

March 19, 2020

Housing Authority Board of Commissioners  
Clackamas County

Members of the Board:

Public Hearing on the Proposed 2020-2021 Housing Authority of Clackamas County Annual Plan

<b>Purpose/Outcomes</b>	A Public Hearing before the Housing Authority Board of Commissioners to review the past performance and to review the Proposed 2020-2021 Annual Plan
<b>Dollar Amount and Fiscal Impact</b>	\$14,500,000 for Section 8 Voucher funds, \$1,875,000 in Public Housing funds and \$1,160,000 in Capital Grants Program funds
<b>Funding Source</b>	U.S. Department of Housing and Urban Development No County General Funds are involved.
<b>Duration</b>	Effective July 1, 2020 through June 30, 2021
<b>Previous Board Action</b>	2019-2020 Annual Plan approved by the HACC Board on April 4, 2019 – Resolution No. 1937
<b>Strategic Plan Alignment</b>	1. Ensure safe, healthy and secure communities 2. Build public trust through good government
<b>Contact Person</b>	Jill Smith, HACC Executive Director (503) 742-5336
<b>Contract No.</b>	N/A

**BACKGROUND:**

The Housing Authority of Clackamas County (HACC), a Division of the Health, Housing and Human Services Department requests a Public Hearing before the HACC Board to present HACC's policy changes, new goals and activities, progress on meeting goals and allow for public comment. This hearing will satisfy a U.S. Department of Housing and Urban Development (HUD) requirement that the public be given an opportunity annually to review the performance of the Housing Authority of Clackamas County and comment on the goals and objectives of the Annual Plan.

HACC's Annual Plan implements the goals and objectives of the 5-Year plan and updates HUD regarding the Housing Authority's policies, rules, and requirements concerning its operations, programs, and services.

Capital Fund Program (CFP) is a grant that HUD provides for the development, modernization, and management of Public Housing. HACC is applying for and seeking Capital Funds in the amount of \$1,160,000 for 2020-21.

The Plan meets the following requirements of the Quality Housing and Work Responsibility Act (QHWRA) of 1998.

- The Annual Plan was developed in consultation with the Resident Advisory Board (RAB).
- The RAB is made up of residents from Public Housing and Section 8 programs. The RAB met on January 16th, 2020 to review the Plan.
- A summary of the policy changes were given to members of the RAB to distribute to their neighbors in Public Housing.
- HACC published a public notice in the Oregonian opening the Annual Plan for public review and comments from January 19, 2019 through March 5th, 2019.

- HACC published a notice in the Quarterly newsletter inviting residents to the RAB meeting, Public Hearing and notifying residents of the public review period. The Quarterly newsletter is mailed to every household living in Public Housing and emailed to families living in Section 8.
- The Plan was available at the HACC Administrative Office, HACC Property Management Offices, Clackamas County Oak Grove Library, and was posted on HACC's website.

The Public Hearing will consist of three parts:

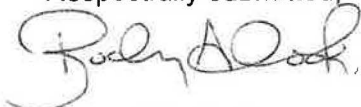
- 1) A review of the past performance of the Housing Authority of Clackamas County;
- 2) A review of the Proposed 2020-2021 HACC Annual Plan; and
- 3) An open discussion period during which citizens may testify on the plan or HACC's programs and actions.

**RECOMMENDATION:**

Staff recommends that the HACC Board take the following actions:

- 1) Hold a Public Hearing to review past performance of the Housing Authority of Clackamas County and to review the proposed 2020-2021 Annual Plan;
- 2) Direct Housing Authority staff to make any changes necessary as a result of the Board's consideration of testimony to the Proposed Plan, and prepare for Board approval of the Final 2020-2021 Annual Plan; and
- 3) Place approval of the 2020-2021 Annual Plan on the HACC Board consent agenda for adoption at a special meeting scheduled for April 2, 2020.

Respectfully submitted,

 HHS deputy / For

Richard Swift, Director  
Health, Housing and Human Services

Attachments:

- Proposed 2019-2020 Annual Plan



# **Housing Authority of Clackamas County (HACC)**

**Annual Plan  
2020-2021**



**HACC Executive Director  
Jill Smith**

# Housing Authority of Clackamas County



## Annual Plan 2020-2021

Effective Dates July 1, 2020 – June 30, 2021

# Housing Authority of Clackamas County

## Annual Plan 2020-2021

### Table of Contents

HUD FORM 50075 PHA ANNUAL PLAN .....	1
ATTACHMENT A: SUMMARY OF ADMIN PLAN POLICY CHANGES.....	7
ATTACHMENT B: PUBLIC HOUSING ADMISSIONS & CONTINUED OCCUPANCY POLICY UPDATES .....	15
ATTACHMENT C: STATEMENT OF HOUSING NEEDS.....	25
ATTACHMENT D: DECONCENTRATION POLICY .....	30
ATTACHMENT E: CAPITAL FUND PROJECTS.....	31
ATTACHMENT F: CAPITAL FUND 2020 BUDGET .....	32
ATTACHMENT G: RAD PROJECTS .....	33
ATTACHMENT H: VIOLENCE AGAINST WOMEN ACT STATEMENT .....	36
ATTACHMENT I: RESIDENT RIGHTS HANDOUT .....	37
ATTACHMENT J: PUBLIC NOTICE .....	81
ATTACHMENT K: RESIDENT ADVISORY BOARD MEETING MINUTES & PUBLIC COMMENTS .....	82

<b>Streamlined Annual PHA Plan</b> <i>(High Performer PHAs)</i>	<b>U.S. Department of Housing and Urban Development</b> <b>Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226</b> <b>Expires: 02/29/2016</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** Form HUD-50075-HP is to be completed annually by **High Performing PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, HCV-Only PHA, Small PHA, or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment, and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceeds 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined, and is not PHAS or SEMAP troubled.

<b>A. PHA Information.</b>																			
<p><b>A.1</b> PHA Name: <u>Housing Authority of Clackamas County</u> PHA Code: <u>OR001</u>  PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performer  PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2020</u>  PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  Number of Public Housing (PH) Units <u>545</u> Number of Housing Choice Vouchers (HCVs) <u>1817</u> Total Combined <u>2362</u>  PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><b>PHA Plan, PHA Plan Elements, and Public Hearing Information can be found at the following locations:</b></p> <ol style="list-style-type: none"> <li>1) Housing Authority Administrative Office, 13930 S Gain Street, Oregon City, OR 97045</li> <li>2) Housing Authority Clackamas Heights Property Management Office, 13900 S Gain Street, Oregon City, OR 97045</li> <li>3) Housing Authority Hillside Property Management Office, 2889 Hillside Court, Milwaukie, OR 97222</li> <li>4) Housing Authority Website: <a href="http://www.clackamas.us/housingauthority/plansandreports.html">http://www.clackamas.us/housingauthority/plansandreports.html</a></li> <li>5) Clackamas County Public Library located at 16201 S.E. McLoughlin, Oak Grove, OR 97222</li> <li>6) Resident Advisory Boards (RAB) Members receive a hard copy of the full draft Annual Plan</li> <li>7) RAB Members receive a summary of policy changes (hard copy) to hand out to other residents.</li> <li>8) The summary of policy changes is emailed out to everyone and made available on our website</li> </ol> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:					
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				PH	HCV														
Lead PHA:																			
<b>B. Annual Plan Elements</b>																			

<p><b>B.1</b></p>	<p><b>Revision of PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last <b>Annual PHA Plan</b> submission?  Y N  <input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs (See Attachment C)  <input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions (See Attached A, B, and D)  <input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources  <input checked="" type="checkbox"/> <input type="checkbox"/> Rent Determination (See Attachment A and B)  <input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs  <input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention  <input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy  <input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation  <input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) The PHA must submit its Deconcentration Policy for Field Office Review. See Attachment D</p> <p>(c) If the PHA answered yes for any element, describe the revisions for each element below. See Attachments referenced above</p>
<p><b>B.2</b></p>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?  Y N  <input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods  <input checked="" type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development  <input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition  <input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance (Section 18 Demolition/Disposition)  <input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD  <input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers  <input checked="" type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization  <input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants)</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p>In 2018, HACC submitted a Section 18 Disposition application for Oregon City View Manor, a 100-unit Public Housing property located at 200 S. Longview Way, Oregon City. HACC plans to continue seeking a Section 18 Disposition for this site in 2020-2021. If approved, HACC will relocate all 100 households using Section 8 vouchers and the assistance of a relocation contractor. In addition, HACC plans to explore the feasibility of submitting a Rental Administration Demonstration (RAD) or Section 18 and RAD blended application as an alternative process for this property in 2020-2021.</p> <p>In 2018, HACC prepared and submitted a grant to Metro to develop a community plan for the redevelopment of the Clackamas Heights property, a 100-unit Public Housing property located at 13900 S. Gain St., Oregon City, OR 97045. HACC plans to explore the feasibility of submitting a Section 18, Straight RAD or Section 18 and RAD blended application as an alternative process for this property in 2020-2021.</p> <p>HACC submitted a RAD application for our Hillside Park project consisting of a 100-unit Public Housing property located in Milwaukie. The application was approved and the PHA received the CHAP on April 26, 2019. HACC is exploring the possibility of revising the application to utilize the Section 18 and RAD blend process instead of a straight RAD conversion. We anticipate this project may be a good candidate for a Section 18 Demolition and Disposition application and plan to pursue that application in 2020-2021. If approved, HACC will relocate all 100 households using Section 8 vouchers and the assistance of a relocation contractor. Finally, HACC is exploring the possibility of using disposition funds from the previous sale of scattered site properties to fund eligible activities related to the redevelopment of Hillside Park. Our application for a RAD conversion and Section 18 blend, in which we convert 100 units, with 70 under a RAD HAP contract and 30 under a regular PBV contract (including 5 de minimis units that are backfilled with regular PBVs) as part of the rehabilitation of Hillside Manor, located at 2889 SE Hillside Ct, Milwaukie, was approved and the project is moving forward toward construction closing in 2nd quarter 2020. Our RAD financing plan has been submitted and we are awaiting HUD approval.</p> <p>Lastly, HACC has 145 scattered sites throughout Clackamas County. We anticipate working with HUD and submitting an application to begin the process of a Section 18 Disposition and/or Demolition application for these sites in 2020. If approved, HACC will relocate all 145 households using Section 8 vouchers and the assistance of a relocation contractor.</p> <p>200 PBV's were approved by HUD for new development and rehabilitation projects. Request for proposals or awards of PBV are yet to be determined based on the Metro Affordable Housing Bond, the Hillside Redevelopment Plan (in initial phase of planning) and other development projects in the very early stages that are hopefully being developed in the next five (5) years. This is consistent with the PHA Plan to modernize, redevelop and demo/disposition) as our PHA Plan is required to align with the County's Consolidated Plan, Fair Housing Plan, Action Plan and Ten-Year Plan to end homelessness.</p> <p>Utilizing funds allocated to the Housing Authority from the Metro Affordable Housing Bond, HACC will expand its development capacity by hiring new staff to direct affordable housing development in the County. In addition to new staff, Metro Bond funds will be used to acquire and rehabilitate a facility located at 18000 Webster Road in Gladstone that will provide 50 units of housing for homeless and very low income individuals. As an implementing jurisdiction of the Metro Bonds, all bond resources allocated to Clackamas County will run through HACC. The goal for HACC is to support the development of at least 812 units of affordable housing throughout the eligible Metro boundary within the county. This support may include direct acquisition, development, and/or ownership by HACC or involve partnering with non-profit or for-profit developers to support the development of units throughout the eligible Metro boundary. HACC's strategy for reaching this goal is outlined in the 2019 Clackamas County Local Implementation Strategy (LIS).</p>

HACC is receiving \$1,333,000 in funding from Kaiser/Healthshare, for a pilot project. HACC will serve 80 households, with a member of the household 50+ and homeless, using HUD's definition, except if fleeing domestic violence and exiting an institution. The homeless individual will have one or more disabling conditions and/or referral from one or more systems of care/institutions. The funding will be used for rent assistance and to reduce barriers to housing. Rent assistance will be provided for twelve (12) months with the pilot lasting for two (2) years.

HACC is participating in the Permanent Supportive Housing (PSH) Development and Operational Team Technical Assistance Pilot Cohort sponsored by Oregon Housing and Community Service (OHCS). Participation in the six month Technical Assistance Pilot Cohort makes HACC eligible to apply for PSH Pilot funds to provide rental assistance and capital and services funding to support the Webster Road Redevelopment Project in Gladstone.

**B.3 Progress Report.**

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.

PHA Goal 1: Develop new housing units with long-term affordability for a broad range of low-income households with an emphasis on dispersal of affordable housing by:

- Applied for and received 15 additional VASH vouchers
- Applied for and received 50 additional Mainstream vouchers
- Applied for and received 7 New Foster to Youth Initiative (FYI) vouchers
- Applied for 50 Family Unification Program (FUP) Vouchers at this time awaiting to hear if awarded
- Continuing to leverage private and/or other public funds to create additional housing opportunities
- Working with a broker to acquire land for new construction of affordable housing
- Conducted a financial feasibility study for rehabilitation, disposition, or redevelopment of existing Public Housing properties
- As of 2019, our multi-phase Rental Administration Demonstration (RAD) application for the rehabilitation of Hillside Manor has been approved and the project is moving forward towards rehabilitation closing in Spring 2020. Our Rental Administration Demonstration (RAD) application for the redevelopment of Hillside Park has been submitted and we are awaiting HUD approval.
- Prepared and submitted a grant to Metro to develop a community plan for the Hillside Park property
- Prepared and submitted a grant to Metro to develop a community plan for the Clackamas Heights property
- Continued planning for the utilization of RAD & Demolition/Disposition Section 18 to improve & increase the number of affordable housing units
- Submitted a Section 18 Demo/Disposition application for Oregon City View Manor. This application is still in process with HUD.
- Rosewood Station is under construction with the first of six buildings scheduled for leasing in May 2019. Total affordable housing is 212 units. 20 of the units were awarded PBV.
- Clayton Mohr Commons Veteran's Housing project was completed and has 24 Project Based Vouchers.
- Northwest Housing Alternatives new campus of affordable housing was completed and includes 7 PBV units.
- Submitted a HUD Section 108 loan application & received loan approval to fund a variety of affordable housing projects including acquisition, new construction, and rehabilitation.
- Acquired the Webster Road property in Gladstone using Metro Bond funds. Working with development team to rehabilitate and redevelop the property to provide up to 50 units serving low income and homeless individuals 55+ and older. HACC plans to apply for Metro Housing Bonds, LIHTC, PSH pilot funds, PBVs, and HOME funds to support redevelopment efforts
- Participating in the Permanent Supportive Housing (PSH) Development and Operational Team Technical Assistance Pilot Cohort sponsored by OHCS. Participation in the six month Technical Assistance Pilot Cohort will allow HACC to apply for PSH Pilot funds to provide rental assistance and capital and services funding to support the Webster Road Redevelopment Project in Gladstone.

Housing Authority of Clackamas County certifies that the RAD conversion complies with all applicable site selection and neighborhood reviews standards and that all appropriate procedures have been followed.

PHA Goal 2: Improve access & housing choice for everyone, with a focus on protected classes and single parent households by:

- Provided voucher mobility counseling
- Conducted outreach efforts to potential voucher landlords
- Revised payment standards to reduce the barriers to finding affordable housing
- Continuing our security deposit loan program for Section 8 families
- Provided higher payment standards for families needing ADA units.
- Maintain a list of ADA units within the County to assist families seeking housing

PHA Goal 3: Enforce Fair Housing Laws and Increase public understanding of Fair Housing laws by:

- HACC hosted free Fair Housing and Landlord Tenant Law trainings and plans to continue hosting free training
- Strengthened the partnership with Fair Housing Council of Oregon and continued distributing fair housing information
- Continued to partner with Housing Rights & Resources Program
- We offer training at Metro Multifamily and other Landlord Group Meetings on the Benefits of Rental Assistance
- Distributed Fair Housing Videos and Information to landlords participating in Section 8 through Landlord newsletter.
- Continuing to educate clients on Fair Housing Rights & provide Fair Housing brochures at Orientation meetings
- Continued attending State subcommittee meetings on Renters Rights and other nonprofit Renter Rights Advocacy Groups
- Aligned our 5-year plan with the County's 5-year Consolidated Plan & completed the Assessment of Fair Housing plan
- Closed and completed all FHEO findings
- Conduct trainings for staff on Fair Housing and Diversity Equity and Inclusion

PHA Goal 4: Improve the quality of Housing Authority assisted housing and customer service by:

- Maintained high performer status in Section 8
- Improved the physical environment in our public offices
- Streamlined administrative operations, creating efficiencies and improving customer service
- Maintain a robust client feedback system to gauge if improvements are needed
- Completed 76 capital fund rehabilitation projects. Three (3) of the 76 projects were substantial rehabilitations averaging \$125,000 per unit



	<p><input checked="" type="checkbox"/> Prepared and submitted a multi-phase Rental Administration Demonstration (RAD) application for the rehabilitation of Hillside Manor and the redevelopment of Hillside Park.</p> <p><input checked="" type="checkbox"/> Developed strategies for cross training staff to ensure we provide the highest level of service to clients we serve</p> <p><input checked="" type="checkbox"/> Attend RAD &amp; LIHTC Compliance Trainings for new developments scheduled to come on line in 2020.</p> <p><input checked="" type="checkbox"/> Staff training on Diversity, Equity and Inclusion (DEI) via Meyer Memorial Trust Grant, required Mental Health First Aid Training of all staff, Trauma Informed Care training, Domestic Violence Training and Fair Housing Training.</p> <p><b>PHA Goal 5: Improve community quality of life and economic vitality by:</b></p> <p><input checked="" type="checkbox"/> Partnered with social service agencies to provide services to school aged youth</p> <p><input checked="" type="checkbox"/> Developed stronger partnerships with service providers who assist our elderly and/or disabled residents</p> <p><input checked="" type="checkbox"/> Continued to grow the community gardens program</p> <p><input checked="" type="checkbox"/> Encouraged Resident participation through Resident Associations</p> <p><input checked="" type="checkbox"/> Contracted with Clackamas County social services and other resident service providers to provide a variety of Public housing services using county provided general fund.</p> <p><input checked="" type="checkbox"/> Completed a Metro Grant to assist in the planning of the Hillside Park redevelopment, envisioned to be a mixed income community offering a variety of housing opportunities along a spectrum of affordability.</p> <p><b>PHA Goal 6: Promote self-sufficiency and asset development of families and individuals by:</b></p> <p><input checked="" type="checkbox"/> Continue to partner with local &amp; regional workforce partners to increase the number of employed/under-employed persons in assisted housing</p> <p><input checked="" type="checkbox"/> Partnered with agencies to provide supportive services to increase independence for the elderly and families with disabilities</p> <p><input checked="" type="checkbox"/> Awarded Resident Opportunities Self Sufficiency (ROSS) grant</p> <p><input checked="" type="checkbox"/> Applied for and received renewal funding for the Family Self Sufficiency (FSS) grant</p> <p><input checked="" type="checkbox"/> Research and apply for future grants that provide services and enhance residents' quality of life</p> <p><input checked="" type="checkbox"/> Awarded a grant to implement a new credit building program for Public Housing residents.</p> <p><input checked="" type="checkbox"/> Established Memorandum of Understandings with area service agencies to provide outreach and housing stabilization services for families referred for Housing Choice Vouchers and Mainstream Vouchers.</p> <p><input checked="" type="checkbox"/> This year we implemented a new Credit Building Program for our Public Housing residents. If residents elect to enroll, HACC reports on-time rent payment, to the Credit Bureau's through a third party. This has been an effective way to support residents in their goals of becoming more financial stable and self-sufficient.</p>
<p><b>B.4. Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>	
<b>Other Document and/or Certification Requirements.</b>	
<p><b>C.1</b></p>	<p><b>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan</b></p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p><b>C.2</b></p>	<p><b>Civil Rights Certification.</b></p> <p><u>Form 50077-ST-HCV-HP</u>, <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p><b>C.3</b></p>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y N  <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<p><b>C.4</b></p>	<p><b>Certification by State or Local Officials.</b></p> <p><u>Form HUD 50077-SL</u>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>D Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</b>	
<p><b>D.1</b></p>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.  See HUD Form 50075.2 approved by HUD on 10/04/2018.</p>

# Instructions for Preparation of Form HUD-50075-HP Annual Plan for High Performing PHAs

## A. PHA Information. All PHAs must complete this section.

**A.1** Include the full **PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), PHA Inventory, Number of Public Housing Units and or Housing Choice Vouchers (HCVs), PHA Plan Submission Type, and the Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. ([24 CFR §903.23\(4\)\(c\)](#))

**PHA Consortia:** Check box if submitting a Joint PHA Plan and complete the table. ([24 CFR §943.128\(a\)](#))

## B. Annual Plan.

### B.1 Revision of PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

**Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income), (ii) elderly families and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent it pertains to the housing needs of families that are on the PHA’s public housing and Section 8 tenant-based assistance waiting lists. [24 CFR §903.7\(a\)\(1\)](#) and [24 CFR §903.12\(b\)](#). Provide a description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent it pertains to the housing needs of families that are on the PHA’s public housing and Section 8 tenant-based assistance waiting lists. [24 CFR §903.7\(a\)\(2\)\(ii\)](#) and [24 CFR §903.12\(b\)](#).

**Deconcentration and Other Policies that Govern Eligibility, Selection and Admissions.** Describe the PHA’s admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA’s policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to [24 CFR §903.2\(b\)\(2\)](#) for developments not subject to deconcentration of poverty and income mixing requirements. [24 CFR §903.7\(b\)](#) Describe the PHA’s procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists. [24 CFR §903.7\(b\)](#) A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. ([24 CFR §903.7\(b\)](#)) Describe the unit assignment policies for public housing. [24 CFR §903.7\(b\)](#)

**Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA’s anticipated resources, such as PHA operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. ([24 CFR §903.7\(c\)](#))

**Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. ([24 CFR §903.7\(d\)](#) – [Attachments A and B show changes in policies affecting rent determination.](#))

**Homeownership Programs.** A description of any homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. For years in which the PHA’s 5-Year PHA Plan is also due, this information must be included only to the extent that the PHA participates in homeownership programs under section 8(y) of the 1937 Act. ([24 CFR §903.7\(k\)](#) and [24 CFR §903.12\(b\)](#)).

**Safety and Crime Prevention (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. ([24 CFR §903.7\(m\)\(5\)](#))

**Pet Policy.** Describe the PHA’s policies and requirements pertaining to the ownership of pets in public housing. ([24 CFR §903.7\(n\)](#))

**Substantial Deviation.** PHA must provide its criteria for determining a “substantial deviation” to its 5-Year Plan. ([24 CFR §903.7\(r\)\(2\)\(i\)](#))

**Significant Amendment/Modification.** PHA must provide its criteria for determining a “Significant Amendment or Modification” to its 5-Year and Annual Plan. Should the PHA fail to define ‘significant amendment/modification’, HUD will consider the following to be ‘significant amendments or modifications’: a) changes to rent or admissions policies or organization of the waiting list; b) additions of non-emergency public housing CFP work items (items not included in the current CFP Annual Statement or CFP 5-Year Action Plan); or c) any change with regard to demolition or disposition, designation, homeownership programs or conversion activities. See guidance on HUD’s website at: [Notice PIH 1999-51](#). ([24 CFR §903.7\(r\)\(2\)\(ii\)](#))

If any boxes are marked “yes”, describe the revision(s) to those element(s) in the space provided.

PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see [24 CFR 903.2](#). ([24 CFR §903.23\(b\)](#))

**B.2 New Activities.** If the PHA intends to undertake any new activities related to these elements or discretionary policies in the current Fiscal Year, mark “yes” for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark “no.”

**Hope VI.** 1) A description of any housing (including project name, number (if known) and unit count) for which the PHA will apply for HOPE VI; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

**Mixed Finance Modernization or Development.** 1) A description of any housing (including name, project number (if known) and unit count) for which the PHA will apply for Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>. (Notice PIH 2010-30)

**Demolition and/or Disposition.** Describe any public housing projects owned by the PHA and subject to ACCs (including name, project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm). (24 CFR §903.7(h))

**Conversion of Public Housing.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(i))

**Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers. (24 CFR §983.57(b)(1)) If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan.

**Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

**B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.7(r)(1))

**B.4 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))

#### C. Other Document and/or Certification Requirements

**C.1 Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 SM-HP.

**C.2 Civil Rights Certification.** Form HUD-50077 SM-HP, *PHA Certifications of Compliance with the PHA Plans and Related Regulation*, must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o))

**C.3 Resident Advisory Board (RAB) comments.** If the RAB provided comments to the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

**C.4 Certification by State or Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15)

#### D. Statement of Capital Improvements.

PHAs that receive funding from the Capital Fund Program (CFP) must complete this section. (24 CFR 903.7 (g))

**D.1 Capital Improvements.** In order to comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan. PHAs can reference the form by including the following language in Section C. 8.0 of the PHA Plan Template: "See HUD Form 50075.2 approved by HUD on XX/XX/XXXX."

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 16.64 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Privacy Act Notice.** The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

**ATTACHMENT A**

**Summary of Proposed Housing Choice Voucher Administrative Plan Policy Changes Effective Upon Board Approval**

Housing Authority of Clackamas County  
Annual Plan 2020-2021

<b>Chapter</b>	<b>Old Policy Language</b>	<b>New Policy Language</b>	<b>Summary</b>
<b>3</b> <b>Page 3-</b> <b>2</b>	<p><b>3-I.B. FAMILY AND HOUSEHOLD [24 CFR 982.201(c); FR Notice 02/03/12, and Notice PIH 2014-20]</b></p> <p><u>HACC Policy</u> A family also includes Single-person Family: A single person who is 62 years old of age or over; or a single person who is disabled; or a single person who is displaced; or a single person who is in the process of securing legal custody of any individual under the age of 18 years; or a single woman who is pregnant.</p> <p>All other single persons may apply but will not be housed until all above listed single persons are housed.</p>	<p><b>3-I.B. FAMILY AND HOUSEHOLD [24 CFR 982.201(c); FR Notice 02/03/12, and Notice PIH 2014-20]</b></p> <p><u>HACC Policy</u> <b>Single-person Family:</b> A single person who is 62 years old of age or over; or a single person who is disabled; or a single person who is displaced; or a single person who is in the process of securing legal custody of any individual under the age of 18 years; or a single woman who is pregnant.</p> <p>All other single persons may apply but will not be housed until all above listed single persons are housed.</p> <p><b>A family also includes two or more individuals who are not related by blood, marriage, adoptions, other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of family.</b></p> <p><b>Each family must identify the individuals to be included in the family at the time of application, and must update this information in writing if the family's composition changes.</b></p>	<p><b>Added language defining family beyond the HUD definition. Also requires that household is defined at application with only additions being for significant other or children or waiver for parents if needing care.</b></p>

4-9

**Targeted Funding [24 CFR 982.204(e)]**

HUD may award a PHA funding for a specified category of families on the waiting list. HACC must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

HACC Policy

HACC administers the following types of targeted funding:

- Mainstream HCV dedicated to non-elderly (must be over 18 or under 62 years of age) and disabled families.
- Shelter Plus Care (SPC) grant funding which requires a client be homeless and disabled at time of application; and
- VASH vouchers for qualified homeless veterans as determined by the U.S. Department of Veterans Affairs.

**Targeted Funding [24 CFR 982.204(e)] keeping all old policy and adding:**

- As awarded, HACC will administer Family Unification Program (FUP) vouchers or Foster Youth to Independence (FYI) vouchers. The FUP and FYI both serve youth that the Public Child Welfare Agency (DHS) has certified to be at least 18 years old, and not more than 24 years of age, and who has left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5) (H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older. The FUP can also serve a family that DHS has certified as a family for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in/out-of-home care, or in the delay of discharge of a child, or children, to the family from out-of-home care, and that HACC has determined is eligible for a HCV.
- As awarded, Metro 300 Grant for 80 elderly (age 50 and older) disabled households in housing crisis as referred by service providers who commit to no less than 24 months of housing stabilization services through a Memorandum of Understanding (MOU) with the Housing Authority.

**HACC continues to apply for new rental assistance program funding and when awarded is required to have language explaining the populations served by each funding source. Adding new funding sources**

4-11

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

4. Families currently in the Public Housing program who have met the requirements for an emergency or administrative transfer but whose needs cannot be met within the Public Housing program through relocation **and are active applicants on the HCV wait list.**

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

4. Families currently in the Public Housing program who have met the requirements for an emergency or administrative transfer but whose needs cannot be met within the Public Housing program through relocation.

**Removed requirement that household must already be on the HCV wait list**

4-11

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

5. HACC Public Housing Families who are under housed or in need of reasonable accommodation that Public Housing cannot accommodate through relocation **and are already active applicants on the HCV wait list.**

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

5. HACC Public Housing Families who are under housed or in need of reasonable accommodation that Public Housing cannot accommodate through relocation.

**Removed requirement that household must already be on the HCV wait list**

4-11

6. Maximum of 33 dedicated vouchers to serve homeless persons per fiscal year (FY) (July 1st to June 30th). Families must be homeless at time of application. This preference can only come from direct referring agencies that have signed a Memorandum of Understanding (MOU) outlining the services to be offered to those referred. The referrals should have must originated off from the Coordinated Housing Access (CHA) system and have an HMIS identification number to show an intake was completed and may include the following homeless outreach programs: Bridges to Housing (B2H), Homeless Veteran Outreach, Transitional Housing or Rapid Rehousing. These programs must

6. Maximum of 33 dedicated vouchers (in addition to all vouchers awarded by HUD to serve homeless populations) to serve homeless persons per fiscal year (FY) (July 1st to June 30th). Families must be homeless at time of application. This preference can only come from direct referring agencies that have signed a Memorandum of Understanding (MOU) outlining the services to be offered to those referred. The referrals must originate from the Coordinated Housing Access (CHA) system **and have an HMIS identification number to show an intake was completed.** To be referred households must be actively engaged in services at time of voucher issue. Vouchers will be distributed first come, first served order. Unused Preference slots do not carry over to the next fiscal year.

**Simplified and added language requiring HMIS identification number to show family originated off the CHA.**



serve families that at time of entry met the definition of homeless and verification of that status can be provided at application. To be referred households must be actively engaged in services at time of voucher issue. Vouchers will be distributed first come, first served order. Unused Preference slots do not carry over to the next fiscal year.

4-12

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

8. Maximum of 10 dedicated vouchers per year within a fiscal year (July 1<sup>st</sup> to June 30<sup>th</sup>) for households referred **by a Clackamas County Continuum of Care Permanent Supportive Housing (PSH)** provider that has entered into an MOU with HACC and applicant has been deemed by the provider to be in less need for supportive services. The household must be considered a candidate that is graduating off the PSH and that at time of entry into the PSH program were homeless and/or disabled. Unused Preference slots do not carry over to the next fiscal year.

**4-III.C. SELECTION METHOD**

**Local Preferences [24 CFR 982.207; HCV p. 4-16]**

8. Maximum of 10 dedicated vouchers per year within a fiscal year (July 1<sup>st</sup> to June 30<sup>th</sup>) for households referred by a provider that has entered into a Supportive Services MOU with HACC and applicant has been deemed by the provider to be in less need for supportive services. The household must be considered a candidate that is graduating off the PSH and that at time of entry into the PSH program were homeless and/or disabled. Unused Preference slots do not carry over to the next fiscal year.

**Removed requirement that must be a CoC PSH provider as this was a barrier to many SPMI clients.**

5-9

**5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

- A separate bedroom will be allocated for a single head of household with children. The two per bedroom will be required thereafter regardless of gender or age of the remaining household members.

**5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]**

**Delete language**

**Removed extra bedroom for single head of household with child(ren). Making Occupancy two per room regardless of age, sex, or generation.**

6  
6-41

**6-II.F. CHILD CARE EXPENSE DEDUCTION**

HUD defines *child care expenses* at 24 CFR 5.603(b) as –amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income.

**6-II.F. CHILD CARE EXPENSE DEDUCTION (keeping current language and adding the following)**

If the child is disabled and over age 13, HACC may consider this a disability assistance expense and refer to unreimbursed reasonable attendant care in excess of 3% of annual income (reference 5.611(a)(3)(ii)) **but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for services provided in the private market.**

**Aligning this policy with Section 8 where disabled and over 13 years old children can get child care disability assistance.**

10-7

**Housing Assistance Payments [24 CFR 982.311(d)]**

When a family moves out of an assisted unit, HACC may not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

**Housing Assistance Payments [24 CFR 982.311(d)]**

When a family moves out of an assisted unit, HACC may not make any housing assistance payment to the owner for any month **after** the month the family moves out. The owner may keep the housing assistance payment for the month when the family moves out of the unit.

**HACC Policy**

**HACC will pursue a prorated Housing Assistance Payment (HAP) whenever possible for mid-month moves. Should a family give advance notice to vacate mid-month, only prorated rent will be paid.**

**Add language that identifies current practice used to try and save funding.**

10-7

**Zero HAP Families Who Wish to Move [24 CFR 982.455]**

HACC Policy

If the family voluntarily moves while at zero HAP their voucher terminates automatically. The family is choosing to move without assistance.

**Zero HAP Families Who Wish to Move [24 CFR 982.455]**

A participant who is not receiving any subsidy, but whose HAP contract is still in force, may request a voucher to move to a different unit. The PHA must issue a voucher to move unless it has grounds to deny assistance under the program regulations. However, if the PHA determines no subsidy would be paid at the new unit, the PHA may refuse to enter into a HAP contract on behalf of the family.

HACC Policy

If a zero HAP family requests to move to a new unit, the family may request a voucher to move. However, if no subsidy will be paid at the unit to which the family requests to move, the PHA will not enter into a HAP contract on behalf of the family for the new unit.

**Required change for compliance which allows Zero HAP families to move with assistance if subsidy would be paid at new unit.**

**11-11 Required Reporting Remained Unchanged**

HUD regulations give HACC the freedom to determine the circumstances under which families will be required to report changes affecting income.

HACC Policy

Families are required to report all increases in income (including new employment or change of employment), and assets within 7 business days of the date the change takes effect.

The PHA will only conduct interim examinations that result in an increase in income under the following circumstances:

- 1) For families that qualify for the earned income disallowance (EID), and only when the EID family's share of rent will change as a result of the increase.
- 2) For families participating in the FSS program when the increase is due to an increase in earned income that will result in an increase in escrow credit.
- 3) When changes in income have not been reported to the PHA in a timely manner (within 7 business days of the change). In this situation, the PHA will conduct an interim reexamination and will make the change in tenant rent retroactive to the first of the month following the month when the change occurred. The family will be required to enter into a repayment agreement with the PHA for the overpaid assistance.
- 4) When the family previously had been at zero income.

In all other cases, the PHA will note the information in the tenant file, but will not conduct an interim reexamination.

***RAB Notification of Midyear Change not Done***

**Mid-Year Change was not adopted, HACC continues to administer per HACC policy in column one.**

**Notifying RAB that a midyear change was not adopted, pending HUD regulatory direction.**

**16-4 Updating Payment Standards**

**Updating Payment Standards**

**HACC may establish multiple payment standards by area to encourage lease up in low poverty census tracts. Area payment standards may need to apply for exception payment standards if needed to ensure the success of deconcentrating poverty.**

**Adding language so HACC can establish payment standard by area.**

16-4

None

**Voluntary Use of Small Area FMRs [24 CFR 982.503, Notice PIH 2018-01]**

PHAs that administer vouchers in a metropolitan area where the adoption of small area FMRs (SAFMRs) is not required may request approval from HUD to voluntarily adopt SAFMRs. SAFMRs may be voluntarily adopted for one or more zip code areas.

**HACC Policy**

HACC will not voluntarily adopt the use of SAFMRs.

Adding required language and made decision to not adopt SAFMRs

17-36

**17-VIII.B. RENT LIMITS [24 CFR 983.301]**

**HACC Policy**

HACC's goal is to provide as many families with vouchers as possible. Given the budget limitations of the program, HACC must implement policies that control its HAP expenditures.

The rent to owner must not exceed the lowest of the following amounts:

- An amount determined by the PHA, not to exceed applicable payment standard for the unit bedroom size minus any utility allowance
- The reasonable rent; or
- The rent requested by the owner.
- For PBV rent approved prior to April 1, 2019, the initial rent to owner will not fall below the subsidy layering review initial approved rent by HUD.

**17-VIII.B. RENT LIMITS [24 CFR 983.301]**

**HACC Policy**

HACC's goal is to provide as many families with vouchers as possible. Given the budget limitations of the program, HACC must implement policies that control its HAP expenditures.

The rent to owner must not exceed the lowest of the following amounts:

- An amount determined by the PHA, not to exceed applicable payment standard for the unit bedroom size minus any utility allowance
- **For projects serving homeless or other high needs population requiring permanent supportive housing that would require the increase, not to exceed 110% of FMR;**
- The reasonable rent; or
- The rent requested by the owner.
- For PBV rent approved prior to April 1, 2019, the initial rent to owner will not fall below the subsidy layering review initial approved rent by HUD.

Added language to allow properties that serve disabled populations with services on site 110% of FMR.

**ATTACHMENT B**  
**Summary of Proposed Admissions & Continued Occupancy Plan Policy Changes**  
**Effective upon Board Approval**

Housing Authority of Clackamas County  
Annual Plan 2020-2021

Chapter	Old Policy Language	New Policy Language	Summary
3 Page 3-2	<p><b>3-I.B. FAMILY AND HOUSEHOLD</b>                      [24 CFR 5.105(a)(2), 24 CFR 5.403, FR Notice 02/03/12, and Notice PIH 2014-20]</p> <p><u>HACC Policy</u>                      A family also includes                      Single-person Family:                      A single person who is 62 years old of age or over; or                      a single person who is disabled; or                      a single person who is displaced; or                      a single person who is in the process of securing legal custody of any individual under the age of 18 years; or                      a single woman who is pregnant.</p> <p>All other single persons may apply but will not be housed until all above listed single persons are housed.</p>	<p><b>3-I.B. FAMILY AND HOUSEHOLD</b> [24 CFR 5.105(a)(2), 24 CFR 5.403, FR Notice 02/03/12, and Notice PIH 2014-20]</p> <p><u>HACC Policy</u>  <b>Single-person Family:</b> A single person who is 62 years old of age or over; or a single person who is disabled; or a single person who is displaced; or a single person who is in the process of securing legal custody of any individual under the age of 18 years; or a single woman who is pregnant.</p> <p>All other single persons may apply but will not be housed until all above listed single persons are housed.</p> <p><b>A family also includes:</b>                      Two or more individuals who are not related by blood, marriage, adoptions, other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of family.</p> <p>Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.</p>	<p><b>Adding language with definition on family composition.</b></p>
3 Page 3-28	<p><b>3-III.D. SCREENING</b>                      Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]</p> <p><u>HACC Policy</u>                      PHA and landlord references for the past <b>five</b> years, gathering information on</p>	<p><b>3-III.D. SCREENING</b>                      Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]</p> <p><u>HACC Policy</u>                      PHA and landlord references for the past <b>two</b> years, gathering information on whether the applicant kept</p>	<p><b>Changing amount of time from five to two years.</b></p>



whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances.

a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances.

4 Page 4-2	<p><b>4-I.B. APPLYING FOR ASSISTANCE</b> <u>HACC Policy</u> When a <b>site based</b> wait list is open, between the date of application and the availability of unit, a two-step process will be used for all applications.</p>	<p><b>Removing word site based</b></p>	<p><b>One Wait list instead of limiting options based on location and unit size.</b></p>
4 Page 4-6	<p><b>4-I.B. APPLYING FOR ASSISTANCE</b> <u>HACC Policy</u> HACC will maintain <b>site-based</b> waiting lists....</p>	<p><b>Changing to:</b> <u>HACC Policy</u> HACC will maintain one wait list for its entire portfolio and will serve families based on Occupancy Standard and Unit Size. HACC will pull applicants based on composition that meets the vacant unit size.</p>	<p><b>One Wait list allows families that change over time to meet get into housing that meets their needs faster not limiting locations.</b></p>
4 Page 4-6	<p><b>4-II.B. ORGANIZATION OF THE WAITING LIST</b> <u>HACC Policy</u> HACC has no Public Housing Preferences for its site based waiting lists.  HACC has a Homeless preference referral only waitlist. Clackamas Coordinated Housing Access (CHA) will provide the referral for the Homeless Preference waitlist.</p>	<p><b>4-II.B. ORGANIZATION OF THE WAITING LIST</b> <u>HACC Policy</u> HACC has a Homeless preference referral for households who have originated off the Coordinated Housing Access (CHA) system as homeless or at risk of homelessness who are being served by a service provision partner with an MOU in place with HACC to provide housing retention and other vital services.</p>	<p><b>Removed language stating HACC does not have Preferences.</b>  <b>Clarify language to state that HACC will take referral for households who have originated off the Coordinated Housing Access (CHA) system as homeless or at risk of homelessness who are being served by a service provision partner.</b></p>

## Homeless Preference

### HACC Policy

HACC will administer a separate waiting list for the Homeless Preference. The list will require an applicant to be homeless at the time of application. HACC will provide 5 public housing units per fiscal year (July 1st to June 30th) for the Homeless Preference. HACC will only accept qualified applications for the Homeless Preference received by Clackamas County Coordinated Housing Access (CHA) program, in which the preliminary assessment of the family's eligibility was determined. HACC will then use the ACOP Eligibility screening criteria to determine if the referred family qualify for the Public Housing program.

HACC will provide a maximum of 5 dedicated Public Housing Units per fiscal year (FY) (July 1st to June 30th) for families eligible for referrals from a HACC identified transitional housing or Rapid Rehousing (RRH) program for homeless families within Clackamas County that offer one-on-one case management for not less than 1 year following the family's exit from the referring program, have preferably had some type of RentWell or equivalent

## Homeless Preference

### HACC Policy

HACC will offer no more than two vacancies per Public Housing property (Clackamas Heights, OCVM and Hillside Park) per fiscal year (FY) (July 1st to June 30th) to households referred by an entity who has entered into a Memorandum of Understanding (MOU) to provide services to homeless or at risk of homelessness families who have originated off the Coordinated Housing Access (CHA) system as homeless or at risk of homelessness. Families include single member households. The MOU requires one-on-one case management for not less than 2 years following the household's successful screening and housing placement. Services provided must focus on housing stabilization and retention and may include but is not limited to: assistance with timely rental payments, assistance with timely utility payments, deposit assistance, mediation services, mental health and addiction referrals for services, Worksource and SOAR connection, and financial and budgeting education services and other services that will help the family to achieve their individual goals. Referred applicants must be willing and able to immediately enter into a lease upon successful screening. HACC will use the ACOP Eligibility screening criteria to determine if the referred family qualify for the Public Housing program.

**Updated language to show that HACC will be accepting referrals of homeless applicant or homeless exiting from a program in which they were homeless at entry.**

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training, and must pass HACC screening criteria.

These families will be served on a first come, first serve basis on date and time of placement on the preference wait list. Unused Preference slots do not carry over to the next fiscal year. To qualify, the family must be referred by a case manager of a qualified RRH program or Transitional Housing Program within Clackamas County and be able to verify homeless status at time of entering RRH or transitional housing and case manager must offer assistance with housing related issues for not less than one year. If it is determined by HACC that the resident demonstrates a need for an additional case management the CHA will cooperate with HACC in providing case management until the household is stabilized and meets HUD Public Housing Program Regulations.

A maximum of 25 referred Applicants whom qualify for the preference will be placed on the waiting list which will be maintained by HACC. The waiting list will always remain open for those applicants who qualify for the preference and are referred by the CHA program or any other Clackamas County program whom HACC has executed a Memorandum of Understanding to provide one-on-one case management. No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list. A homeless applicant is defined as one of the following:

1. Any family that is living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, emergency shelter); or
2. Any family that is living in a public or private place not meant for human habitation.
3. Any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence.

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4-15

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**PLACEMENT ON THE WAITING LIST**

HACC will accept each qualified application for the preference received by Clackamas County Coordinated Housing Access (CHA) program, in which the preliminary assessment of the family's eligibility was determined. Applicants whom qualify for the preference will be placed on the waiting list which will be maintained by HACC. The waiting list will always remain open for those applicants who qualify for the preference. No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

**Removed language**

**Homeless Preference language no longer needed as it was incorporated into the main policy.**

<p>5 Page 5-2</p>	<p><b>5-I.B. DETERMINING UNIT SIZE</b> <u>HACC Policy</u></p> <ul style="list-style-type: none"> <li>A separate bedroom will be allocated for a single head of household with children. The two per bedroom will be required thereafter regardless of gender or age of the remaining household members.</li> </ul> <p>c) A family consisting solely of a pregnant woman will be treated as a one person household;</p>	<p><b>5-I.B. DETERMINING UNIT SIZE</b>  Delete language</p>	<p>Removed extra bedroom for single head of household with child(ren). This will make it 2 per bedroom regardless of age, sex, generation or any other consideration.</p>
<p>5 Page 5-4</p>	<p><b>5-I.B. DETERMINING UNIT SIZE</b> <u>HACC Policy</u></p> <p>HACC has no Public Housing units larger than four-bedroom units. Should the family size increase to the point where a five-bedroom unit is required, the family will be issued a Housing Choice Voucher, if available. If the term of the voucher expires and the family still has not moved, the Housing Authority will take steps to terminate the lease agreement, unless this is waived by the Executive Director. A waiver will only be considered in the most unique of circumstances.</p>	<p><b>5-I.B. DETERMINING UNIT SIZE</b> <u>HACC Policy</u></p> <p>HACC has no Public Housing units larger than four-bedroom. Therefore, HACC must deny entry to any household larger than nine (9) family members at time of completing eligibility screening for waiting list applications.</p>	<p>HACC is clarifying this policy and make it easier to understand that HACC maximum allowed number of people, which can be housed in its largest 4 bedroom unit, is 9 people.</p>
<p>6 6-41</p>	<p><b>6-II.F. CHILD CARE EXPENSE DEDUCTION</b></p> <p>HUD defines <i>child care expenses</i> at 24 CFR 5.603(b) as –amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to</p>	<p><b>6-II.F. CHILD CARE EXPENSE DEDUCTION (keeping current language and adding the following)</b></p> <p>If the child is disabled and over age 13, HACC may consider this a disability assistance expense and refer to unreimbursed reasonable attendant care in excess of 3% of annual income (reference 5.611(a)(3)(ii)) but only where such</p>	<p>Aligning this policy with Section 8 where disabled and over 13 years old children can get child care disability assistance.</p>

further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for child care. In the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of employment income that is included in annual income. ||

care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or her education and only to the extent such amounts are not reimbursed. The amount deducted shall reflect reasonable charges for services provided in the private market.

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9-6

**9-I.D. CONDUCTING ANNUAL REEXAMINATIONS**

**Criminal Background Checks**

PHA Policy

At the annual reexamination, the PHA will ask whether the tenant, or any member of the tenant's household, is subject to a lifetime sex offender registration requirement in any state. The PHA will use the Dru Sjodin National Sex Offender database to verify the information provided by the tenant.

**9-I.D. CONDUCTING ANNUAL REEXAMINATIONS**

**Criminal Background Checks**

HACC Policy

At this time, HACC is asking head of household members to identify if any member of the household has been convicted of a crime in the last 12 months or if a member of your household is subject to a lifetime registration as a registered sex offender as part of the Annual recertification packet. This question will be included as part of the Annual Recertification packet. Family members age 15 and older must sign a Criminal Background release at Annual.

**We are updating the language to align it with Section 8 and the information on the annual forms.**



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9 Page 9-13	<b>HACC-initiated Interim Reexaminations</b> <u>HACC Policy</u>  HACC will conduct interim reexaminations in each of the following instances: For families receiving the Earned Income Disallowance (EID), HACC will conduct an interim reexamination at the start, to adjust the exclusion with any changes in income, and at the conclusion of the 24-month eligibility period.  <b>If the family has reported zero income, HACC will conduct an interim reexamination every 4 months as long as the family continues to report that they have no income.</b>	<b>HACC-initiated Interim Reexaminations</b> <u>HACC Policy</u>  HACC will conduct interim reexaminations in each of the following instances: For families receiving the Earned Income Disallowance (EID), HACC will conduct an interim reexamination at the start, to adjust the exclusion with any changes in income, and at the conclusion of the 24-month eligibility period.	<b>Reduce work load requirement of checking every quarter and family already is required to report within 7 days if there is a change of income such as employment, Social Security Award, or child support.</b>
9 Page 9-14	<b>Required Reporting</b> HUD regulations give HACC the discretion to determine the circumstances under which families will be required to report changes affecting income. HACC Policy Families are required to report all increases in income (including new employment or change of employment), and assets within 7 business days of the date the change takes effect. HACC will only conduct interim reexaminations that result in an increase in income under the following circumstances: 1) For families that qualify for the earned income disallowance (EID), and only when the EID family's share of rent will change as a result of the increase. 2) When changes in income have not been reported to HACC in a timely manner (within 7 business days of the change). In this situation, HACC will conduct an interim reexamination and will make the change in tenant rent retroactive to the first of the month following the month when the change occurred. The family will be required to enter into a	<b>Required Reporting (keeping all old language and adding the following :)</b>  4) For families participating in the FSS program when the increase is due to an increase in earned income that will result in an increase in escrow credit.	<b>Adding new language for PH newly adopted FSS program participation.</b>

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repayment agreement with HACC for the overpaid assistance.

3) When the family previously had been at zero income.

13  
Page 13-16

**Over-Income Families [24 CFR 960.261 and FR Notice 7/26/18; Notice PIH 2019-11]**

The Housing Opportunity through Modernization Act (HOTMA) of 2016 placed an income limitation on public housing tenancies. The over-income requirement states that after a family's adjusted income has exceeded 120 percent of area median income (AMI) (or a different limitation established by the secretary) for two consecutive years, the PHA must either terminate the family's tenancy within six months of the determination, or charge the family a monthly rent that is the higher of the applicable fair market rent (FMR) or the amount of monthly subsidy for the unit, including amounts from the operating and capital funds, as determined by regulations.

PHAs also have discretion, under 24 CFR 960.261, to adopt policies allowing termination of tenancy for families whose income exceeds the limit for program eligibility. Such policies would exempt families participating in the Family Self-Sufficiency (FSS) program or currently receiving the earned income disallowance.

**Over-Income Families [24 CFR 960.261 and FR Notice 7/26/18; Notice PIH 2019-11]**

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**Notice PIH 2019-11 also requires that PHAs publish over-income limits in their ACOP and update them no later than 60 days after HUD publishes new income limits each year. The over-income limit is calculated by multiplying the very low-income limit (VLI) by 2.4, as adjusted for family size.**

PHAs also have discretion, under 24 CFR 960.261, to adopt policies allowing termination of tenancy for families whose income exceeds the limit for program eligibility. Such policies would exempt families participating in the Family Self-Sufficiency (FSS) program or currently receiving the earned income disallowance.

**HACC is choosing to terminate an over-income family. This will allow HACC to continue serving low income families who need housing.**

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### HACC Policy

HACC will evict or terminate the tenancies of families whose income exceeds the income limit for program eligibility as described at 24 CFR 960.261.

HACC will rely on the over-income limits as published on HACC's website <https://www.clackamas.us/housingauthority/section8.html>. These numbers will be updated within 60 days of HUD publishing new income limits each year and will be effective for all annual and interim reexaminations once these policies have been adopted.

## **Attachment C**

### **Statement of Housing Needs and Strategy for Addressing Housing Needs**

#### **Introduction**

The Housing Authority of Clackamas County (HACC) is committed to affirmatively furthering fair housing and contributing to the elimination of impediments to fair housing choice as described in 24 CFR Part 570.601 and the Furthering Fair Housing Executive Order 11063, as amended by Executive Order 12259.

Clackamas County Community Development Division (CDD) with local Fair Housing Partners participated in a Fair Housing Collaboration and completed an Assessment of Fair Housing (AFH) Plan.

#### **Local Efforts**

In preparing the AFH, CDD assembled its Fair Housing Partners to identify goals and strategies to improve housing choices in Clackamas County. CDD's Fair Housing local partners include; cities, towns and hamlets in Clackamas County, Clackamas County Social Services Division (SSD), Clackamas County Department of Transportation and Development (DTD), the Fair Housing Council of Oregon (FHCO) and Legal Aid Services of Oregon (LASO).

Six (6) general fair housing goals were identified in the AFH:

- Goal I: Develop new housing units with long-term affordability for a broad range of low-income households with an emphasis on dispersal of affordable housing
- Goal II: Increase accessibility to affordable housing for person with disabilities and single parent familial status households (households with children under 18 yrs.)
- Goal III: Improve access to housing and services for all protected classes
- Goal IV: Enforce Fair Housing laws and increase public understanding of Fair Housing laws
- Goal V: Coordinate Fair Housing advocacy and enforcement efforts among regional partners
- Goal VI: Ensure that all housing in Clackamas County is healthy and habitable

#### **Regional Efforts**

The AFH has been completed and was approved by HUD. Clackamas County continues to meet quarterly with regional partners to coordinate fair housing efforts, data collection, training and events. Regional partners include: Multnomah County, Washington County, Clark County (WA), City of Portland, City of Gresham, and the City of Beaverton. In addition, there are several agencies that provide fair housing service in the county, including the United States Department of Housing and Urban Development, The Fair Housing Council of Oregon, Legal Aid Services of Oregon and Clackamas County Social Services Division, Housing Rights and Resources Program.

Regional partners intend to move to a regional Analysis of Impediments to Fair Housing study and regional data collection in order to plan more effective training events and strategies to reduce housing discrimination and increase housing choice for residents in the Portland Metropolitan area housing market. Regional partners are also working to align their fair housing efforts with the public housing authorities' plans to increase access to housing.

#### **Statewide Goals of the Fair Housing Council of Oregon:**

The Fair Housing Council of Oregon (FHCO) has contracts with the state of Oregon and with several local governments to provide fair housing training to tenants and landlords. FHCO has assembled a group of fair housing partners to coordinate fair housing activities, training and events. The first meeting was held on May 6, 2014 to discuss needs for education and outreach, audit testing needs (to find out if landlords are discriminating against protected classes of people) and, other identified by local agencies. FHCO is also being asked by partners to collect and analyze housing discrimination data to report out to partners.

#### **Oregon state laws have changed:**

- Senate Bill 608: prohibits landlord from terminating month to month tenancy without cause after 12 months of occupancy. Provides exception for certain tenancies on building or lot used by landlord as residence.

**Attachment C  
Statement of Housing Needs and Strategy for Addressing Housing Needs**

Allows landlord to terminate tenancy with 90 days' written notice and payment of one month's rent under certain conditions. Exempts landlord managing four or fewer units from payment of one month's rent.

Provides that fixed term tenancy becomes month-to-month tenancy upon ending date if not renewed or terminated. Allows landlord to not renew fixed term tenancy if tenant receives three lease violation warnings within 12 months during term and landlord gives 90 days' notice. Limits rent increases for residential tenancies to one per year. Limits maximum annual rent increase to seven percent above annual change in consumer price index. Requires Oregon Department of Administrative Services to publish maximum annual rent increase percentage.

- Measure 102 <https://www.opb.org/news/article/oregon-measure-102-affordable-housing-result/>

**Clackamas County Actions Taken in 2019-2020 and Analysis of Impact**

Strategy	Primary Partners (Lead in <b>BOLD</b> )	Accomplishments
<b>Commit to countywide and regional support to continue and enhance enforcement of fair housing laws</b>	<b>SSD</b> HACC CDD	Clackamas County Social Services Division, SSD has annual contracts with the Fair Housing Council of Oregon FHCO and Legal Aid Services of Oregon (LASO) to provide enforcement of fair housing laws. FHCO assisted 209 people with housing information. 31 (15%) were Latino and 12 (6%) were African American.
<b>Improve access to fair housing information</b>	SSD <b>CDD</b> HACC	Clackamas County Community Development Division, CDD has met with regional partners and the Fair Housing Council of Oregon to coordinate Fair Housing activities, develop a centralized resource and to develop fair housing materials in multiple languages and formats.
<b>Expand opportunities for tenants using Housing Choice Vouchers</b>	<b>HACC</b>	The Housing Authority of Clackamas County, HACC has landlord outreach materials posted on the HACC website: <a href="https://www.clackamas.us/housingauthority/landlords.html">https://www.clackamas.us/housingauthority/landlords.html</a>  Outreach for events and trainings were done by the following: <ul style="list-style-type: none"> <li>• Direct email invitations to our landlord email list</li> <li>• Announcements on the Metro Multi Family Calendar of events</li> <li>• Fair Housing Council of Oregon Announcements</li> <li>• Promoted on HACC Website</li> <li>• Word of mouth through property management companies, etc</li> </ul> <b>Landlord Newsletters</b> continues to be distributed and posted on HACC's website.
<b>Ensure the HACC conducts targeted outreach to underrepresented &amp; protected class for upcoming waitlist opening</b>	<b>HACC</b>	HACC is opening it's waiting lists in 2020 and plans to add new applicants to the Housing Choice Voucher Section 8 waitlist and several of the Public Housing waitlists.

**Housing Needs**

Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families,

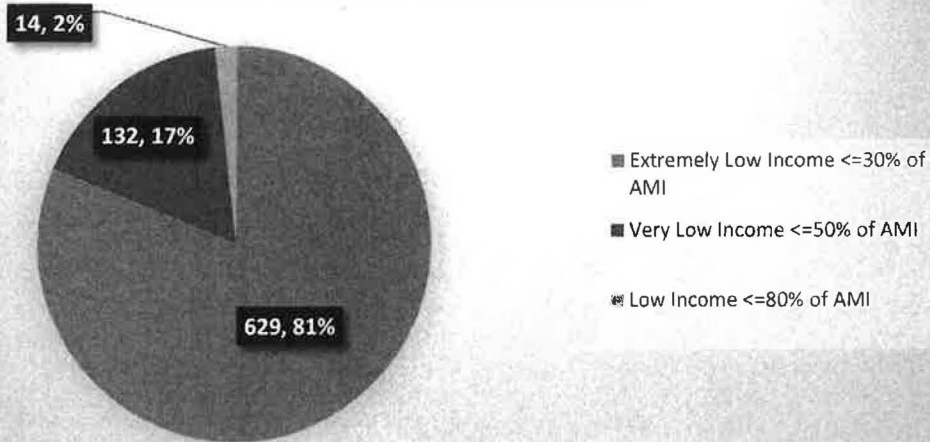
**Attachment C**  
**Statement of Housing Needs and Strategy for Addressing Housing Needs**

families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

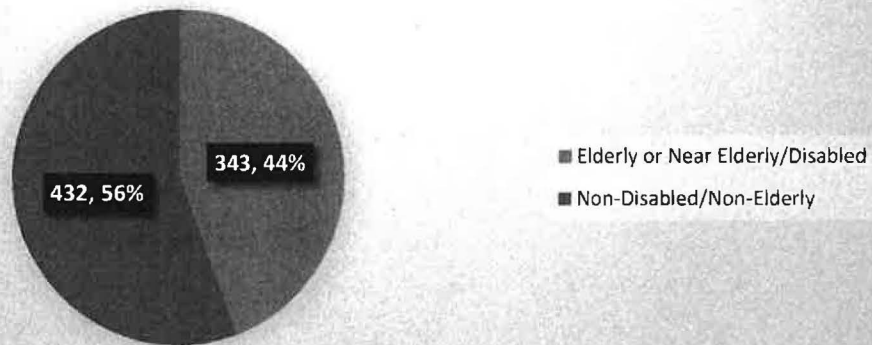
<b>Housing Needs of Families on the Waiting List: Housing Choice Voucher and Public Housing</b>		
	<b># of Families</b>	<b>% of Total Families</b>
Waiting List Total	775	100%
Section 8 Waiting List	277	36%
Public Housing Waiting List	498	64%
Extremely Low Income <= 30% of AMI	629	81%
Very Low Income <= 50% of AMI	132	17%
Low Income <= 80% of AMI	14	2%
Above 80% of AMI	0	0%
Elderly or Near Elderly/Disabled	343	44%
Non-Elderly / Non-Disabled	432	56%
White	588	71%
Black/African American	139	17%
American Indian/Alaska Native	38	5%
Asian	18	2%
Native Hawaiian/Pacific Island	15	2%
Race Other or Declined	26	3%
Hispanic	67	9%
Non-Hispanic	708	91%
<b>Characteristics by Bedroom Size</b>		
1 BR	381	49%
2 BR	211	27%
3 BR	125	16%
4 BR	45	6%
5 BR (Section 8 only)	9	1%
6 BR (Section 8 only)	4	1%

**Attachment C  
Statement of Housing Needs and Strategy for Addressing Housing Needs**

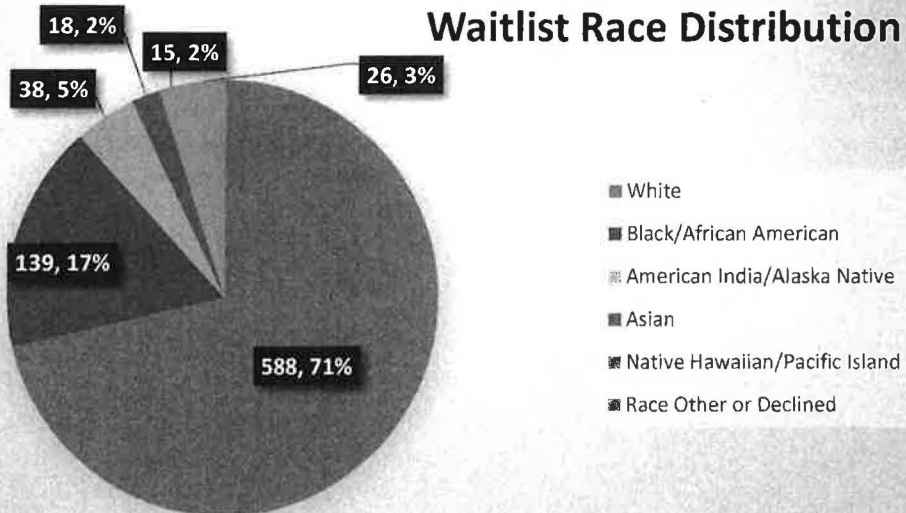
**Waitlist Income Distribution**



**Waitlist Disabled and/or Elderly versus Non-Disabled and/or Elderly**



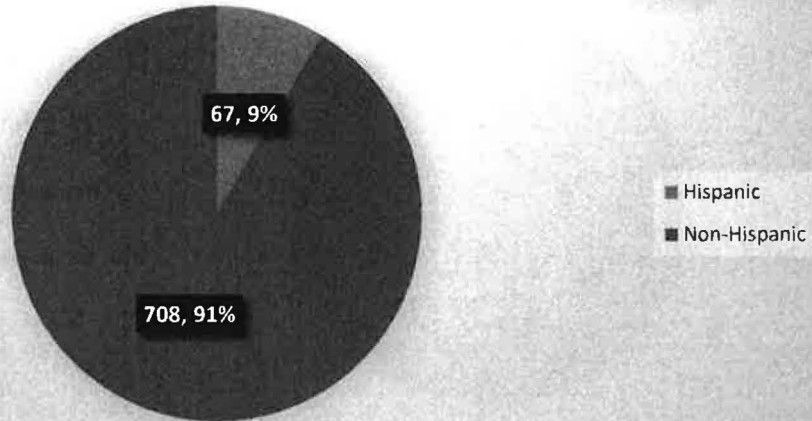
**Waitlist Race Distribution**



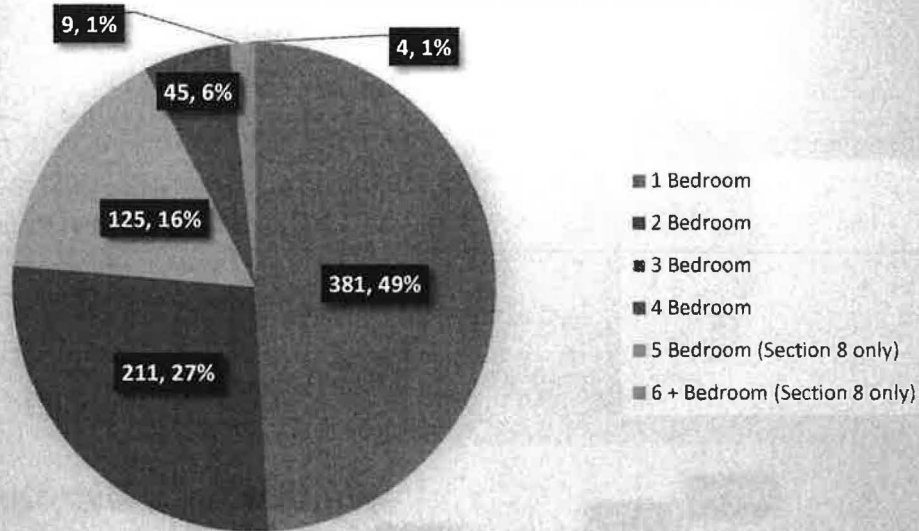


Attachment C  
Statement of Housing Needs and Strategy for Addressing Housing Needs

### Waitlist Ethnicity Distribution



### Waitlist Bedroom Size Distribution





Deconcentration Policy

Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2] HACC's admission policy must be designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of HACC's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)]. HACC's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c) (5)]. Developments subject to the deconcentration requirement are referred to as 'covered developments' and include general occupancy (family) public housing developments. The following developments are not subject to deconcentration and income mixing requirements: developments operated by HACC with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by HACC with only one general occupancy development; developments approved for demolition or for conversion to tenant-based public housing; and developments approved for a mixed-finance plan using HOPE VI or public housing funds [24 CFR 903.2(b)].

Steps for Implementation [24 CFR 903.2(c) (1)]. To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, HACC must comply with the following steps: Step 1. HACC must determine the average income of all families residing in all HACC's covered developments. HACC may use the median income, instead of average income, provided that HACC includes a written explanation in its annual plan justifying the use of median income. **HACC Policy - HACC will determine the average income of all families in all covered developments on an annual basis.** Step 2. **HACC must determine the average income (or median income, if median income was used in Step 1) of all families residing in each covered development. In determining average income for each development, HACC has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.** **HACC Policy - HACC will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.** Step 3. **HACC must then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low income family (30% of median income).**

## Attachment E

### 2019 Capital Fund Completed Projects

- Project # 19004 – OCVN/SS Roof Project - \$163,322.78
- Project # 19005 – Clackamas Hts. Decks - \$126,688.72
- Project # 19006 – Scattered Sites Furnace Project - \$86,500.00
- Project # 19009 – Asbestos Abatement Services - \$50,000.00
- Project # 19010 – Asbestos Air Monitoring Services - \$30,000.00
- Project # 19011 – Modernization of 9680 74<sup>th</sup> - \$132,503.21
- Project # 19012 – HACC Wide Flooring - \$250,000.00

### 2020 Proposed Capital Fund Projects

- On Demand Moving Contract - \$25,000.00
- On Demand Cabinet Contract - \$125,000.00
- Scattered Sites Fencing Project - \$175,000.00
- On Demand Flatwork Project - \$135,000.00
- Hillside Manor Elevator Upgrades - \$700,000.00

*Healthy Families. Strong Communities.*

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Housing Authority of Clackamas County  
Annual Plan 2020-2021

TDD: 503-655-8639 [www.clackamas.us/housingauthority](http://www.clackamas.us/housingauthority)

Page 31 of 92

**Attachment F  
Housing Authority of Clackamas County  
2020 Capital Fund Budget Summary**

Acct #	2018 Capital Fund Budget	Total Budgeted Costs							
1406	HA-Wide Operations (20% Max)	306,398.50							
1408	HA-Wide Management Improvement	500.00							
	Administration (10% Max w/o in house A&E)								
1410	Central Office, Capital Fund adm	122,559.40							
1410	CFP Capital Improvement Coordinator A&E design work								
1411	Audit	6,500.00							
	PHA Wide Fees and Costs								
1430	Architectural, engineering, consulting; mold asbestos testing & remediation, other related expenses	25,000.00							
	PHA Wide Site Improvements								
1450	Paving, fencing, landscape, garden, utilities, 504 accomodation	15,000.00							
	PHA Wide Dwelling Improvement								
1460	Cabinets, doors, plumbing, HVAC, siding windows, roofs, kitchens, porches, patios, 504 accomodations	744,779.10							
	PHA Wide Dwelling Equipment								
1465	Ranges and refrigerators	0.00							
	PHA Wide Non-Dwelling Equipment								
1475	Tools, equipment, furnishings, vehicles, Office equipment	1,000.00							
1495	Relocation Costs	10,000.00							
	Asset Managed Properties - specific projects								
1450	Site Work (concrete, drive, walks, landscape, drainage	0.00							
1460	Dwelling Renovation (Bath, Kitchen, Cabinets, Flooring etc.)	0.00							
1460	Energy Improvements per Energ	0.00							
1470	Non-Dwelling Renovation (flooring, HVAC, windows, siding, cabinets, paint, etc.)	0.00							
	<b>Grand Total Capital Fund Budget</b>	<b>1,231,737.00</b>							

<b>Development #1 Hillside Manor</b>			
<u>Name of Public Housing Project:</u>	<u>PIC Development ID:</u>	<u>Conversion Type (i.e. PBV or PBRA):</u>	<u>Transfer of Assistance:</u>
Hillside Manor	OR001005000	PBV	No
<u>Total Units</u>	<u>Pre-Rad Unit Type:</u>	<u>Post RAD Unit Type if different:</u>	<u>Total Annual Capital Fund allocation</u>
100	Family	N/A	Per unit is \$1,640 Total is \$164,000
<u>Bedroom Type</u>	<u>Number of Units Pre Conversion</u>	<u>Number of Units Post Conversion</u>	<u>Change in number of units per bedroom type and why</u>
Studio/Efficiency: 0 One Bedroom: 96 Two Bedroom: 4	100	100	N/A
<b>Development #2 Hillside Park</b>			
<u>Name of Public Housing Project:</u>	<u>PIC Development ID:</u>	<u>Conversion Type (i.e. PBV or PBRA):</u>	<u>Transfer of Assistance:</u>
Hillside Park	OR001003000	PBV	No
<u>Total Units</u>	<u>Pre-Rad Unit Type:</u>	<u>Post RAD Unit Type if different:</u>	<u>Total Annual Capital Fund allocation divided by total number of Public Housing units in PHA, multiplied by total number of units in project</u>
100	Family	N/A	Per unit is \$1,640 Total is \$164,000
<u>Bedroom Type</u>	<u>Number of Units Pre Conversion</u>	<u>Number of Units Post Conversion</u>	<u>Change in number of units per bedroom type and why</u>
Studio/Efficiency: 0 One Bedroom: 25 Two Bedroom: 75	100	100	N/A

<b>Development #3 Oregon City View Manor</b>			
<u>Name of Public Housing Project:</u>  <b>Oregon City View Manor</b>	<u>PIC Development ID:</u>  <b>OR001004000</b>	<u>Conversion Type (i.e. PBV or PBRA):</u>  <b>PBV</b>	<u>Transfer of Assistance:</u>  <b>No</b>
<u>Total Units</u>  <b>100</b>	<u>Pre-Rad Unit Type:</u>  <b>Family</b>	<u>Post RAD Unit Type if different:</u>  <b>N/A</b>	<u>Total Annual Capital Fund allocation divided by total number of Public Housing units in PHA, multiplied by total number of units in project</u>  <b>Per unit is \$1,640 Total is \$164,000</b>
<u>Bedroom Type</u>  <b>Studio/Efficiency: 0 One Bedroom: 36 Two Bedroom: 30 Three Bedroom: 24 Four Bedroom: 10</b>	<u>Number of Units Pre Conversion</u>  <b>100</b>	<u>Number of Units Post Conversion</u>  <b>100</b>	<u>Change in number of units per bedroom type and why</u>  <b>N/A</b>
<b>Development #4 Clackamas Heights</b>			
<u>Name of Public Housing Project:</u>  <b>Clackamas Heights</b>	<u>PIC Development ID:</u>  <b>OR001001000</b>	<u>Conversion Type (i.e. PBV or PBRA):</u>  <b>PBV</b>	<u>Transfer of Assistance:</u>  <b>No</b>
<u>Total Units</u>  <b>100</b>	<u>Pre-Rad Unit Type:</u>  <b>Family</b>	<u>Post RAD Unit Type if different:</u>  <b>N/A</b>	<u>Total Annual Capital Fund allocation divided by total number of Public Housing units in PHA, multiplied by total number of units in project</u>  <b>Per unit is \$1,640 Total is \$164,000</b>
<u>Bedroom Type</u>  <b>Studio/Efficiency: 28 One Bedroom: 50 Two Bedroom: 22 Three Bedroom: 22</b>	<u>Number of Units Pre Conversion</u>  <b>100</b>	<u>Number of Units Post Conversion</u>  <b>100</b>	<u>Change in number of units per bedroom type and why</u>  <b>N/A</b>

<b>Development #5 Scattered Sites</b>			
<u>Name of Public Housing Project:</u>  <b>Scattered Sites</b>	<u>PIC Development ID:</u>  <b>OR001002000</b>	<u>Conversion Type (i.e. PBV or PBRA):</u>  <b>PBV</b>	<u>Transfer of Assistance:</u>  <b>No</b>
<u>Total Units</u>  <b>145</b>	<u>Pre-Rad Unit Type:</u>  <b>Family</b>	<u>Post RAD Unit Type if different:</u>  <b>N/A</b>	<u>Total Annual Capital Fund allocation divided by total number of Public Housing units in PHA, multiplied by total number of units in project</u>  <b>Per unit is \$1,640 Total is \$237,800</b>
<u>Bedroom Type</u>  Studio/Efficiency: 0 One Bedroom: 0 Two Bedroom: 2 Three Bedroom: 126 Four Bedroom: 17	<u>Number of Units Pre Conversion</u>  <b>145</b>	<u>Number of Units Post Conversion</u>  <b>100</b>	<u>Change in number of units per bedroom type and why</u>  <b>N/A</b>

**ATTACHMENT H**

**Violence Against Women (VAWA) Statement**

Housing Authority of Clackamas County (HACC) addresses VAWA in the Section 8 Housing Choice Voucher Administrative Plan and the Public Housing Admissions and Continued Occupancy Policy. The responsibility of not terminating families from housing for reasons that fall under the VAWA regulation is particularly addressed. HACC has an Emergency Transfer Plan for victims of domestic violence in our housing programs.

We offer a local preference in the Housing Choice Voucher program for victims of Domestic Violence working with case management. We partner with several community partners like Northwest Family Services, Clackamas Women's Services, A Safe Place and Northwest Housing Alternatives to administer the Domestic Violence preference vouchers.

In addition, we are in continuous contact with County and City agencies, including the various law enforcement agencies, for current tenant's experiencing Domestic Violence.

HACC also partners with Clackamas County Social Services and Behavioral Health as well as the State Department of Human Services to use funds in a transitional housing program and Shelter + Care program under the Continuum of Care, where many victims of Domestic Violence are housed and provided services.

In summary, we follow the VAWA program policies and regulations with the goal of providing safeguards for the families falling under the VAWA related program requirements and refer households, as needed, to local domestic violence service provider partners. HACC has amended all its policies to comply with VAWA.

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Jill Smith, Executive Director

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Date



Following the earlier of the end of the construction period identified in the HUD-approved Financing Plan or actual construction, the PHA will no longer be eligible to receive RAD Rehab Assistance Payments, and all units under contract will be eligible for payment only for occupied units or for vacancy payments, as applicable. MTW agencies may not alter this requirement.

- 9. HQS Inspections.** Under current regulations at 24 CFR § 983.103(b) a unit covered under a HAP Contract must be inspected and must meet HQS before assistance can be paid on behalf of a household. In addition, section 8(o)(8)(A) of the Act provides that HAP Contract units must be inspected to ensure compliance with HQS prior to payment of any assistance on behalf of a family. When Work is occurring under RAD, HUD requires that all units meet HQS no later than the date of completion of the Work as indicated in the RCC. Consequently, HUD is waiving and establishing an alternative requirement to 24 CFR § 983.103(b) and section 8(o)(8)(A) of the Act in such cases.
- 10. Floating Units.** For mixed-income Converting Projects where PHAs are currently exercising their discretion to allow subsidized units to float within a project redeveloped with funding under a Choice Neighborhoods Implementation or HOPE VI grant, or as part of a Mixed-Finance project, upon the request of the Voucher Agency that will administer the Covered Project, HUD will permit PBV assistance to float among units within the project having the same bedroom size. A unit to which assistance is floated must be comparable in condition to the unit it is replacing (i.e., the unit must be of the same quality and amenities as the unit it is replacing). Assistance may float from a Section 504 accessible unit only to another Section 504 accessible unit that has the same bedroom size and accessibility features. Units that float are not specifically designated under the HAP Contract. Therefore, the requirements in 24 CFR § 983.203(c) that the HAP Contract provide “the location of each contract unit” and “the area of each contract unit” are waived. Instead, the HAP Contract must specify the number and type of units in the property that are designated as RAD units, including any excepted units. From the time of the initial execution of the PBV RAD HAP Contract, the property must maintain the same number and type of RAD units, including the same number and type of Section 504 accessible units. Floating units are subject to all of the requirements in this Notice and the PBV regulations, including physical inspections, rent adjustments, and income-mixing requirements. The alternative requirements with respect to floating units do not apply to non-RAD PBV units.

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

1. **No Rescreening of Tenants upon Conversion.** Pursuant to the RAD Statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting. With respect to occupancy in the Covered Project, current households in the Converting Project will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion.<sup>32</sup> Post-conversion, the tenure of all residents of the Covered Project is protected pursuant to PBV requirements regarding continued occupancy unless explicitly modified in this Notice (e.g., rent phase-in provisions). For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting of tenants for initial occupancy, will not apply for current households. Once the grandfathered household moves out, the unit must be leased to an eligible family. MTW agencies may not alter this requirement. Further, so as to facilitate the right to return to the assisted property, this provision shall apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR § 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA units.<sup>33</sup>
2. **Right to Return.** See section 1.4.A.5(ii) and the RAD Fair Housing, Civil Rights, and Relocation Notice regarding a resident's right to return.
3. **Renewal of Lease.** Since publication of the PIH Notice 2012-32 Rev 1, the regulations under 24 CFR part 983 have been amended requiring Project Owners to renew all leases upon lease expiration, unless cause exists. MTW agencies may not alter this requirement.
4. **Phase-in of Tenant Rent Increases.** If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is specifying

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<sup>32</sup> These protections (as well as all protections in this Notice for current households) also apply when a household is relocated to facilitate new construction or repairs following conversion and subsequently returns to the Covered Project.

<sup>33</sup> For non-RAD PBV households, applicable program requirements includes the requirement that any admission to the project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time.

alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of “total tenant payment” (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase-in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

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

#### Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 3: Year 3 AR and all subsequent recertifications – Full Calculated PBV TTP<sup>34</sup>

#### Five Year Phase in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and the Calculated PBV TTP

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<sup>34</sup> For example, where a resident’s most recently paid TTP is \$100, but the Calculated PBV TTP is \$200 and remains \$200 for the period of the resident’s occupancy, (i.e. no changes in income) the resident would continue to pay the same rent and utilities for which it was responsible prior to conversion. At the first recertification following conversion, the resident’s contribution would increase by 33% of \$100 to \$133. At the second AR, the resident’s contribution would increase by 50% of the \$66 differential to the standard TTP, increasing to \$166. At the third AR, the resident’s contribution would increase to \$200 and the resident would continue to pay the Calculated PBV TTP for the duration of their tenancy.

- Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 5 AR and all subsequent recertifications – Full Calculated PBV TTP

*Please Note:* In either the three year phase-in or the five-year phase-in, once the Calculated PBV TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. MTW agencies must also implement a three or five-year phase-in for impacted residents, but may alter the terms above as long as it establishes a written policy setting forth the alternative terms.

- 5. Family Self Sufficiency (FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are currently FSS participants will continue to be eligible for FSS once their housing is converted under RAD. The PHA may continue to use any FSS funds already awarded to serve those FSS participants who live in units converted by RAD. At the completion of the FSS grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. If the PHA continues to run an FSS program that serves PH and/or HCV participants, the PHA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding and may use that funding to serve PH, HCV and/or PBRA participants in its FSS program. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the subsequent Appropriation Acts), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g., escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR part 984, the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100.<sup>35</sup> Further,

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<sup>35</sup> The funding streams for the PH FSS Program and the HCV FSS Program were first merged pursuant to the FY 2014 appropriations act. As a result, PHAs can serve both PH residents and HCV participants, including PBV participants, with FSS funding awarded under the FY 2014 FSS Notice of Funding Availability (FSS NOFA) and

upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.

For information on FSS PIC reporting requirements for RAD conversions, see Notice PIH 2016-08 at <http://portal.hud.gov/hudportal/documents/huddoc?id=pih2016-08.pdf>.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can only serve public housing residents. At the completion of the ROSS-SC grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be a non-profit or local Resident Association and this consequence of a RAD conversion may impact those entities.

6. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of Covered Projects with assistance converted to PBV will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.
7. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.
  - i. **Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall be :
    - a. A reasonable period of time, but not to exceed 30 days:

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any other NOFA under which the combination of funds remains in the applicable appropriations act. For PHAs that had managed both programs separately and now have a merged program, a conversion to PBV should not impact their FSS participants.

- ii. If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
  - iii. In the event of any drug-related or violent criminal activity or any felony conviction;
  - b. Not less than 14 days in the case of nonpayment of rent; and
  - c. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
- ii. **Grievance Process.** Pursuant to requirements in the RAD Statute, HUD is establishing additional resident procedural rights to comply with section 6 of the Act.

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

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),<sup>36</sup> an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.
  - i. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
  - ii. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.
- c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).

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<sup>36</sup> § 982.555(a)(1)(iv) is not relevant to RAD as the tenant-based certificate program has been repealed.

- d. The Project Owner provides opportunity for an informal hearing before an eviction.

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

- 8. Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in 24 CFR § 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants that move into the property following conversion or tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion due to loss of employment) is covered by this waiver.

- 9. Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project.

- 10. When Total Tenant Payment Exceeds Gross Rent.** Under normal PBV rules, the PHA may select an occupied unit to be included under the PBV HAP Contract only if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(c)). Also, a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent)) (24 CFR § 983.258). Since the rent limitation under this Section of the Notice may result in a family's TTP equaling or exceeding the gross rent for the unit, for residents living in the Converting Project prior to conversion and who will return



to the Covered Project after conversion, HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP Contract when TTP equals or exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that until such time that the family's TTP falls below the gross rent, the rent to the owner for the unit will equal the lesser of (a) the family's TTP, less the Utility Allowance, or (b) any applicable maximum rent under LIHTC regulations. When the family's TTP falls below the gross rent, normal PBV rules shall apply. As necessary to implement this alternative provision, HUD is waiving the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR § 983.301 as modified by Section 1.6.B.5 of this Notice.<sup>37</sup> In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP Contract. The PHA is required to process these individuals through the Form 50058 submodule in PIC.

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

- 11. Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR § 983.260 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes

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<sup>37</sup> For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance. Following conversion, the residents is still responsible for paying \$600 in tenant rent and utilities.

available in the Covered Project, 24 CFR § 983.260 is waived. MTW agencies may not modify this requirement.

**D. PBV: Other Miscellaneous Provisions**

1. **Access to Records, Including Requests for Information Related to Evaluation of Demonstration.** PHAs and the Project Owner must cooperate with any reasonable HUD request for data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility utilization, and rehabilitation work. Please see Appendix IV for reporting units in Form HUD-50058.
2. **Additional Monitoring Requirement.** The Owner must submit to the administering PHA and the PHA's Board must approve the operating budget for the Covered Project annually in accordance with HUD requirements.<sup>38</sup>
3. **Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3).** This section has been moved to 1.4.A.13 and 1.4.A.14.
4. **Establishment of Waiting List.** 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:
  - i. Transferring an existing site-based waiting list to a new site-based waiting list.
  - ii. Transferring an existing site-based waiting list to a PBV program-wide or HCV program-wide waiting list.
  - iii. Transferring an existing community-wide public housing waiting list to a PBV program-wide or HCV program-wide waiting list, an option particularly relevant for PHAs converting their entire portfolio under RAD.
  - iv. Informing applicants on a community-wide public housing waiting list how to transfer their application to one or more newly created site-based waiting lists.

For any applicants on the public housing waiting list that are likely to be ineligible for admission to a Covered Project converting to PBV because the household's TTP is

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<sup>38</sup> For PBV conversions that are not FHA-insured, a future HUD notice will describe project financial data that may be required to be submitted by a PBV owner for purposes of monitoring and evaluation, given that PBV projects do not submit annual financial statements to HUD/REAC.

likely to exceed the RAD gross rent, the PHA shall consider transferring such household, consistent with program requirements for administration of waiting lists, to the PHA's remaining public housing waiting list(s) or to another voucher waiting list, in addition to transferring such household to the waiting list for the Covered Project.

To the extent any wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at other sites.

If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the Covered Project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).<sup>39</sup>

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

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<sup>39</sup> For more information on serving persons with LEP, please see HUD's Final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published on January 22, 2007.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the Covered Project in accordance with 24 CFR § 983.251(c).

5. **Mandatory Insurance Coverage.** The Covered Project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed project property.
6. **Agreement Waiver.** This section has been moved to 1.6.B.8.
7. **Future Refinancing.** Project Owners must receive HUD approval for any refinancing or restructuring of secured debt during the HAP Contract term to ensure the financing is consistent with long-term preservation of the Covered Project. With respect to any financing contemplated at the time of conversion (including any permanent financing which is a conversion or take-out of construction financing), such consent may be evidenced through the RCC.
8. **Administrative Fees for Public Housing Conversions During the Year of Conversion.** For the remainder of the Calendar Year in which the HAP Contract becomes effective (i.e., the “year of conversion”), RAD PBV projects will be funded with public housing funds. For example, if the project’s assistance converts effective July 1, 2015, the public housing ACC between the PHA and HUD will be amended to reflect the number of units under HAP Contract, but will be for zero dollars, and the RAD PBV HAP Contract will be funded with public housing money for July through December 2015. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time.

PHAs operating HCV program typically receive administrative fees for units under a HAP Contract, consistent with recent appropriation act references to “section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Work Responsibility Act of 1998” and 24 CFR § 982.152(b). During the year of conversion mentioned in the preceding paragraph, these provisions are waived. PHAs will not receive Section 8 administrative fees for PBV RAD units during the year of conversion.

After the year of conversion, the Section 8 ACC will be amended to include Section 8 funding that corresponds to the units covered by the Section 8 ACC. At that time, the regular Section 8 administrative fee funding provisions will apply.

- 9. Choice-Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of the PHA's HCV program becomes PBV assistance, it is possible for most or all of a PHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP Contract administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD.

The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA's administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) of the Act and 24 CFR § 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD. MTW agencies may not alter this requirement.

- 10. Reserve for Replacement.** The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA

transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines.

### **1.7 Special Provisions Affecting Conversions to PBRA**

Under the Demonstration, HUD has the authority to waive statutory and regulatory provisions governing the PBRA program, or to establish alternative requirements for the effective conversion of assistance. Additionally, the RAD Statute imposes certain unique requirements and authorizes HUD to establish requirements for converted assistance under the demonstration.

For public housing projects converting assistance to PBRA under the First Component of the Demonstration, 24 CFR part 880, Section 8 Housing Assistance Payments Program for New Construction and applicable standing and subsequent Office of Housing guidance<sup>40</sup> will apply, except for the provisions listed below. These “special” provisions are grouped into three categories: Contract Terms, Resident Rights and Participation, and Other Miscellaneous Provisions. Where applicable, reference is made to the affected statute and/or regulation. For additional background purposes, HUD has provided Appendix I, which is a copy of the existing 24 CFR part 880 regulation with the provisions stricken that will not apply to Covered Projects. Additionally, Appendix II includes the specific provisions of the Act that are inapplicable to PBRA conversions. Finally, Appendix III includes the site and neighborhood standards that apply to PBRA.

#### **A. PBRA Contract Terms.**

- 1. Length of Contract.** Covered Projects shall have an initial HAP term of 20 years. To implement this provision, HUD is specifying alternative requirements for section 8(d)(2)(A) of the Act, which establishes a maximum term of 15 years for “an existing structure.” Additionally, 24 CFR § 880.502, which imposes maximum contract terms for New Construction projects consistent with statutory authority that was repealed in 1983, does not apply.
  
- 2. Mandatory Contract Renewal.** Section 524 of MAHRAA and 24 CFR part 402 currently govern renewals of expiring or terminating project-based section 8 HAP Contracts and, in general, require HUD to renew such contracts “at the request of the

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<sup>40</sup> Examples of Office of Housing guidance include handbooks such as “Occupancy Requirements of Subsidized Multifamily Housing Programs” (4350.3) and “Multifamily Asset Management and Project Servicing” (4350.1). Future changes to part 880 would apply to RAD as long as the future changes are not provisions that have been stricken in the final Notice.





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-  
FEDERAL HOUSING COMMISSIONER

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**Special Attention of:**  
Public Housing Agencies  
Public Housing Hub Office Directors  
Public Housing Program Center Directors  
Regional Directors  
Field Office Directors  
RAD Transaction Managers

Notice H 2014-09  
PIH 2014-17

Issued: July 14, 2014

This notice remains in effect until amended,  
superseded, or rescinded.

Cross Reference: PIH Notice 2012-32 (HA)  
REV 1

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

**1. Purpose**

This Notice provides public housing agencies (PHAs)<sup>1</sup> and their partners with information and resources on applicable program and relocation assistance requirements when planning for or implementing resident moves as a result of a **Rental Assistance Demonstration (RAD) conversion**<sup>2</sup> under the first component of the demonstration.<sup>3</sup> This Notice provides guidance on RAD relocation requirements and requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA), as they relate to the public housing conversion process under the first component.<sup>4</sup>

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<sup>1</sup> This Notice always uses the term “PHA” to refer to the owner of the project prior to and after the RAD conversion, even though, in some cases, the owner of the converted RAD project may be another public entity, a non-profit organization, or other owner (e.g., low-income housing tax credit owner). In addition, this Notice uses “PHA” to refer to the “displacing agency,” a URA term that means the agency or person that carries out a program or project, which will cause a resident to become a displaced person. Projects vary and, for any specific task described in this Notice, may require substituting in a reference to a party that is more appropriate for a specific project.

<sup>2</sup> The content of this Notice should not be relied upon in carrying out any other activities funded under any other HUD program, except where specifically directed by HUD.

<sup>3</sup> The “first component” of RAD allows public housing and Moderate Rehabilitation properties to convert assistance; the “second component” refers to conversion of Rent Supplement, Rental Assistance Payment, and Moderate Rehabilitation properties upon contract expiration or termination.

<sup>4</sup> Relocation concerns and URA requirements apply to both components of RAD. This notice provides guidance only as to the first component.



Relocation assistance provided pursuant to public housing and RAD requirements is broader than URA relocation assistance requirements. Not all specific situations requiring relocation under RAD may trigger URA assistance requirements. In addition, whereas all qualifying residents<sup>5</sup> of a converting public housing project are eligible for relocation assistance under RAD, some residents or household members may not meet the statutory and regulatory requirements for eligibility under URA. This Notice supersedes PIH Notice 2012-32 (HA), REV-1, with respect to relocation matters. This Notice also specifically addresses when relocation may begin (see Section 9 below). As necessary, the Department will issue additional guidance on relocation issues and requirements as they relate to RAD.

## **2. Background**

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

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (URA) is a federal law that establishes minimum standards for federally-funded programs and projects that include the acquisition of real property (real estate) and/or displace persons from their homes, businesses, or farms as a result of acquisition, rehabilitation, or demolition of real property.<sup>6</sup> The URA will apply to acquisitions of real property and relocation of persons from real property that occurs as a direct result of acquisition, rehabilitation, or demolition for a project that involves conversion of assistance to Project-Based Voucher (PBV) or Project-Based Rental Assistance (PBRA) programs under RAD.

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

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

## **3. Applicable Legal Authorities**

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<sup>5</sup> The term "resident" as used in this Notice refers to eligible resident families of public housing residing in a property applying for participation in RAD or a property that undergoes a conversion of assistance through RAD.

<sup>6</sup> HUD Handbook 1378 (Tenant Assistance, Relocation, and Real Property Acquisition), available at: [http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/library/relocation/policyandguidance/handbook1378](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/library/relocation/policyandguidance/handbook1378).

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

#### **4. Relocation Planning**

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

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

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

<b>Stage</b>	<b>Activities</b>
1. Prior to submission of RAD application	<ul style="list-style-type: none"> <li>• Determine potential need for relocation</li> <li>• Meet with residents to discuss plans, communicate right to return, and solicit feedback</li> <li>• Provide <i>General Information Notice</i> (GIN) to residents</li> <li>• Survey residents to prepare Relocation Plan and relocation process cost estimate</li> </ul>
2. After receipt of the Commitment to Enter into a HAP Contract (CHAP) Award	<ul style="list-style-type: none"> <li>• Prepare Significant Amendment to PHA Plan</li> <li>• Assess and refine need for relocation</li> <li>• Develop a Relocation Plan (See Appendix 1 for recommended content)</li> <li>• Identify relocation housing options</li> </ul>
3. Preparing Financing Plan (due to RAD Transaction Manager no later than 180 days following	<ul style="list-style-type: none"> <li>• Budget for relocation expenses</li> <li>• Submit FHEO Accessibility &amp; Relocation checklist (PHAs may submit Relocation Plan along with checklist)</li> </ul>

Stage	Activities
CHAP award)	
4. Receipt of RAD Conversion Commitment (RCC)	<ul style="list-style-type: none"> <li>• The date of issuance of the HUD RCC marks the date of “Initiation of Negotiations” (ION), as defined in the URA (49 CFR 24.2(a)(15))</li> <li>• Provide residents with appropriate notice informing them if they will be relocated and any associated relocation assistance</li> <li>• Meet with residents to describe approved conversion plans and discuss required relocation</li> </ul>
5. Closing/RAD conversion	<ul style="list-style-type: none"> <li>• Generally, resident relocation should not begin until after the date of closing/conversion of assistance under RAD</li> <li>• PHAs must adhere to notification requirements (described in Paragraph 8 of this Notice): generally, a minimum of 30 days for residents to be temporarily relocated for up to a year, and 90 days for permanent relocation</li> <li>• PHAs seeking to move residents prior to closing must receive prior approval from HUD as described in Paragraph 9 of this Notice</li> </ul>

### **5. Resident Right to Return**

RAD program rules prohibit the permanent involuntary relocation of residents as a result of conversion. Residents that are temporarily relocated retain the right to return to the project once it has been completed and is in decent, safe, and sanitary conditions.<sup>7</sup> The period during which residents may need to be temporarily relocated is determined by the period of rehabilitation or construction, which will be specific to each project.

If proposed plans for a project would preclude a resident from returning to the RAD project, the resident must be given an opportunity to comment and/or object to such plans. If the resident objects to such plans, the PHA must alter the project plans to accommodate the resident in the converted project. If a resident agrees to such plans, the PHA must secure informed, written consent from the resident to receive permanent relocation assistance and payments consistent with URA and acknowledge that acceptance of such assistance terminates the resident’s right to return to the project. In obtaining this consent, PHAs must inform residents of their right to return, potential relocation, and temporary and permanent housing options at least 30 days before residents must make a decision. The PHA cannot employ any tactics to pressure residents into

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<sup>7</sup> Where the transfer of assistance to a new site is approved, residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or new construction is complete.

relinquishing their right to return or accepting permanent relocation assistance and payments.<sup>8</sup> A PHA may not terminate a resident's lease if it fails to obtain this consent.

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

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

- Changes in bedroom distribution (i.e. when larger units will be replaced with smaller units such that current residents would become under-housed or when smaller units will be replaced with larger units such that current residents would become over-housed);
- Where a PHA is reducing the number of assisted units at a property by a de minimis amount<sup>9</sup>, but those units are occupied by assisted residents; or
- The reconfiguration of efficiency apartments, or the repurposing of dwelling units in order to facilitate social service delivery.

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

## **6. Relocation Assistance**

Under RAD, relocation assistance may vary depending on the length of time relocation is required.<sup>10</sup>

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

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<sup>8</sup> Persons with disabilities returning to the RAD project may not be turned away or placed on a waiting list due to a lack of accessible units. Their accessibility needs must be accommodated.

<sup>9</sup> A reduction in total number of assisted units at RAD project of 5% or less. (Section 1.5.B of PIH 2012-32 REV-1)

<sup>10</sup> Some residents may not qualify for relocation assistance under URA. A nonexclusive listing of persons who do not qualify as displaced persons under URA is at 49 CFR 24.2(a)(9)(ii). See also, Paragraph 1-4(J) of HUD Handbook 1378.

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

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

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

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

PHAs may not propose or request that a displaced person waive rights or entitlements to relocation assistance under the URA. If the resident elects to permanently relocate with URA assistance, the PHA must inform the person that the person's acceptance of URA relocation assistance to permanently relocate will terminate the person's right to return to the completed RAD project. Conversely, unless and until the resident elects to be permanently relocated, the resident may remain temporarily relocated with a right to return to the completed project.

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

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

## **8. Resident Notification**

When a project converting under RAD will include relocation of residents, notice must be provided to those resident households. For each notice listed below, one notice shall be given to each resident household. The purpose of these notifications is to ensure that residents are

informed of their potential rights and the relocation assistance available to them. During initial meetings with residents about RAD and in subsequent communications with residents related to relocation, the PHA should inform residents that if they choose to move after receiving a written GIN, but prior to receiving a RAD Notice of Relocation, they may jeopardize their eligibility for relocation assistance. However, PHAs should note that a resident move undertaken as a direct result of the project may still require relocation assistance and the resident may be eligible to receive permanent relocation assistance under the URA even though the PHA has not yet issued notices.

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

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

- Inform the resident that he or she may be displaced for the project and generally describe the relocation payment(s) for which the resident may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- Inform the resident that he or she will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the resident successfully relocate;
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will not be required to move without at least 90 days advance written notice, and inform any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;
- Inform the resident that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child (see 49 CFR 24.208(h) for additional information); and
- Describe the resident's right to appeal the PHA's determination as to a person's eligibility for URA assistance.

b. *RAD Notice of Relocation*

If a resident will be relocated to facilitate the RAD conversion, the PHA shall provide notice of such relocation (RAD Notice of Relocation). The PHA shall issue this notice upon the PHA's receipt of the RCC from HUD, which is the ION date.

If residents will not be relocated, notice of relocation is not required, but the PHA should



notify them that they are not being relocated.<sup>11</sup>

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

- The notice must state the anticipated duration of the resident's relocation.
- PHAs must provide this notice a minimum of 30 days prior to relocation to residents who will be temporarily relocated.<sup>12</sup> Longer notice may be appropriate for persons who will be relocated for an extended period of time (over 6 months), or if necessary due to personal needs or circumstances.
- Residents whose temporary relocation is anticipated to exceed one year must be informed that they will have no less than 30 days to elect temporary or permanent relocation as described in Section 6 of this Notice. When timing is critical for project completion, the 30-day decision period can run concurrently with the 30-day notice period for temporary relocation and with the 90-day period for permanent relocation if the PHA makes available comparable replacement dwellings consistent with 24.204(a).
- Residents who will be permanently relocated must receive written notice a minimum of 90 days prior to relocation. This 90-day time period may only begin once the PHA has made available at least one comparable replacement dwelling consistent with 49 CFR 24.204(a).<sup>13</sup>
- The notice must describe the available relocation assistance, the estimated amount of assistance based on the individual circumstances and needs, and the procedures for obtaining the assistance. The notice must be specific to the resident and his or her situation so that the resident will have a clear understanding of the type and amount of payments and/or other assistance the resident household may be entitled to claim.
- The notice must explain the reasonable terms and conditions under which the resident may continue to lease and occupy a unit in the completed project.
- The notice must state that the PHA will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with any temporary move. These expenses include, but are not limited to, moving expenses and increased housing costs (rent, utilities, etc.).

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

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

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

<sup>13</sup> PHAs should note that URA regulations also require, where possible, that three or more comparable replacement dwellings be made available before a resident is required to move from his or her unit.



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

Since residents who accept permanent relocation must receive 90 days advanced written notice prior to being required to move, providing residents the Notice of Intent to Acquire and RAD Notice of Relocation prior to the ION date may be necessary to provide sufficient notice of relocation to a resident in instances where there may not be 90 days between the issuance of the RCC (ION date) and the anticipated closing date. This allows the PHA to issue the notice earlier so that relocation may begin upon closing. This allows program participants to conduct orderly relocation upon closing, minimize adverse impacts on displaced persons, and to expedite project advancement and completion.<sup>14</sup>

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

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

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

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

## **9. Initiation of Relocation**

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<sup>14</sup> PHAs and program participants should note that, in most instances, it will be most appropriate for the acquiring entity to send this notice.

Unless otherwise approved by HUD, relocation may not begin until the date of closing of the RAD transaction and recordation of the RAD Use Agreement. PHAs must provide residents being temporarily relocated at least 30 days advance written notice of the required move. PHAs must give residents being permanently relocated at least 90 days advance written notice of the required move. This means PHAs are advised to plan carefully to account for this 30-day or 90-day notice period to ensure the closing is not delayed.

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

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

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

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

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

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

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

PHAs must comply with all applicable fair housing and civil rights laws, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973, when conducting relocation planning and providing relocation assistance. Further, communication must be provided in a manner that is effective for persons

with disabilities (24 CFR 8.6) and for person who are Limited English Proficient (see 72 FR 2732). This section discusses some of the PHA's obligations under these laws and regulations. However, the applicability of civil rights laws is not limited to the activities discussed in this section. PHAs conducting relocation activities should familiarize themselves with applicable civil rights statutes, regulations, and guidance, including but not limited to, those listed at the end of this section.

- **Effective Communication for Persons with Disabilities:** Communications and materials must be provided in a manner that is effective for persons with hearing, visual, and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act of 1973 (24 CFR 8.6), and as applicable, the Americans with Disabilities Act; and for persons who are limited English proficient (see 72 Fed Reg 2732). This includes ensuring that training materials are in appropriate alternative formats as needed, e.g., Braille, audio, large type, assistive listening devices, and sign language interpreters.
- **Accessible Meeting Facilities for Persons with Disabilities:** When holding public meetings, PHAs must give priority to methods that provide physical access to individuals with disabilities, i.e., holding the meetings, workshops, and briefings or any other type of meeting in an accessible location, in accordance with the regulations implementing Section 504 of the Rehabilitation Act of 1973 and Titles II and III of the Americans with Disabilities Act of 1990, as applicable. All programs and activities must be held in accessible locations unless doing so would result in an undue financial and administrative burden, in which case the PHA must take any action that would not result in such an alteration or such burden but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity, e.g., briefings at an alternate accessible, in-home briefing. Individuals with disabilities must receive services in the most integrated setting appropriate to their needs. The most integrated setting appropriate to the needs of qualified individuals with disabilities is a setting that enables individuals with disabilities to interact with nondisabled person to the fullest extent possible (28 CFR part 35, appendix B).
- **Meaningful Access for Persons with Limited English Proficiency (LEP):** PHAs must provide meaningful access to programs and activities for persons who have a limited ability to read, speak, or understand English. Any person with LEP who will be temporarily relocated or permanently displaced must have meaningful access to any public meetings regarding the project. In addition, any information provided to residents including, but not limited to, any notices required under the URA, should be provided in the appropriate language to persons with LEP. Generally, PHAs will be responsible for providing oral interpreters at meetings, including ensuring their competence, and covering any associated translation and interpretation costs.
- URA requires that PHAs provide persons who are unable to read or understand the notices, such as persons with disabilities or persons with LEP, with appropriate translation and counseling to ensure that they understand their rights and responsibilities and the assistance available to them (49 CFR 24.5). URA also requires that each notice indicate the name and telephone number of a person to contact with questions or for other

needed help (49 CFR 24.5). This notice should include the number for the telecommunication device for the deaf (TDD) or other appropriate communication device, if applicable (24 CFR 8.6(a)(2)).

- **Comparable Housing for Persons with Disabilities:** PHAs should identify the accessibility needs of residents to be relocated by consulting existing information (e.g., tenant characteristics forms, including identification of the need for accessible unit features; records of approved reasonable accommodations, and records of the presence of accessible unit features). For guidance on providing relocation assistance to persons with disabilities, see Exhibit 3-1 in HUD Handbook 1378.
- **Advisory Services:** PHAs should determine the advisory services that will be necessary to ensure a successful relocation program consistent with 49 CFR 24.205(c). Such advisory services may include housing counseling that should be facilitated to ensure that residents affected by the project understand their rights and responsibilities and the assistance available to them (49 CFR 24.205(c)). Advisory counseling must also inform residents of their fair housing rights and be carried out in a manner that satisfies the requirements of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Executive Order 11063 (49 CFR 24.205(c)(1)). In addition, PHAs should inform residents that if they believe they have experienced unlawful discrimination, they may contact HUD at 1-800669-9777 (Voice) or 1-800-927-9275 (TDD) or at <http://www.hud.gov>.

#### Fair Housing References:

- Section 504 of the Rehabilitation Act of 1973
  - Regulations: 24 CFR part 8
  - Fair Housing Act Regulations: 24 CFR part 100
  - Title VI of the Civil Rights Act of 1964
  - Regulations: 24 CFR part 1
  - Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (LEP Guidance) (72 FR 2732)
  - Exhibit 3-1 Compliance with Section 504 of the Rehabilitation Act in HUD Handbook 1378 (Tenant Assistance Relocation and Real Property Acquisition)
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## **11. Other Requirements**

### **a. Public Housing Program Compliance**

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

### **b. Evictions for Cause**

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

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Jemine A. Bryon  
General Deputy Assistant Secretary  
for Public and Indian Housing

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Carol J. Galante, Assistant Secretary for  
Housing-Federal Housing Commissioner

## **APPENDICES**

### **Appendix 1**

#### **Recommended Relocation Plan Contents**

### **Appendix 2**

#### **Sample RAD General Information Notice (GIN)**

### **Appendix 3**

#### **Sample RAD Notice of Relocation (for relocation anticipated for a year or less)**

### **Appendix 4**

#### **Sample RAD Notice of Relocation (for relocation anticipated for more than a year)**

### **Appendix 5**

#### **Sample Notice of Eligibility for URA Relocation Assistance (for residents who have been temporarily relocated for more than a year)**

## **Appendix 1: RECOMMENDED RELOCATION PLAN CONTENTS**

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While written Relocation Plans are not required under RAD or URA, the Department strongly encourages PHAs to document their relocation planning process and procedures in a written Relocation Plan. The following provides suggested content for Relocation Plans.

### **I. Project Summary**

The Relocation Plan should provide a general description of and purpose for the project (e.g., year built, location, number of units, configuration, occupancy information, and funding sources).

The basic components of a plan include:

- A general description of the project and the site, including acquisition, demolition, rehabilitation, and construction activities and funding sources;
- A detailed discussion of the specific steps to be taken to minimize the adverse impacts of relocation, including when transferring the assistance to a new site;
- Information on occupancy (including the number of residents, residential owner-occupants and non-residential occupants, if any, to be permanently or temporarily relocated);
- Information on relocation needs and costs (including the number of residents who plan to relocate with Section 8 assistance);
- General moving assistance information;
- Temporary move assistance (including information on the duration of temporary moves);
- Permanent move assistance; and
- Appeals process.

### **II. Resident Return and Re-occupancy Policies**

For residents that will be temporarily relocated, the plan should include the criteria that will be used to determine the priority for residents to re-occupy units at the project after rehabilitation, demolition, and/or construction is completed. For example, if units will come online in stages, the plan should outline how the PHA will determine when each resident will return to the project. PHAs should ensure that any written return or re-occupancy policy is compliant with related RAD requirements, such as the right-to-return policy and the “no re-screening upon conversion” policy, as described in the RAD Notice.

### **III. Summary of Moving Costs**

The plan should include a summary of moving costs, identified by move types, including the following:

### Temporary Moves

- Number of and cost amount for two-way moves (i.e., a move to another unit and then a return move) within the same building/complex.
- Number of and cost amount for two-way moves to a unit not in the same building/complex, carried out by the PHA.
- Number of and cost amount for two-way moves to a unit not in the same building/complex not carried out by the PHA.

### Permanent Moves

- Number of and cost amount for one-time moves into another unit in the same building/complex.<sup>15</sup>
- Number of and cost amount for one permanent move to a unit not within the same building/complex, carried out by the PHA.  
PHAs should note that if a residential move is carried out by the PHA at no cost to the resident, this per-household estimate must include the required dislocation allowance (currently \$100). The URA Fixed Residential Moving Cost Schedule lists the most current dislocation allowance:  
[http://www.fhwa.dot.gov/real\\_estate/practitioners/uniform\\_act/relocation/moving\\_cost\\_schedule.cfm](http://www.fhwa.dot.gov/real_estate/practitioners/uniform_act/relocation/moving_cost_schedule.cfm)
- Number of and cost amount for one permanent move to a unit not within the same building/complex that is not carried out by the PHA.

## IV. Temporary Relocation Assistance

The PHA will assist residents who are required to move temporarily. At the Initiation of Negotiations (ION), the PHA will send a RAD Notice of Relocation to residents who will be relocated. Appendices 3 and 4 of this Notice contain sample RAD Notices of Relocation to be provided to residents that will be temporarily relocated.

The plan should detail the temporary relocation assistance the PHA will provide for residents (Paragraph 2-7 of HUD Handbook 1378). This assistance includes:

- Temporary Housing - The PHA will provide temporary housing that is decent, safe, and sanitary on a nondiscriminatory basis for residents who are relocated temporarily. The PHA will also pay for reasonable increased housing costs that the resident incurs in connection with the temporary relocation.

NOTE: If a resident's relocation exceeds one year, the PHA must then issue a *Notice of Relocation Eligibility* (49 CFR 24.203(b)) to the resident and offer the resident permanent

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<sup>15</sup> A resident who moved to another unit in the same building/complex may be considered a displaced person under URA if the resident moves from the building/complex permanently and was not offered reimbursement for all reasonable out-of-pocket expenses incurred in connection with the move within the same building/complex and/or if other conditions of the move within the building/complex were not reasonable.



relocation assistance and payments at URA levels. The PHA must provide this notice to affected residents as soon as the temporary relocation exceeds one year.

- Packing and Moving Assistance - Since most residents prefer to pack their own personal possessions and items of value, they should be provided packing instructions, boxes, markers, and tape for the move. If assistance in packing is needed, the PHA should provide the resident with information on how to request this assistance. The PHA is responsible for covering all reasonable moving expenses incurred in connection with temporarily relocating a resident. The PHA may reimburse the resident's out-of-pocket moving expenses and/or directly carry out the move.
- Payment for Temporary Relocation Moving Expenses - The plan should also indicate how the PHA intends to provide or reimburse for moving services and expenses. The PHA can choose to do one or more of the following:
  - Undertake the moves itself, using force account labor or a moving company; –
  - Use PHA's contractor or moving company;
  - Carry out moves with employees of the PHA;
  - Reimburse residents for all actual and reasonable moving costs.

NOTE: The PHA will not make fixed payments since such payments may not be representative of actual reasonable costs incurred. However, in order for a resident to be sure of full reimbursement, the resident should submit a moving cost estimate to the PHA for approval prior to the move unless the PHA is directly carrying out the move and the resident will not incur any reasonable out-of-pocket moving expenses. Failure to do so may result in the resident not being fully reimbursed.

- Utility Costs - The PHA is responsible for covering the expenses relating to disconnection and reconnection of necessary utilities. If the resident has telephone, cable service or Internet access, the PHA is responsible for covering the expenses involved in transferring existing service. The PHA may also pay utility deposits, if required at the temporary relocation housing (HUD Handbook 1378, paragraph 2-7(A)(3)). If a resident is temporarily relocating from a public housing unit to a non-public housing unit, the resident must be reimbursed for reasonable increases in utility costs even if the PHA utility allowance is lower than the actual costs to the resident.

## **V. Permanent Relocation Assistance**

Based on the local housing resources available, the PHA should identify the replacement housing options that will be available to meet the housing needs of residents to be permanently relocated. Replacement housing options for residents that meet the definition of a "displaced person" (49 CFR 24.2(a)(9)) under the URA include, but are not limited to:

- Other Public Housing;
- Section 8 Project-Based Voucher unit;
- Section 8 Housing Choice Voucher unit;
- Homeownership housing;

- Private-market rental housing (affordable, non-subsidized).<sup>16</sup>

The plan should describe each type of replacement housing projected to be available, including:

1. Number of units, by bedroom size, expected to be available, and discussion of whether available units will meet dwelling requirements of relocated residents;
2. General area or location of unit(s);
3. Criteria for receiving relocation assistance; and
4. Any other information that might benefit residents in their consideration of housing choices.

The plan should include a description of the permanent relocation assistance the PHA will provide to residents. This assistance includes:

- Availability of Comparable Replacement Housing – Under URA, no displaced resident will be required to move unless at least one comparable replacement dwelling (49 CFR 24.2(a)(6)) is made available at least 90 days before the required move (49 CFR 24.203(c)). Comparable replacement dwellings must contain the accessibility features needed by displaced persons with disabilities (49 CFR 24.2(a)(8)(vii); 49 CFR part 24, Appendix A, §24.2(a)(8)(vii)). If the comparable replacement dwelling is not subsidized housing, the PHA should contact the RAD staff for advice on replacement housing payment requirements.
- Referral to Housing Not Located in an Area of Minority Concentration - Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings that are within their financial means and not located in areas of minority concentration (49 CFR 24.205(c)(2)(ii)(D)). However, this policy does not require a PHA to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling unit.
- Permanent Relocation Moving Expenses from Public Housing to Public Housing - The PHA may choose one of the following options for covering the expenses involved in moving public housing residents that are relocated into other public housing:
  - Undertake the move itself, using force account labor or a moving company. Residents should incur no moving costs under this option, but if such expenses are incurred, the PHA is responsible for reimbursing the resident for any such actual and reasonable expenses. In such case, the resident is also entitled to a dislocation allowance (currently \$100). The URA Fixed Residential Moving Cost Schedule lists the current dislocation allowance and is available at: [http://www.fhwa.dot.gov/real estate/practitioners/uniform act/relocation/moving cost schedule.cfm](http://www.fhwa.dot.gov/real%20estate/practitioners/uniform%20act/relocation/moving%20cost%20schedule.cfm)

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<sup>16</sup> Every effort should be made to find another subsidized unit as replacement housing for a resident relocating from subsidized housing so that the resident will continue receiving the housing subsidy as long as it is needed.

NOTE: Residents who prefer to pack their own personal possessions and items of value may be provided packing instructions, boxes, markers, and tape for their move. If a resident needs assistance in packing, they should contact the PHA. It is the responsibility of the PHA to pack and move all of their belongings and household goods, if so desired.

Allow the resident to elect one of the following choices:

- 1) The PHA will reimburse the resident for the cost of all actual reasonable and necessary moving and related expenses (49 CFR 24.301), such as:
  - Transportation of the resident and personal property. This may include reimbursement at the current mileage rate for personally owned vehicles that need to be moved. Transportation costs for a distance beyond 50 miles are not eligible, unless the PHA determines that relocation beyond 50 miles is justified.
  - Packing, crating, uncrating, and unpacking of personal property.
  - Storage of personal property for a period not to exceed 12 months, unless the PHA determines that a longer period is necessary.
  - Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household appliances and other personal property.
  - Insurance for the replacement value of the property in connection with the move and necessary storage.
  - The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available.

- 2) The PHA will pay directly to the resident the applicable and current fixed moving cost payment according to the URA Fixed Residential Moving Cost Schedule (49 CFR 24.302), available at:  
[http://www.fhwa.dot.gov/real\\_estate/practitioners/uniform\\_act/relocation/moving\\_cost\\_schedule.cfm](http://www.fhwa.dot.gov/real_estate/practitioners/uniform_act/relocation/moving_cost_schedule.cfm)

Permanent Relocation Moving Expenses for All Other Moves – Under URA, residents who are permanently displaced, except for those residents displaced from public housing and moving to other public housing, are entitled to the assistance described in the brochure *Relocation Assistance To Residents Displaced From Their Homes*, available in English at [http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_16280.doc](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_16280.doc) and in Spanish at [http://portal.hud.gov/hudportal/documents/huddoc?id=DOC\\_16281.doc](http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_16281.doc). Residents may choose moving assistance from one of the following two options.

- 1) The PHA will reimburse the resident for the cost of all actual reasonable moving and related expenses (49 CFR 24.301).
- 2) The PHA will pay directly to the resident the applicable and current fixed moving cost payment according to the URA Fixed Residential Moving Cost Schedule (49

CFR 24.302), available at:

[http://www.fhwa.dot.gov/real estate/practitioners/uniform act/relocation/moving cost schedule.cfm](http://www.fhwa.dot.gov/real%20estate/practitioners/uniform%20act/relocation/moving%20cost%20schedule.cfm).

- Replacement Housing Payment - In addition to covering moving expenses, displaced residents may be entitled to a replacement housing payment (RHP). This payment is intended to cover the increase, if any, in monthly housing costs for a 42-month period.

When calculating the RHP, the PHA must consider the comparable replacement housing unit offered to the resident. Since the PHA is not required to pay an RHP amount that exceeds the amount of RHP calculated for the offered comparable replacement dwelling, residents are cautioned to work closely with the PHA prior to their move.

- Accessible Housing for Persons with Disabilities - Under the URA, persons with disabilities who will be permanently displaced must be relocated to a replacement dwelling that contains the accessibility features they need (49 CFR 24.2(a)(8)(vii); 49 CFR Appendix A, 24.2(a)(8)(vii)). A person with disabilities who has been relocated must be offered a comparable replacement dwelling unit that contains accessible features comparable to the housing from which the tenant has been displaced or relocated. This is so even if the tenant has paid for the acquisition and/or installation of accessible features in the housing from which he or she has been relocated; in such instances, the recipient must ensure that the replacement housing contains comparable accessible features or provide relocation assistance to the tenant in an amount that covers the cost of acquiring and/or installing comparable accessible features. Under the URA, an agency may use project funds to remove architectural barriers for displaced owners and tenants with disabilities or take other last resort housing measures if comparable replacement dwelling units are not available within the monetary limits prescribed under the URA regulations (49 CFR 24.404(c)(vii); HUD Handbook 1378, Paragraph 3-8).

## VI. Relocation Budget

Based on the results of the planning process, the PHA should create a relocation budget that includes the following six components:

- 1) The cost of administering the plan and providing assistance and counseling.
- 2) Reasonable moving expenses for a person with disabilities, which may include the cost of moving assistive equipment that is the personal property of the residents, the furnishings and personal belonging of a live-in aide, and/or other reasonable accommodations (HUD Handbook 1378, Paragraph 3-2).
- 3) The cost of the physical move of the residents' belongings. (It is suggested that the move costs be broken down by average cost per move type multiplied by the number of moves.)

NOTE: This physical move cost total should be based on the move scenarios anticipated

or projected by the resident survey.

- 4) The cost estimated to pay for projected increases in monthly housing costs for temporary relocation.
- 5) The cost estimated to pay for the replacement housing payment (RHP) (42-month period for URA or 60-month period if section 104(d) applies).
- 6) Contingency costs estimated for carrying out the relocation process necessary to complete the proposed project. (The PHA should state where these costs are indicated in the application, or attach any other information required by HUD, to support these costs.)

## **VII. Appeal Process**

If a resident disagrees with the PHA's decision as to the resident's eligibility to receive relocation assistance, the amount of a relocation payment, or the adequacy of a comparable replacement dwelling offered to a resident, the resident may file a written appeal to the PHA. The Relocation Plan should describe the specific appeal procedures to be followed consistent with 49 CFR 24.10 (and 24 CFR 42.390 if section 104(d) is involved). At a minimum, the resident will have 60 days to file an appeal with the PHA after receiving written notification of a claim or ineligibility determination.

## **VIII. Certification**

The plan should contain a certification of compliance with the URA and, if applicable, section 104(d).

### **Technical Assistance**

The PHA should direct questions on this Notice's relocation assistance requirements to their RAD Transaction Manager or [email rad@hud.gov](mailto:rad@hud.gov).

## Appendix 2: SAMPLE RAD GENERAL INFORMATION NOTICE (GIN)

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### PHA LETTERHEAD

#### RENTAL ASSISTANCE DEMONSTRATION (RAD) GENERAL INFORMATION NOTICE (GIN)

[Date]

Dear [Resident Name],

The property you currently occupy is being proposed for participation in the Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. At this time, we expect that [the proposed acquisition, rehabilitation or demolition, may require you to be relocated (temporarily or permanently) from your unit]. We will provide further details to you as plans develop. **This notice does not mean that you need to leave the property at this time. This is not a notice of eligibility for relocation assistance.** The remainder of this letter only applies to situations where you will need to be relocated from your unit.

This notice serves to inform you of your potential rights under the RAD program and a federal law known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). If the proposed RAD project receives HUD approval and if you are displaced permanently as a result, you may become eligible for relocation assistance and payments under the URA, including:

- 1) Relocation advisory services that include referrals to replacement properties, help in filing payment claims and other necessary assistance to help you successfully relocate;
- 2) At least 90 days' advance written notice of the date you will be required to move;
- 3) Payment for moving expenses; and
- 4) Payments to enable you to rent a similar replacement home.

NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined at 49 CFR 24.208(h). All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an immigrant lawfully present in the United States.

As a resident of a property participating in RAD, you have the right to return to the project after the project is complete. You will be able to lease and occupy a unit in the converted project when rehabilitation is complete.

If you are permanently displaced from your home, you will not be required to move until you are given at least 90-day advance written notice of any required move and at least one comparable replacement dwelling has been made available to you. If you are temporarily relocated and your temporary relocation lasts more than one year, you will be contacted and offered permanent relocation assistance as a displaced person under the URA. This assistance would be in addition

to any assistance you may receive in connection with temporary relocation and will not be reduced by the amount of any temporary relocation assistance you have already received.

If you are required to relocate from the property in the future, you will be informed in writing. [PHA] will inform you of what assistance and payments you are eligible for if you will be relocated because of RAD and how you will receive these payments. If you become a displaced person, you will be provided reasonable assistance necessary to complete and file any required claim to receive a relocation payment. If you feel that your eligibility for assistance is not properly considered, you will also have the right to appeal a determination on your eligibility for relocation assistance.

You should continue to pay your rent and meet any other requirements specified in your lease. If you fail to do so, [PHA] may have cause for your eviction. If you choose to move, or if you are evicted, prior to receiving a formal notice of relocation eligibility, you may become ineligible to receive relocation assistance. It is very important for you to contact us before making any moving plans.

You will be contacted soon so that we can provide you with more information about the proposed project. If the project is approved, we will make every effort to accommodate your needs. In the meantime, if you have any questions about our plans, please contact: [Name, Title, Address, Phone, Email Address]. This letter is important to you and should be retained.

Sincerely,

[Name]

[Title]

NOTES:

1. Files must indicate how this notice was delivered (e.g., personally served or certified mail, return receipt requested) and the date of delivery. (49 CFR 24.5 and Paragraph 2-3(J) of Handbook 1378)
2. This is a sample GIN. PHAs should revise it to reflect project-specific circumstances.
3. PHAs may provide residents with HUD brochure "Relocation Assistance To Residents Displaced From Their Homes" available at:  
<http://www.hud.gov/offices/cpd/library/relocation/publications/1042.pdf>.



**Appendix 3: SAMPLE RAD NOTICE OF RELOCATION (For relocation anticipated for a year or less)**

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***THIS IS A GUIDE FORM.  
REVISE TO REFLECT THE PROJECT-SPECIFIC CIRCUMSTANCES.***

PHA Letterhead

(date)

Dear [*Resident Name*],

The property you currently occupy is participating in the Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. On [*date*], the [*Public Housing Authority*] (PHA) notified you of proposed plans to [*acquire/ rehabilitate/demolish*] the property you currently occupy at [*address*]. On [*date*], HUD issued the RAD Conversion Commitment (RCC) and committed federal financial assistance to the project. [*In instances where a Notice of Intent to Acquire is applicable and this notice is being sent before the RCC is issued, in lieu of the previous sentence noting the RCC issuance date, insert: [Name of entity acquiring the property]*] (Displacing Agency) intends to acquire the property you currently occupy. **This is a Notice of Intent to Acquire.**]

In order for PHA to complete the project, you will need to be relocated for [*anticipated duration of relocation*]. Upon completion of the project, you will be able to lease and occupy your present unit or another decent, safe and sanitary unit in the completed project under reasonable terms and conditions. You are eligible for relocation payments and assistance.

However, **you do not need to move now.** This notice informs you that a decent, safe, and sanitary dwelling unit, listed below, has been made available to you and you will be required to move by [*insert date at least 30 days after the date of this notice*].

If your temporary relocation exceeds one year and you qualify as a "displaced person" under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), you may be eligible for further relocation assistance and payments under URA.

NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined at 49 CFR 24.208(h). All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

The relocation assistance to which you are entitled includes:

- Payment for Moving Expenses.** You are entitled to be reimbursed for all reasonable out-of-pocket expenses incurred in connection with any temporary

move. [PHA should list the form of payment for moving expenses selected in accordance with Appendix 1, Section 4 of this Notice.]

- The location of your temporary replacement unit is [address]. This temporary housing has been determined to be decent, safe and sanitary.
- [List appropriate relocation advisory services and any other services and assistance provided.]

If you disagree with this determination, you may file a written appeal to the PHA in accordance with 49 CFR 24.10.

If you have any questions about this notice and your eligibility for relocation assistance and payments, please contact [Name, Title, Address, Phone, Email Address] before you make any moving plans. He/she will assist you with your move to a temporary unit and help ensure that you preserve your eligibility for any relocation payments to which you may be entitled.

**Remember, do not move or commit to the purchase or lease of a replacement home** before we have a chance to further discuss your eligibility for relocation assistance. This letter is important to you and should be retained.

Sincerely,

\_\_\_\_\_  
Print name:

Title:

*NOTE: The case file must indicate the manner in which this notice was delivered (e.g., personally served or certified mail, return receipt requested) and the date of delivery. (See 49 CFR 24.5 and Paragraph 2-3(J) of Handbook 1378.)*

**Appendix 4: SAMPLE RAD NOTICE OF RELOCATION (For relocation anticipated for more than a year)**

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***THIS IS A GUIDE FORM.  
REVISE TO REFLECT THE PROJECT-SPECIFIC CIRCUMSTANCES.***

PHA Letterhead

(date)

Dear [*Resident Name*],

The property you currently occupy is participating in the Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. On [*date*], the [*Public Housing Authority*] (PHA), notified you of proposed plans to [acquire/ rehabilitate/demolish] the property you currently occupy at [*address*]. On [*date*], HUD issued the RAD Conversion Commitment (RCC) and committed federal financial assistance to the project. [*In instances where a Notice of Intent to Acquire is applicable and this notice is being sent before the RCC is issued, in lieu of the previous sentence noting the RCC issuance date, insert: [Name of entity acquiring the property] (Displacing Agency) intends to acquire the property you currently occupy. This is a Notice of Intent to Acquire.*]

In order for PHA to complete the project, you will need to be relocated for [*anticipated duration of relocation*]. Upon completion of the project, you will be able to lease and occupy your present unit or another decent, safe and sanitary unit in the completed project under reasonable terms and conditions. You are eligible for relocation assistance and payments. Because we expect your relocation to exceed one year, you have the choice to either:

- Receive temporary relocation assistance and return to a unit in the RAD project once it is complete; or
- Receive permanent relocation assistance and payments consistent with the URA instead of returning to the completed RAD project.

You must inform us of your choice within 30 days.

However, **you do not need to move now**. If you choose temporary relocation assistance, you will not be required to move sooner than 30 days after you receive notice that a temporary unit is available for you. If you choose permanent relocation assistance, you will not be required to move sooner than 90 days after you receive written notice that at least one comparable replacement unit is available to you in accordance with 49 CFR 24.204(a). [*Note to PHA: These time periods may start running as of the date of this Notice if the notice of relocation includes such information on the temporary and/or comparable replacement dwelling options, as applicable. In such circumstance, add applicable sentences to adequately notify the resident. For example: This notice informs you that a temporary unit, listed below, has been made available to you and, if you choose this option, you will be required to move by [date no sooner than 30 days after notice]. This notice informs you*

that a comparable unit, listed below, has been made available to you and, if you choose this option, you will be required to move by [*date no sooner than 90 days after notice*].]

If you choose temporary relocation, your relocation exceeds one year and you qualify as a “displaced person” under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA), you may become eligible for further relocation assistance and payments under URA.

NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined at 49 CFR 24.208(h). All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.

If you choose to receive temporary relocation assistance, this assistance will include:

- Payment for Moving Expenses. You are entitled to be reimbursed for all reasonable out-of-pocket expenses incurred in connection with any temporary move. [*PHA should list the form of payment for moving expenses selected in accordance with Appendix 1, Section 4 of this Notice.*]
- The location of your temporary replacement unit is [*address*]. This temporary housing has been determined to be decent, safe and sanitary.
- [*List appropriate relocation advisory services and any other services and assistance provided.*]

If you elect to receive permanent relocation assistance, this assistance will include:

- Relocation Advisory Services. You are entitled to receive current and continuing information on available comparable replacement units and other assistance to help you find another home and prepare to move.
- Payment for Moving Expenses. [*PHA should list the form of payment for moving expenses selected in accordance with Appendix 1, Section 5 of this Notice.*]
- Replacement Housing Payment. You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors including: (1) the monthly rent and cost of utility services for a comparable replacement unit, (2) the monthly rent and cost of utility services for your present unit, and (3) 30% of your average monthly gross household income. This payment is calculated on the difference between the old and new housing costs for a one-month period and multiplied by 42.
- [*PHA: list here any permanent relocation assistance offered, such as a Housing Choice Voucher.*]

- ☐ Listed below are three comparable replacement units that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect these and other replacement units.

	Address	Rent & Utility Costs	Contact Info
1.			
2.			
3.			

We believe that the unit located at [address] is most representative of your original unit in the converting RAD project. The monthly rent and the estimated average monthly cost of utilities for this unit is [\$ amount] and it will be used to calculate your maximum replacement housing payment. Please contact us immediately if you believe this unit is not comparable to your original unit. We can explain our basis for selecting this unit as most representative of your original unit and discuss your concerns.

Based on the information you have provided about your income and the rent and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately [\$ (42 x monthly amount)], if you rent the unit identified above as the most comparable to your current home or rent another unit of equal cost.

Replacement housing payments are not adjusted to reflect future rent increases or changes in income. This is the maximum amount that you would be eligible to receive. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than the comparable unit, your replacement housing payment will be based on the actual cost of that unit. All replacement housing payments must be paid in installments. Your payment will be paid in [#] installments.

You may choose to purchase (rather than rent) a decent, safe and sanitary replacement home. If you do, you would be eligible for a down-payment assistance payment which is equal to your maximum replacement housing payment, [\$amount.] *[PHAs should note that, at the agency's discretion, a down-payment assistance payment that is less than \$5,250 may be increased to any amount not to exceed \$5,250. (See 49 CFR 24.402(c)(1)).]* Let us know if you are interested in purchasing a replacement home and we will help you locate such housing.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe and sanitary before any replacement housing payments are made.

If you have any questions about this notice and your eligibility for relocation assistance and payments, please contact [Name, Title, Address, Phone, Email Address] before you make any moving plans. He/she will assist you with your move to a new home and help ensure that you preserve your eligibility for all relocation payments to which you may be entitled.

**Remember, do not move or commit to the purchase or lease of a replacement home** before we have a chance to further discuss your eligibility for relocation assistance. This letter is important to you and should be retained.

Sincerely,

---

Print name:

Title:

Enclosure/s

*NOTE: The case file must indicate the manner in which this notice was delivered (e.g., personally served or certified mail, return receipt requested) and the date of delivery. (See 49 CFR 24.5 and Paragraph 2-3(J) of Handbook 1378.)*

**Appendix 5: SAMPLE NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE (For residents who have been temporarily relocated for more than a year)**

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***THIS IS A GUIDE FORM.  
IT SHOULD BE REVISED TO REFLECT THE CIRCUMSTANCES.***

PHA Letterhead

(date)

Dear [*Resident*]:

The property you formerly occupied at [*address*] is participating in the Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. You have been temporarily relocated from that property since [*date*]. Your temporary relocation has exceeded one year.

It has been determined that you qualify as a "displaced person" according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). You are eligible for relocation assistance and payments under the URA.

**You may choose to remain temporarily relocated and return to a unit in the RAD project once it is completed.** It is currently estimated that you may return to the RAD project by [*date*]. If you choose to remain temporarily relocated, you will stay at your current location until the RAD project is completed.

Alternatively, you may choose permanent relocation assistance and payments for which you are eligible, as listed below. If you choose permanent relocation assistance, you give up your right to return to the completed RAD project. However, **you do not need to move now.** If you choose permanent relocation assistance instead of exercising your right to return to the completed RAD project, you will not be required to move sooner than 90 days from the date that at least one comparable replacement unit has been made available to you. [*Alternatively: You will not be required to move sooner than 90 days from the date of this notice, which informs you of a comparable replacement unit that has been made available for you.*]

**This is your Notice of Eligibility for relocation assistance.**

**The effective date of your eligibility is [*insert date that relocation exceeds one year.*]**

**NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child as defined at 49 CFR 24.208(h).** All persons seeking relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.



Enclosed is a brochure entitled, "Relocation Assistance to Tenants Displaced From Their Homes." Please read the brochure carefully. It explains your rights and provides additional information on eligibility for relocation payments and what you must do in order to receive these payments.

The relocation assistance to which you are entitled includes:

- Relocation Advisory Services. You are entitled to receive current and continuing information on available comparable replacement units and other assistance to help you find another home and prepare to move.
- Payment for Moving Expenses. [*PHA should list the form of payment for moving expenses selected in accordance with Appendix 1, Section 5 of this Notice.*] This is in addition to any amounts received to reimburse for any reasonable out-of-pocket expenses incurred in connection with the temporary move.
- Replacement Housing Payment. You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors including: (1) the monthly rent and cost of utility services for a comparable replacement unit, (2) the monthly rent and cost of utility services for your present home, and (3) for low-income persons, 30 percent of your average monthly gross household income. This payment is calculated on the difference between the old and new housing costs for a one-month period and multiplied by 42.
- [*PHA list here any other relocation assistance offered the resident, such as Housing Choice Voucher .*]

Listed below are three comparable replacement units that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect these and other replacement units.

	Address	Rent & Utility Costs	Contact Info
1.			
2.			
3.			

We believe that the unit located at [*address*] is most representative of the original unit you occupied in the converting RAD project. The monthly rent and the estimated average monthly cost of utilities for this unit is \$[*amount*] and it will be used to calculate your maximum replacement housing payment. Please contact us immediately if you believe this unit is not comparable to your original unit. We can explain our basis for selecting this unit as most representative of your original unit and discuss your concerns.

Based on the information you have provided about your income and the rent and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately \$ [42 x \$Amount], if you rent the unit identified above as the most comparable to your current home or rent another unit of equal cost.

Replacement housing payments are not adjusted to reflect future rent increases or changes in income. This is the maximum amount that you would be eligible to receive. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than the comparable unit, your replacement housing payment will be based on the actual cost of that unit. All replacement housing payments must be paid in installments. Your payment will be paid in [#] installments.

Should you choose to purchase (rather than rent) a decent, safe and sanitary replacement home, you would be eligible for a downpayment assistance payment which is equal to your maximum replacement housing payment, [\$ amount] *[PHAs should note that, at the agency's discretion, a downpayment assistance payment that is less than \$5,250 may be increased to any amount not to exceed \$5,250. (See 49 CFR 24.402(c)(1)).]* Let us know if you are interested in purchasing a replacement home and we will help you locate such housing.

Please note that all replacement housing must be inspected in order to ensure it is decent, safe, and sanitary before any replacement housing payments are made.

If you have any questions about this notice and your eligibility for relocation assistance and payments, please contact [Name, Title, Address, Phone, Email Address] before you make any moving plans. He/she will assist you with your move to a new home and help ensure that you preserve your eligibility for any applicable relocation payments.

**Remember, do not move or commit to the purchase or lease of a replacement home** before we have a chance to further discuss your eligibility for relocation assistance. This letter is important to you and should be retained.

Sincerely,

\_\_\_\_\_  
Print Name:

Title:

Enclosure/s

*NOTE: The case file must indicate the manner in which this notice was delivered (e.g., personally served or certified mail, return receipt requested) and the date of delivery. (See 49 CFR 24.5 and Paragraph 2-3(J) of Handbook 1378.)*

## **Attachment J**

### **PUBLIC NOTICE**

A Public Meeting to cover the Housing Authority of Clackamas County's (HACC) Annual Plan effective 2020-2021 will be held on January 16th, 2020, at 11AM at Oregon City View Manor Community Center, 200 S. Longview Way, Oregon City, OR 97045. Resident Advisory Board members and Public Housing residents are encouraged to attend.

A Public Hearing to comment on HACC's 2020-21 Draft Plan will be held on March 19, 2020, before the HACC's Board of Commissioners. The Commissioners meet at 10:00 AM, in their hearing room at the Public Services Building located at 2051 Kaen Road, Oregon City, Oregon. Everyone can attend and comment on the proposed Plan.

HACC may convert its Public Housing properties to Rental Assistance Demonstration (RAD), as a result of the conversion, Capital Grant funding will be reduced by approximately \$894,204/year. HACC may utilize the Replacement Housing Funds (RHF) in the amount of \$147,421, to facilitate RAD conversion.

HACC developed its Plan in compliance with the Quality Housing and Work Responsibility Act of 1998 and Federal Register, Docket No. FR-4829-N-01.

The Draft Plan will be available for review from January 20, 2020 - March 5th, 2020 and can be found online at <https://www.clackamas.us/housingauthority/plansandreports.html>. Hard copies are kept for public review at HACC's administrative office located at 13930 South Gain Street, Oregon City, OR, open Monday through Thursday, 8AM to 6PM. The Plan can also be viewed at the Clackamas County Library, 16201 SE McLoughlin, Oak Grove, OR.

Written comments should be directed to Elizabeth Miller, Housing Authority of Clackamas County, P.O. Box 1510, Oregon City, OR 97045, or by email at [emiller@clackamas.us](mailto:emiller@clackamas.us). These comments must be received by March 5th, 2020.

# HACC ANNUAL PLAN 2020-2021

## Resident Advisory Board Meeting Agenda

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Thursday, January 16, 2020 11am – 2pm at Oregon City View Manor Community Center

### **11:00-11:10 Welcome & Introductions**

### **11:10-11:25 Annual Plan Review – New Activities & Progress Report**

We are in a housing crisis and we really need your input, our goal is to help those who have the highest need. We ask that you keep that in mind during today's meeting because we will be talking about policies that may be controversial

Q: Are you changing from PH to S8?

A: Every person that lives in Public Housing during RAD conversion or disposition will get a voucher for as long as you need it. The voucher is administered by HACC. They are tenant protection vouchers.

You will pay between 30-40% of income, towards rent. Overall it is a similar rent structure. The difference is, you will have the opportunity to move anywhere in the county, but you will have to find your own housing location. We are developing lots of housing, but not Public Housing. We will more than double what we have now

- New activities, disposition, extensive planning project that has wrapped up, and a Clackamas Heights grant that we gave back, and no formal plans at this time.
- RAD = Rent Assistance Demonstration
- We have 145 scattered sites, mostly duplex and single family homes. In 2020 we will relocate folks and work with them to relocate or purchase a home (if eligible).
- For every unit we eliminate, we will bring back that unit plus more

Q: How do we do that?

A: \$116.2 million will flow through HACC into Clackamas County over seven years. In one week we will be issuing through a Request for Proposal. We set aside 200 PBV to insert into those communities.

Some additional new activities include:

1. Kaiser and Heathshare are providing HACC with \$1.3 million to provide 80 homeless disabled elderly with this money through the pilot program.
  - Health systems are investing in housing, for better patient outcomes if folks are housed.
  - There are going to be referring agencies that we have not determined yet
  - Will pull names from the Coordinated Housing Access Line (CHA) and receive referrals from service providers.

Q: Who are the 80 to receive the grant?

A: The priority is to serve those who are homeless and medically vulnerable.

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2. New vouchers- 50 Mainstream and 15 –PBV
3. We currently have 7 applications and can serve up to 25 foster youth vouchers—3 year time limit for rent assistance. The idea is to get foster youth in stable housing.
  - These come with case management and wrap around services
4. Rosewood station:
  - 212 (20 PBV) affordable units to those making 60% of Area Median Income or less

Q: Homelessness—what is out definition for homelessness?

A: HUD defines homeless in several different categories: Literally Homeless (living on the street or a place not meant for habitation), Imminent risk of homeless (imminently lose housing with 14 days), Unaccompanied youth and those fleeing DV.

5. 18000 Webster rd. (acquired through Metro bond funds) it will be a very substantial overhaul to turn it into affordable housing –These will be for those 55 and over with 11 for high needs people.

### 11:25-11:40 Development Update

Hillside Park:

The community vision for us and our stakeholders, was to take the site and redevelop it.

- The Master Plan is complete.
- HACC is working with the City of Milwaukie on Land Use and next steps.
- The master plan shows additional units on the Hillside Park property
- Metro bond resources is our primary source of funding
- The Master Plan will be phased over 7 years, and is estimated to start early to mid-2021 (depending on approvals)
- These are complicated systems, and we are trying to find easier paths, but with so many stakeholders these things take time.

Q: Resident heard a rumor that funding for Hillside Manor came through but not Hillside Park, is this true?

A: We have to get HUD approval to go through with Hillside Park, but we have money set aside for that project, we just haven't started the HUD approval process. Over the next year we will be finalizing the application with HUD and the land use process with the City of Milwaukie

Q: And do you have a plan of where you will start with Hillside Park?

A: We are likely starting on Meek Street, going east to west on 32<sup>nd</sup>. As I mentioned this will be years away, but check for updates on our website. Our goal is to redevelop and realign to get closer to resources people who need it the most

Oregon City View Manor:

- HACC is still working with HUD on a Section 18 Demolition/Disposition application
- Estimated to move forward over the next few years

Scattered Sites:

- These units are costly, widely dispersed
- Our vision is to pursue Section 18 Demolition/Disposition with HUD
- Potential to create first time homebuyers program for those living in Public Housing and are interested and eligible. We are in housing crisis and this will create an affordable way for residents to become homeowners

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Page 83 of 92

- We may choose to sell some of those scattered sites and leverage those funds to build even more sites.

Q: Are you saying you are going to offer these to those willing to buy it if they can pay for it?

A: Yes, this is our goal, but they would have to qualify for the loan and be able to pay the monthly payments. This is for those who live in scattered sites. We are in talks with Proud Ground and Nedco to discuss partnering to help folks with low interest loans. We are changing our FSS program, and the money goes into an account for folks to be able to save for a down payment.

Metro Affordable Housing Bond:

- \$116 million
- Release our funding to Developers through a Request for Proposals
- Seeking developers housing proposals to build in Clackamas County
- 800 units over 7 years
- 49% of the funds will go to those who need it most (0-30% of area medium income)

Q: When Rosewood Station opens, how many vouchers will be available?

A: Rosewood will be an affordable housing development. 10% of units are project based vouchers (PBV), and the others are tenant based vouchers. Section 8 income requirements are at or below 50% of Area Median Income:

Q: How many people are we going to house after the Hillside Park redevelopment?

A: We will be going from 200 households to closer to 600 households. We are working with the city of Milwaukie to get the parking figured out.

Q: Currently we have cell phone signal problems due to the metal siding and roofs. Will the new buildings be different?

A: New units will have better connectivity and everything prewired for maximum choice. We want to be very proactive about hearing from you and letting us know how we can provide choices to you and others in the community, that way you don't have to decide on whether you can afford to pay rent, or buy food for your family.

### **11:40-12:00 Public Housing Updates - Review Attachment B**

Toni discussed proposed Policy Changes for Public Housing

Chapter 3: Family & Household:

- We are proposing to clarify language around families and households.
- Two or more individuals who are not related by blood, marriage, adoptions, other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of family.
- Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

Chapter 3: Screening:

- Changing screening criteria, so we will begin checking landlord references two years, from five years.

Chapter 4: Family & Household:

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- Each family must provide information and update information on family size when applying

Q: If a child is 18 years old, moves out and wants to move back in can they?

A: Section 8 gives up to 6 months for a previous household member to be added back to the household. If it is longer than that, they are not allowed. They will have to apply for housing for themselves as adults.

Chapter 4: Applying for Assistance:

- We are opening the Public Housing and Section 8 waitlists by April

Q: How do you notify public about waitlist opening?

A: we will give over a month notice, and this will go out to the public, the news, through email blast, and on our website. You can apply online, or a paper application (if requested in writing ahead of time). The waitlist will only be open a few days. The waitlist are lottery, so if you apply you may not be chosen

Q: We are opening up Public Housing waitlist even though you mentioned you are doing away with PH?

A: Yes, but then those property will transition to affordable, where our clients will be able to transition to a Tenant based or a PBV list. Applicants are added to the waitlist through a lottery system, so just because you apply, doesn't mean you'll be randomly selected through the lottery.

Chapter 4: Organizing the Waiting list:

- We currently have 18 Public Housing waitlists
- Our goal is to change it to a single waitlist, and we are proposing this to HUD. This offers faster housing and more options.
- Currently one person can be on a waitlist for a 2 bedroom at one site-based waitlist, and has been on the waitlist for 3 or more years. Then when a 2 bedroom opens up and it is in a different location, someone else who may have only been on the waitlist for a year may have the opportunity to have that place, and not the first person simply because we have too many waitlists.

Chapter 4: Homeless Preference:

- Adding and Implementing a homeless preference to Public Housing
- Homeless preference referrals can come from service providers, in addition to the Coordinated Housing Access waitlists.

Chapter 5: Determining Unit Size:

- In an effort to serve more people with the money we receive, we need to tighten the occupancy standards, of 2 per bedroom. It would be 2 per bedroom regardless of age, gender, generational difference etc. The exception would be evaluated through reasonable accommodations.
- This would be a policy change moving forward, so for new households and for those on the transfer list.
- When clients are transitioning due to RAD, a resident will receive the voucher they are eligible for not what size Public housing unit they currently have. This aligns the two policies, to ease the transition.
- HACC is changing it, if you are too large of a family for our PH units, you will be denied, you must meet our occupancy standards or you will be denied.

Q: What about a child who is 16?

A: Age 16 and over means just another adult in house hold

Q: What about adding grandparents?

A: It is a waiver process to be added.

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#### Chapter 6: Child Care Expense

- Aligns with new Section 8 proposed policies, which allows child care expenses for disabled children over 13 years old

#### Chapter 9: Conducting Annual reexaminations

- Aligns with Section 8, requiring families to self-report any criminal activity in the household form the previous year. HACC checks everyone (15 yrs or older) to see if they are a sex offender. Section 8 changed this to ask a question on our Annual Paperwork. If we find out that someone did not self-report properly, then we will handle that as a separate process.
- Residents are required to report income within 7 days of any change.
- We are proposing to further define what circumstances would initiate an Interim Exam.

Q: What if a member of the household receives a DUII?

A: you will need to mark yes on the form

#### Chapter 9: Required Reporting

- Adding new FSS language, regarding when an increase is due to earned income that will result in an increase in escrow credit.

#### Chapter 13: Over Income Families

- HUD says we can choose if we want our clients to either stay on Public Housing to have households move out of PH. HACC is choosing to have families move out of PH.
- This allows HACC to serve the most vulnerable lowest income families.

Q: When a resident gets higher income, don't you get the option to go to a fair market rent?

A: When we do the annual and you choose flat rent, they are on this for 3 years, unless they lose their job, or their income really changes.

#### **12:00-12:30 Break for Lunch**

#### **12:30-1:00 Section 8 Updates - Review Attachment A**

Toni discussed proposed Policy Changes for Section 8

#### Chapter 3: Family & Household

- Discussed above under Public Housing Attachment B

#### Chapter 4: Targeted Funding

Foster Youth Initiative (FYI), we applied for the family unification grant, this is what we offer, and this is what we have, the FYI serves youth for 36 months from foster care.

Q: Do they get peer support?

A: Yes through DHS

#### Chapter 4: Selection Method

- A preference puts you on top of the waitlist
- We are proposing to take that language off to transfer from one program to another, these are families who have an emergency and need a transfer, are over housed or under-housed etc.
- Reasonable accommodation- max of 33 referred by Social Services that met the definition of disabled.

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Page 86 of 92

- We removed the requirement that a client must be a Continuum of Care (CoC), Permanent Supportive housing (PSH) provider as this was a barrier to many clients.

#### Chapter 5: Determining Family Unit Size

- Discussed above under Public Housing Attachment B

#### Chapter 6: Child Care Expense Deduction

- Discussed above under Public Housing Attachment B

#### Chapter 10: Housing Assistance Payments

- We are currently able to use and overlap of funds for landlords, now you can have an overlap on the month you are moving.

#### Chapter 10: Zero HAP

- If a household has reach zero HAP, then they can stay 180 days, then they graduate. This is a HUD requirement. Most people choose to graduate off section 8 so they can be off all assistance.

#### Chapter 11: Required Reporting Remained Unchanged

- Mid-year change was not adopted

#### Chapter 16: Updating Payment Standards

- HACC will be updating payments standards by area to encourage lease up in low poverty census tracts change was not adopted

#### Chapter 17: Rent Limits

- To save funds, HACC put a cap on rents.
- There is an exception, if the project is going to serve a homeless or other high risk person
- Originally on waitlist---we are rewriting this, and new language is going thru CHA, through an agency, then they give us the referral.

#### Discussed overall staffing changes:

- Rich has transitioned to an Asset Manager only. Toni is taking over Public Housing, so Toni will be in charge of both Rent Assistance programs and Public Housing
- As our portfolio grows, asset mgmt. is more necessary.

### **1:00-1:20 Capital Fund Overview: Attachment H-I**

#### 2019 Capital Fund Completed Projects

- OCVN/SS Roof Project - \$163,322.78
- Clackamas Hts. Decks - \$126,688.72
- Scattered Sites Furnace Project - \$86,500.00
- Asbestos Abatement Services - \$50,000.00
- Asbestos Air Monitoring Services - \$30,000.00
- Modernization of 9680 74<sup>th</sup> - \$132,503.21
- HACC Wide Flooring - \$250,000.00

#### 2020 Proposed Capital Fund Projects

- On Demand Moving Contract - \$25,000.00

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- On Demand Cabinet Contract - \$125,000.00
- Scattered Sites Fencing Project - \$175,000.00
- On Demand Flatwork Project - \$135,000.00
- Hillside Manor Elevator Upgrades - \$700,000.00

Q: Where do the funds come from when a tenant moves?

A: General unit turnovers, the funds come from operations. For things like floors and cabinets, the funds come from Capital Grant through our on-demand contracts.

Q: Do we need to clean the unit if you will be demolishing it?

A: It is too early to answer that question and this is still a year out. There will be a level of cleaning expectation and that you don't leave personal property in your unit.

Josh discussed a breakdown of next year's proposed funding/budget:

- 1406 - operations 20% of grand total
- 1408 - management improvement software in HAB (\$500.00)
- 1410 - is administration \$122,559.40
- 1411 - audit \$6,500
- 1430 – asbestos or architectural and engineering- \$25,000
- 1450 – onsite improvements \$15,000
- 1460 - PHA Wide Dwelling Improvements \$744,779.10
- 1465 - Ranges & Refrigerators 0.00
- 1475 - Non-Dwelling Equipment \$1,000.00
- 1495 - relocation cost \$10,000

Q: Can you use a pod to relocate people?

A: Yes, depending on the circumstances.

## **1:20-1:30 Resident Services Overview**

- The Board of County Commissioners (BCC) allocated funds to HACC for additional resident services staff to serve Public housing residents. The big news is we went from 1.5 resident services staff to 7:
  - Courtney VanSchoiack: primarily at Clackamas Heights but will soon have office hours at Oregon City View Manor. Her focus is connecting residents to basic needs, food, clothing, furniture etc. Support staff can really help people look at and determine goals, to go to school, employment options and career goals. She handles rent reporting and can connect residents to credit repair resources.
  - Emily Lilly: has taken over the community gardens.
  - Tiffany Kearney: peer support specialist, offering mental health and addiction support. She can meet a person where they are and help with any resources they may need, or if they just want to talk to. Hoping to set up group meetings, bingo etc. maybe just support group-fraud. Maybe a painting group, movie night, cooking, etc.
  - Amy Brinkley: provides administrative support, but is also trained as a peer support specialist. She can offer support for mental health and addiction through lived experiences.
  - Jemila Hart: focused on supporting new people as they enter PH and connect them to basic needs, food, clothing, furniture, etc. Jemila can help people determine goals around school, employment and career goals. She also administers the IDA program.
  - We also have a case manager from Social Services joining the team in the near future.

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- The team is excited about community building activities to help residents engage with Resident Services and their neighbors.

### 1:30-1:40 Family Self Sufficiency (Section 8) Overview

FSS Program is a 5-year voluntary employment-based program

- The purpose is to provide resources and referrals that will help the participant become as self-sufficient as possible off of government assistance. To complete the program a participant needs full time employment based on their training, education & experience, complete all their goals on the Individual Training and Service Plan (which we work on during the FSS intake) and be off of welfare assistance for 12 consecutive months prior to the expiration of the contract (welfare assistance is TANF only). Escrow account begins accruing after you have an increase in earned income that causes your family rent to increase. For instance, if your rent was \$100 & then your rent increases to \$300 based on earned income, then you could **potentially** earn up \$200 in monthly escrow (the system looks at a number of factors to accrue escrow, so it is not guaranteed). If you successfully graduate from FSS, then you earn the escrow and may choose how to spend it. Participants have graduated earlier than the 5-year limit. We can extend a contract for up to two years, but only for good cause.
- Michell has written Letters of Recommendation for participants, walked through budgets, it all depends on the client. Each participant has a different level of need in the program. Some prefer constant communication, some monthly and some quarterly.
- You are only allowed to use FSS one time.
- A resident is ineligible for FSS if they owe money to HACC. It must be paid off before they can apply.
- There are slots for PH residents and a preference will be given to the scattered sites.
- Some FSS clients concurrently have an IDA (homeownership, vehicle or education).

Q: How can I be the first on PH to be on this program?

A: a letter with information about the FSS program and PH waitlist is being included with the February rent statements. PH residents that do not get rent statements will have a separate letter sent out at the same time. The letter will provide Michell's contact information to request to be added to the waitlist. We will contact those on the waitlist when we begin to pull names from it.

### 1:40-1:45 Annual Plan Timeline

- The proposed policies are open for public comment from January 20, 2020 through March 5, 2020
- The Public Hearing is open to public on March 19, 2020 at the Public Services Building, on the 4<sup>th</sup> floor.
- Goes to board for final approval on April 2, 2020
- HACC submits the final Annual Plan to HUD by April 17, 2020
- If you have questions, comments, you can contact Elizabeth at 503-655-8279 or at [emiller@clackamas.us](mailto:emiller@clackamas.us)

### 1:45-2pm Questions and Answers

Q: How are you going to go about phasing out scattered sites?

A: We haven't figured out the phasing yet, but we are looking at giving a preference to anyone in any of our Scattered Sites, who are interested and eligible to buy their home. We are also changing our payment standards so people can live in areas where they want, which applies to those families who receive a voucher if their PH Scattered Site unit is sold.

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## **Comments on HACC Annual Plan**

Received anonymously on February 20, 2020

On the proposed change in bedroom allocation: One bedroom for single head of household and another family member, regardless of sex/gender/ age / generation... Targets single adults. And I believe placed significant stress and upheaval on all parties involved for many reasons. To be forced to move to limited one bedroom which are not always cheaper than current units. If one bedroom is shared each person may have to get new furniture (twin beds) a big expense. If one bedroom is shared by an older person and a child, there is increased chance of illness. If one bedroom is shared by a parent, or grandparent and a teenager there will be a lack of privacy and emotional refuge. Sex/gender may make this even more difficult.

How could the teen have friends over? How could the adult have intimate adult visitors or just private time and space?

It was pointed out that one person could sleep in the living room, which means anyone coming to the house is in someone's bedroom at all times and there is no living room for family and friends to gather.

This feels to me like a step backwards from helping the vulnerable and disadvantaged feel more like regular normal families. I don't believe it will work for many families, and will cause problems for many.

On the subject of HUD getting rid of Public Housing- Is this a done deal? Is anyone fighting this change? Moving the Public Housing tenants to Section 8 Vouchers sounds like a big mistake that will lead to many people losing the supports they have now. Which keep the most difficult to house from becoming homeless. Closing Mental Hospital didn't help the mentally ill.

Date: 3/5/20  
Subject: HACC Annual Plan Comments  
To: Elizabeth Miller  
From: Abe Moland, Health and Transportation Impact Planner, CCPHD

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Page 8 of 80: **HACC continues to apply for new rental assistance program funding and when awarded is required to have language explaining the populations served by each funding source. Adding new funding sources**

*Comments:*

Last sentence, 'Adding new funding sources', seems incomplete.

Page 19 of 80: **Removed extra bedroom for single head of household with child(ren). This will make it 2 per bedroom regardless of age, sex, generation or any other consideration.**

*Comments/Considerations:*

As reader of the plan, it may be helpful a more detailed rationale for the changes outlined in Appendix A. This will be helpful in building larger community capacity on housing issues as well as make the document more accessible.

*Considerations:*

Crowding negatively impacts resident health, and particularly children and adolescents. Children in crowded homes are more likely to have problems coping with stress, poor parent interactions, negative mental health outcomes, increased risk of injury, elevated blood pressure, and more potential exposure to infectious disease<sup>i</sup>. Studies have also found connections between moving to smaller apartments and higher levels of stress in children<sup>ii</sup>. Assessing health across the lifespan using life course theory, the concept that key events and transitions in early life alter developmental trajectories, housing policy can influence the social trajectories of education, work, and family based on the conditions they create for early childhood<sup>iii</sup>.

Possible policy perspectives/PPB considerations that may influence health outcomes include the age of children (infants vs teenagers), unit dimensions (square footage and design of bedroom and other potential sleeping areas), and quality of other housing elements (heating and cooling availability, indoor air quality, noise). In Clackamas County, 24.1% of households with children are single parent households<sup>iv</sup>, roughly 93,806 families<sup>v</sup>. In reviewing this policy, it will be important to understand what proportion of these households are at income low enough to be affected by this change.

Eliminating a separate bedroom for single heads of households potentially creates preference for two-parent households, as couples with one child are still issued two bedroom units. Maintaining a separate bedroom for single heads of households helps facilitate health in all family types.

*Questions:*

- What is the rationale for removing the extra bedroom for single head of household?
- How many current HACC residents does this apply to? How many current Clackamas County residents would this apply to? How many applications on waiting lists does this apply to?
- Is this defensible with keeping single person families as eligible for one-bedroom designations?

Page 23 of 80 **HACC is choosing to terminate an over-income family. This will allow HACC to continue serving low income families who need housing.**

*Comments:*

Households that experience forced moves are more likely to experience poor mental and physical health outcomes<sup>vi</sup>. Displacement from housing may also disrupt the employment or other circumstances that created the increase in income.

The move itself may result in incurred costs from relocation and set-up, increased transportation costs, and reduced time with family and engaging in other health promoting activities like exercise and sleep<sup>vii</sup>.

A policy that triggers a forced move of a family based on income thresholds assumes a level of agency on the part of the household to no longer require assistance that may not be true. As families are required to report income changes within 7 days of a change, this leaves little time to conduct a formal housing search. For very low income households, this is likely to involve the use of personal safety nets and information networks (family and friends) and disallow consideration of neighborhood quality and opportunity<sup>viii</sup>. This also has the potential to disincentivize residents reporting new income for fear of forced transition.

*Questions:*

- How many over-income households are there currently within the HACC resident population?
- Is over-income family termination common practice in other jurisdictions?
- What are the policies and procedures associated with the termination process? How can this be done incorporating TIC-principles?
- Is this a barrier for low-income economic mobility?

**Pg 36 of 80 – Attachment I C. PBV Resident Rights and Participation.**

*Questions:*

- Is this the handout that residents receive? Or is this the policy that dictates what is communicated in that handout? The Table of Contents identifies it as the Residents Right Handout, but it reads as a policy excerpt.

**Pg 80 of 80 - HACC may convert its Public Housing properties to Rental Assistance Demonstration (RAD), as a result of the conversion, Capital Grant funding will be reduced by approximately \$894,204/year. HACC may utilize the Replacement Housing Funds (RHF) in the amount of \$147,421, to facilitate RAD conversion.**

*Questions:*

- What does the process look like for resident involvement in the RAD conversion process?

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<sup>i</sup> Cutts, D. B. et al. (2011). US Housing Insecurity and the Health of Very Young Children. *American Journal of Public Health*. 101(8), p. 1508-1514.

<sup>ii</sup> Singh, A. et al. (2019). Housing Disadvantage and Poor Mental Health: A Systematic Review. *American Journal of Preventive Medicine*. 57(2): p. 262-272.

<sup>iii</sup> Elder, G. H. (1998). The Life Course as Developmental Theory. *Child Development*. 69(1), p. 1-12.

<sup>iv</sup> U.S. Census Bureau, Single-parent Households with Children as a Percentage of Households with Children in Clackamas County, OR [S1101SPHOUSE041005], retrieved from FRED, Federal Reserve Bank of St. Louis; <https://fred.stlouisfed.org/series/S1101SPHOUSE041005>, March 2, 2020.

<sup>v</sup> U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates. Table S1101, retrieved March 2, 2020.

<sup>vi</sup> University of Wisconsin Population Health Institute. County Health Rankings Key Findings 2019.

<sup>vii</sup> Matsuoka, M., Lucky, J. (2017). Power, Place, and Public Health: A review of the Literature on the health impacts of displacement & Promise of Inclusive Community Development. Urban & Environmental Policy Institute.

<sup>viii</sup> Skobba K. Goetz, E. G.. (2013). Mobility Decisions of Very Low-Income Households. *Cityscape: A journal of Policy Development and Research*. 15(2) p. 155-178.