 people now. The specifically references there are existing like the person is homeless, senior, disabled, veteran and there is another one. If these are removed and the names are selected randomly it is very possibly that you could have someone who is young not homeless, not

disabled, not a veteran have their name pop up and are eligible within that 500 households that are going to receive the voucher while other people homeless, senior, disabled, may not be picked up to receive vouchers. So these particular preferences are very important to maintain I think because the help needs to go to those who are really really in the worst condition possible like homeless, disabled and seniors. The veterans, I am hoping and I called some people saying it is possible to have Veteran's Town? A place where they can all live together, all veterans, that way they could handle the way of life there. It would be a lot simpler than being in society and seeing ordinary people and they get pressured with that. The second point I put in my letter is that with the vouchers expiring causes a big problem, because when the person has the voucher and they are out looking for a place and they don't find a place; is everything is occupied. Next the voucher expires and then there is a place available and we get a called and yes we have a unit available for you. So that is one problem, but I am seeing that the affordable housing is the number one problem and the expiration of vouchers is another problem and also having a limited number of vouchers the letter is saying is 300. Three hundred a year every year is not going to accommodate the 26,000 people you have waiting. Now, another point I put in my letter also is that Santa Rosa Housing Authority say they have 17,777 people on their waiting list and they are on a lottery, of course. Your letter say you have 26,000 with the possibility of somehow maybe another 18,000 being added. Now what I hope that can be done can we somehow separate the fact that some people are actually on both waiting lists? I am one of these people who was on your waiting list and then moved to Santa Rosa. So it would be some kind of a duplication. The people could still be waiting on both waiting lists with Sonoma County and Santa Rosa, but for them to be counted twice is something that if you looked into figuring out the actually number that really the actual number that is not on both how much is these people. But, I am thinking and I made the comment on solution which I think it clearly starts with more affordable housing. The Burbank Housing they put really good places (complexes) and they are extremely affordable even if one doesn't have a voucher (*Message Ended*)

[Alex Elshirbiny - Phone call](#), May 7, 2019 5:41 PM

Hello Alex Elshirbiny here just finishing my message and basically regarding the letter I received. I have covered a few points already and I sent a letter that is much easier to express my point of view. But my concern is the lack of affordable housing and I was just finishing saying that if there were somehow there were funds to give to Burbank Housing they put very good they do very good work and it is extremely affordable. So assuming a person does not have a voucher or waiting a building they put in Rohnert Park is a building called the Arbors. They were charging \$350.00 when they put the building. After several years when I was called in, I was on their waiting list, they said that the rent was about \$410.00, I believe. Now this is something that usually most people would be able to afford while they are waiting for their voucher will be approved. So that is a good point. Now Burbank Housing will do a lot of work they just need the funding and locations and so on. I understand from the person who is in charge of these affordable housing, I believe it is Mr. Ben Wickman we talked recently and he said that they are in the process of putting a map as to where these things are going to be and that was after I was contacted by the office of Assembly Member, Mark Levin, who said that they passed a law, Senate Bill 2 & 3, that is going to provide some funding for the affordable housing. So apparently, things are happening. I would believe engaging students (college or university) in co-operative programs that they could learn the construction industry working under supervision of a contractor. That could also be an excellent solution. I got my university education doing exactly that this. Being in a co-operative program where I was being paid very little money, but I was learning about the degree that I was studying to

obtain. So that is one solution. But without this and the vouchers not expiring and if there is a way to apply for more Federal funding to increase the vouchers from 300 per year to the number that is actually waiting to get the help that would prevent homelessness. And the number can be figured out based on your research of who is waiting and if there is duplications between Santa Rosa and Sonoma County that does not mean there are two people waiting that means there is only one household waiting, but they are on two waiting lists. Waiting on two waiting lists needs to continue, please, because that is very important. We cannot cancel that. That is about it for now and if I think of something else I will be in contact, but I am unable to attend the meeting that you have on the 22nd. Also calling me back, I apology I do not have voicemail I only have caller ID. So if for any reason you want to contact me and then I am at 575-6874. So I would only see your telephone number and that you called me but please don't spent the time saying something because I don't have voicemail. At that point, I could call you back but I believe the effort is best invested into the actual meeting and the results and further research in how to resolve this situation. But the lottery makes me apprehensive a little because I feel that some people would be picked up ahead of others that maybe don't even need the voucher. That is it for now and I thank you for listening and I apologize for having to leaving you 2 messages for that. Have a good day, bye-bye.

[Alex Elshirbiny - Phone call](#), May 9, 2019 12:38 PM

Hello, my name is Alex Elshirbiny and I have left a message earlier regarding the letter that I received about the proposed changes. And I did mention that I also wrote a page and mailed that and I hope you received it. And I hope since I am unable to attend the meeting I am hoping that the comments I made may get a change to get introduced into the meeting together with the comments I am making here which are the same. I am leaving them here because I want to make sure you guys got all the points that I am trying to make. So now the point that I put into writing but I think that I forgot to mention in my previous message to you on this message, is that one way to because the vouchers cost money if there is any ways to reduce these amounts and the letter said that you have 300 per year which is extremely small every year, of course. If there is any ways to pay less money of course that mean we would have more money to help more people. The recommendation I put into the letter was that if there is any people that have some funds to probably own a manufactured home. I am one of these people, but I cannot find a project or an owner that has land that has connection charges and willing to take my manufactured home onto their lot. I have discussed that with my case workers and they said yes H.A. could pay on the land. Now paying rent on the land used to be, I was told, \$700.00 to \$800.00. Vouchers now for just a one bedroom that has no accommodations for the disabled person, and I am disabled, may cost up to \$1,500.00. As you can imagine we are looking nearing double the amount just rent one bedroom apartment that actually cause my disability to get worse. If I have my own manufactured home I would have all the accommodations in it that I need and the H.A. would pay less to the land owner and so everybody is benefitting. But is there a project like that? I have spoke to Burbank Housing to see if they may have a project like that and to let me know. So that is one recommendation - one solution that could help, by gathering the names of people that have some funds and I am one of them, Alex Elshirbiny, if there are more like me that is really good news. I also wanted to mention about the fact that the existing waiting list will be eliminated and we are going to start all over. It may seem that there isn't much time going to be wasted for me because I have already been waiting for 3 years this September. I was told 5 or 5 ½ so if the lottery system takes 2 years to help people then I will still be in

the 5 year waiting. But what concerns me will my name come up if it is just randomly drawn by the computer. I don't know what criteria the computer will have to select these names that is what is concerning to me, because someone who does not need it as much their name will come up someone desperate and homeless their name may not come up. That is the problem with the lottery that random selection. And respect to the existing system that makes people to wait for too long that is true but it is not the waiting first come first served basis that is causing this problem and the lottery is not going to make that speedy. The problem really is the lack of affordable housing. We need 20 to 30 buildings of apartments of at least 100 units each. And it has really has to be done now and we need vouchers that does not expire. (Message ended).

[Alex Elshirbiny - Phone call](#), May 9, 2019 12:38 PM

I wanted to finish my message and I wanted to give you a real life example. I lived alone and the apartment did not have any accommodations. My work injuries that I had before which were very severe retriggered and I acquired more because of the lack of accommodations. I ended up moving with my family only to find out that there is a law that prohibits families from living together. I did put that down in my letter, but did not put down the law and that law and I have been trying and still trying to change it. The Law 24CFR 982.615 (b) (3). The Law again is 24CFR and Part 8 and partially Part 8.4 denying the person benefits of Section 8 assistance because they are living with their family is discrimination. I was in the process of acquiring that when the administration changed from President Obama to President Trump and I found I am not getting anywhere with HUD in San Francisco or DC who flat out told me that they will not deal with me. I am a recipient, I should not be doing that and it should be H.A. that is reaching out to them to do that. I am in the City of Santa Rosa now. They tried and showed me their application for waiver and I acquired the response from DC, No flat out they told to them and to me. No, Washington DC will not accommodate a disabled person. So, that is very strange and the disability laws in our country takes over from any other law. Laws of accommodations are number one and everything else is number two whether it is Federal, State or Local. That is what I came up against. If that law is changed it could really make things much easier. I came with the family with the understanding that it could take 2 or 3 years based on the doctor's evaluation, of course. Within a couple of years I felt that maybe I could live alone again if the accommodations were in the unit that I would be in. I was called by two people and one of them that they had the accommodations and I could not accept it. Why the voucher had expired. So that is the timing issue that I am taking about between places available and no voucher and

Comments Generally Supportive

[Anonymous](#)— Phone Call May 7, 2019, 8:59 AM

Lives outside the jurisdiction. She did not understand that people who live or work in Sonoma County got served first. Had she known that she wouldn't have even applied to the waitlist. She is glad that there will be another opportunity for her to apply for the waitlist and where she lives will not be held against her.

Julie Mills– Phone Call May 7, 2019, 9:14 AM

Feels that seniors currently on the waitlist should be provided an automatic spot on the new waitlist because a lot of people who are older should be taken care of. She will sign up for the waitlist

Email Comment, Shardai Lester, May 6, 2019, 4:25 PM

I am all for the lottery. I have 3 sons and I have been on the waitlist for 7 years. I'd appreciate a change to be able to move into a bigger home that I can afford before my children move out.

Sincerely,
Shardai Lester

Email Comment, Samy Alyasiry, May 6, 2019, 3:22 PM

Hello,
My name is Samy Alyasiry, Thank you for letting me know about the new coming updates on the waitlist.
I have to travel overseas on the 10th of this month for family emergency death in the family. Therefore, I will not be able to attend the hearing on that day. We are putting our full trust in you to help us, we have had apply way too long ago and still have not heard back from you. We wish to know what is our number in the waitlist also, if you could please inform us either way through email or by regular mail.

Thank you so very much,

Kind Regard,
Samy Alyasiry

Phone Comment, Penni Webb, May 7, 2019, 9:52 AM

Sonoma is very open to affordable housing to everyone. It would be so nice if it were easier to get into affordable housing. Changes are positive because the system will be blind to barriers.

Charles Cruz – Phone call, May 10, 2019 10:11 AM

Excited about this new input on this letter you sent me. I am willing to do everything I can to hopefully help me to get out to California. Thank you.

Email Comment, Hattie Patterson, May 7, 2019, 9:40 PM

I'm all for the change because it would be fair and I might have a chance to receive a choice Voucher.

Gregory Johnson – Phone call, May 13, 2019 2:39 PM

On Waiting list, in Chicago, IL. Cannot make forum but wanted to say that I appreciate what you all are doing. I would appreciate that if there is a new WL I would like if you could correspond with me and let me know if I have to reapply. I appreciate all the housing everyone does. I would like to relocate to California. Thank you and have a nice day.

Andrea Collins – Phone call, May 13, 2019 11:12 AM

I support the change to have the current waitlist canceled and I support the change for the lottery.

Email Comment, Brent Kevin Jones-King, May 7, 2019, 10:26 AM

Good Morning.

My name is Brent Kevin Jones-King and I am a Housing Choice Voucher Applicant.

I just received a letter informing me of the possible new changes that can benefit my family and I.

Unfortunately, I can not attend the upcoming meeting on May 22nd, 2019, regarding the changes.

I am in 100% for the "new changes" recommended, this will strengthen me and my family's opportunity to have a place to live. Moreover, I currently have family (grandpa, aunt, and uncle living in Sonoma county but I currently don't have a residence and in dire-need a place for my family, I have a new four-month old daughter and being in Sonoma County closer to support will strengthen our chance to become established and create a life in Sonoma County.

In closing, I am a supporter of the action for the new waitlist.

Once again, I do apologies for my non-attendance but I look forward to hearing from you soon as possible.

Thank you,
Brent Kevin Jones-King

Email Comment, Ping Tam, May 13, 2019, 2:46 PM

To whom it may concern,

I agree with the change that would give everyone the opportunity to be housed without only housing those that already live or work in Sonoma County,.

Thanks!

Ping Tam

[Email Comment](#), Stacey Topaz, May 13, 2019, 10:39 AM

To whom it may concern:

Hello! Thank you for the letter I recently received regarding your possibly changing to a lottery system as opposed to having a wait list for housing.

Unfortunately I do not have transportation, and would not be able to make it to the public hearing in Santa Rosa.

I would *prefer* the lottery system, as I do not drive, and it is extremely difficult for me to be constantly following up on my different applications, and constantly making phone calls or trying to get to different locations in order to drop off/renew applications. Waiting on 2-5 year waiting lists is tedious as well.

Please take this email to mean that I am *very much for* the lottery system.

Sincerely,

Miss Stacey Uffelman

[Email Comment](#), Genevieve Sotelo, May 10, 2019, 11:31 AM

Hi my name is Genevieve Sotelo I received the letter on what changes might accrue, I absolutely understand will I know what the changes will be when it has been decided? I wish all including self the best of luck thank you for the update my address remains the same XXXXXXXX Oakland Ca.94621...

Thank you for your time...

Genevieve Sotelo

[Email Comment](#), Ben Wong, May 7, 2019, 4:23 PM

Hi:

I am happy to learn of the lottery. Truth be told, I completely agree with the reasoning behind it; as I (and thousands like myself) will now at least stand a chance of getting some service, hopefully within 2 years or so.

So I am in support of this change at least.

Thanks.

[Email Comment](#), Danielle Nelson, May 5, 2019, 11:07 AM

Good Afternoon,

I was notified by family that the section 8 housing selection has been modified effective July 1, 2019. That's great news. My father was displaced in 2015 and was on section 8 but when nothing came open he moved to my home in Arizona. He still remains on Section 8 in Sonoma County and it's been our hope to relocate him back to Sonoma County where he lived for over 70 years. That leads to my question.

Per the notice I read online section 8 application will now open up to anyone in the US. When he applies is he good to use my address in AZ?

Thank you,

[Danielle Nelson](#)

[Email Comment](#), Isabell VanMerlin, May 7, 1092, 6:39 PM

Attn: Martha Cheever
Sonoma County Housing Authority
1440 Guerneville Road
Santa Rosa, CA 95403

Dear Ms. Cheever and Sonoma County Housing Authority:

Thank you for informing me of the proposed changes to the waitlist.

I would like to say that I think the lottery might be a way to deal with this issue. I have been on the list for about six years and really have no hope or expectation of reaching the top of the list. Even though I am not a "gambling person," the lottery seems like a way of POSSIBLY getting a Section 8 voucher!!

I "vote" yes on your proposal. And please keep me informed of the outcome of the meeting on May 22nd.

Again, thank you for letting me know of this possible change - and I send all best thoughts and wishes that the best solution for all will come from this meeting.

Sincerely,

Isabell VanMerlin
Dover, NH 03820

Email Comment, Ursula Samuels, May 7, 2019, 8:00 PM

Good Evening!

I just got home from work and have received your letter in tonight's mail. I cannot attend the meeting but I would like to comment. Firstly, I do believe that there needs to be a better way of being able to get into Government Housing. And, I apologize for saying #governmenthousing, it's just what we call it back in the Mid-West. I do believe that we should remove the preferences, current waitlist and add the lottery waitlist. And, I do understand that I probably won't get on the new waitlist but something else needs to make this process more streamlined and efficient. Even though I work and live here in Santa Rosa it's so hard to find affordable housing. Right now, I pay over \$2200.00 monthly. Why not add extra requirements to live housing like no convicted felons, no one with drug problems or even have applicants have at least some type of income like a PT job. I don't know, maybe the Housing Authority already have guidelines like this in place. Martha, I realize that you and your panel have a lot to think about because there are so many people like me and others' that are basically just trying to survive(work daily) and to have a comfortable/safe place to sleep at night. Thank you again for allowing me to give my input.

Sincerely,

Ursula Samuel's

Santa Rosa, ca

Phone Comment, Donna Barnette, May 7, 2019, 5:03 PM

Knows that the Housing Authority are doing the best to help people and grateful for any solution that would help the Housing Authority be able to do its job.

Phone Call, Jeff Pawlak, May 9, 2019, 11:17 AM

There is a crisis that parents who raise severely disabled children face who will always need support. Finding housing for them is extremely difficult. He is in support of the proposed changes so that his son has a chance to get housing assistance.

Phone Call, Natesha Smith, May 10, 2019, 11:28 AM

Understands that her chances of receiving service will be better so she is in support of the changes.

Email Comment, Vicki Ferguson, May 12, 2019, 12:11 PM

Dear Housing Authority:

I applied to your waiting list for the Housing Choice Voucher Program and therefore received your letter of May 1, 2019 informing me of changes to the program and requesting comments.

I am a California native, born and raised in central and northern California in 1950. I graduated from high school and college in the Monterey Bay area. Over the course of my life I have ventured out of California to live and work for a few years at a time in Oregon, Hawaii and in Washington, but have always returned to California.

Upon receipt of your letter I read that because I currently reside in Oregon and your preference lists only those living/working in Sonoma County, I would not receive service from you. As the program is federally funded I was surprised and dismayed. However, I further read that you are in the process of attempting to change this to open your program to all qualified applicants and was encouraged.

My family lives in the Sacramento area and they have been asking me to move back to California as I approach my 70th birthday. I would love to move back to my home state as I have been missing it these past few years. I'm at the end of my traveling forays and want to come back home for whatever days I have left.

With Social Security and a part time job I have been able to just get by here. I would far prefer to get into senior housing nearer my family with access to good health care, as I have some health problems that can be treated effectively by the great doctors in California.

I fully support the changes the Sonoma County Housing Authority has proposed and believe these changes would provide a level and fair system to all those who apply for housing. I applied to the Senior Housing list and hope these changes will allow me to come back to my home state.

Thank you for your time and consideration of my comments in this matter.

Sincerely,

Vicki E. Ferguson

[Email Comment](#), Inna Slobodnik, May 8, 2019, 5:20 PM

Dear Martha Cheever:

My name is Inna Slobodnik and I am Housing Choice Voucher Applicant. I support the proposed changes to the federal program, but I have few questions. Unfortunately I will not be able to attend the meeting held Wednesday, May 22, 2019 and I would like to ask these questions in this email:

In your letter you say that “if proposed changes are approved, the current waitlist will be canceled. A new waitlist application period will open from July 1-31, 2019 ..staff will assign each application a lottery number and use randomized computer software to select 500 applicants to place on the new waitlist.”

Question 1. Does the new waitlist application process include only those who are recently on waitlist, or the new applicants from the entire USA? In other words, who may submit new application?

Question 2. New waitlist applications will be submitted online or by mail?

Sincerely,
Inna Slobodnik

[Email Comment](#), Margarita Bulgokova, May 8, 2019, 10:49 AM

I love the upcoming changes to a lottery principle. Both approaches possible, but myself, as many other people can't live in Sonoma county without housing support, but need it very much, and there should have been more reasons considered in a former system. I, for example, need to move closer to my son, grandkids, which is important for several reasons, both heart and body - they also might come handy to help me in my older age. I also can't work in Sonoma without living close-by, I live in San Mateo county, it is too far to drive to work every day. As soon as I win this voucher and find housing, I will be able to find a job, at least part time and see my family more often.

Thank you, go ahead.

Margarita Bulgakova

[Email Comment](#), Andrea Collins, May 13, 2019, 11:12 AM

Please note I support the change I support the current waitlist being canceled.

Sincerely,
Andrea Collins

Email Comment, Bruce Brown, May 9, 2019, 3:42 PM

Dear Ms Cheever,

Thank you for your letter of May 1, 2019 on the above subject. I am on the current wait list.

I am a USAF combat veteran and have lived in Los Angeles county for the last 30 years, where I have worked mostly as a teacher in the California public school system. Like so many Americans, in planning a place for retirement (which I am close to achieving), I envision a more idyllic lifestyle away from the big city. For me, that has meant Sonoma County. I was stationed at Mather, Castle and Travis Air Force Bases for the first five years of my Air Force service and spent a significant part of my "off time" getting to know California's wine country, including Sonoma County.

As a military veteran, I think I receive some preference under this federal program. However, I was surprised to learn from your letter that it will be impossible for me to obtain housing under this program the way that it is currently structured. I have been basically biding my time here in the L.A. area, postponing retirement until the housing situation there in Sonoma County cleared up a bit, especially considering the negative impact that the wildfires have had on the availability and affordability of housing. Your letter has provided greater clarity, and I thank you for that. I now realize that my having moved up there before this would have only increased my chances for housing under this program, as it is currently structured, from impossible to, at most, about 300 out of 6000 (5%), if I am reading your letter correctly.

I am 70 years old, and when I signed up on the wait list, I had a reasonable expectation that I would be able to obtain housing under the program when I was in my 70s, or perhaps my early 80s. It is clear from your letter that such will not be the case under the program as it is currently structured, even if I were to move up to Sonoma County tomorrow.

As a non local, it would be difficult for me to attend the hearing on this matter, so I am sending this email instead. I have no objection to it being read out loud at the hearing and would like it to be included in the record. Presumably, most who attend the hearing will be locals, and the other 70+% of us on the wait list should have our voices heard.

Much of the program applies to seniors like myself. Most of us have limited time, limited income and limited flexibility to plan and live our last years. Housing availability and costs are of primary importance to us, and the option to perhaps qualify for this federal program can make all the difference. The current program allows for "the goal posts to be continuously moved," i.e., short circuited by anyone who has some connection to a local address, meaning that my place on the wait list will likely not proceed, only recede.

The proposed changes will inject stability, practicality, and most of all, predictability into the program. Those of us seniors who are still alive at each period that the wait list is reopened would then have an objective and fair chance to obtain housing under the program within one

to two years. Once you have "won the housing lottery," you know that you will be "in" soon. Perhaps your letter states it best: "Converting to a lottery will create an expectation of service that does not exist under the current structure."

I therefore support the proposed changes to the current program. To do so will bring it more in line with the goals of this national program. Even if I were to move up there, I believe that it is unlikely that I would ever be able to obtain housing under the program as it currently exists. My guess is that there are people who have been on the wait list for over a decade and that some have died waiting. It would be nice if those of us who have lived a life of underpaid public service would at least have a shot at some reasonable housing for our last abode.

Respectfully,

Bruce Brown

[Email Comment](#), Barbara Reiteback, May 14, 2019, 4:36 AM

I'm in favor of the proposed changes to the voucher program .
Thank you for the update.
Barbara Reitebach

[Stephanie Kramer - Voicemail](#), May 15, 2019 9:45 AM

I pretty much agree with your new procedure for the vouchers. Do we have to do all of that ourselves, will we get a notice that this has been accepted so that we can move forward. Can you make that clear?

[Email Comment](#), Alicia Cody, May 15, 2019, 11:11 AM

Please remove specific preferences.

Regards,

Alicia Cody