

<b>Annual PHA Plan</b> <i>(Standard PHAs and Troubled 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: 9/30/2027</b>
--------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------	-------------------------------------------------------

**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. They also inform 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-, very low-, and extremely low- income families.

**Applicability.** The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form. Note: PHAs with zero public housing units must continue to comply with the PHA Plan requirements until they closeout their Section 9 programs (ACC termination).

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers (HCVs) and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, SEMAP for PHAs that only administer tenant-based assistance and/or project-based assistance, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 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 exceed 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 HCVs combined and is not PHAS or SEMAP troubled.

<b>A. PHA Information.</b>
<p><b>A.1</b> <b>PHA Name:</b> _____ <b>PHA Code:</b> _____</p> <p><b>PHA Type:</b> <input type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA</p> <p><b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): _____</p> <p><b>PHA Inventory</b> (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</p> <p><b>Number of Public Housing (PH) Units</b> _____ <b>Number of Housing Choice Vouchers (HCVs)</b> _____</p> <p><b>Total Combined Units/Vouchers</b> _____</p> <p><b>PHA Plan Submission Type:</b> <input type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p><b>Public 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. 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 and should make documents available electronically for public inspection upon request. PHAs are strongly encouraged to post complete PHA Plans on their official websites and to provide each resident council with a copy of their PHA Plans.</p>

	<p><input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below)</p>																																	
	<b>Participating PHAs</b>	<b>PHA Code</b>	<b>Program(s) in the Consortia</b>	<b>Program(s) not in the Consortia</b>	<b>No. of Units in Each Program</b>																													
					<b>PH</b>	<b>HCV</b>																												
	Lead PHA:																																	
<b>B.</b>	<b>Plan Elements</b>																																	
<b>B.1</b>	<p><b>Revision of Existing PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</p> <table> <tr> <td>Y</td> <td>N</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Financial Resources.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Rent Determination.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Operation and Management.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Grievance Procedures.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Homeownership Programs.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Community Service and Self-Sufficiency Programs.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Safety and Crime Prevention.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Pet Policy.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Asset Management.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Substantial Deviation.</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/> Significant Amendment/Modification.</td> </tr> </table> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):</p>						Y	N	<input type="checkbox"/>	<input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.	<input type="checkbox"/>	<input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.	<input type="checkbox"/>	<input type="checkbox"/> Financial Resources.	<input type="checkbox"/>	<input type="checkbox"/> Rent Determination.	<input type="checkbox"/>	<input type="checkbox"/> Operation and Management.	<input type="checkbox"/>	<input type="checkbox"/> Grievance Procedures.	<input type="checkbox"/>	<input type="checkbox"/> Homeownership Programs.	<input type="checkbox"/>	<input type="checkbox"/> Community Service and Self-Sufficiency Programs.	<input type="checkbox"/>	<input type="checkbox"/> Safety and Crime Prevention.	<input type="checkbox"/>	<input type="checkbox"/> Pet Policy.	<input type="checkbox"/>	<input type="checkbox"/> Asset Management.	<input type="checkbox"/>	<input type="checkbox"/> Substantial Deviation.	<input type="checkbox"/>	<input type="checkbox"/> Significant Amendment/Modification.
Y	N																																	
<input type="checkbox"/>	<input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.																																	
<input type="checkbox"/>	<input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.																																	
<input type="checkbox"/>	<input type="checkbox"/> Financial Resources.																																	
<input type="checkbox"/>	<input type="checkbox"/> Rent Determination.																																	
<input type="checkbox"/>	<input type="checkbox"/> Operation and Management.																																	
<input type="checkbox"/>	<input type="checkbox"/> Grievance Procedures.																																	
<input type="checkbox"/>	<input type="checkbox"/> Homeownership Programs.																																	
<input type="checkbox"/>	<input type="checkbox"/> Community Service and Self-Sufficiency Programs.																																	
<input type="checkbox"/>	<input type="checkbox"/> Safety and Crime Prevention.																																	
<input type="checkbox"/>	<input type="checkbox"/> Pet Policy.																																	
<input type="checkbox"/>	<input type="checkbox"/> Asset Management.																																	
<input type="checkbox"/>	<input type="checkbox"/> Substantial Deviation.																																	
<input type="checkbox"/>	<input type="checkbox"/> Significant Amendment/Modification.																																	

(c) The PHA must submit its Deconcentration Policy for Field Office review.

**B.2 New Activities.**

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's applicable Fiscal Year?

Y    N

- Choice Neighborhoods Grants.
- Modernization or Development.
- Demolition and/or Disposition.
- Designated Housing for Elderly and/or Disabled Families.
- Conversion of Public Housing to Tenant-Based Assistance.
- Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- Homeownership Program under Section 32, 9 or 8(Y)
- Occupancy by Over-Income Families.
- Occupancy by Police Officers.
- Non-Smoking Policies.
- Project-Based Vouchers.
- Units with Approved Vacancies for Modernization.
- Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the applicable 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.

<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.</p>
------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------

B.4	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p>
B.5	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y <input type="checkbox"/> N <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
C.	<p><b>Other Document and/or Certification Requirements.</b></p>
C.1	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y <input type="checkbox"/> N <input checked="" type="checkbox"/></p> <p>(b) 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>

C.2	<p><b>Certification by State or Local Officials.</b></p> <p>Form HUD 50077-SL, <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>
C.3	<p><b>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.4	<p><b>Challenged Elements.</b> If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p style="text-align: center;">Y      N  <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, include Challenged Elements.</p>

C.5

**Troubled PHA.**

(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?

Y   N   N/A

(b) If yes, please describe:

## **Instructions for Preparation of Form HUD-50075-ST Annual PHA Plan for Standard and Troubled PHAs**

### **A. PHA Information.** All PHAs must complete this section (24 CFR 903.4).

**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 Number of HCVs, PHA Plan Submission Type**, and the **Public Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. Note: The number of HCV's should include all special purpose vouchers (e.g. Mainstream Vouchers, etc.) (24 CFR 903.23(e)).

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

### **B. Plan Elements.** All PHAs must complete this section.

#### **B.1 Revision of Existing 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" (24 CFR 903.7).

**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 and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. 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 (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists 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.

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location (24 CFR 903.7(a)(2)(i)). Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy (24 CFR 903.7(a)(2)(ii)).

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** 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)). 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)).

**Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA (24 CFR 903.7(e)).

**Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants (24 CFR 903.7(f)).

**Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HOPE I public housing or HCV homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).

**Community Service and Self Sufficiency Programs.** Describe how the PHA will comply with the requirements of (24 CFR 903.7(l)). Provide a description of: (1) Any programs relating to services and amenities provided or offered to assisted families; and (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs subject to Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135) and FSS (24 CFR 903.7(l)).

**Safety and Crime Prevention (VAWA).** Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities (24 CFR 903.7(m)). Note: All coordination and activities must be consistent with federal civil rights obligations. 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 survivors of domestic violence, dating violence, sexual assault, or stalking; (2) Any activities, services, or programs provided or offered by a PHA that helps survivors 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 survivor 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)).
- Asset Management.** State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory (24 CFR 903.7(q)).
- Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan (24 CFR 903.7(s)(2)(i)).
- Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan (24 CFR 903.7(s)(2)(ii)). For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH 2019-23(HA), successor RAD Implementation Notices, or other RAD Notices.

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 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."

- Choice Neighborhoods Grants.** (1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for Choice Neighborhoods Grants; and (2) A timetable for the submission of applications or proposals. The application and approval process for Choice Neighborhoods is a separate process. See guidance on HUD's website at: <https://www.hud.gov/cn> (Notice PIH 2011-47).
- Modernization or Development (Conventional & Mixed-Finance).** (1) A description of any Public Housing (including name, project number (if known) and unit count) for which the PHA will apply for modernization or development; and (2) A timetable for the submission of applications or proposals. The application and approval process for modernization or development is a separate process. (See 24 CFR part 905 and guidance on HUD's website at: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/ph/hope6/mfph#4](https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6/mfph#4)).
- Demolition and/or Disposition.** With respect to public housing only, (1) describe any public housing development(s), or portion of a public housing development projects, owned by the PHA and subject to ACCs (including 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 approval under section 18 of the 1937 Act (42 U.S.C. 1437p); 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 as described in the PHA's last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. Approval of the PHA Plan does not constitute approval of these activities. See guidance on HUD's website at: [https://www.hud.gov/program\\_offices/public\\_indian\\_housing/centers/sac/demo\\_dispo/](https://www.hud.gov/program_offices/public_indian_housing/centers/sac/demo_dispo/) and 24 CFR 903.7(h).
- Designated Housing for Elderly and Disabled Families.** Describe any public housing projects owned, assisted, or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: (1) development name and number; (2) designation type; (3) application status; (4) date the designation was approved, submitted, or planned for submission, (5) the number of units affected and (6) expiration date of the designation of any HUD approved plan. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation (24 CFR 903.7(i)(c)).
- Conversion of Public Housing under the Voluntary or Mandatory Conversion programs.** Describe (1) 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 under Section 33; 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 the Special Applications Center (SAC) (<https://www.hud.gov/sac>) and 24 CFR 903.7(j).
- Conversion of Public Housing under the Rental Assistance Demonstration (RAD) program (including Faircloth to RAD).** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to Project-Based Rental Assistance or Project-Based Vouchers under RAD. Note that all PHAs shall be required to provide the information listed in Attachment 1D of Notice PIH 2019-23(HA) as a significant amendment or its successor notice. See additional guidance on HUD's website at: <https://www.hud.gov/RAD/library/notices>.
- Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HCV homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).
- Occupancy by Over-Income Families.** A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA's cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty day notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. (See additional guidance on HUD's website at: Notice PIH-2021-35 (24 CFR 960.503) (24 CFR 903.7(b)).
- Occupancy by Police Officers.** The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A "police officer" means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency

may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD's website at: Notice PIH 2021-35. (24 CFR 960.505) (24 CFR 903.7(b))  
NOTE: All activities must be consistent with civil rights laws – including ensuring that it does not have a disparate impact on protected class groups based on race, color, religion, national origin, sex (including sexual orientation), familial status, and disability.

**Non-Smoking Policies.** The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD's website at: Notice PIH 2009-21 and Notice PIH-2017-03 (24 CFR 903.7(e)).

**Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 24 CFR 983.55(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations (including if PBV units are planned on any former or current public housing units or sites), and describe how project-basing would be consistent with the PHA Plan (24 CFR 903.7(b)(3), 24 CFR 903.7(r)).

**Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with 24 CFR 990.145(a)(1).

**Other Capital Grant Programs** (i.e., Capital Fund Lead Based Paint, Housing Related Hazards, At Risk/Receivership/Substandard/Troubled Program, and/or Emergency Safety and Security Grants).

For all activities that the PHA plans to undertake in the applicable Fiscal Year, provide a description of the activity in the space provided.

**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(s)(1)).

**B.4 Capital Improvements.** PHAs that receive funding from the Capital Fund Program (CFP) must complete this section (24 CFR 903.7 (g)). To comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan in EPIC and the date that it was approved. PHAs can reference the form by including the following language in the Capital Improvement section of the appropriate Annual or Streamlined PHA Plan Template: "See Capital Fund 5 Year Action Plan in EPIC approved by HUD on XX/XX/XXXX."

**B.5 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 Resident Advisory Board (RAB) comments.** If the RAB had comments on 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.2 Certification by State of 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). **Note:** A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

**C.3 Civil Rights Certification/ 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 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* 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 certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of 24 CFR 5.150 et. seq., 24 CFR 903.7(o)(1), and 903.15.

**C.4 Challenged Elements.** If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public (24 CFR 903.23(b)).

**C.5 Troubled PHA.** If the PHA is designated troubled, and has a current MOA, improvement plan, or recovery plan in place, mark "yes," and describe that plan. Include dates in the description and most recent revisions of these documents as attachments. If the PHA is troubled, but does not have any of these items, mark "no." If the PHA is not troubled, mark "N/A" (24 CFR 903.9).

---

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.

Public reporting burden for this information collection is estimated to average 5.64 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. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

## **B.1 (c) Deconcentration Policy**

### **Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

HACCC'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 HACCC's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

HACCC'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 a PHA with fewer than 100 public housing units; mixed population or developments designated specifically for elderly or disabled families; developments operated by a PHA 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, HACCC must comply with the following steps:

Step 1. HACCC must determine the average income of all families residing in all HACCC's covered developments. HACCC may use the median income, instead of average income, provided that HACCC includes a written explanation in its annual plan justifying the use of median income.

#### **HACCC Policy**

HACCC will determine the average income of all families in all covered developments on an annual basis.

Step 2. HACCC 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, HACCC has the option of adjusting its income analysis for unit size in accordance with procedures prescribed by HUD.

#### **HACCC Policy**

HACCC will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. HACCC 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).

Step 4. HACCC with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, HACCC must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances HACCC's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR
- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration
- Providing other strategies permitted by statute and determined by HACCC in consultation with the residents and the community through the annual plan process to be responsive to local needs and PHA strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under HACCC's deconcentration policy. HACCC must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under HACCC's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, HACCC will be considered to be in compliance with the deconcentration requirement and no further action is required.

### **Deconcentration Incentives**

HACCC has 3 general occupancy (family) public housing developments covered by the deconcentration rule. None of these covered developments have average incomes above or below 85% to 115% of the average incomes of all such developments. The Contra Costa Housing Authority will analyze developments on a regular basis according to the deconcentration rule.

The request for a reasonable accommodations/reasonable modification need not use a specific written form and need not mention the Fair Housing Act, Section 504, or the ADA, or use the phrase "reasonable accommodation" or "reasonable modification."

HACCC will help the family fill out the form if they choose to use it and if they need assistance.

While requests for accommodation may be submitted to any Housing Authority employee, requests will be evaluated and decided upon by the Section 504 Coordinator and/or another staff member trained in and knowledgeable about fair housing and reasonable accommodations.

## **2-II.D. Verification of Disability**

The regulatory civil rights definition for persons with disabilities is provided in Exhibit 2-1 at the end of this chapter. The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability, which is used for waiting list preferences and income allowances.

Before providing an accommodation, HACCC must determine that the person meets the definition of a person with a disability, and that the accommodation will enhance the family's access to HACCC's programs and services.

If a person's disability is obvious or otherwise known to HACCC, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to HACCC, HACCC must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

When verifying a disability, HACCC will follow the verification policies provided in Chapter 7. All information related to a person's disability will be treated in accordance with the confidentiality policies provided in Chapter 16. In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. The person seeking the accommodation must have an appropriately licensed and knowledgeable professional verify that the requestor meets the definition of having a disability, that the requested accommodation is medically necessary, and that the requestor would be unable to fully enjoy those program benefits without the requested accommodation. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

accommodation could effectively address the family's disability-related needs without a fundamental alteration to the HCV program and without imposing an undue financial and administrative burden.

If HACCC believes that the family has failed to identify a reasonable alternative accommodation after interactive discussion and negotiation, HACCC will notify the family, in writing, of its determination within 15 business days from the date of the most recent discussion or communication with the family. The notice will inform the family of the right to appeal HACCC's decision through an informal hearing (if applicable) or the grievance process (see Chapter 14).

## **2-II.F. Reasonable Accommodation Reassessment**

### HACCC Policy

The need for a reasonable accommodation may change over time due to a variety of factors. To ensure program integrity, appropriate use of funds, and continued compliance with fair housing laws, HACCC may conduct periodic reevaluations of previously approved accommodations. Families will be notified in writing if any reassessment of a previously approved accommodation is initiated. The notice will describe the circumstances resulting in the reassessment and will detail how HACCC will assist the family to re-engage the interactive process.

Any family with an approved Reasonable Accommodation will be reengaged in the interactive process when the duration of the disability related to the accommodation is temporary in nature or not known at the time of approval. Such reassessments will generally be initiated at the "revisit date" indicated upon approval or at the next scheduled reexamination (whichever date is later).

In certain circumstances, withdrawing previously approved accommodation may be necessary without initiating a reassessment. Examples include but are not limited to:

- 1) The death of a household member for which a Live in Aid was provided as an accommodation.
- 2) The removal of a household member for which a single bedroom was provided as an accommodation.
- 3) In response to a request from the family to withdraw a previously approved accommodation.
- 4) A family's disengagement from the search to fill a vacated Live-in aide position.
- 5) Credible evidence that the accommodation is being used in a way that violates program policies or was based on inaccurate or false information. This includes determinations made during regularly scheduled inspections of the unit where it is confirmed that the extra bedrooms approved for necessary medical equipment are not being used for the intended purpose (PIH 2010-51, OIG 2012-KC-1005).

These circumstances are described in notices to families who have been approved for Reasonable Accommodations. Additionally, families are notified of any subsidy size changes in writing and all participating families reserve the right to request a hearing to appeal any subsidy size determination by HACCC.

Additional circumstances prompting reassessments of previously approved Reasonable Accommodations may be identified in the course of leasing and continued eligibility activities.

When possible, reassessments of previously approved accommodations will be initiated based on general criteria as opposed to individual referrals. Examples include but are not limited to:

- 1) A family seeking tenancy in an apartment complex was approved for an extra bedroom for the storage of medically necessary equipment (oxygen tanks). Years later, the family requests tenancy at a single-family home with additional storage space.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for the storage of medical equipment where the family has a later move from a unit type "apartment" to unit type "single family home".

- 2) A family member is approved to have a Live-in aide. Years later, the family reports that the member approved for a Live-in Aide is working as a merchant marine and is often deployed for several weeks at a time.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for members to have a Live-in Aide who also have income from work or self-employment exceeding a certain amount.

## **2-II.FG. Program Accessibility for Persons with Hearing or Vision Impairments**

HUD regulations require HACCC to ensure that persons with disabilities related to hearing and vision have reasonable access to HACCC's programs and services [24 CFR 8.6].

At the initial point of contact with each applicant, HACCC shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

### **HACCC Policy**

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public

## **PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS**

### **3-I.A. OVERVIEW**

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the assisted unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

### **3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.403; Notice PIH 2014-20; FR Notice 02/03/12 and FR Notice 2/14/23]**

The terms family and household have different meanings in the HCV program.

#### **Family**

To be eligible for assistance, an applicant must qualify as a family. Family as defined by HUD includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person, an otherwise eligible youth who has attained at least 18 years of age 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 (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or a group of persons residing together.

Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, and the remaining member of a tenant family. HACCC has the discretion to determine if any other group of persons qualifies as a family.

*Gender Identity means actual or perceived gender characteristics.*

*Sexual orientation means homosexuality, heterosexuality, or bisexuality.*

#### **HACCC Policy**

A family also includes two or more individuals who are not related by blood, marriage, adoption, or 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 the family. Each family must identify the individuals to be included in the family at the time of application and must notify HACCC if the family's composition changes. After the family has been admitted into the program, additions may be made in the circumstances listed in chapter 11-II.B. Changes In Family And Household Composition at the sole discretion of HACCC.

## HACCC Policy

A family's request for a live-in aide may be made either orally or in writing. HACCC will verify the need for a live-in aide with a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, unless the disability-related need is apparent or known to HACCC. For continued approval, the family may be required to submit a new, written request-subject to PHA verification at each annual reexamination.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

A current family member who satisfies the definition of a Live-in Aide will be notified in writing that they can choose one of the following two options:

1. They can qualify as a Live-in Aide, which is considered a household member, but not a family member and choose not to include their income as part of the Total Household Income, and sign a waiver of residual residency status.  
OR
- 1.2. They can qualify as a family member who cares for their disabled or elderly family member and have their income included as part of the total Household income and retain rights as a potential residual tenant.

All live-in aides will be subject to HACCC's non-income related screening. HACCC will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 982.316(b)]:

- The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;
- The person commits drug-related criminal activity or violent criminal activity; or
- The person currently owes rent or other amounts to HACCC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

HACCC will notify the family of its decision in writing within 7 calendar days of receiving a request for a live-in aide, including all required documentation related to the request.

HACCC may withdraw approval of a live-in aide and adjust the family bedroom size, in accordance with section 2-II.F. Reasonable Accommodation Reassessment and/or in accordance with the "Live-In Aide Agreement" (Exhibit 3-3) executed by the family.

### EXHIBIT 3-3: LIVE-IN AIDE AGREEMENT

I request to add

(Head of Household)

(Live-in aide)

as the designated live-in aide, who will reside with me at

(Current Unit Address)

I agree to assume the role of the designated live-in aide for this

(Live-in aide)

Household and will reside at

(Current Unit Address)

The undersigned understand and agree to the following:

- The live-in aide will reside in the above mentioned unit because a live-in aide was determined to be essential to the care and well-being of a member of the subsidized family.
- The live-in aide would not be living in the unit/ with the assisted family except to provide the necessary supportive services . As such, we understand that if the live-in aide is found to be unable or unwilling to perform the essential care (e.g., they have a conflicting commitment such as work, school, caretaking resulting in rotating or intermittent availability to prove essential care), we understand that the HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general, or of the specific person approved to fill the role of the live-in aide.
- We understand that HACCC may inspect the unit periodically to ensure that the live-in aide is currently present and/ or providing the essential care for which the additional bedroom was allocated and that if it is discovered that the additional bedroom is not being used by the live-in aide, the HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general, or of the specific person approved to fill the role of the live-in aide.
- We understand that Live-in aides may not be considered a "remaining household member"; the live-in aide has no further right to occupy the premises, retain the subsidy when their service to the participant ends, or be added as a returning or new family member for any reason.
- The live-in aide agrees to leave the assisted household when (a) authorized members of the subsidized household request their removal or (b) if the family member's need for a Live-in aide or disability ceases or cannot be supported or (c) if the family member for which the Live-in aide was approved is removed from the household.
- We understand that while the live-in aide and their family members may be permitted to move into the unit if doing so does not overcrowd the unit, approval of the live-in aide increases the family bedroom size by no more than 1 bedroom only after the live-in aide is "identified" and approved by HACCC.
- We understand that the family bedroom size may only be increased for identified live-in aides approved by HACCC and that HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general if the family disengages from attempts to fill a vacated Live-in aide position
- We understand that HACCC may refuse to approve a particular person as a live-in aide or may withdraw such approval if (a) the person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program or (b) the person commits drug-related criminal activity or violent criminal activity; or (c) the person currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act, or (d) if other terms of the ACOP or Administrative Plan bar their participation in the assistance program.

I certify that the information I have provided is true and accurate. I understand and agree to the responsibilities outlined in this agreement. I understand that this agreement does not alter or limit my rights under applicable disability laws.

(Printed name of Live-in aide)

(Signature of Live-in aide)

(Date)

(Printed name of Head of Household)

(Signature of Head of Household)

(Date)

HACCC will use the following local preferences. The more preference points an applicant has, the higher the applicant's place on the waiting list.

Among applicants with the same preference points, date and time of application will be used to determine placement on the waiting list.

For Emergency VAWA Transfers, a family that includes a victim of domestic violence, dating violence, sexual assault, stalking, or human trafficking who is seeking an emergency transfer under VAWA from HACCC's Housing Choice Voucher program or other covered housing program operated by HACCC does not require a preference but will instead be prioritized over all other transfer requests.

HACCC will use the following preferences (listed below with their ranking value) to rank applicants on the wait list:

- Involuntary Displacement (20 points). A preference for applicants who have been involuntarily displaced from housing due to:
  - A federal or state declared disaster
  - Government action (e.g., code enforcement, public improvement or development). Government action will also include participants in a witness protection program)
  - Action by a housing owner that is beyond an applicant's ability to control, and which occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase (e.g. conversion of a unit to non- rental or residential use, owner wants the property for personal use, foreclosure).

If the owner is an immediate family relative and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced.

To receive this preference, applicants must not be living in standard, permanent replacement housing. State law requires a preference in cases of displacement by public or private action.

- Emergency Housing Vouchers (EHV) (800 Points). In the event the program or funding sunsets, and should HACCC choose to issue a permanent Housing Choice Voucher to a participant in the EHV program, HUD requires that the family be placed on the HCV wait list first. This preference ensures that the EHV family will have an absolute preference over all other HCV participants to receive the available voucher.
- **Permanent Supportive Housing Graduation (500 points).** A preference for formerly homeless families who have graduated from a Contra Costa County Continuum of Care (COC) funded permanent supportive housing program, or another homeless housing program participating in the COC Coordinated Entry system, that partners with HACCC such as the Continuum of Care Rental Assistance Program formerly known as Shelter Plus Care. A referral from the COC Coordinated Entry system is required to be eligible for this preference.

## **PART II: SUBSIDY STANDARDS AND VOUCHER ISSUANCE**

### **5-II.A. OVERVIEW**

HACCC must establish subsidy standards that determine the number of bedrooms needed for families of different sizes and compositions. This part presents the policies that will be used to determine the family unit size (also known as the voucher size) a particular family should receive, and the policies that govern making exceptions to those standards. HACCC must also establish policies related to the issuance of the voucher, to the voucher term, and to any extensions of the voucher term.

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

For each family, HACCC determines the appropriate number of bedrooms under HACCC subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when HACCC determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under 24 CFR 5.703.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family. Unborn children of pregnant women will be included in determining the family voucher size.
- Any live-in aide (approved by HACCC to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size. Live-in attendants-aides will may be provided a separate bedroom. Requests for an additional bedroom to accommodate a live-in aide must include documentation of the need for a separate bedroom. HACCC will evaluate requests on a case-by-case basis to determine whether an additional bedroom is reasonable and necessary. No additional bedrooms will be provided for the attendant's family.
- Children who are being adopted, or whose custody is being obtained, may be considered in assigning subsidy size. However, there must be a reasonable assurance that the child or children will join the family within 6-months and the family must provide proof that the child

or children joined the family. In cases where a family was given a larger subsidy size, but the child or children do not join the family, then the family's subsidy size will be reduced with a

- 30-day notice from HACCC.
- Foster children will be included in determining unit size.
- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under HACCC subsidy standards.

#### HACCC Policy

When determining the Voucher Bedroom Size, HACCC will assign one bedroom to the Head of Household and, if present, their spouse or companion. One additional bedroom will be assigned for every two other persons in the household. The living room is considered an additional sleeping room but is not used to determine the voucher size for the family. The Living Room is considered an additional sleeping room when determining whether an additional adult can be added to the household. Foster children in the household will be included in determining unit size. Single person families will be allocated one bedroom (as opposed to a studio). See section 11.II.B below.

HACCC will reference the following chart in determining the appropriate voucher size for a family:

Voucher Size	Persons in Household (Minimum – Maximum)
1 Bedroom	1 - 4
2 Bedrooms	2 - 6
3 Bedrooms	3 - 8
4 Bedrooms	4 - 10
5 Bedrooms	6 - 12

#### **5-II.C. EXCEPTIONS TO SUBSIDY STANDARDS**

#### HACCC Policy

HACCC will consider granting an exception for any of the reasons specified in the regulation: the age, sex, health, handicap, or relationship of family members or other personal circumstances.

- Live-in attendants willmay be provided a separate bedroom. Approval of a live-in aide does not automatically result in the approval of an additional bedroom. Requests

for an additional bedroom to accommodate a live-in aide must include documentation of the need for a separate bedroom. HACCC will evaluate requests on a case-by-case basis to determine whether an additional bedroom is reasonable and necessary. The determination of whether a live-in aide is approved will be made separately from the determination of whether an additional bedroom is approved; approval of one does not guarantee approval of the other. No additional bedrooms will be provided for the attendant's family.

- A family member who is temporarily away from the home to attend school or a training program is considered a member of the family in determining the family unit size.
- Children who are being adopted, or whose custody is being obtained, may be considered in assigning subsidy size. However, there must be a reasonable assurance that the child or children will join the family within 6-months and the family must provide proof that the child or children joined the family. In cases where a family was given a larger subsidy size but the child or children do not join the family, the family's subsidy size will be reduced with a 30-day notice from HACCC.

Additional exceptions will be granted on a case-by-case basis if it is determined that the exception is justified by the age, sex, health, handicap, or relationship of family members or other personal circumstances [24 CFR 982.402(b)(8)]. Reasons may include, but are not limited to:

- A need for an additional bedroom for medical equipment when the size, amount, or nature of the equipment and the lack of available space in the family's current unit indicates that an extra room is required. HACCC may conduct a special inspection to verify the reasonableness of the request.
- A need for a separate bedroom for any other reason related to a family member's disability, medical or health condition.
- For a single person who is not elderly, disabled, or a remaining family member, an exception cannot override the regulatory limit of a zero or one-bedroom subsidy [24 CFR 982.402(b)(8)].

The family must request any exception to the subsidy standards in writing, which will include email. The request must explain the need or justification for a larger family unit size and must include appropriate documentation. Requests based on health-related reasons must be verified by a knowledgeable professional source (e.g., doctor or health professional), unless the disability and the disability-related need for accommodation is readily apparent or otherwise known.

The family's continued need for an additional bedroom due to special medical equipment may be required to be re-verified annually at the annual reexamination depending on whether the verification designates the duration of medical need as permanent or temporary. HACCC may withdraw approval of the additional bedroom added for the storage of necessary medical equipment and may adjust the family bedroom size in accordance with 2-II.F. Reasonable Accommodation Reassessment.

Although the PHA must verify aspects of program eligibility when any new family member is added, the Streamlining Final Rule removed the requirement that PHAs conduct a reexamination of income whenever a new family member is added. The PHA may state in policy that an income reexamination will be conducted.

#### HACCC Policy

HACCC shall conduct a reexamination to determine any new income or deductions associated with the additional family member and to make appropriate adjustments in the family share of the rent and the HAP payment.

If a change in family size causes a violation of space standards (see Chapter 8), HACCC must issue the family a new voucher, and the family and PHA-HACCC must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, HACCC must terminate the family's HAP contract in accordance with its terms [24 CFR 982.403].

#### HACCC Policy

Families must request PHA-HACCC approval to add a new family member (other than due to birth, adoption, or court-awarded custody), live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 15 consecutive days or 45 cumulative days within a 12-month period and therefore no longer qualifies as a "guest." Requests must be made in writing and approved by HACCC prior to the individual moving into the unit.

A family also includes two or more individuals who are not related by blood, marriage, adoption, or 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 the family.

Each family must identify the individuals to be included in the family at the time of application and must notify HACCC if the family's composition changes. After the family has been admitted into the program, additions may be made in the following circumstances at the sole discretion of HACCC:

1. Birth of a child to a current family member.
2. Adoption of a child by a current family member.
3. Court-awarded custody of greater than 50 percent of a child to a current family member.
4. Legal guardianship of a minor or conservatorship of a dependent adult family member granted to a current family member.
5. As result of marriage by a current family member.
6. As result of a civil union created under any state law by a current family member.
7. As a result of a registered domestic partnership under any state law by a current family member.
8. As a result of a returning family member from active military service or attending college.

9. As a result of returning or placement of a parent to an existing minor in the family.
10. As a result of placement of a foster child(ren) or foster adult(s).
11. As a result of returning or placement of elderly parents or grandparents to be cared for by current family members as certified by a medical professional.
12. Consolidation of two families assisted by the PHA, resulting in the relinquishment of one family's subsidy, when the consolidation is necessary for the care of an elderly or disabled family member.

HACCC will not increase the subsidy size (number of bedrooms) when adding additional family member(s) to an existing tenancy. This does not include adults by marriage, children by birth, adoption or court-awarded custody. The family is required to sign a Waiver of Voucher Size Standards declaring that they understand that there will be no increase in their subsidy size as a result of the addition of the family member outside of marriage, children by birth, adoption or court-awarded custody. Additionally, if the family moves from the assisted unit, the voucher size will remain the same size as it was prior to the addition of the new family member(s).

HACCC will not approve the addition of a new family or household member unless the individual meets HACCC's eligibility criteria (see Chapter 3) and documentation requirements (see Chapter 7, Part II).

If HACCC determines an individual meets HACCC's eligibility criteria as defined in Chapter 3 and documentation requirements of Chapter 7, Part II, HACCC will provide written approval to the family. If the approval of a live-in aide will cause overcrowding according to NSPIRE standards, the approval letter will explain that the family will be issued a voucher and will be required to move.

HACCC will not approve the addition of a foster child or foster adult if it will cause a violation of space standards. If the addition of a foster child results in a violation of space standards, the family will be required to move in order to add the foster child(ren). Note this provision is only for foster children, not foster adults. The addition of a foster adult shall not result in a change in the subsidy size.

If HACCC determines that an individual does not meet HACCC's eligibility criteria or documentation requirements defined in Chapter 3, HACCC will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

HACCC will make its determination within 14 calendar days of receiving all information required to verify the individual's eligibility.

### **Departure of a Family or Household Member**

Families must promptly notify HACCC if any household member no longer lives in the unit [24 CFR 982.551(h)(3)]. Because household members are considered when determining the family unit (voucher) size [24 CFR 982.402], HACCC also needs to know when any live-in aide, foster child, or foster adult ceases to reside in the unit. The PHA must process an interim for all decreases in

100 38th Street - Family	100 38th Street, Richmond, CA	1	6	6	6	1	1	19	Family
100 38th Street - Supportive	100 38th Street, Richmond, CA	29	29	1	1	1	1	15	Family
Alvarado Gardens	13831 San Pablo Ave., San Pablo, CA		11	7	7			25	Family
La Loma Apartments	Adjacent to 710 Willow Ave, Rodeo, CA	7	24	1	1	1	1	16	62 Yrs. Or Older
Riverhouse	700 Alhambra Ave., Martinez, CA	10	7	1	1	1	1	18	Family
TBV Villas @ Renaissance	1827 San Joaquin Street, Richmond, CA	1	7	7	9	1	1	23	Family
Sunflower Hills @ Lafayette Lane	3470 Mt. Diablo Blvd., Lafayette, CA	1	18	6	1	1	1	13	Family
San Pablo Family Housing	1820 Rumrill Blvd., San Pablo, CA	1	15	10	1	1	1	8	Family
Galindo Terrace	1313 and 1321 Galindo Street, Concord, CA		13					13	Family
699 YVR	699 Ygnacio Valley Rd., Walnut Creek, CA	16	5	2	1	1	1	24	Family
2251 San Ramon Valley	2251 San Ramon Valley Blvd., San Ramon, CA	1	2	5	1	1	1	8	Family
Choice in Aging Senior Housing	490 Golf Club Rd., Pleasant Hill, CA	1	21	1	1	1	1	21	62 Yrs. Or Older
811 San Pablo/Valor Village	811 San Pablo Ave., Pinole, CA		15					8	Family/Veteran
Nevin Plaza	2400 Nevin Avenue, Richmond, CA	12	120	6				138	Family
Tabora Gardens - VASH	3701 Tabora Ave., Antioch, CA		12					12	62 Yrs. Or Older
Grace Commons - VASH	3415 Oakley Rd., Antioch, CA	3	19	3				25	Family
Choice in Aging - VASH	490 Golf Club Rd., Pleasant Hill, CA		30					30	62 Yrs. Or Older
Terracina Riverlake - VASH	1700 Discovery Bay Blvd., Discovery Bay, CA		8					8	Family
El Portal Place - HSV	2555 El Portal Dr., San Pablo, CA	25						25	Family

#### RAD ASSISTED PBV UNITS

Antioch Scattered - Pinecrest Apartments	1945 Cavallo Rd., Antioch, CA		9					9	Family
Antioch Scattered - Terrace Glen Apartments	107 W. 20th St., Antioch, CA		1	11				12	Family
Church Lane Apartments	2555 Church Lane, San Pablo, CA		4	1				5	Family
El Cerrito Senior (Hana Gardens)	10848 and 10860 San Pablo Ave., El Cerrito, CA 94530		23					23	62 Yrs. Or Older

## **Attachment B.1.**

### **Summary of December, 2025 Administrative Plan Changes**

In addition to any grammatical changes, edits were made to the standard HUD language in the plan that introduces the subject matter. These are not policy changes but regulatory edits from the Code of Federal Regulations. The following changes were made to the Housing Choice Voucher Program Administrative Plan as it pertains to HACCC Policy:

- Clarified our reasonable accommodation procedure to include that the person seeking the accommodation must have an appropriately licensed and knowledgeable professional verify that the requestor meets the definition of having a disability, that the requested accommodation is medically necessary, and that the requestor would be unable to fully enjoy those program benefits without the requested accommodation.
- Added a section (2-II.F. Reasonable Accommodation Reassessment) allowing HACCC to conduct periodic reevaluations of previously approved accommodations, clarifying certain situations in which reasonable accommodations would be withdrawn, and clarifying that reassessments will be initiated based on generalized criteria as opposed to individual referrals.
- Added Exhibit 3-3: Live-In Aide Agreement, clarifying the roles, responsibilities, and limitations of a program participants' live-in aide.
- Added a preference to the list of existing preferences to facilitate the transfer of Emergency Housing Voucher participants to the Housing Choice Voucher Program when the program runs out of funding or sunsets.
- Clarified the definition of a "family", and that each family must identify the individuals to be included in the family at the time of application and notify HACCC if the family's composition changes. Added a specific list of circumstances in which additions may be made to a family's composition.

## B.1 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, 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.

High housing costs reduce economic opportunities, limit access to jobs and services, and restrict the ability of lower-income households, including the elderly and persons with disabilities, to live in the communities and neighborhoods of their choice. The gap between what lower income households can afford, and the median price of homes or rents (an affordability gap) results in households paying more than 30 percent of their income for housing, and in overcrowding.

Based on the most recent Consolidated Plan for the County (2020-2025), of 384,644 households in the HOME Consortia area, there are 184,698 households or 48 percent of all households that are at 100 percent of Area Median Income (AMI) or below. Of these households, nearly 70 percent experience at least one or more housing problems as defined by HUD. Renters make up 50 percent of those experiencing one or more housing problems.

The area of greatest need is among renters in the extremely low-income category: 30,485 households, or 45 percent, experience substandard housing, overcrowding, or cost burden. Of those, 69 percent suffer from a cost burden of greater than 50 percent of income.

Cost burden is a significant issue for homeowners earning less than 100 percent of AMI. Of those with a housing problem, 85 percent are cost burdened; 41 percent are paying more than 50 percent of their incomes in housing costs.

Small family households make up the largest proportion of extremely-low (34%), and low-income (33.9%) households. Households with at least one person between the ages of 62 and 74 have the next highest proportion of extremely-low (20%) and low-income (23%) households.

There are 86,275 single-person households in the Contra Costa HOME Consortium. There are households with at least one member 65 years or older. Of these households, 57 percent are low-income. Because many elderly live alone, it is probable that many one person households are elderly. In addition, most of the elderly homeowners live in older homes with deferred maintenance and in need of rehabilitation.

According to HUD, disproportionate need refers to any need that is more than ten percentage points above the need demonstrated for the total households. The Contra Costa Consortium has 384,593 households, 184,698 of which have incomes below AMI. The number of households below AMI with a housing problem is 123,595, which represents about 67 percent of below-AMI households. While all racial/ethnic groups at particular income levels experience housing problems, there are three groups experiencing disproportionate housing need throughout the income spectrum. At the extremely low-income range (0-30 percent AMI) 85 percent of all extremely low-income households have a housing need, while 99 percent of American Indian/Alaska Natives experience a disproportionate need. At the low-income range

(30-50 percent AMI), 75 percent of all low-income households experience a housing need, while 94 percent of Pacific Islander and 86 percent of Black/African American households experience a disproportionate housing need. At the moderate-income range (50- 80 percent AMI), 60 percent of all moderate-income households have a housing need; however, there is no particular group experiencing a disproportionate need compared to the total moderate-income households. At median income (80-100 percent AMI), 45 percent of all households have a housing need, while both American Indians/Alaska Natives (56 percent) and Pacific Islanders (75 percent) experience a disproportionate housing need.

The number of Contra Costa HOME Consortium households with a severe housing problem is 74,722, which represents about 40 percent of all households below 100 percent AMI. While all racial/ethnic groups experience housing problems at particular income levels, there are three groups experiencing disproportionate housing need throughout the income spectrum. At the extremely low-income range (0- 30 percent AMI), 72.2 percent of all households have a severe housing need, and 79 percent of Hispanics experience a disproportionate need. At the very-low income range (30-50 percent AMI), 44.9 percent of all households experience a housing need, while 89 percent of Pacific Islanders experience a disproportionate severe housing need. At the low-income range (50-80 percent AMI), 23.9 percent of all households experience a housing need, while 32 percent of Pacific Islanders experience a disproportionate housing need. At the median income range (80-100 percent AMI), 13.7 percent of all households have a housing need, while 20.3 percent of Pacific Islanders experience a disproportionate severe housing need.

Per HUD definitions, a “disproportionate need” exists when any group has a housing need that is 10% or higher than the jurisdiction as a whole. A household is considered cost burdened when they are paying more than 30% of their income towards housing costs, including utilities. A household is considered severely cost burdened when they are paying more than 50% of their income towards housing costs, including utilities. In Contra Costa, 39% of all households are either cost burdened, or severely cost burdened. Both Black/African Americans (9,628 households, 28.6%) and Pacific Islanders (1,371 households, 29.1%) experience disproportionate severe cost burden.

There are 44,763 households with incomes at or less than 30 percent of the AMI with a housing problem. American Indians, Alaska Natives (335 households, 96 percent) have a disproportionate need. There are 34,062 households with incomes between 30 and 50 percent of the AMI with a housing problem. Black/African American (4,242 households, 86 percent) and Pacific Islanders (175 households, 95 percent) have a disproportionate need in this income category. There are 28,744 households with incomes between 50 and 80 percent of the AMI with a housing problem. There are no racial or ethnic groups that have a disproportionate need within this income category.

There are 37,878 households with incomes at or less than 30 percent of the AMI with a severe housing problem. Hispanics (10,728 households, 78 percent) have a disproportionate need. There are 20,372 households with incomes between 30 and 50 percent of the AMI with a housing problem. Pacific Islanders (165 households, 89 percent) have a disproportionate need. There are 11,574 households with incomes between 50 and 80 percent of the AMI with a housing problem. There are no racial or ethnic groups that have a disproportionate need.

46.2% of the County's renter households live in overcrowded housing. Among racial and ethnic groups reported in the Census, Latino/Hispanic households are most likely to live in crowded conditions in the County with 12.8% in such conditions.

According to 2010 U.S. Census Data, the population of seniors 65 and older from 2000 to 2010 increased from 107,272 to 130, 432 in Contra Costa County, an increase of 21.5 percent. According to the American Community Survey (2013-17), 24 percent of households were headed by seniors. Three jurisdictions with the largest share of senior households are Walnut Creek (40.9 percent), Moraga (35.3 percent), and Orinda (35.2 percent) (ACS Data 2013-2017). Of the total County's senior population, nearly 34 percent have a disability limitation. Of all the jurisdictions in the County, San Pablo (44.1 percent), Pittsburg (43.1 percent), and Oakley (41.5 percent) have the highest share of senior populations living with disabilities.

There are only approximately 10,200 assisted rental units affordable to lower-income households, of which, over 950 are at risk of converting to market rate housing. Over 7,000 beds in 473 residential care facilities are available for individuals with special needs, (such as frail elderly and persons with disabilities) who cannot live independently in conventional housing. However, this is significantly less than the population of frail elderly, disabled, and others who may need a supportive housing environment.

Due to the ongoing gap in the availability of affordable housing, the County Consortium has assigned a high priority to new housing construction, homeownership assistance, and housing rehabilitation, particularly for households earning less than 50 percent of the area median income.

Two final measures of need are seen in HACCC's most recent housing choice voucher and public housing wait list openings. In November 2008 the voucher wait list opening attracted nearly 40,000 families who applied for 6,000 positions on the wait list. In addition, over 45,000 households are waiting for Project-Based Voucher units. In March 2017, nearly 17,000 families applied for the wait list for HACCC's 963-unit public housing program.

The 2025-2030 Consolidated Plan has not been released yet to provide updated data to the 2020-2025 Consolidated Plan. Affordable Housing needs remain greater than ever with the continuing rise in housing costs across all areas of Contra Costa County.

## B.2 New Activities:

- a) HOPE VI or Mixed Finance Modernization or Development.** HACCC recently selected Zen Development Corporation and Structure Development Advisors LLC to draft an updated Repositioning Plan for the 12 public housing developments that reflect updated funding and financing options as well as conversion options that have been revised and updated. HACCC's goal is to preserve or increase the number of housing units affordable to public housing eligible families (regardless of whether they remain public housing specifically) and to provide adequate funding for these units over the long term. HACCC continues to evaluate and consider its options for development and preservation of its public housing portfolio. Addressing its needs may include applying for additional RAD, Choice Neighborhoods, a Phase II Energy Performance Contract or any other appropriate HUD programs. HACCC has already been awarded RAD funding for 214 units at Las Deltas in North Richmond (CA011-006, CA011-009A, CA011-009B). HACCC may also seek state and local funding through bonds, tax credits or any other available programs.

The HACCC completed a demolition action for 134 units at the Las Deltas (CA006 and CA009A) property in North Richmond and was approved for a disposition application for the remaining of the 80 units at Las Deltas (CA009b) in North Richmond. 107 units were disposed through the RAD Conversion process and a separate application process was completed for demolition and disposition of those 107 units and corresponding release of the DOT.

**Timeline:** An application for demo/dispo of the RAD units was approved through HUD's Special Applications Center in October of 2019. Demolition of the units in properties 006 and 009A for the non-RAD units was completed in October of 2020. HACCC issued a Request For Proposals from developers to submit suggestions for the development of the contiguous site of the property with an expectation to enter into an Exclusive Negotiating Agreement with the submitter with the best proposal after getting community input on the proposed development plans. Community Housing Development Corporation of North Richmond was selected as the Master Developer and negotiations are on-going.

Additional modernization of existing public housing units is on-going as funding permits. The Capital Fund Annual Statement/Performance and Evaluation Report details the on-going projects regarding modernization activity in all developments.

- b) Conversion of Public Housing.** HACCC continues to work with consultants in order to identify funding mechanisms to rehabilitate or redevelop all of its public housing properties. An analysis, completed by CSG in 2015, showed that a viable plan does not exist to adequately fund rehabilitation and ongoing maintenance at any of HACCC's public housing properties, HACCC may submit voucher conversion applications for any of its public housing properties. HACCC also may submit applications to HUD for any other conversion funding programs that become available. It is expected that the next projects for consideration to convert to Project Based assistance will be El Pueblo in Pittsburg and Bayo Vista in Rodeo, CA. HACCC has engaged the services of Zen Development Corporation and Structure Development Advisors LLC to draft an updated Repositioning Plan for the 12 public housing developments that reflect updated funding and financing options as well as conversion options that have been revised and updated.
- c) Homeownership.** HACCC currently offers a homeownership voucher program.
- d) Project-based Vouchers.** HACCC has already committed 1972 project-based vouchers (PBV). In addition, HACCC has approved 288 RAD PBV units for thirteen projects, including one under the RAD 2 component for conversion of a Mod Rehab Single Room Occupancy property and two from the City of Richmond. The RAD PBVs are replacement housing for units removed from the public housing inventory at Las Deltas and the Richmond Housing Authority's Public Housing disposition. The use of PBVs is consistent with HACCC's PHA Plan. Among HACCC's goals are to expand the supply of assisted housing and to increase assisted housing choices. By utilizing PBVs from HACCC, developers are able to leverage funding and produce additional units of new or modernized affordable housing. HACCC plans to award PBV funding throughout its jurisdiction in order to provide affordable housing options for clients in as broad a geographic area as possible. HACCC may also utilize PBVs in any other public housing redevelopment/repositioning projects it may undertake. In addition, not included in the above count, 75

additional PBVs were awarded under the Veterans Affairs Supportive Housing Program for Existing and New Construction projects as well as 25 PBVs under the Housing Stability Voucher program. It is the intention of the HACCC to utilize the entirety of its PBV allocation up to 30% of its ACC voucher authority.

Moreover, it is anticipated that over the course of the next five years, three other sites from Richmond will be converted under RAD or Section 18 Demolition and Disposition that will allocate another 267 PBVs for HACCC to administer.

## 2-II.D. VERIFICATION OF DISABILITY

The regulatory civil rights definition for persons with disabilities is provided in Exhibit 2-1 at the end of this chapter. The definition of a person with a disability for the purpose of obtaining a reasonable accommodation is much broader than the HUD definition of disability which is used for waiting list preferences and income allowances.

Before providing an accommodation, HACCC must determine that the person meets the definition of a person with a disability, and that the accommodation will enhance the family's access to HACCC's programs and services.

If a person's disability is obvious or otherwise known to HACCC, and if the need for the requested accommodation is also readily apparent or known, no further verification will be required [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].

If a family indicates that an accommodation is required for a disability that is not obvious or otherwise known to HACCC, HACCC must verify that the person meets the definition of a person with a disability, and that the limitations imposed by the disability require the requested accommodation.

When verifying a disability, HACCC will follow the verification policies provided in Chapter 7. All information related to a person's disability will be treated in accordance with the confidentiality policies provided in Chapter 16 (Program Administration). In addition to the general requirements that govern all verification efforts, the following requirements apply when verifying a disability:

- Third-party verification must be obtained from an individual identified by the family who is competent to make the determination. A doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual's disability may provide verification of a disability [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act].
  - Unless the disability is obvious or known to HACCC, in order to be eligible for a reasonable accommodation, the person seeking the accommodation must have an appropriately licensed and knowledgeable professional verify three (3) things:
    - First, that the requestor meets the definition of having a disability.
    - Second, that the requested accommodation is medically necessary in order for the requestor to fully enjoy the housing and other benefits provided by HACCC housing programs, and that the requestor would be unable to fully enjoy those program benefits without the requested accommodation.
    - Finally, that there is an identifiable relationship, or nexus, between the requestor's disability and the requested accommodation(s).
- HACCC must request only information that is necessary to evaluate the disability-related need for the accommodation. HACCC may not inquire about the nature or extent of any disability.
- Medical records will not be accepted or retained in the participant file.
- In the event that HACCC does receive confidential information about a person's specific diagnosis, treatment, or the nature or severity of the disability, HACCC will dispose of it.

the right to appeal HACCC's decision through an informal hearing (if applicable) or the grievance process (see Chapter 14).

#### **2-II.F. Reasonable Accommodation Reassessment**

##### HACCC Policy

The need for a reasonable accommodation may change over time due to a variety of factors. To ensure program integrity, appropriate use of funds, and continued compliance with fair housing laws, HACCC may conduct periodic reevaluations of previously approved accommodations. Families will be notified in writing if any reassessment of a previously approved accommodation is initiated. The notice will describe the circumstances resulting in the reassessment and will detail how HACCC will assist the family to re-engage the interactive process.

Any family with an approved Reasonable Accommodation will be reengaged in the interactive process when the duration of the disability related to the accommodation is temporary in nature or not known at the time of approval. Such reassessments will generally be initiated at the "revisit date" indicated upon approval or at the next scheduled reexamination (whichever date is later).

In certain circumstances, withdrawing previously approved accommodation may be necessary without initiating a reassessment. Examples include but are not limited to:

- 1) The death of a household member for which a Live in Aid was provided as an accommodation.
- 2) The removal of a household member for which a single bedroom was provided as an accommodation.
- 3) In response to a request from the family to withdraw a previously approved accommodation.
- 4) A family's disengagement from the search to fill a vacated Live-in aide position.
- 5) Credible evidence that the accommodation is being used in a way that violates program policies or was based on inaccurate or false information. This includes determinations made during regularly scheduled inspections of the unit where it is confirmed that the extra bedrooms approved for necessary medical equipment are not being used for the intended purpose (PIH 2010-51, OIG 2012-KC-1005).

These circumstances are described in notices to families who have been approved for Reasonable Accommodations. Additionally, families are notified of any subsidy size changes in writing and all participating families reserve the right to request a hearing to appeal any subsidy size determination by HACCC.

Additional circumstances prompting reassessments of previously approved Reasonable Accommodations may be identified in the course of leasing and continued eligibility activities.

When possible, reassessments of previously approved accommodations will be initiated based on general criteria as opposed to individual referrals. Examples include but are not limited to:

1) A family seeking tenancy in an apartment complex was approved for an extra bedroom for the storage of medically necessary equipment (oxygen tanks). Years later, the family requests tenancy at a single-family home with additional storage space.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for the storage of medical equipment where the family has a later move from a unit type “apartment” to unit type “single family home”.

2) A family member is approved to have a Live-in aide. Years later, the family reports that the member approved for a Live-in Aide is working as a merchant marine and is often deployed for several weeks at a time.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for members to have a Live-in Aide who also have income from work or self-employment exceeding a certain amount.

## **2-II.FG. PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS**

HUD regulations require HACCC to take reasonable steps to ensure that persons with disabilities related to hearing and vision have reasonable access to HACCC's programs and services [24 CFR 8.6].

At the initial point of contact with each applicant, HACCC shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

### HACCC Policy

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with HACCC staff, one-on-one assistance will be provided upon request.

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

## **2-II.GH. PHYSICAL ACCESSIBILITY**

HACCC must comply with a variety of regulations pertaining to physical accessibility, including the following.

- Notice PIH 2010-26
- Section 504 of the Rehabilitation Act of 1973

the right to appeal HACCC's decision through an informal hearing (if applicable) or the grievance process (see Chapter 14).

#### **2-II.F. Reasonable Accommodation Reassessment**

##### HACCC Policy

The need for a reasonable accommodation may change over time due to a variety of factors. To ensure program integrity, appropriate use of funds, and continued compliance with fair housing laws, HACCC may conduct periodic reevaluations of previously approved accommodations. Families will be notified in writing if any reassessment of a previously approved accommodation is initiated. The notice will describe the circumstances resulting in the reassessment and will detail how HACCC will assist the family to re-engage the interactive process.

Any family with an approved Reasonable Accommodation will be reengaged in the interactive process when the duration of the disability related to the accommodation is temporary in nature or not known at the time of approval. Such reassessments will generally be initiated at the "revisit date" indicated upon approval or at the next scheduled reexamination (whichever date is later).

In certain circumstances, withdrawing previously approved accommodation may be necessary without initiating a reassessment. Examples include but are not limited to:

- 1) The death of a household member for which a Live in Aid was provided as an accommodation.
- 2) The removal of a household member for which a single bedroom was provided as an accommodation.
- 3) In response to a request from the family to withdraw a previously approved accommodation.
- 4) A family's disengagement from the search to fill a vacated Live-in aide position.
- 5) Credible evidence that the accommodation is being used in a way that violates program policies or was based on inaccurate or false information. This includes determinations made during regularly scheduled inspections of the unit where it is confirmed that the extra bedrooms approved for necessary medical equipment are not being used for the intended purpose (PIH 2010-51, OIG 2012-KC-1005).

These circumstances are described in notices to families who have been approved for Reasonable Accommodations. Additionally, families are notified of any subsidy size changes in writing and all participating families reserve the right to request a hearing to appeal any subsidy size determination by HACCC.

Additional circumstances prompting reassessments of previously approved Reasonable Accommodations may be identified in the course of leasing and continued eligibility activities.

When possible, reassessments of previously approved accommodations will be initiated based on general criteria as opposed to individual referrals. Examples include but are not limited to:

1) A family seeking tenancy in an apartment complex was approved for an extra bedroom for the storage of medically necessary equipment (oxygen tanks). Years later, the family requests tenancy at a single-family home with additional storage space.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for the storage of medical equipment where the family has a later move from a unit type “apartment” to unit type “single family home”.

2) A family member is approved to have a Live-in aide. Years later, the family reports that the member approved for a Live-in Aide is working as a merchant marine and is often deployed for several weeks at a time.

While the need for the accommodation in this scenario will be reassessed, HACCC should as well, initiate a phased reassessment of all accommodations approved for members to have a Live-in Aide who also have income from work or self-employment exceeding a certain amount.

## **2-II.FG. PROGRAM ACCESSIBILITY FOR PERSONS WITH HEARING OR VISION IMPAIRMENTS**

HUD regulations require HACCC to take reasonable steps to ensure that persons with disabilities related to hearing and vision have reasonable access to HACCC's programs and services [24 CFR 8.6].

At the initial point of contact with each applicant, HACCC shall inform all applicants of alternative forms of communication that can be used other than plain language paperwork.

### HACCC Policy

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with HACCC staff, one-on-one assistance will be provided upon request.

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

## **2-II.GH. PHYSICAL ACCESSIBILITY**

HACCC must comply with a variety of regulations pertaining to physical accessibility, including the following.

- Notice PIH 2010-26
- Section 504 of the Rehabilitation Act of 1973

### **3-I.M. LIVE-IN AIDE**

*Live-in aide* means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

HACCC must approve a live-in aide if needed as a reasonable accommodation for a person with disabilities in accordance with 24 CFR 8.

A live-in aide is considered a household member but not a family member. The income of the live-in aide is not counted in determining the annual income of the family [24 CFR 5.609(c)(5)]. Relatives may be approved as live-in aides if they meet all the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family. HACCC will require the live-in aide to execute a Live-in Aide Statement/Release agreeing to abide by the terms and conditions of occupancy set forth in the lease agreement. If the live-in aide violates provisions of the Statement Release, HACCC may take action against the live-in aide separate from action against the assisted family.

#### HACCC Policy

A family's request for a live-in aide must be made in writing. Written verification that the live-in aide is essential for the care and well-being of the elderly, near elderly, or disabled family member will be required from a reliable, knowledgeable professional of the family's choosing, such as a doctor, social worker, or case worker, unless the disability-related need is apparent or known to HACCC. For continued approval, the family must submit a new, written request—subject to HACCC verification—at each annual reexamination. In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

A current family member who satisfies the definition of a Live-in Aide and wishes to serve in that role for the disabled or elderly household member will be notified in writing that they can choose one of the following two options:

1. They can qualify as a Live-in Aide, which is considered a household member, but not a family member, and choose not to include their income as part of the Total Household Income, and sign a waiver of residual residency status permanently revoking their rights to the unit as a subsidized family member,  
OR
- +2. They can qualify as a family member who cares for their disabled or elderly family member and have their income included as part of the total Household income and retain rights as a potential residual tenant.

HACCC has the discretion not to approve a particular person as a live-in aide, and may withdraw such approval, if [24 CFR 966.4(d)(3)(i)]:

### **EXHIBIT 3-3: LIVE-IN AIDE AGREEMENT**

I request to add  
(Head of Household) (Live-in aide)

as the designated live-in aide, who will reside with me at  
(Current Unit Address)

I agree to assume the role of the designated live-in aide for this  
(Live-in aide)

Household and will reside at \_\_\_\_\_:  
(Current Unit Address)

The undersigned understand and agree to the following:

- The live-in aide will reside in the above mentioned unit because a live-in aide was determined to be essential to the care and well-being of a member of the subsidized family.
- The live-in aide would not be living in the unit with the assisted family except to provide the necessary supportive services. As such, we understand that if the live-in aide is found to be unable or unwilling to perform the essential care (e.g., they have a conflicting commitment such as work, school, caretaking resulting in rotating or intermittent availability to prove essential care), we understand that the HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general, or of the specific person approved to fill the role of the live-in aide.
- We understand that HACCC may inspect the unit periodically to ensure that the live-in aide is currently present and/ or providing the essential care for which the additional bedroom was allocated and that if it is discovered that the additional bedroom is not being used by the live-in aide, the HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general, or of the specific person approved to fill the role of the live-in aide.
- We understand that Live-in aides may not be considered a “remaining household member”; the live-in aide has no further right to occupy the premises or retain the subsidy when their service to the participant ends.
- The live-in aide agrees to leave the assisted household when (a) authorized members of the subsidized household request their removal or (b) if the family member’s need for a Live-in aide or disability ceases or cannot be supported or (c) if the family member for which the Live-in aide was approved is removed from the household.
- We understand that while the live-in aide and their family members may be permitted to move into the unit if doing so does not overcrowd the unit, approval of the live-in aide increases the family bedroom size by no more than 1 bedroom only after the live-in aide is “identified” and approved by HACCC.
- We understand that the family bedroom size may only be increased for identified live-in aides approved by HACCC and that HACCC may take appropriate action, including adjusting the family bedroom size, and/or withdrawing approval of the live-in aide in general if the family disengages from attempts to fill a vacated Live-in aide position.
- We understand that HACCC may refuse to approve a particular person as a live-in aide or may withdraw such approval if (a) the person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program or (b) the person commits drug-related criminal activity or violent criminal activity; or (c) the person currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act, or (d) if other terms of the ACOP or Administrative Plan bar their participation in the assistance program.

I certify that the information I have provided is true and accurate. I understand and agree to the responsibilities outlined in this agreement. I understand that this agreement does not alter or limit my rights under applicable disability laws.

(Printed name of Live-in aide) (Signature of Live-in aide) (Date)

(Printed name of Head of Household) (Signature of Head of Household) (Date)

### **5-I.B. DETERMINING UNIT SIZE**

In selecting a family to occupy a particular unit, HACCC may match characteristics of the family with the type of unit available, for example, number of bedrooms [24 CFR 960.206(c)].

HUD does not specify the number of persons who may live in public housing units of various sizes. HACCC is permitted to develop appropriate occupancy standards as long as the standards do not have the effect of discriminating against families with children [PH Occ GB, p. 62].

Although HACCC does determine the size of unit the family qualifies for under the occupancy standards, HACCC does not determine who shares a bedroom/sleeping room.

HACCC's occupancy standards for determining unit size must be applied in a manner consistent with fair housing requirements.

#### HACCC Policy

HACCC will use the same occupancy standards for each of its developments.

HACCC's occupancy standards are as follows:

HACCC will assign one bedroom for each two persons within the household, except in the following circumstances:

- Live-in aides will be allocated a separate sleeping area. Approval of a live-in aide does not automatically result in the approval of an additional bedroom. Requests for an additional bedroom to accommodate a live-in aide must include documentation of the need for a separate bedroom. HACCC will evaluate requests on a case-by-case basis to determine whether an additional bedroom is reasonable and necessary. The determination of whether a live-in aide is approved will be made separately from the determination of whether an additional bedroom is approved; approval of one does not guarantee approval of the other. No additional bedrooms will be provided for the live-in aide's family.
- Single person families will be allocated a zero or one bedroom.
- Adults of different generations, persons of the opposite sex (other than spouses), and unrelated adults will not be required to share a bedroom.
- HACCC will review the occupancy standards prior to approving the live-in aide. HACCC cannot use unit size as a reason to refuse to allow a live-in aide as a reasonable accommodation to a resident's disability.

HACCC will reference the following standards in determining the appropriate unit bedroom size for a family:

BEDROOM SIZE	MINIMUM NUMBER OF PERSONS	MAXIMUM NUMBER OF PERSONS
0	1	2
1	1	3
2	2	5

## **5-I.C. EXCEPTIONS TO OCCUPANCY STANDARDS**

### **Types of Exceptions**

#### HACCC Policy

HACCC will consider granting exceptions to the occupancy standards at the family's request if HACCC determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances.

For example, aAn exception may be granted if a larger bedroom size or an additional bedroom is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities.

The family's continued need for an additional bedroom due to special medical equipment may be required to be re-verified annually at the annual reexamination depending on whether the verification designates the duration of medical need as permanent or temporary. HACCC may withdraw approval of the additional bedroom added for the storage of necessary medical equipment and may adjust the family bedroom size in accordance with 2-II.F. Reasonable Accommodation Reassessment.

HACCC will notify the family of its determination within 15 calendar days of receiving the family's request or within 15 calendar days after receipt of verification by a knowledgeable professional if the request is based on disability-related reasons. If a participant family's request is denied, the notice will inform the family of their right to request an informal hearing.

An exception may also be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides (according to the chart in Section 5- I.B) and the family does not want to transfer to a larger size unit.

When evaluating exception requests HACCC will consider the size and configuration of the unit. In no case will HACCC grant an exception that is in violation of local housing or occupancy codes, regulations, or laws.

Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

In properties with a vacancy rate greater than 5%, HACCC may offer a family a larger unit than the one the family qualifies for under HACCC guidelines. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

### **Processing of Exceptions**

#### HACCC Policy

All requests for exceptions to the occupancy standards must be submitted in writing, which may include email.

## **5-I.C. EXCEPTIONS TO OCCUPANCY STANDARDS**

### **Types of Exceptions**

#### HACCC Policy

HACCC will consider granting exceptions to the occupancy standards at the family's request if HACCC determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances. For example, an exception may be granted if a larger bedroom size or an additional bedroom is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities.

The family's continued need for an additional bedroom due to special medical equipment may be required to be re-verified annually at the annual reexamination depending on whether the verification designates the duration of medical need as permanent or temporary. HACCC may withdraw approval of the additional bedroom added for the storage of necessary medical equipment and may adjust the family bedroom size in accordance with 2-II.F. Reasonable Accommodation Reassessment.

HACCC will notify the family of its determination within 15 calendar days of receiving the family's request or within 15 calendar days after receipt of verification by a knowledgeable professional if the request is based on disability-related reasons. If a participant family's request is denied, the notice will inform the family of their right to request an informal hearing.

An exception may also be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides (according to the chart in Section 5- I.B) and the family does not want to transfer to a larger size unit.

When evaluating exception requests HACCC will consider the size and configuration of the unit. In no case will HACCC grant an exception that is in violation of local housing or occupancy codes, regulations, or laws.

Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

In properties with a vacancy rate greater than 5%, HACCC may offer a family a larger unit than the one the family qualifies for under HACCC guidelines. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

### **Processing of Exceptions**

#### HACCC Policy

All requests for exceptions to the occupancy standards must be submitted in writing, which may include email.

## **New Family and Household Members Requiring Approval**

With the exception of children who join the family as a result of birth, adoption, or court-awarded custody, a family must request HACCC approval to add a new family member [24 CFR 966.4(a)(1)(v)] or other household member (live-in aide or foster child) [24 CFR 966.4(d)(3)].

HACCC may adopt reasonable policies concerning residence by a foster child or a live-in aide and defining the circumstances in which HACCC consent will be given or denied. Under such policies, the factors considered by HACCC may include [24 CFR 966.4(d)(3)(i)]:

- Whether the addition of a new occupant may necessitate a transfer of the family to another unit, and whether such units are available.
- HACCC's obligation to make reasonable accommodation for persons with disabilities.

### HACCC Policy

Families must request HACCC approval to add a new family member (other than due to birth, adoption, or court-awarded custody), live-in aide, foster child, or foster adult. This includes any person not on the lease who is expected to stay in the unit for more than 14 days in a row (consecutive days) or a total of 30 days in any 12 month period (30 cumulative calendar days during any 12-month period) and therefore no longer qualifies as a "guest." (See Guest Policy, 3-I.J. for more information.) Requests must be made in writing and approved by HACCC prior to the individual moving into the unit. ~~HACCC will only approve spouses to be added to the lease. The addition of any other adult would be superseding the waiting list.~~

~~A family also includes two or more individuals who are not related by blood, marriage, adoption, or 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 the family.~~

Each family must identify the individuals to be included in the family at the time of application and must notify HACCC if the family's composition changes. After the family has been admitted into the program, additions may be made in the following circumstances at the sole discretion of HACCC:

1. Birth of a child to a current family member.
2. Adoption of a child by a current family member.
3. Court-awarded custody of greater than 50 percent of a child to a current family member.
4. Legal guardianship of a minor or conservatorship of a dependent adult family member granted to a current family member.
5. As result of marriage by a current family member.
6. As result of a civil union created under any state law by a current family member.
7. As a result of a registered domestic partnership under any state law by a current family member.
8. As a result of a returning family member from active military service.
9. As a result of returning or placement of a parent to an existing minor in the family.

10. As a result of placement of a foster child(ren) or foster adult(s) if their presence would not result in a violation of HQS space standards according to 24 C.F.R. § 982.401.
11. As a result of returning or placement of elderly parents or grandparents to be cared for by current family members as certified by a medical professional.
12. Consolidation of two families assisted by the PHA, resulting in the relinquishment of one family's subsidy, when the consolidation is necessary for the care of an elderly or disabled family member.

If adding a person to a household (other than a child by birth, adoption, or court-awarded custody) will require a transfer to a larger size unit (under the transfer policy in Chapter 12), HACCC will approve the addition only if the family can demonstrate that there are medical needs or other extenuating circumstances, including reasonable accommodation, that should be considered by HACCC. Exceptions will be made on a case-by-case basis.

HACCC will not approve the addition of a new family or household member unless the individual meets HACCC's eligibility criteria (see Chapter 3) and documentation requirements (See Chapter 7, Part II).

If HACCC determines that an individual does not meet HACCC's eligibility criteria or documentation requirements, HACCC will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

HACCC will make its determination within 10 calendar days of receiving all information required to verify the individual's eligibility.

## **Pet Agreement**

### HACCC Policy

Residents who have been approved to have a pet must enter into a pet agreement with HACCC, or the approval of the pet will be withdrawn.

The pet agreement is the resident's certification that he or she has received a copy of HACCC's pet policy and applicable house rules, that he or she has read the policies and/or rules, understands them, and agrees to comply with them.

The resident further certifies by signing the pet agreement that he or she understands that noncompliance with HACCC's pet policy and applicable house rules may result in the withdrawal of HACCC's approval of the pet or termination of tenancy.

## **10-II.C. STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)]**

HACCC may establish reasonable requirements related to pet ownership including, but not limited to:

- Limitations on the number of animals in a unit, based on unit size
- Prohibitions on types of animals that HACCC classifies as dangerous, provided that such classifications are consistent with applicable state and local law
- Prohibitions on individual animals, based on certain factors, including the size and weight of the animal
- Requiring pet owners to have their pets spayed or neutered
- Requiring pet owners to have their pets up-to-date on certain vaccinations

Cat declawing is not a requirement or condition of pet ownership in public housing and HUD encourages HACCC to refrain from engaging in this practice [New PH OCC GB, *Pet Ownership*, p. 9].

HACCC's may not require pet owners to have any pet's vocal cords removed.

HACCC may not require pet owners to obtain or carry liability insurance.

### **Definition of "Common Household Pet"**

There is no regulatory definition of common household pet for public housing programs, although the regulations for pet ownership in both elderly/disabled and general occupancy developments use the term. The regulations for pet ownership in elderly/disabled developments expressly authorize HACCC to define the term [24 CFR 5.306(2)].

## **Attachment B.2.**

### **Summary of December, 2025 Admissions and Continued Occupancy Plan (ACOP) Changes**

In addition to any grammatical changes, edits were made to the standard HUD language in the plan that introduces the subject matter. These are not policy changes but regulatory edits from the Code of Federal Regulations. The following changes were made to the Admissions and Continued Occupancy Plan (ACOP) as it pertains to HACCC Policy:

- Clarified our reasonable accommodation procedure to include that the person seeking the accommodation must have an appropriately licensed and knowledgeable professional verify that the requestor meets the definition of having a disability, that the requested accommodation is medically necessary, and that the requestor would be unable to fully enjoy those program benefits without the requested accommodation.
- Added a section (2-II.F. Reasonable Accommodation Reassessment) allowing HACCC to conduct periodic reevaluations of previously approved accommodations, clarifying certain situations in which reasonable accommodations would be withdrawn, and clarifying that reassessments will be initiated based on generalized criteria as opposed to individual referrals.
- Added Exhibit 3-3: Live-In Aide Agreement, clarifying the roles, responsibilities, and limitations of a program participants' live-in aide.
- Clarified that HACCC will notify the family of a determination regarding an exception to occupancy standards within 15 calendar days of receiving the family's request or within 15 calendar days after receipt of verification by a knowledgeable professional if the request is based on disability-related reasons.
- Clarified the definition of a "family", and that each family must identify the individuals to be included in the family at the time of application and notify HACCC if the family's composition changes. Added a specific list of circumstances in which additions may be made to a family's composition.
- Added language allowing HACCC to require that pets, service animals, and support animals are kept up to date on vaccinations.

**ATTACHMENT B.3.****HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA**  
**Progress on Goals and Objectives Listed in Five-Year Plan****Goal: Expand the Supply of Assisted Housing**

- Continue to offer and leverage project-based vouchers to the extent possible to spur affordable housing development, particularly in conjunction with the County's HOME and CDBG loan programs. Executed 4 new HAP Contracts in 2025 and working with other developers to bring additional projects on line;
- Seek additional VASH funding. To date, HACCC has been awarded 478 VASH Vouchers and continues to work with VA Medical Center to house veterans. Submitted a new Registration of Interest for additional VASH vouchers in 2025/2026;
- Seek to project-base VASH vouchers by identifying developers who may be interested in such funding if it becomes available. Executed a VASH PBV HAP Contract with Tabora Gardens;
- Continue to work with consultants in order to identify funding mechanisms to rehabilitate, modernize or redevelop all of its public housing properties. If the analysis indicates redevelopment or conversion to RAD or other project-based solutions are viable options, then pursue such funding as a means to spur development of new affordable housing in addition to rehabilitation/preservation of existing public housing. Hired Zen Development Consultants/Structure PDX to assist with a new analysis of best options for each of the 12 public housing properties;
- Hired Zen Development Consultants/Structure PDX to explore the expansion of affordable housing on existing public housing properties through the RAD/Section 18 disposition conversion process.
- Continue to work with Health, Housing and Homeless Services and other service providers to operationalize a Moving On program for transitional housing graduates as well as identify new housing opportunities to collaborate on. In the interim, meaningful relationships have been established for Mainstream and Stability Voucher assistance with H3;
- Seek any HUD funding for additional voucher units that becomes available;
- Seek other relevant housing funds that become available.
- Open the HCV waiting list once the existing waiting lists are exhausted.
- Selected a Master Developer for the redevelopment of the former Las Deltas Main Campus;
- Explore the development of additional public housing units throughout its public housing properties by adding in-fill units as part of the HACCC's RAD Faircloth authority.
- Started selling the 18 scattered-site market rate parcels at Las Deltas

## **Goal: Improve the Quality of Assisted Housing**

### **2025 – 2030 Future Actions**

- Major modernization programs are expected to begin at one or more of the public housing properties once sources of funding are identified and secured. Based on preliminary analysis, modernization is expected to continue well beyond the next five-year plan; A Phase II EPC may be considered as part of the modernization process.
- Anticipate the expenditure of approximately \$11 million of HUD funding for a variety of modernization projects that include:
  - Phase 1B modernization of Alhambra Terrace development;
  - Initiate planning for redevelopment and conversion of El Pueblo to PBV;
  - Initiate planning for redevelopment and conversion of Bayo Vista to PBV;
  - Initiate planning for transition of the Los Arboles Development to PBV;
  - Phased-in plumbing and electrical upgrades at El Pueblo, Los Nogales, and Los Arboles.
  - Exterior paint remediation at El Pueblo.
  - Installation of GFCI's throughout the developments to be in compliance with NSPIRE standards.
  - Complete retrofit of balconies at PH properties.
  - Improve ADA accessibility including vertical lift/transport at PH properties
    - Improvement to the inter-communication facility at KIDD Manor to facilitate tenants and visitors' accessibility
    - Improvement to the Back-up Generator Room at KIDD Manor to improve stair well, hallways, and elevator accessibility and transport
- Will continue to implement new styles of exterior/interior finishes and designs to improve and modernize the appearance of units and increase marketability
- Phased site improvements at all public housing properties are in the planning stage pursuant to Physical Needs Assessments.
- Work will include supplemental ADA improvements and landscape modernization.
- Conversion of the electrical infrastructure that is Housing Authority owned to PG&E ownership. This includes upgrading the current aerial lines to underground powerlines.
- HACCC will continue to improve work order turnaround time through automation, upgraded software and training. Implement an automated work order response and tracking system.
- HACCC will improve inspection protocols by implementing new software that will more easily allow integrating the outcome of inspections into the work order system.
- HACCC staff will continue to emphasize good housekeeping and curb appeal with tenants and maintenance staff;

- Fully implement the National Standards for Physical Inspection of Real Estate (NSPIRE) standards to improve the quality of HCV assisted housing.
- Will continue to partner with regional housing authorities and cities to conduct landlord workshops and informational meetings regarding the voucher program;
- HACCC will develop quarterly in-person landlord workshops and implement a monthly e-mail newsletter for landlords partnering in the HCV Program
- HACCC will expand landlord partnerships by implementing monetary incentives and reimbursements to landlords. One-time payments may increase recruitment and retention.

## **Goal: Provide an Improved Living Environment**

### 2025 – 2030 Future Actions

- Seek to re-establish the De-concentration Bonus in SEMAP;
- Utilize increased site presence by managers to encourage formation of more resident councils;
- Utilize increased site presence by managers to hold more frequent meetings with tenants;
- Increase and improve common area lighting in all housing communities;
- Continue funding additional police/Sheriff patrols as long as budget permits;
- Continue to work with law enforcement to improve response time;
- Increase use of surveillance cameras as needed. Installed security cameras at El Pueblo in partnership with Pittsburg Police and Casa de Serena in Bay Point. Will look at grant opportunities to install cameras at our Antioch and San Pablo developments.
- Seek funding to improve security at public housing sites;
- Seek grants or other funding that will facilitate expanded services for HACCC's clients;
- Seek partnerships with local community agencies to increase and strengthen services offered to public housing tenants and voucher clients;
- Open an East County office for residents assisted by the HCV program;
- Update the Public Housing Dwelling lease and continue to improve lease enforcement, screening policies and procedures.
- In collaboration with the San Pablo Police Department, launch a Mental Health Evaluation team that will provide mental health services for our San Pablo Residents.
- Increase HACCC's partnership with Contra Costa Library to host book fairs at all Public Housing developments.
- Implement key fob system at Kidd Manor to improve resident safety.
- Seek other HUD funding/grants to further improve security, ADA accessibility, eliminate health and safety hazards through all its public housing properties.

## **Goal: Promote Self-sufficiency and Asset Development of Assisted Households**

### 2025 – 2030 Future Actions

- Continue to operate HACCC's self-sufficiency programs despite surpassing HUD's participation/graduation requirements;
- Expand voucher self-sufficiency services (if not escrow accounts) to public housing tenants where feasible;
- Seek other funding that will facilitate expanded services for HACCC's clients;
- Expand the FSS Program Coordinating Committee (PCC) to seek partnerships with local community agencies to increase and strengthen services offered to public housing tenants and voucher clients;
- FSS to seek additional funding from HUD (applied 10.02.2024)
- \$250,000 in forfeited escrow will enable the funding for an MOU with a Kaiser Phlebotomy course at no cost to the FSS Participant. Future MOU's will be dependent on FSS participant interest.
- Provide or attract supportive services designed to improve resident employability;
- Provide or attract supportive services to increase independence for the elderly or families with disabilities;
- Develop a regular newsletter for participants; share information about HACCC programs (FSS/Homeownership Program) and any future supportive services partnerships; answer frequently asked questions; explain common aspects of HCV Program participation.
- FSS orientations will be in-person to facilitate participant involvement.
- Continue existing policies that permit voucher homeownership;
- Continue to enforce the Community Services Requirements policy;
- Continue providing homeownership workshops with lenders
- Provide Section 3 employment and training opportunities for residents where feasible;

## **Goal: Ensure Equal Opportunity in Housing**

### 2025 – 2030 Future Actions

- Provide updated fair housing and ADA training for all staff on an annual basis.
- Provide updated training on the Violence Against Women Act for all staff.
- Provide updated training on Limited English Proficiency requirements for all staff.

- Continue to expand network of service providers who can assist with outreach for day-to-day client services, wait list openings and other events.
- Work with network of social service providers to conduct outreach to families and individuals who are disabled, homeless or who have limited English proficiency when HACCC open its HCV and public housing wait lists.
- Continue providing services in multiple languages as appropriate.
- Review and revise HACCC's existing reasonable accommodation policies and procedures as needed.

**Annual Statement /  
Performance and Evaluation Report**  
Part I: Summary  
Capital Fund Program (CFP)

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

OMB Approval No. 2577-0274 (Exp. 07/31/2017)

OMB Approval No. 2577-0274 (Exp. 07/31/2017)

**2026**

FFY of Grant Approval

Capital Fund Program Grant Number  
**CA01PO11501-26**

[X] Original Annual Statement [ ] Reserve for Disasters/Emergencies [ ] Revised Annual Statement/Revision Number 1

[ ] Final Performance and Evaluation Report

[ ] Performance and Evaluation Report for Program Year Ending —

Line No.	Summary by Development Account	Total Estimated Cost		Obligated	Total Actual Cost Expended
		Original	Revised		
1	Total Non-CGP Funds				
2	1406 Operations (May not exceed 25% of line 20)	\$1,015,000.00			
3	1408 Management Improvements Soft Costs	\$406,000.00			
	Management Improvements Hard Costs				
4	1410 Administration	\$406,000.00			
5	1411 Audit	\$0.00			
6	1415 Liquidated Damages	\$0.00			
7	1430 Fees and Costs	\$200,000.00			
8	1440 Site Acquisition	\$0.00			
9	1450 Site Improvement	\$150,000.00			
10	1460 Dwelling Structures	\$1,407,433.00			
11	1465: 1 Dwelling Equipment - Nonexpendable	\$150,000.00			
12	1470 Nondwelling Structures	\$200,000.00			
13	1475 Nondwelling Equipment	\$150,000.00			
14	1485 Demolition	\$0.00			
15	1490 Replacement Reserve	\$0.00			
16	1492 Moving to Work Demonstration	\$0.00			
17	1495: 1 Relocation Costs	\$10,000.00			
18	1498 Mod Used for Development	\$0.00			
19	1502 Contingency (may not exceed 8% of line 20)	\$0.00			
20	Amount of Annual Grant (Sum of lines 2 - 19)	\$4,094,433.00			
21	Amount of line 20 Related to LBP Activities	\$0.00			
22	Amount of line 20 Related to Section 504 Compliance				
23	Amount of line 20 Related to Security				
24	Amount of line 20 Related to Energy Conservation Measures				

Signature of Executive Director and Date

Signature of Public Housing Director/Office of Native American Programs Administrator and Date

**Annual Statement /**  
**Performance and Evaluation Report**  
**Part II: Supporting Pages**  
**Capital Fund Program (CFP)**

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

Development Number / Name HA - Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost		Total Actual Cost	
			Original	Revised	Funds Obligated	Funds Expended
<u>PHAWide</u>	<u>Operations</u>	1406	\$ 1,015,000.00			
	<u>Eligible Activities</u>		\$ 1,015,000.00	-	\$ -	\$ -
<u>PHAWide</u>	<u>Management Improvements</u>		\$ 406,000.00			
	Reposition of Assets N Rich, -Computer Hardware/Communications	1408 1408	\$ 406,000.00			
<u>PHAWide</u>	<u>Administration</u>	1410	\$ 406,000.00			
	- Technical and Non-Technical-Salaries & Benefit		\$ 406,000.00			
<u>PHAWide</u>	<u>Audit</u>	1411	\$ -	\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -	\$ -
<u>PHAWide</u>	<u>Fees and Costs</u>	1430	\$ 200,000.00			
	-Project Management, Planning Costs Prorated annual amount posted		\$ 200,000.00			
<u>PHAWide</u>	<u>Site Improvements</u>	1450	\$ 150,000.00			
	-Landscape improvements		\$ 150,000.00			

**Annual Statement /  
Performance and Evaluation Report  
Part II: Supporting Pages  
Capital Fund Program (CFP)**

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

Development Number / Name HA - Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost		Total Actual Cost	
			Original	Revised	Funds Obligated	Funds Expended
	Total for Account 1450		\$ 150,000.00	\$ -	\$ -	\$ -
<u>PHA Wide</u>	<u>Dwelling Structures</u> -Unit Interior Modernization	1460	\$ 1,407,433.00	\$ -	\$ -	\$ -
	Total for Account 1460		\$ 1,407,433.00	\$ -	\$ -	\$ -
<u>PHA Wide</u>	Dwelling Equipment	1465.1	\$ 150,000.00	\$ -	\$ -	\$ -
	Accessibility Improvements	1470	\$ 200,000.00	\$ -	\$ -	\$ -
	Non Dwelling Equipment	1475	\$ 150,000.00	\$ -	\$ -	\$ -
	Demolition	1485	\$ -	\$ -	\$ -	\$ -
	Relocation Costs	1495.1	\$ 10,000.00	\$ -	\$ -	\$ -
	Contingency	1502	\$ -	\$ -	\$ -	\$ -
	<b>Totals</b>		<b>\$ 4,094,433.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan or  
State Consolidated Plan  
(All PHAs)**

**U. S Department of Housing and Urban Development**

Office of Public and Indian Housing

OMB No. 2577-0226

Expires: 09/30/2027

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Gabriel Lemus, the Deputy Director, Housing and Community Improvement  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years                    and/or Annual PHA Plan for fiscal  
year 2026 of the Housing Authority of the County of Contra Costa *PHA Name* is consistent with the

Consolidated Plan or State Consolidated Plan including any applicable fair housing goals or  
strategies to:

Contra Costa County

*Local Jurisdiction Name*

pursuant to 24 CFR Part 91 and 24 CFR Part 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or  
State Consolidated Plan.

The Consolidated Plan is created and implemented with the input of the Housing Authority and its residents.

The plan addresses the services available to low and very low income households  
and how each agency is providing affordable housing to low-income and very-low income residents.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

Name of Authorized Official:

**Gabriel Lemus**

Title:

**Deputy Director, CCC-DCD**

Signature:



Date:

**10/15/2025**

This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year 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. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.

# Certifications of Compliance with PHA Plan and Related Regulations (*Standard, Troubled, HCV-Only, and High Performer PHAs*)

**U.S. Department of Housing and Urban Development**  
Office of Public and Indian Housing  
**OMB No. 2577-0226**  
**Expires: 09/30/2027**

## PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations including PHA Plan Elements that Have Changed

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_\_\_ 5-Year and/or \_\_\_\_\_ Annual PHA Plan, hereinafter referred to as “the Plan,” of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning \_\_\_\_\_, in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a signed certification by the appropriate State or local official (form HUD-50077-SL) that the Plan is consistent with the applicable Consolidated Plan, which includes any applicable fair housing goals or strategies, for the PHA's jurisdiction and a description of the way the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the Resident Advisory Board (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the way the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
  - i. The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - ii. The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - iii. The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours. Where possible, PHAs should make documents available electronically, for public inspection upon request.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment. The PHA ensured all notices and meetings provided effective communication with persons with disabilities and further provided meaningful language access for persons with Limited English Proficiency (LEP).
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d—4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), Title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), the Violence Against Women Act (34 U.S.C. § 12291 et seq.), and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, the Violence Against Women Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of all HUD programs.
7. The PHA will affirmatively further fair housing, in compliance with the Fair Housing Act, 24 CFR § 5.150 et seq., 24 CFR § 903.7(o), and 24 CFR § 903.15, which means that it will take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering

fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws (24 CFR § 5.151). Pursuant to 24 CFR § 903.15(c)(2), a PHA's policies should be designed to reduce the concentration of tenants and other assisted persons by race, national origin, and disability. PHA policies should include affirmative steps stated in 24 CFR § 903.15(c)(2)(i) and 24 CFR § 903.15(c)(2)(ii). Furthermore, under 24 CFR § 903.7(o), a PHA must submit a civil rights certification with its Annual and 5-year PHA Plans, except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document. The PHA certifies that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

8. For PHA Plans that include a policy for site-based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module and/or its successor system: the Housing Information Portal (HIP) in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination based on age pursuant to the Age Discrimination Act of 1975.
10. In accordance with the Fair Housing Act, the PHA will not base a determination of eligibility for housing on actual or perceived sexual orientation, or marital status and will not otherwise discriminate because of sex (including sexual orientation).
11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, 'Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped' for people with physical disabilities.
12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
13. The PHA will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implement the regulations at 49 CFR Part 24 as applicable.
14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
17. The PHA will keep records in accordance with 2 CFR 200.302 and facilitate an effective audit to determine compliance with program requirements.
18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.

20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
21. All attachments to the Plan have been and will continue to always be available at all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA and, where possible, should be made available for public inspection in an electronic format.
22. The PHA certifies that it is following all applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

---

PHA Name

PHA Number/HA Code

Annual PHA Plan for Fiscal Year 20\_\_\_\_\_

5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_\_

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct. WARNING: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802)

Name of Executive Director:	Name Board Chairman:		
Signature:	Date:	Signature:	Date:

This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year 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. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. 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 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.