

<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: 02/29/2016</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

**Applicability.** Form HUD-50075-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.

**Definitions.**

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

A.	PHA Information.																																
A.1	<p> <b>PHA Name:</b> _____ <b>PHA Code:</b> _____  <b>PHA Type:</b> <input type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA  <b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): _____  <b>PHA Inventory</b> (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  <b>Number of Public Housing (PH) Units</b> _____ <b>Number of Housing Choice Vouchers (HCVs)</b> _____ <b>Total Combined Units/Vouchers</b> _____  <b>PHA Plan Submission Type:</b> <input type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission </p> <p> <b>Availability of Information.</b> PHAs must have the elements listed below in sections B and C 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. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. </p> <p> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) </p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 25%;">Participating PHAs</th> <th rowspan="2" style="width: 10%;">PHA Code</th> <th rowspan="2" style="width: 25%;">Program(s) in the Consortia</th> <th rowspan="2" style="width: 20%;">Program(s) not in the Consortia</th> <th colspan="2" style="width: 20%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 10%;">PH</th> <th style="width: 10%;">HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																							
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		PH	HCV																														
Lead PHA:																																	



<b>B.5</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>B.6</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y   N  <input type="checkbox"/> <input type="checkbox"/></p> <p>(c) 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>
<b>B.7</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD 50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>B.8</b>	<p><b>Troubled PHA.</b></p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y   N   N/A  <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p><b>C. Statement of Capital Improvements.</b> Required for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>	
<b>C.1</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p>

# 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.

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

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

## B. Annual Plan. All PHAs must complete this section.

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

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.” ([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. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income), (ii) elderly families and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. ([24 CFR §903.7\(a\)\(1\)](#)) Provide a description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. ([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 maintain 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 Housing Choice Voucher (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 community service and treatment of income changes resulting from welfare program requirements. ([24 CFR §903.7\(l\)](#)) 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 under Section 3 and FSS. ([24 CFR §903.7\(l\)](#))

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

provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

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

**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(r)(2)(i))

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

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

**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."

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

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

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

**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, and; **5)** the number of units affected. **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.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(j))

**Conversion of Public Housing.** 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 assistance under RAD. See additional guidance on HUD's website at: [Notice PIH 2012-32](#)

**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 days 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 2011-7](#). (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 2011-7](#). (24 CFR 960.505) (24 CFR 903.7(b))

**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](#). (24 CFR §903.7(e))

**Project-Based Vouchers.** Describe any plans to use Housing Choice Vouchers (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 983.57(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, and describe how project-basing would be consistent with the PHA Plan. (24 CFR §903.7(b))

**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 Community Facilities Grants or Emergency Safety and Security Grants).

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

**B.3 Civil Rights Certification.** Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulation*, must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o))

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

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

**B.6 Resident Advisory Board (RAB) comments.** If the RAB provided comments to the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

**B.7 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.

**B.8 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. 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)

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

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

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan.

Public reporting burden for this information collection is estimated to average 9.2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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









Phasing in Flat Rents PIH Notice 2014-12. Changes were outlined in Chapter 6 of the ACOP Policy on pages 42-44 and 55-56. The Flat Rent Policy and schedule will remain the same for 2017.

Payment Standards have increased to 95% for 0, 3, 4, and 5 bedroom vouchers and to 106% for 1 bedroom vouchers and to 100% for 2 bedroom vouchers.

Copies of the changes are attached hereto.

**Comment [LC4]:** Danita and Michelle Beard

## **Operation and Management**

Smoke Free Policy was added to Chapter 8 of the ACOP Policy.

**Violence Against Women Reauthorization Act of 2013: Implementation in HUD Housing Programs VAWA Reauthorization Act of 2013 published in the Federal Register on 11/16/16. Changes are outlined in Chapter 12 on pages 2 and 8, Chapter 13 on pages 5-6, 16, 18 and 22 and Chapter 16 of the ACOP Policy on pages 15, 18-19, 23-25. Exhibits 16-1 through 16-4 were added.**

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Changes to General Repayment Agreement Guidelines are outlined in Chapter 16 of the ACOP Policy on pages 7-8.

PHAS Scoring was updated and changes are outlined in Chapter 16 of the ACOP Policy on page 11, 10.

Changes were outlined in Chapter 8 of the Administrative Plan, Housing Quality Standards, pages 8-4, 8-12 through 8-17.

Changes were outlined in Chapter 9 of the Administrative Plan, Leasing, page 9-12.

Changes were outlined in Chapter 10 of the Administrative Plan, Moves, pages 10-4, 10-9.

Changes were outlined in Chapter 12 of the Administrative Plan, Termination Policy, page 12-20.

Changes were outlined in Chapter 16 of the Administrative Plan, Repayment Agreements, page 16-22.

Changes were outlined in Chapter 16 of the Administrative Plan in what is provided to owners and managers about their rights under VAWA in the HCV program, page 16-37.

## Grievance Procedures

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~~Updated HUD form number from 50066 to 5382. Operation and Management policies are in the Admissions and Continued Occupancy Policy, Chapter 8 and 16; Section 8 Administrative Plan, Chapters 1 & 2.~~

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~~VAWA Reauthorization Act of 2013 published in Federal Register on 8/6/13. Changes were outlined in Chapter 16 of the ACOP Policy on pages 15-20.~~

~~Changes to Flat Rent Requirement Notice PIH 2015-13. Changes are outlined in Chapter 16 of the ACOP Policy on pages 4-5.~~

~~PHAS Scoring was updated and changes are outlined in Chapter 16 of the ACOP Policy on pages 10-11.~~

~~Copies of the changes are attached hereto.~~

Comment [LC5]: Danita and Michelle Beard

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### Grievance Procedures

~~Grievance Procedures are in the Admissions and Continued Occupancy Policy, Chapter 14; Section 8 Administrative Plan, Chapter 16. Policies are available for review at any of the locations listed in item 13b.~~

~~Changes were outlined in Chapter 14 of the ACOP Policy on pages 2, 7, 8, 10-17 and 19. Copies of the changes are attached hereto.~~

Comment [LC6]: Danita and Michelle Beard

### Homeownership Programs

~~7d) The Authority received approval on September 27, 2010 to convert our approved (5h) Public Housing Homeownership Plans to a Section 32 plan. Sales of single family homes in this Plan are underway and seventeen homes have been sold with sales continuing. All single family homes in this Plan have been sold. Sales of single family homes in this Plan are complete. Twenty-one homes were sold.~~

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Comment [LC7]: Aaru and Michelle Barnes

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Comment [LC8]: Aaru and Michelle Barnes

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### ~~Community Service and Self-Sufficiency - Community Service and Self-Sufficiency -~~

~~The Authority has an ongoing Section 8 Family Self-Sufficiency (FSS) program with thirty-one (31) forty-four (44) participants currently enrolled, exceeding the mandatory slots by thirty-one (31) forty-four (44). Twenty-five (25) Twenty-six (26) of whom have purchased homes using Section 8 subsidy since 2006; and, twenty-two (22) have escrow accounts.~~

Comment [LC9]: Michelle Barnes

Comment [LC10]: Updates to FSS and HO numbers

~~The Authority has an ongoing Section 8 Family Self-Sufficiency (FSS) program with thirty-one (31) participants currently enrolled, exceeding the mandatory slots by thirty-one (31). Twenty-five (25) of whom have purchased homes using Section 8 subsidy since 2006; and, twenty-two (22) have escrow accounts.~~

Comment [LC11]: Michelle Barnes

~~The Authority has a signed memorandum of agreement with the Peninsula Workforce Development Center to operate a local site for job seekers. The center is operated five days a week with the assistance of trained volunteers from the community and HRHA staff.~~

~~Policies governing the compliance with community service regulations are included in the Public Housing Admissions and Continued Occupancy Policy, Chapter 11, Chapter 13 II.G and on pages 8-1, 8-3, 9-2, 9-4, 9-6, 9-8, 13-1, 13-3 and 13-4. Changes to the ACOP are attached.~~

~~Administering the Community Service Requirement Notice PIH 2015-12 published on 8/13/15. Changes were outlined in Chapter 11 on pages 2-13.~~

Comment [LC12]: Michelle Beard

#### Safety and Crime Prevention

~~North Phoebus Townhouses and Langley Village Apartments utilize the Hampton Police Officers which patrol the properties approximately 20 to 30 hours per week to help deter crime in and around the community.~~

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~~Additional steps have been taken to reduce crime at North Phoebus Townhouses by installing Motion detection lights at the backs of the buildings on Cameron Street. HRHA along with the Resident Council has been working with Hampton Police to establish a Neighborhood Watch Program at the North Phoebus Community.~~

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~~VAWA Reauthorization Act of 2013 published in Federal Register on 8/6/13. Changes have been outlined in Chapter 13 on pages 16-17 and in Chapter 16 on pages 15-20.~~

~~Updates made to Lifetime Sex offender Chapter 12 of the Section 8 Administrative Plan attached.~~

Comment [LC13]: Michelle Beard and Danita

#### Significant Amendment/Modification

~~As part of the Rental Assistance Demonstration (RAD), HRHA is redefining the definition of a substantial deviation from the PHA Plan to exclude the following RAD-specific items:~~

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~~(a) The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance;~~

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~~(b) Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will~~

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- ~~include use of additional Capital Funds;~~
  - ~~(c) Changes to the construction and rehabilitation plan for each approved RAD conversion; and~~
  - ~~(d) Changes to the financing structure for each approved RAD conversion.~~
- ~~I think this can be removed because it is now part of our substantial deviation from the PHA Plan. I think this attachment is only for changes from 2017.~~

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Comment [LC14]: Nancy and Aaru

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**(c) The PHA must submit it's Deconcentration Policy for Field Office Review**

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

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

~~The PHA'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, the PHA must comply with the following steps:~~

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

PHA Policy

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

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

#### PHA Policy

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

Step 3. The PHA 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. The PHA 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, the PHA must include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances the PHA'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 the PHA 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 the PHA's deconcentration policy. The PHA must not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under the PHA'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, the PHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

#### PHA Policy

For developments outside the EIR the PHA will take the following actions to provide for deconcentration of poverty and income mixing:

- 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 the PHA in consultation with the residents and the community through the annual plan process to be responsive to local needs and PHA strategic objectives

Comment [LC15]: Michelle Beard and Aaru

#### Order of Selection [24 CFR 960.206(e)]

The PHA system of preferences may select families either according to the date and time of application or by a random selection process.

#### PHA Policy

Families will be selected from the waiting list based on preference. Among applicants with the same preference, families will be selected on a first-come, first-served basis according to the date and time their complete application is received by the PHA.

When selecting applicants from the waiting list the PHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists. The PHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and PHA policy.

Comment [LC16]: Michelle Beard and Danita

**Project-based Vouchers**. “The HRHA may grant project base vouchers only if the contract is consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities. Projects may not be developed in areas where the census data reflects a poverty rate of greater than 20% unless there is

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evidence that the project will further deconcentration goals. Inclusion of project-based units in specific developments in Hampton and/or other jurisdictions and/or HRHA-Owned developments in Hampton will support the PHA Plan by deconcentrating poverty and developing in areas where the City is actively supporting being supported by new housing, economic opportunities and improved infrastructure.”

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Comment [LC17]: Aaru

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## B.2 New Activities

### Mixed Finance Modernization or Development

~~HRHA has conducted an assessment of its assisted housing communities and determined that they are in need of modernization and/or redevelopment. Our intention over the next decade is to transform all HRHA properties into sustainable mixed-income communities, with dramatically enhanced physical and social environments, while maintaining a commitment to provide relocation services if needed, for all residents to either new/rehabbed assisted housing units or rental assistance from available private apartments. HRHA will determine the feasibility of redeveloping, disposition, total demolition, and/or converting existing public housing developments to project-based Section 8 vouchers or project-based rental assistance through the RAD program and pursuing mixed finance modernization.~~

~~HRHA started planning for resource development and implementation of mixed finance transactions to achieve the aforementioned transformation. Strategies may include the pursuit of HUD funding for complete redevelopment along with the combination of Low Income Housing Tax Credits (LIHTC) and HUD capital funds for modernization efforts, including selected demolition of units and new construction. HRHA received HUD approval for the demolition and disposition of Lincoln Park and may seek Federal grants and HUD financing to combine with LIHTC financing to rebuild a mixed-income community on the Lincoln Park site. HRHA may seek a revised disposition approval from HUD to facilitate a mixed-use or commercial development on the Lincoln Park site.~~

~~HRHA may use Capital Funds to pay debt service on an unsecured financing, but only where proceeds of the loan are used for the modernization of development of public housing, and where the financing proceeds were used in conformance with Public Housing requirements. HRHA may also use operating funds to pay debt service on an unsecured financing, but only where the proceeds of the loan are used for the modernization of development of public housing, and where the financing proceeds are used in the conformance with Public Housing requirements.~~

~~The Authority is currently planning the development of mixed-financed projects~~



that may incorporate Capital Funds, market rate and/or LIHTC units. The planned projects may include senior housing, family housing, housing for persons with disabilities, housing for persons receiving supportive service and/or housing for veterans.

The Authority is currently developing a 19-unit family mixed financed project, known as Patterson Crossing. This development will include 2 and 3-bedroom units and may be funded with Low Income Housing Tax Credits, conventional financing, Replacement Housing Factor Funds, Project Based-Section 8 subsidy, HOME funds, FHLB funds, NSP funds and/or other subsidized funding.

The Authority is planning the development of a 48-unit senior project, currently known as King's Arms. This development will include 1-2 bedroom units and may be funded with Low Income Housing Tax Credits, HUD funding, VHDA funding, private commercial funding, Replacement Housing Factor Funds, Project Based-Section 8 subsidy, FHLB funding, NSP funds and/or other subsidized funding.

The Authority is planning to acquire, rehab and/or construct several apartment complexes in order to preserve affordable housing units in Hampton. Current projects under review include small developments with 10 – 50 units and developments between 50 and 400 units. Acquisition is based on the local housing market and the availability of funding for acquisition. Sources include HUD financing, Capital Funds, Low Income Housing Tax Credits, Tax-Exempt Bonds, Taxable Bonds and/or bank financing.

#### Demolition and/or Disposition

7b) Assisted housing projects where demolition or disposition activity is anticipated during the next five years are identified in the summary below:

#### Demolition/Disposition Activity Description

1a. Development name: -- Lincoln Park

1b. Development (project) number: -- VA-017000002P

#### 2. Activity type:

a. Demolition

b. Disposition -- Land for mixed-use or commercial development

3. Application status -- not submitted yet

4. Date application approved and submitted:

5. Number of units affected: 0

**6. Coverage of action - Total development**

**7. Timeline for activity:**

**a. Actual or projected start date of activity: 12/31/2016**

**b. Projected end date of activity: 12/31/2018**

Comment [LC18]: Aaru

**Designated Housing for Elderly and/or Disabled Families**

**A Designated Housing Plan for Elderly was submitted and approved for 146 units in the Langley Village community (VA017000004) on August 21, 1998. The Plan was last extended through December 31, 2016. A request for an additional extension was submitted to the Richmond Field Office on October 4, 2016. The Designated Housing Plan renewal for Langley Village was extended through December 31, 2018. An amendment to the current Designated Housing Plan to include 10 units in the new construction King's Arms development was approved on February 20, 2014. The amendment designates a total of 156 units, 61% of the total public housing inventory for the elderly. The elderly designation totals 146 units or 56% of the total public housing inventory.**

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**Conversion of Public Housing To Tenant Based Vouchers**

**Related to the redevelopment of Lincoln Park, the Authority is considering voluntary conversion of public housing units to project-based vouchers. The property was not deemed a site for involuntary conversion as covered under section 202 of the HUD FY 1996 HUD Appropriations Act.**

**HRHA will conduct an analysis to determine the feasibility of voluntary or involuntary conversion of other developments or portions of developments including public housing to project based Section 8. HRHA will also conduct an analysis to determine the feasibility of utilizing the Rental Assistance Demonstration to convert all or portions of HRHA's public housing developments to project based vouchers or project based rental assistance. If feasible, HRHA may move forward with applying for RAD, voluntary or involuntary conversion for some or all of the public housing units and other developments in the HRHA portfolio, as applicable.**

Comment [LC22]: Aaru

**Conversion of Public Housing To Project-Based Assistance under RAD**

Comment [LC23]: Aaru and/or Nancy

**RAD is authorized by the Consolidated and Further Continuing Appropriations Act of 2012 (Pub. L. No. 112-55, approved November 18, 2011), as amended by the Consolidated Appropriations Act, 2014 (Public Law 113-76, approved January 17, 2014) and the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113-235, approved December 6, 2014), collectively, the "RAD Statute."**

~~RAD allows projects funded under the public housing program to convert their assistance to long-term, project-based Section 8 rental assistance contracts. Under this component of RAD, public housing agencies (PHAs) may choose between two forms of Section 8 Housing Assistance Payment (HAP) contracts: project-based vouchers (PBVs) or project-based rental assistance (PBRA). No incremental funds are authorized for this component. PHAs will convert their assistance at current subsidy levels. The 2015 Appropriations Act authorizes up to 185,000 units to convert assistance under this component. Section I of this Notice provides instructions for PHAs that apply for conversion under the First Component.~~

The Hampton Redevelopment and Housing Authority (HRHA) was a successful applicant in the Rental Assistance Demonstration (RAD). After further review, HRHA has decided not to pursue RAD at this time. As a result, However, if the HRHA should decide to apply for RAD again in the future, HRHA will be converting to (Project Based Vouchers or Project Based Rental Assistance) under the guidelines of PIH Notice 2012-32, REV-1 and any successor Notices if the project is financially feasible. Upon conversion to (Project Based Vouchers or Project Based Rental Assistance) the Authority will adopt the resident rights, participation, waiting list and grievance procedures listed in (For conversions to PBV: Section 1.6 of PIH Notice 2012-32, REV-2; and Joint Housing PIH Notice H-2014-09/PIH-2014-17; For conversions to PBRA: Section 1.7 of PIH Notice 2012-32, REV-2; and Joint Housing PIH Notice H-2014-09/PIH-2014-17). These resident rights, participation, waiting list and grievance procedures are appended to this PHA plan. Additionally, the HRHA certifies that it is currently compliant with all fair housing and civil rights requirements, namely a voluntary compliance agreement of 2004. The HRHA also certifies that the RAD conversion will comply, complies with all applicable site selection and neighborhood reviews standards and that all appropriate procedures have been followed. The Old Point site complies with the Site selection requirements set forth at 24 CFR § 983.57, the Fair Housing Act, Title VI of the Civil Rights Act of 1964 including implementing regulations at 24 CFR § 1.4(b)(3), Section 504 of the Rehabilitation Act of 1973 including implementing regulations at 24 CFR § 8.4(b)(5), and the Americans with Disabilities Act.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing HRHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, the Authority's Capital Fund Budget ~~will would~~ be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that HRHA may also borrow funds to address their capital needs.

HRHA submitted a RAD application and was approved for eight (8) public housing

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units in the Old Point Homes development and 146 units in the Langley Village public housing development. However, as stated above, HRHA has decided not to proceed with the RAD conversion at this time.

If HRHA submits an application for RAD in the future, Below, please find below is the specific information related to the Public Housing Development(s) selected that would be eligible for RAD:

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**Development #1**

Name of Public Housing Development: Old Point Homes	PIC Development ID: VA01700005	Conversion Type (i.e., PBVC or PBRA): PBV	Transfer of Assistance: No
Total Units: 8	Pre-RAD Unit Type (i.e., Family, Senior, etc.): Family	Post-RAD Unit Type if different (i.e., Family, Senior, etc.): Family	Capital Fund allocation of Development: \$11,552
Bedroom Type:	Number of Units Pre-Conversion	Number of Units Post-Conversion	Change in Number of Units per Bedroom Type and Why: N/A
Two Bedroom	-6	6	-
Three Bedroom	-2	2	-
(If performing a Transfer of Assistance):	(Explain any changes in the policies that govern eligibility, admission, selection, and occupancy of units at the project after it has been converted)		

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**Development #2**

Name of Public Housing Development: Langley Village	PIC Development ID: VA017000004	Conversion Type (i.e., PBVC or PBRA): PBV	Transfer of Assistance: (if yes, please put the location if known, and # of units transferring)
Total Units: 146	Pre-RAD Unit Type (i.e., Family, Senior, etc.): Senior	Post-RAD Unit Type if different (i.e., Family, Senior, etc.): Senior	Capital Fund allocation of Development: \$210,824
Bedroom Type:	Number of Units Pre-Conversion	Number of Units Post-Conversion	Change in Number of Units per Bedroom Type and Why: N/A
One Bedroom	127	127	-
Two Bedroom	19	19	-

(If performing a Transfer of Assistance):	(Explain any changes in the policies that govern eligibility, admission, selection, and occupancy of units at the project after it has been converted)
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### Project-based Vouchers

~~As a result of the Fiscal Year 2001 HUD Appropriations Act, regulations were issued incorporating the Project Based Assistance requirements into the emerged voucher program. These regulations were originally published in the Federal Register on January 16, 2001 and permitted the HRHA to enter into a housing assistance payments (HAP) contracts with otherwise qualified owners provided the HAP contracts were in congruence with the PHA Plan (see 42 U.S.C. 1437c-1, implemented at 24 CFR part 903.) HUD defines "consistency with the PHA Plan" as a demonstration by the PHA that circumstances exist that indicate that project basing of the units, rather than tenant-basing of the same subsidy assistance is an appropriate option. Subsequently, HUD promulgated the Project Based Voucher Program; Final Rule on October 13, 2005, incorporating therein the sum and substance of the January, 2001 Initial Guidance. The following discusses the HRHA's implementation of this important policy tool.~~

- ~~Under the Project Based Voucher (PBV) regulations, HRHA has the option to convert up to 20% of the tenant based voucher allocation, including VASH voucher allocation, to project based assistance. With HRHA's present portfolio size of ~~2,800~~ **\$22,800,755**, 20% would equate to ~~560~~ **\$4,560,151** in available funding for project based vouchers.~~

~~By the end of HRHA's Fiscal Year 2016~~7~~, the HRHA anticipates that it will have ~~400~~ **50** units under contract in its PBV program. Initial placement of vouchers ~~may will~~ be ~~5-10~~ **5** PBV VASH ~~and 33~~ **PBV** Vouchers in our King's Arms senior development and ~~2-5~~ **PBV** VASH Vouchers ~~and 10~~ **PBV** in our Patterson Crossing development. The HRHA may grant project based vouchers only if the contract is consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities. Projects may not be developed in areas where the census data reflects a poverty rate of greater than 20% unless there is evidence that the project will further deconcentration goals. Inclusion of project-based units in specific developments ~~in Hampton and/or in other jurisdictions~~ **and/or** HRHA-Owned developments ~~in Hampton~~ will support the PHA Plan by deconcentrating poverty and developing in areas ~~where the City is actively that~~ **supporting** new housing, economic opportunities and improved infrastructure.~~

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By the end of HRHA's Fiscal Year 2016, the HRHA anticipates that it will have 100 units under contract in its PBV program. Initial placement of vouchers may be 5-10 PBV VASH Vouchers in our King's Arms senior development and 2-5 PBV VASH Vouchers in our Patterson Crossing development. The HRHA may grant project base vouchers only if the contract is consistent with the goals of deconcentrating poverty and expanding housing and economic opportunities. Projects may not be developed in areas where the census data reflects a poverty rate of greater than 20% unless there is evidence that the project will further deconcentration goals. Inclusion of project-based units in specific developments and HRHA-Owned developments in Hampton will support the PHA Plan by deconcentrating poverty and developing in areas where the City is actively supporting new housing, economic opportunities and improved infrastructure.

#### Resident Rights, Participation, Waiting List and Grievance Procedures

If converting to PBV: (PIH Notice 2012-32, REV-2 Section 1.6.C & Section 1.6.D, and Joint Housing/PIH Notice H-2014-09/ PIH-2014-17, as a whole, are attached)

If converting to PBRA: (PIH Notice 2012-32, REV-2 Section 1.7.B & Section 1.7.C, and Joint Housing/PIH Notice H-2014-09/ PIH-2014-17, as a whole, are attached)

Comment [LC24]: Aaru

### **B.5. Progress Report: HRHA FIVE-YEAR PLAN**

#### **Updates and Progress Made**

HRHA worked closely with the City in 2016<sup>7</sup> to ensure alignment between City and HRHA goals. All of HRHA's redevelopment activities are in support of City goals. In particular, HRHA's initiative to create public-private partnerships to create decent, safe and affordable housing is an important part of the progress shown toward the HRHA and City goals. HRHA was awarded LIHTC for a 48-unit senior development, known as King's Arms. The placed in service date is 12/31/17. HRHA is also in the process completed construction of building a 19 unit LIHTC family development, known as Patterson Crossing. The placed in service date is 12/31/2016, HRHA is nearing the completion of completed the demolition of Lincoln Park, which was a 275-unit public housing development. Future redevelopment may include residential and/or commercial use. HRHA also started construction on four new single-family homes.

HRHA worked closely with the City in 2016 to ensure alignment between City and HRHA goals. All of HRHA's redevelopment activities are in support of City goals. In particular, HRHA's initiative to create public-private partnerships to create decent, safe and affordable housing is an important part of the progress shown toward the HRHA and City goals. HRHA was awarded LIHTC for a 48-unit senior

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development, known as King's Arms. The placed in service date is 12/31/17. HRHA is also in the process of building a 19-unit LIHTC family development, known as Patterson Crossing. The placed in service date is 12/31/2016. HRHA is nearing the completion of the demolition of Lincoln Park, which was a 275-unit public housing development. Future redevelopment may include residential and/or commercial use.

Compiled a Community Resources Directory and distributed to residents and the community. The directory listed information on 128 services in the area, to include information on support groups for domestic violence; financial, food, educational, and clothing assistance; affordable and emergency housing; strengthening families; youth services; assistance for Veterans, the elderly, and the disabled; employment and career training; etc.

Compiled a Code of Conduct book and distributed to residents. The book outlined values and standards for quality residential living.

Partnered with Make a Difference 2020 to provide Science, Technology, Engineering, and Math (STEM) disciplines to our young residents.

Partnered with West Point Military Academy to provide an on-site, six-hour STEM fair in our housing complex.

Partnered with Hampton University to provide women's empowerment sessions and financial workshops.

Partnered with Parents Against Bullying to provide anti-bullying workshops.

Partnered with the Foodbank of the Virginia Peninsula to provide distribution of food.

Partnered with Sentara Hospital to provide informational sessions on medication management and health-related issues.

Partnered with Virginia Cooperative Extension to provide workshops on nutritional information.

Partnered with The STOP Organization of Hampton Roads to provide information on a match savings account through the Virginia Individual Development Account (VIDA).

Partnered with Alternatives, Inc., to implement a 12-week program where parents learned how to present a strong, positive role model and provide a support system for their children and the children learned how to keep focused and task-oriented.

Partnered with the local business community to provide eight homebuyer education seminars to 78 prospective homebuyers.



~~Partnered with the Department of Veterans Affairs to provide on-site intake for homeless veterans through the HUD-Veterans Affairs Supporting Housing Program.~~

~~Partnered with Workforce Development to provide on-site locations to assist residents with employment searches.~~

~~Partnered with the business community to provide information to residents on renters' insurance, the Affordable Care Act and its effect on taxes, earned income tax credit education, and getting one's affairs in order.~~

~~Provided a school appropriate polo shirt to 55 elementary school children in our housing complex.~~

~~Provided a pantry stocked with toiletries and cleaning items for our elderly residents.~~

~~Provided an opportunity for students to win a free Internet connection for 2 years~~

~~Provided lunch and dinner outings, bingo, movie time, craft classes, grocery runs, senior garden, etc.~~

~~Created an in-house program to improve communication between the residents and management.~~

~~Created Make a Difference cards where residents and the community can anonymously comment on our services.~~

~~Called over 200 residents who relocated from Lincoln Park due to scheduled demolition to ensure their move was successful and they were happy with their new home.~~

~~Posted flyers providing opportunities for graduating seniors to apply for scholarships.~~

~~Posted flyers providing opportunities for high school seniors to receive prom dresses, shoes, and accessories.~~

~~Provided counseling services to more than 100 people on pre-purchase education, home maintenance, rental housing, homeless prevention and foreclosure prevention.~~

HRHA was successful in the application for RAD to convert two public housing developments to project based assistance. This program is designed to introduce private capital into assisted housing properties in need of capital improvements. After a financial review by the Authority and HUD was completed, it was determined that RAD is not in the best interest of Old Point Townhomes and Langley Village Apartments at this time.

**Comment [LC25]:** Aaru

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HRHA invested in an apartment complex, known as Asbury Place Apartments, on 7/24/2013. This property was built between 1965 and 1967 and is adjacent to Lincoln Park mentioned above. Since the property was acquired, HRHA has renovated the interior of 90% of the units and worked diligently to establish a community environment

Partnered with the Peninsula Continuum of Care to provide information and referrals for the homeless and those who may become homeless.

Provided the "Partner Portal," -an online program that enables landlords access to units and inspection information, along with payments.

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**B.6. Resident Advisory Board (RAB) Comments:**

~~There were no comments.~~

**Comment [LC26]:** Meredith

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**SUMMARY OF CHANGES TO  
THE HAMPTON REDEVELOPMENT AND HOUSING AUTHORITY  
PUBLIC HOUSING PROGRAM THE PUBLIC HOUSING DWELLING LEASE AND ADDENDUMS  
TO BE EFFECTIVE January 1, 2018**

This summary provides a brief explanation of the changes, additions to the policy are in red, and deletions to the policy are in black with strike through:

**Public Housing Admissions and Continued Occupancy Policy (ACOP):**

**Chapter 1, Policy:** no changes

**Chapter 2, Fair Housing and Equal Opportunity:** no changes

**Chapter 3, 3-I C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY; Family Break-up [24 CFR 982.315]**  
Added; (For documentation requirements and policies related to domestic violence, dating violence, and stalking.

**See section 16-VII.D of this plan.)**

**PHA Policy:** (3) any possible risks to family members as a result of domestic violence or criminal activity, and the interest of any family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, including a family member who was forced to leave a public housing unit as a result of such actual or threatened abuse, and provides documentation in accordance with section 16-VII.D of this ACOP. ~~any possible risks to family members as a result of domestic violence or criminal activity, and~~

**3-II C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]**

If a child under age 6 has been added to an applicant family within the 6 months prior to program admission, an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within 90 days of admission.

**PART III: DENIAL OF ADMISSION; 3-III A. OVERVIEW**

The PHA's authority in this area is limited by the Violence Against Women Reauthorization Act of 2005 ~~2005~~ 2013 (VAWA), which expressly prohibits the denial of admission to an otherwise qualified applicant on the basis that the applicant is or has been the victim of domestic violence, dating violence, sexual assault, or stalking [24 CFR 5.2005(b)].

**3-III B. REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]**

**PHA Policy:** A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity.

**3-III C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION**

**Criminal Activity [24 CFR 960.203 ~~(b)~~ and (c)]**

~~Under the Public Housing Assessment System (PHAS), PHAs that have adopted policies, implemented procedures and can document that they successfully screen out and deny admission to certain applicants with unfavorable criminal histories receive points.~~

**PHA Policy:** ~~If any household member has been convicted of a felony within the past 5 years, the family will be denied admission. Criminal activity that may threaten the health, safety, [24 CFR 960.203(c)(3)] or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity. Immediate vicinity means within a three block radius of the premises.~~ Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)]. Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past five years. A conviction for such activity will be given more weight than an arrest or an eviction. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity. • Any conviction for drug related or violent criminal activity within the past 5 years. • Any arrests for drug related or violent criminal activity within the past 5 years. • Any record of eviction from public or privately owned housing as a result of criminal activity within the past 5 years. • A conviction for drug related or violent criminal activity will be given more weight than an arrest for such activity.

**Previous Behavior [960.203(c) and (d) and PH Occupancy Guidebook, p. 48] PHA Policy;** The PHA will deny admission to an applicant family if the PHA determines that the family: **Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past five years; Has a pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past five years which may adversely affect the health, safety, or welfare of other tenants; Has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances); Owes rent or other amounts to this or any other PHA or owner in connection with any assisted housing program; Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent; Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program; Has engaged in or threatened violent or abusive behavior toward PHA personnel.** ~~The family does not provide complete and true information to the PHA. Any family member has been evicted from federally-assisted housing in the last five years. Any PHA has ever terminated assistance under the program for any member of the family. Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program. The family owes rent or other amounts to any PHA in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs, unless the family repays the full amount of the debt prior to being selected from the waiting list. If the family has not reimbursed any PHA for amounts the PHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to being selected from the waiting list. The family has breached the terms of a repayment agreement entered into with the PHA, unless the family repays the full amount of the debt covered in the repayment agreement prior to being selected from the waiting list. The family member has engaged in or threatened violent or abusive behavior toward PHA personnel.~~

### **3-III D. SCREENING; Screening for Eligibility**

**PHA Policy:** ~~Additionally, PHAs must ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state [Notice PIH 2012-28].~~ **Resources Used to Check Applicant Suitability [PH Occupancy Guidebook, pp. 47-56] *Disturbances of Neighbors, Destruction of Property or Living or Housekeeping Habits at Prior Residences that May Adversely Affect Health, Safety, or Welfare of Other Tenants, or Cause Damage to the Unit or the Development;* A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying activity.**

**3-III.F PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING;** The Violence against Women Reauthorization Act of 2013 (VAWA) **and the HUD regulations at 24 CFR 5.2005 (b)** prohibits PHAs from denying admission to an otherwise qualified applicant on the basis that the applicant is or has been a victim of domestic violence, dating violence, stalking and sexual assault.

Definitions of key terms used in VAWA are provided in section 16-VII of this ACOP, where general VAWA requirements and policies pertaining to notification, documentation, and confidentiality are also located.

#### **Notification**

VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a notice of VAWA rights and the form HUD-50066-5382 at the time the applicant is denied. **PHA Policy:** The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under the PHA's policies. Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial ~~A statement of the protection information about the protection~~ **against denial provided by VAWA in accordance with section 16-VII.C of this ACOP, a notice of VAWA rights, and a copy of the form HUD 50066-5382. The PHA will request in writing that an applicant wishing to claim this protection notify the PHA within 10/14 days.** ~~A description of PHA, confidentiality requirements. A request that an applicant wishing to claim this protection submit to the PHA documentation meeting the specifications below with her or his request for an informal hearing (see section 14-I.B)~~  
As used in VAWA:

•The term domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

•The term dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: The length of the relationship; The type of relationship; The frequency of interaction between the persons involved in the relationship;

•The term stalking means: To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or To place under surveillance with the intent to kill, injure, harass, or intimidate another person; and In the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (1) that person, (2) a member of the immediate family of that person, or (3) the spouse or intimate partner of that person.

•The term affiliated individual means, with respect to a person; Any other individual, tenant or lawful occupant living in the individual's household.

**Notification; PHA Policy:** Therefore, if the PHA makes a determination to deny admission to an applicant family, the PHA will include in its notice of denial A statement of the protection information about the protection against denial provided by VAWA in accordance with section 16-VII.C of this ACOP, a notice of VAWA rights, and a copy of the form HUD 5382. The PHA will request in writing that an applicant wishing to claim this protection and notify the PHA within 14 days.

A description of PHA , confidentiality requirements. A request that an applicant wishing to claim this protection submit to the PHA documentation meeting the specifications below with her or his request for an informal hearing (see section 14-I.B)

## **Documentation**

### **Victim Documentation [24 CFR 5.2007]**

#### PHA Policy

If an applicant claims the protection against denial of admission that VAWA provides to victims of domestic violence, dating violence, sexual assault, or stalking, the PHA will request in writing that the applicant provide documentation supporting the claim in accordance with section 16-VII.D of this ACOP.

An applicant claiming that the cause of an unfavorable history is that a member of the applicant family is or has been a victim of domestic violence, dating violence, stalking or sexual assault must provide documentation (1) demonstrating the connection between the abuse and the unfavorable history and (2) naming the perpetrator of the abuse. The documentation may consist of any of the following:

A statement signed by the victim certifying that the information provided is true and correct and that it describes bona fide incident(s) of actual or threatened domestic violence, dating violence, stalking or sexual assault and the perpetrator must be named if the name is known and safe to provide

A police or court record documenting the domestic violence, dating violence, or stalking

Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

The PHA is authorized to request third party documentation when presented with victim certification forms containing conflicting information.

#### **Time Frame for Submitting Documentation; PHA Policy**

The applicant must submit the required documentation with her or his request for an informal hearing (see section 14-I.B) or must request an extension in writing at that time. If the applicant so requests, the PHA will grant an extension of 10 business days and will postpone scheduling the applicant's informal hearing until after it has received the documentation or the extension period has elapsed. If, after reviewing the documentation provided by the applicant, the PHA determines that the family is eligible for assistance, no informal hearing will be scheduled, and the PHA will proceed with admission of the applicant family.

#### **PHA Confidentiality Requirements**

All information provided to the PHA regarding domestic violence, dating violence, stalking or sexual assault, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence and may neither be entered into any shared database nor provided to any related entity, except to the extent that the disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law. ; PHA Policy; If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the PHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

#### **Chapter 4, Applications, Waiting List and Tenant Selection:**

##### **4-II B. ORGANIZATION OF THE WAITING LIST;**

The waiting list will contain the following information for each applicant listed:

- Name **and social security number** of head of household
- Unit size required (**number of family members**)
- **Net Income Amount and source of annual income**

##### **4-III B. SELECTION METHOD; Income Targeting Requirement [24 CFR 960.202(b)]**

ELI families are those with annual incomes at **or below the federal poverty level or 30 percent of the area median income, whichever number is higher** [Federal Register notice 6/25/14].

##### **4-III E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]**

Upon making an eligibility determination, the PHA must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-50066**5382**) in accordance with the Violence against Women Act of 2013.

**Chapter 5: Occupancy Standards and Unit Offers:** no changes

**Chapter 6: Income and Rent Determinations:** no changes

**Chapter 7, Verifications:** no changes

**Chapter 8: Leasing and Inspections: PART I: LEASING; 8-I A. OVERVIEW:** PHAs must adopt smoke-free policies, which must be implemented no later than July 30, 2018.

**8-I B. LEASE ORIENTATION;** • Information about the protections afforded by the Violence against Women Reauthorization Act of 2013 (VAWA) to victims of domestic violence, dating violence, sexual assault, and stalking. **A copy of the VAWA notice of occupancy rights.** (see section 16-VII.C)

- A copy of for HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking
- A copy of the PHA's Smoke Free Policy; **Topics to be discussed will include;** •Smoke Free Policies

#### **EXHIBIT 8-1: MODEL SMOKE-FREE POLICY**

In accordance with HUD regulations, the Housing Authority of HAMPTON REDEVELOPMENT AND HOUSING AUTHORITY has adopted these smoke-free policies. The policies are effective as of July 30, 2018.

Due to the increased risk of fire, increased maintenance costs, and the known health effects of secondhand smoke, smoking is prohibited in all living units and interior areas, including but not limited to hallways, rental and administrative offices, community centers, day care centers, laundry centers, and similar structures. Smoking is also prohibited in outdoor areas within 25 feet from public housing and administrative office buildings.

This policy applies to all employees, residents, household members, guests, and service persons. Residents are responsible for ensuring that household members and guests comply with this rule.

The term "smoking" means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other prohibited tobacco product in any manner or any form. Prohibited tobacco products include water pipes or hookahs.

Violation of the smoke-free policy constitutes a violation of the terms of the public housing lease. Consequences of lease violations include termination of tenancy.

#### **PHA POLICIES**

##### **Designated Smoking Areas (DSA)**

The PHA has not designated any smoking areas on the PHA's property. Residents may not discard smoking products on the property.

## **Electronic Nicotine Delivery Systems (ENDS)**

Electronic nicotine delivery systems (ENDS) include e-cigarettes, nicotine inhalers, and vaping devices.

Use of ENDS is permitted in public housing units but is prohibited in common areas and in outdoor areas within 25 feet from housing and administrative buildings. That is, use of ENDS is prohibited in all common and outdoor areas in which smoking is prohibited.

### **Effective Date**

The PHA's effective date(s) of this smoke-free policy is/are as follows:

The smoke-free policy will be effective for all residents, household members, employees, guests, and service persons on July 30, 2018.

The smoke-free policy will take effect at the next annual lease renewal for each resident household. Residents must execute a smoke-free lease addendum as part of the annual lease renewal process. Regardless of the lease renewal date, all residents must be in compliance with the smoke-free policy no later than July 30, 2018.

### **Enforcement**

The PHA must enforce smoke-free policies when a resident violates this policy. When enforcing the lease, the PHA will provide due process and allow residents to exercise their right to an informal settlement and formal hearing. The PHA will not evict a resident for a single incident of smoking in violation of this policy. As such, the PHA will implement a graduated enforcement framework that includes escalating warnings. Prior to pursuing eviction for violation of smoke-free policies, the PHA will take specific, progressive monitoring and enforcement actions, while at the same time educating tenants and providing smoking cessation information. The lease will identify the actions that constitute a policy violation, quantify the number of documented, verified violations that warrant enforcement action, state any disciplinary actions that will be taken for persistent non-responsiveness or repeated noncompliance, and state how many instances of noncompliance will constitute a violation. Tenancy termination and eviction will be pursued only as a last resort. The PHA may terminate tenancy at any time for violations of the lease and failure to otherwise fulfill household obligations if resident behavior disturbs other residents' peaceful enjoyment and is not conducive to maintaining the property in a decent, safe, and sanitary condition.

1) 30 DAYS FOLLOWING IMPLEMENTATION: With the smoke-free housing policy, the HRHA staff will work with any resident who is out of compliance to resolve barriers to compliance. Information and referral to support services and resources will be provided to any resident who shows an interest in reducing or quitting smoking. During the first 30 days, a graduated approach will be taken to motivate and support positive change for the new policy.

2) 30-60 DAYS FOLLOWING IMPLEMENTATION: A direct approach will be taken to address non-compliant residents. HRHA staff will emphasize the importance of compliance and the consequences of non-compliance. A plan will be developed to bring the resident into compliance. Resources from local agencies will be provided to the residents and information about other products and services will be provided by HRHA in conjunction with the Tobacco Education Program to help those residents who are interested in quitting smoking.

3) 60-90 DAYS FOLLOWING IMPLEMENTATION: Non-compliant residents will be issued written warning of impending consequences for failure to comply, up to and including the financial obligation to remove evidence of smoking and lease termination.

4) 90 DAYS FOLLOWING IMPLEMENTATION: Any non-compliant residents will be subject to lease termination.

At 90 days, the resident will receive a warning letter from Management.

If there is a second violation, the resident will receive a second warning letter from Management.

Should there be a third violation, the resident will receive a 21/30 lease termination letter from Management. Failure to comply will result in filing for the eviction in court.

### **Reasonable Accommodation**

While addiction to nicotine or smoking is not a disability, the PHA will provide reasonable accommodation to persons with disabilities who smoke that are in compliance with the requirements of this smoke-free policy.



**Chapter 9: Reexaminations:** no changes

**Chapter 10: Pets: no changes:** no changes

**Chapter 11, Community Service:** no changes

**Chapter 12: Transfer Policy: 12-I B. EMERGENCY TRANSFERS;** The VAWA 2013 final rule requires the PHA to adopt an emergency transfer plan for victims of domestic violence, dating violence, sexual assault, or stalking. PHA Policy: A verified incident of domestic violence, dating violence, sexual assault, or stalking. For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may be established through documentation outlined in section 16-VII.D, or by any proof accepted by the PHA. The PHA will immediately process requests for transfers due to domestic violence, dating violence, sexual assault, or stalking. The PHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available. If an internal transfer to a safe unit is not immediately available, the PHA will assist the resident in seeking an external emergency transfer either within or outside the PHA's programs. The PHA has adopted an emergency transfer plan, which is included as Exhibit 16-3 to this plan.

### **PART III: TRANSFERS REQUESTED BY TENANTS; 12-III B. TYPES OF RESIDENT REQUESTED TRANSFERS**

**PHA Policy:** When there has been a verified threat of physical harm or criminal activity. Such circumstances may, at the PHA's discretion, include an assessment by law enforcement indicating that a family member is the actual or potential victim of a criminal attack, retaliation for testimony, or a hate crime. ~~or domestic violence, dating violence, sexual assault, or stalking. For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may also be established through documentation outlined in section 16-VII.D, or by any proof accepted by the PHA.~~

#### **12-III.C. ELIGIBILITY FOR TRANSFER**

Exceptions may also be made when the PHA determines that a transfer is necessary to protect the health or safety of a resident who is a victim of domestic violence, dating violence, sexual assault, or stalking and who provides documentation of abuse in accordance with section 16-VII.D of this ACOP.

If a family requested to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines, the family will not be eligible to transfer to a larger size unit for a period of two years from the date of admission, unless they have a change in family size or composition, or it is needed as a reasonable accommodation.

**12-III F. HANDLING OF REQUESTS;** The PHA will respond by approving the transfer and putting the family on the transfer list, by denying the transfer, or by requiring more information or documentation from the family, ~~such as documentation of domestic violence, dating violence, sexual assault, or stalking in accordance with section 16-VII.D of this ACOP.~~

**Chapter 13 Lease Terminations: 13-III B. MANDATORY LEASE PROVISIONS [24 CFR 966.4(l)(5)]; Definitions [24 CFR 5.100]** *Affiliated individual is defined in section 16-VII.B. Dating violence is defined in section 3-III-F. 16-VII.B.*

*Domestic violence is defined in section 3-III-F. 16-VII.B. Sexual Assault is defined in section 16-VII.B*

*Stalking is defined in section 3-III-F. 16-VII.B;*

**13-III F. ~~PROHIBITION AGAINST TERMINATING~~ ~~ONS TENANCY OF VICTIMS OF~~ **RELATED TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING [Public Law 109-162 and 109-271]****

**VAWA Protection against Terminations [24 CFR 5.2005(c)]; ~~The Violence against Women Reauthorization Act of 2013~~ VAWA. Definitions; For the definitions of domestic violence, dating violence, sexual assault, stalking, and affiliated individual, see section 13-III-F.**

**Documentation of Abuse [24 CFR 5.2007]** PHA Policy: When a tenant family is facing lease termination because of the actions of a tenant, household member, guest, or other person under the tenant's control and a tenant or immediate family member of the tenant's family claims that she or he is the victim of such actions and that the actions are related to domestic violence, dating violence, or stalking, the PHA will request in writing that the individual submit documentation affirming that claim. The written request will include explicit instructions on where, when, and to whom the documentation must be submitted. It will also state the consequences for failure to submit the documentation by the deadline. The documentation will consist of a completed and signed form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking. In lieu of the certification form, the PHA will accept either of the following forms of documentation: A police or court record documenting the actual or threatened abuse  
Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; or a medical or other knowledgeable professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation. The PHA reserves the right to waive the documentation requirement if it determines that a



statement or other corroborating evidence from the individual will suffice. The individual claiming victim status must submit the requested documentation within fourteen (14) business days after receipt of the PHA's written request or must request an extension within that time frame. The PHA may, at its discretion, extend the deadline for 10 business days. If the individual provides the requested documentation within fourteen (14) business days, or any PHA-approved extension, the PHA will reconsider its termination decision in light of the documentation.

If the individual does not provide the requested documentation within fourteen (14) business days, or any PHA-approved extension, the PHA will proceed with termination of the family's lease in accordance with applicable local, and state, and federal law and the policies in this ACOP.

**PHA Policy;** When an individual facing termination of tenancy for reasons related to domestic violence, dating violence, sexual assault, or stalking claims protection under VAWA, the PHA will request in writing that the individual provide documentation supporting the claim in accordance with the policies in section 16-VII.D of this ACOP.

The PHA reserves the right to waive the documentation requirement if it determines that a statement or other corroborating evidence from the individual will suffice. In such cases the PHA will document the waiver in the individual's file.

**Terminating or Evicting a Perpetrator of Domestic Violence; PHA Policy;** • In making its decision, the PHA will consider all credible evidence, including, but not limited to, a signed certification (form HUD-500665382).

**13-IV D. LEASE TERMINATION NOTICE [24 CFR 966.4(l)(3)]; Form, Delivery, and Content of the Notice; PHA Policy;** They will also include a copy of form HUD-500665382 and a notice of VAWA rights to accompany the termination notice.

**Chapter 14, Grievances and Appeals: 14-I.B. INFORMAL HEARING PROCESS [24 CFR 960.208(a) and PH Occ GB, p. 58]; Notice of Denial [24 CFR 960.208(a)];** When denying eligibility for admission, the PHA must provide the family a notice of VAWA rights as well as the HUD VAWA self-certification form (form HUD-500665382) in accordance with the Violence against Women Reauthorization Act of 2013.

**14-III E. PROCEDURES TO OBTAIN A HEARING [24 CFR 966.55]; Requests for Hearing and Failure to Request [24 CFR 966.55(a), (c), and (d)];**

**Chapter 15, Program Integrity: PART I: PREVENTING, DETECTING, AND INVESTIGATING ERRORS AND PROGRAM ABUSE; 15-I.A. PREVENTING ERRORS AND PROGRAM ABUSE**

HUD created the Enterprise Income Verification (EIV) system to provide PHAs with a powerful tool for preventing errors and program abuse. PHAs are required to use the EIV system in its entirety in accordance with HUD administrative guidance [24 CFR 5.233]. PHAs are further required to: • Provide applicants and residents with form HUD-52675, "Debts Owed to PHAs and Terminations" • Require all adult members of an applicant or participant family to acknowledge receipt of form HUD-52675 by signing a copy of the form for retention in the family file.

**15-I B. DETECTING ERRORS AND PROGRAM ABUSE; Independent Audits and HUD Monitoring;** ~~OMB Circular A-133~~ Notice PIH 2015-16 requires all PHAs that expend \$500750,000 or more in federal awards annually to have an independent audit (IPA).

**Chapter 16, Program Administration: PROGRAM ADMINISTRATION; INTRODUCTION;** ~~Part VII: Violence against Women Act (VAWA): Notification, Documentation, and Confidentiality.~~ **Part VII: Violence against Women Act (VAWA):**

**Notification, Documentation, and Confidentiality.** Added: related to notifying families about their rights and responsibilities under VAWA; requesting documentation from victims of domestic violence, dating violence, sexual assault, and stalking; and maintaining the confidentiality of information obtained from victims.

**16-I.C. SURCHARGES FOR PHA-FURNISHED UTILITIES [24 CFR 965.506]** For dwelling units subject to allowances for PHA-furnished utilities where check meters have been installed, the PHA must establish surcharges for utility consumption in excess of the allowances. Surcharges may be computed on a straight per unit of purchase basis or for stated blocks of excess consumption, and must be based on the PHA's average utility rate. The basis for calculating the surcharges must be described in the PHA's schedule of allowances. Changes in the amount of surcharges based directly on changes in the PHA's average utility rate are not subject to the advance notice requirements discussed under 16-I.D.

For dwelling units served by PHA-furnished utilities where check meters have not been installed, the PHA must establish schedules of surcharges indicating additional dollar amounts residents will be required to pay by reason of estimated

utility consumption attributable to resident-owned major appliances or to optional functions of PHA-furnished equipment. The surcharge schedule must state the resident-owned equipment (or functions of PHA-furnished equipment) for which surcharges will be made and the amounts of such charges. Surcharges must be based on the cost to the PHA of the utility consumption estimated to be attributable to reasonable usage of such equipment. PHA Policy: The PHA does not have PHA-furnished utilities.

## **PART II: ESTABLISHING FLAT RENTS AND PUBLIC HOUSING MAXIMUM RENTS; 16-II.A. OVERVIEW**

Flat rents are designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient. Flat rents are also used to prorate assistance for a mixed family. A mixed family is one whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status [24 CFR 5.504]. This part discusses how the PHA establishes and updates flat rents. Policies related to the use of flat rents, family choice of rent, flat rent hardships, and proration of rent for a mixed family are discussed in Chapter 6. Public housing maximum rents are needed to prorate assistance for a mixed family. A mixed family is one whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status [24 CFR 5.504]. This part discusses how the PHA establishes and updates flat rents and public housing maximum rents. Policies related to the use of flat rents, family choice of rent, flat rent hardships, and public housing maximum rents are discussed in Chapter 6.

## **PART III: FAMILY DEBTS TO THE PHA; 16-III B. REPAYMENT POLICY; General Repayment Agreement Guidelines**

### **Payment Thresholds**

Notice PIH 2010-19 recommends that the total amount that a family must pay each month—the family’s monthly share of rent plus the monthly debt repayment amount—should not exceed 40 percent of the family’s monthly adjusted income, which is considered “affordable.” Moreover, Notice PIH 2010-19 acknowledges that PHAs have the discretion to establish “thresholds and policies” for repayment agreements with families [24 CFR 982.552(c)(1)(vii)].

### PHA Policy

If a family can provide evidence satisfactory to the PHA that the threshold applicable to the family’s debt would impose an undue hardship, the PHA may, in its sole discretion, determine that a lower monthly payment amount is reasonable. In making its determination, the PHA will consider all relevant information, including the following:

The amount owed by the family to the PHA. The reason for the debt, including whether the debt was the result of family action/inaction or circumstances beyond the family’s control. The family’s current and potential income and expenses. The family’s current tenant rent, as calculated under 24 CFR 960.253(c). The family’s history of meeting its financial responsibilities.

## **PART IV: PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS); 16-IV B. PHAS INDICATORS [24 CFR 902 Subparts A, B, C, D, and E]; Indicator 2: Financial condition of a PHA**

- A PHA’s financial condition is determined by measuring each public housing project’s performance in each of the following subindicators: quick ratio, months expendable net assets ratio, and debt service coverage ratio—the PHA’s entity-wide performance in each of the following components: current ratio, number of months expendable fund balance, tenant receivable outstanding, occupancy loss, expense management/utility consumption, and net income or loss divided by the expendable fund balance.

### **Indicator 3: Management operations of a PHA**

- Each project’s management operations are assessed based on the following sub-indicators: occupancy, tenant accounts receivable, and accounts payable.
- An on-site management review may be conducted as a diagnostic and feedback tool for problem performance areas, and for compliance. Management reviews are not scored.

A PHA’s management operations are assessed based on the following sub-indicators: vacant unit turnaround time, capital fund, work orders, PHA annual inspection of units and systems, security, and economic self-sufficiency.

## **PART V: RECORD KEEPING; 16-V B. RECORD RETENTION**

PHA Policy; Complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule.

### **16-V C. RECORDS MANAGEMENT; Domestic Violence, Dating Violence, Sexual Assault, or Stalking Records**

For requirements and PHA policies related to management of documentation obtained from victims of domestic violence, dating violence, sexual assault, or stalking, see section 16-VII.E.

### **16-VII C. VAWA NOTIFICATION; Notification to Public**

### PHA Policy

A summary of the rights and protections provided by VAWA to public housing applicants and residents who are or have been victims of domestic violence, dating violence, stalking or sexual assault (see sample notice in Exhibit 16-1). The definitions of *domestic violence, dating violence, stalking or sexual assault* provided in VAWA (included in Exhibit 16-1). An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibit 16-1). A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, Stalking or Sexual Assault. A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibit 16-1)

A notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1). A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2). A copy of the PHA's emergency transfer plan (Exhibit 16-3). A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4).

### **Notification to Applicants and Tenants [24 CFR 5.2005(a)(1)]**

#### PHA Policy

The VAWA information provided to applicants and tenants will consist of the notice of VAWA rights in Exhibit 16-1 and 16-2. and a copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.

### **~~EXHIBIT 16-1: SAMPLE NOTICE TO PUBLIC HOUSING APPLICANTS AND RESIDENTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)~~**

*This sample notice was adapted from a notice prepared by the National Housing Law Project.*

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, stalking or sexual assault. The name of the law is the Violence against Women Act, or "VAWA." This notice explains your rights under VAWA.

#### **Protections for Victims**

If you are eligible for public housing, the housing authority cannot refuse to admit you to the public housing program the basis that you are a victim of domestic violence, dating violence, stalking or sexual assault.

If you are the victim of domestic violence, dating violence, stalking or sexual assault, the housing authority cannot evict you based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you if you were the victim of the abuse.

#### **Reasons You Can Be Evicted**

The housing authority can still evict you if the housing authority can show there is an *actual* and *imminent* (immediate) threat to other tenants or housing authority staff if you are not evicted. Also, the housing authority can evict you for serious or repeated lease violations that are not related to the domestic violence, dating violence, stalking or sexual assault against you. The housing authority cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

#### **Removing the Abuser from the Household**

The housing authority may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the public housing unit. If the housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, the housing authority must follow federal, state, and local eviction procedures.

#### **Proving that You Are a Victim of Domestic Violence, Dating Violence, Stalking or Sexual Assault**

The housing authority can ask you to prove or "certify" that you are a victim of domestic violence, dating violence, stalking or sexual assault. In cases of termination or eviction, the housing authority must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority is free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority. The form will ask for your name, the name of your abuser, the abuser's relationship to you, the date, time, and location of the incident of violence, and a description of the violence.

- Provide a statement from a victim service provider, attorney, mental health professional or medical professional who has helped you address incidents of domestic violence, dating violence, or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order or an administrative record

Additionally, at its discretion, the housing authority can accept a statement or other evidence provided by the applicant or tenant.

If you fail to provide one of these documents within the required time, the housing authority may evict you.

### **Confidentiality**

The housing authority must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority to release the information.
- The housing authority needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority to release the information.

If release of the information would put your safety at risk, you should inform the housing authority.

### **VAWA and Other Laws**

VAWA does not limit the housing authority’s duty to honor court orders about access to or control of a public housing unit. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

### **For Additional Information**

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) or the website at <http://www.ndvh.org/get-educated/violence-against-women-act-vawa/>.

### **Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines **domestic violence** to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction

VAWA defines **dating violence** as violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim AND (2) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines sexual assault as “any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.”

VAWA defines **stalking** as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.



**EXHIBIT 16-1: SAMPLE Notice of Occupancy Rights Under the Violence Against Women Act, Form HUD-5380  
Hampton Redevelopment and Housing Authority (HRHA)<sup>1</sup>**

**Notice of Occupancy Rights under the Violence Against Women Act<sup>2</sup>**

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>3</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that Public Housing Program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

**Protections for Applicants**

If you otherwise qualify for assistance under Public Housing Program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under Public Housing Program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under Public Housing Program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

**Removing the Abuser or Perpetrator from the Household**

HRHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If HRHA chooses to remove the abuser or perpetrator, HRHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, HRHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

In removing the abuser or perpetrator from the household, HP must follow Federal, State, and local eviction procedures. In order to divide a lease, HP may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

**Moving to Another Unit**

Upon your request, HP may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, HP may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

1. You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or

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<sup>1</sup> The notice uses HP for housing provider but the housing provider should insert its name where HP is used. HUD’s program-specific regulations identify the individual or entity responsible for providing the notice of occupancy rights.

<sup>2</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>3</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

2. You expressly request the emergency transfer. Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

3. You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

HRHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

HRHA's emergency transfer plan provides further information on emergency transfers, and HRHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking  
HRHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from HRHA must be in writing, and HRHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. HRHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to HRHA as documentation. It is your choice which of the following to submit if HRHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

A complete HUD-approved certification form given to you by HRHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.

A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.

A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.

Any other statement or evidence that HRHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, HRHA does not have to provide you with the protections contained in this notice.

If HRHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), HRHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, HRHA does not have to provide you with the protections contained in this notice.

**Confidentiality**

HRHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.



HRHA must not allow any individual administering assistance or other services on behalf of HRHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

HRHA must not enter your information into any shared database or disclose your information to any other entity or individual. HRHA, however, may disclose the information provided if:

- You give written permission to HRHA to release the information on a time limited basis.
- HRHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires HRHA or your landlord to release the information.

VAWA does not limit HRHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

#### Reasons a Tenant Eligible for Occupancy Rights under VAWA May Be Evicted or Assistance May Be Terminated

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, HRHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if HRHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If HRHA can demonstrate the above, HRHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

#### Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

#### Non-Compliance with The Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with Richmond Field Office by calling 800-842-2610.

#### For Additional Information

You may view a copy of HUD's final VAWA rule at: <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, HRHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact the Management Office Staff to answer questions on VAWA.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Transitions Family Violence Services at 757-722-2261 or 757-723-7774 and [www.transitionsfvs.org](http://www.transitionsfvs.org).

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

For help regarding sexual assault, you may contact Transitions Family Violence Services.

Victims of stalking seeking help may contact Transitions Family Violence Services.

Attachment: Certification form HUD-5382



**EXHIBIT 16-2: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and  
Alternate Documentation,  
Form HUD-5382**

**CERTIFICATION OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, AND ALTERNATE DOCUMENTATION**

U.S. Department of Housing and Urban Development

OMB Approval No. 2577-0286

Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**EXHIBIT 16-3: HRHA EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, or STALKING**

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_
2. Name of victim: \_\_\_\_\_
3. Your name (if different from victim's): \_\_\_\_\_
4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
5. Residence of victim: \_\_\_\_\_
6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_  
\_\_\_\_\_
7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_  
\_\_\_\_\_
10. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

**Attachment: Certification form HUD-5382  
[Hampton Redevelopment and Housing Authority]**

**Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking  
Public Housing Program  
Emergency Transfers**

The PHA is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA),<sup>4</sup> the PHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>5</sup> The ability of the PHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the PHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy. This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that oversees that the public housing program is in compliance with VAWA.

**Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L, is eligible for an emergency transfer, if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

**Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify the PHA's management office and submit a written request for a transfer to any PHA office. The PHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the PHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

**Confidentiality**

The PHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the PHA written permission to release the information on a time-limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about the PHA's

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<sup>4</sup>Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>5</sup>Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

#### **Emergency Transfer Timing and Availability**

The PHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The PHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The PHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the PHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, the PHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the PHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

#### **Emergency Transfers: Public Housing (PH) Program**

If you are a public housing resident and request an emergency transfer as described in this plan, the PHA will attempt to assist you in moving to a safe unit quickly. The PHA will make exceptions as required to policies restricting moves.

Emergency transfers for which you are not required to apply for assistance include the following:

- Public housing unit in a different development
- Public housing unit in the same development, if you determine that the unit is safe

At your request, the PHA will refer you to organizations that may be able to further assist you.

You may also request an emergency transfer to the following programs for which you are required to apply for assistance:

- HCV tenant-based program
- HCV project-based assistance
- Other programs administered by the PHA (such as state housing programs)

Emergency transfers will not take priority over waiting list admissions for these types of assistance. At your request, the PHA will refer you to organizations that may be able to further assist you.

#### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse, and Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

**Attachment: Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.**

**EXHIBIT 16-4: Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence,  
Sexual Assault, or Stalking, form HUD-5383**

U. S. Department of Housing and Urban Development

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**EMERGENCY TRANSFER  
REQUEST FOR CERTAIN  
VICTIMS OF DOMESTIC  
VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING**

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

- (1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.**
- (2) You expressly request the emergency transfer. Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.**
- (3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.**

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.**

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer: \_\_\_\_\_
2. Your name (if different from victims) \_\_\_\_\_
3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_  
\_\_\_\_\_
5. Address of location from which the victim seeks to transfer: \_\_\_\_\_
6. Address or phone number for contacting the victim: \_\_\_\_\_  
\_\_\_\_\_
7. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_
8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
9. Date(s), Time(s) and location(s) of incident(s): \_\_\_\_\_  
\_\_\_\_\_

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11.

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.

12. If voluntarily provided, list any third-party documentation you are providing along with this notice:

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Lease:** no changes

**Lease Addendums:** Flat Rents have been reviewed effective 8-1-15 and no changes will be made to the flat rents. Did Jerry have any changes to the Flat Rents this year?

**Community Policies:** no changes

**Smoke Free Addendum Attached**

## Chapter 4—Waiting List

**Page 4-5** The PHA will establish a separate waiting list for PBV Assistance outside of Hampton

### . PHA Policy

The PHA will use the same waiting list for Tenant- Based assistance and PBV assistance in Hampton.

The PHA will establish a separate waiting list for PBV assistance outside of Hampton.

**Page 4-8** Purging the waiting list

~~The waiting list will be updated annually.~~ The PHA will purge from the waiting list only enough applicants to enable the PHA to have current information on those families who are only likely to reach the top of the waiting list in the next 12 months. ~~to ensure that all applicants and applicant information is current and timely.~~

If a notice is returned by the post office with a forwarding address, ~~the notice will be resent to the address indicated.~~ ~~the family will have 15 business days to respond from the date the letter was re-sent.~~ **the family will be removed from the waiting list, and the returned mailed will be retained in the file.**

## Chapter 5—Voucher Issuance

**Page 5-7, 5-8** From Family Obligations –Unauthorized persons in unit and evidence of unauthorized persons.

The request to add a family member must be submitted in writing and approved prior to the the person moving into the unit. **Unauthorized persons (persons not approved by the PHA) in the unit will be grounds for termination. Evidence of an unauthorized person in the unit can be but is not limited to:**

- Mail received in the assisted family's unit
- Unauthorized person receiving assistance from Social Services or any other government agency using assisted family's unit address
- Unauthorized children registered in school with the assisted family's address as address of record
- Bills or creditors for unauthorized person using the assisted family's address
- DMV registration or identification with the assisted family's address
- Unauthorized person using the assisted family's address for the Office of Probation and Parole
- Unauthorized person using the assisted family's address for the State Police Sex Offender Registry

## Chapter 6 --- Income and Subsidy Determinations

**Page 6-4** Dependents in household and school registration added to proof of dependent

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family **more than 50 percent of the time which is at least 183 days.**

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, the PHA will make the determination based on available documents such as court orders, **school registration**, or an IRS return showing which family has claimed the child for income tax purposes.

**Page 6-6** Change in requirement for income that has bonus or commissions (now 4 months)

For persons who regularly receive bonuses or commissions, the PHA will verify and then average amounts received for the two years **four months** preceding admission or reexamination. If ~~only a one-year history is available~~, **four months is not available**, the PHA will use the prior year amounts. In either case the family may provide, and the PHA will consider, a credible justification for not using this history to anticipate future bonuses or commissions. If a new employee has not yet received any bonuses or commissions, the PHA will count only the amount estimated by the employer. The file will be documented appropriately.

## **Chapter 7-- Verifications**

**Page 7-11**—Retaining social security numbers that are scanned

Once an individual's status is classified as "verified" in HUD's EIV system, the PHA will remove and destroy **paper** copies of documentation accepted as evidence of social security numbers. **The PHA will retain documentation that has been scanned and saved in the paperless format.**

## **Chapter 8 Housing Quality Standards and Rent Reasonableness**

**Page 8-4**- Additional Local Requirements

**The PHA has adopted local requirements of acceptability in addition to those mandated by the HUD regulations**

**All units must meet the minimum standards set forth in the City of Hampton's Property**

**Maintenance Code. In cases of inconsistency between the Code and these HQS, the stricter of**

**The two shall prevail.**

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

**Page 8-12** Failed Inspections

**~~The PHA will not charge a fee for failed reinspections.~~**

**The PHA will charge a flat fee of \$50.00 for units requiring a second re-inspection (3<sup>rd</sup> inspection) and each inspection thereafter until the unit passes inspection**

**Page 8-13**—Inspection Results and Reinspections

If any HQS violations are identified, the owner will be notified of the deficiencies and be given a time frame to correct them. **The PHA, at its discretion, may elect to send notifications to landlords using one, or a combination of the following methods:**

- 1) Electronic Messaging such as email, text message, or similar;**
- 2) Printed message posted or delivered at during, following, or after the inspection;**
- 3) Postal mail or**
- 4) Referral to the landlord portal.**

**Page 8-14** Utilities



If utility service is not available for testing at the time of the initial inspection, the PHA will allow the utilities to be placed in service after the unit has met all other HQS requirements. The PHA will reinspect the unit to confirm that utilities are operational before the HAP contract is executed by the PHA.

All utilities must be in service prior to the inspection. If the utilities are not in service at the time of inspection, the inspector will notify the tenant or owner (whomever is responsible for the utilities according to the RFTA) to have the utilities turned on. The inspector will schedule a re-inspection.

#### Page 8-14 Biennial Inspections

Each unit under HAP contract must be inspected within 12 months of the last full HQS inspection. Units will be eligible for biennial inspections when the unit passes an annual inspection on the 1<sup>st</sup> attempt.

#### Page 8-14 Scheduling Inspections

##### PHA Policy

If an adult family member cannot be present on the scheduled date, the family should request that the PHA reschedule the inspection. The PHA and family will agree on a new inspection date that generally should take place within 5-15 business days of the originally scheduled date. The PHA may schedule an inspection more than 5-15 business days after the original date for good cause.

#### Page 8-15 Inspection Results

When life-threatening conditions are identified, the PHA will immediately notify both parties by telephone, facsimile, text message, landlord portal or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of the PHA's notice.

When failures that are not life-threatening are identified, the PHA will ~~send~~ notify the owner by email, text message, facsimile, landlord portal or regular mail and the family by written notification of the inspection results within 5 business days of the inspection.

#### Pages 8-16 & 8-17 Reinspections

If the PHA determines that a unit does not meet the Housing Quality Standards (HQS) requirements during an annual or interim inspection, the HRHA requires verification that the deficiencies are corrected (24 CFR 982.404(a)(3)). Based on the severity, and or number of issues to be corrected, acceptable means of verification include, but may not be limited to:

- (A) Owner's certification – The owner can submit a certification that the repairs have been accomplished to HRHA.<sup>1</sup>
- (B) Verification of the Owner's certifications – the HRHA may request reasonable confirmation such as an invoice from a third party, photographic evidence, or other, including tenant confirmation that the repair has been accomplished.
- (C) HRHA re-inspection. After the 2<sup>nd</sup> re-inspection HRHA charges may apply. HRHA may conduct follow-up inspections to determine if the HQS deficiency is corrected pursuant to 24 CFR 983.103(e)(2). Please refer to Notice PIH 2011-29 for additional information related to HQS inspections.

## Chapter 9 – Leasing

Page 9-12 --Determination of rent increase approval now 30 days

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Where the owner is requesting a rent increase, the PHA will determine whether the requested increase is reasonable within ~~10~~ 30 business days of receiving the request from the owner. The owner will be notified of the determination in writing.

Rent increases will go into effect on the first of the month following the 60-day period after the owner notifies the PHA and the tenant of the rent change or on the date specified by the owner, whichever is later.

## **Chapter 10—Moves with Continued Assistance and Portability**

Page 10-4 -- Family that has moved out of a unit owing a debt

The PHA will deny elective moves when the family is not in good standing with the previous landlord, such as the owing of a debt, or sustaining tenant damages beyond normal wear and tear. **If a family moves out of a unit owing a debt to the previous landlord, the debt must be paid in full in 30 days before a voucher will be issued. Failure to do so will be grounds for termination.**

Page 10-9 –The family will provide information of the contact PHA they wish to port to.

The PHA family will provide the name, address, and phone **fax, and email address** of the contact for the PHAs in the jurisdiction to which they wish to move. ~~If there is more than one PHA with jurisdiction over the area to which the family wishes to move, the PHA will advise the family that the family selects the receiving PHA and notify the initial PHA of which receiving PHA was selected.~~

## **Chapter 11 –Reexaminations**

Page 11-2 Streamline Rule for fixed income

**The PHA will streamline the annual reexamination process by applying the verified COLA or interest rate to fixed-income sources. The PHA will document in the file how the determination that a source of income was fixed was made.**

**If a family member with a fixed source of income is added, the PHA will use third-party verification of all income amounts for that family member.**

**If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.**

**Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter.**

Page 11-2 How Annual reexaminations are conducted

Families generally are required to participate in an annual reexamination interview, which must be attended by the head of household, spouse, or cohead. **Annual reexaminations may also be conducted by mail or email**

Page 11-3 Guidelines for conduction of Annual reexaminations by mail and email

Any required documents or information that the family is unable to provide at the time of the interview must be provided within 10 business days of the interview. **If the family does not provide the required documents within the required time period, a second letter or final notice is sent to give the family an additional 10 days.**

If the family does not provide the required documents or information within the required time period (plus any extensions), the family will be sent a notice of termination (See Chapter 12).

**If the annual reexamination is done by mail or email, the family will have 20 days to return completed paperwork with all the required information. If the family does not provide the completed forms and required documents in the required time period, they will be scheduled for a reexamination appointment which will be considered a second appointment. If the family misses the appointment, it will be grounds for termination.**

## Chapter 12—Terminations

Page 12-20-- From Family Obligations –Unauthorized persons in unit and evidence of unauthorized persons.

Unauthorized persons (persons not approved by the PHA) in the unit will be grounds for termination. Evidence of an unauthorized person in the unit can be but is not limited to:

- Mail received in the assisted family's unit
- Unauthorized person receiving assistance from Social Services or any other government agency using assisted family's unit address
- Unauthorized children registered in school with the assisted family's address as address of record
- Bills or creditors for unauthorized person using the assisted family's address
- DMV registration or identification with the assisted family's address
- Unauthorized persons using the assisted family's address for the Office of Probation and Parole
- Unauthorized persons using the assisted family's address for the State Police Sex Offender Registry

## Chapter 16 –Program Administration

Page 16-22— Date of payments for repayment agreements

All payments are due within 30 days of the signed agreement. Subsequent payments must be made monthly. ~~by the close of business on the 15<sup>th</sup> day of the month. If the 15<sup>th</sup> does not fall on a business day, the due date is the close of business on the first business day after the 15<sup>th</sup>.~~

New VAWA forms are included in this chapter

Page 16-37 -- What is provided to owners and landlord about their rights under VAWA

The PHA will provide owners and managers with information about their rights and obligations and obligations under VAWA when they begin participation in the HCV program.

## Chapter 17—Project-Based Vouchers

Page 17-5

The PHA may select a housing project proposal outside of its jurisdiction and regionally manage it in accordance to the applicable community development program.

Page- 17-31— Project- Based Voucher Waiting List

**The PHA will use the same waiting list for Tenant- Based assistance and PBV Assistance in Hampton.**

**The PHA will establish a separate waiting list for all PBV assistance outside of Hampton.**

<b>Part I: Summary</b>						
<b>PHA Name :</b> Hampton Redevelopment & Housing Authority		<b>Locality (City/County &amp; State)</b>				
<b>PHA Number:</b> VA017		<input checked="" type="checkbox"/> <b>Original 5-Year Plan</b>		<input type="checkbox"/> <b>Revised 5-Year Plan (Revision No: )</b>		
<b>A.</b>	<b>Development Number and Name</b>	<b>Work Statement for Year 1 2017</b>	<b>Work Statement for Year 2 2018</b>	<b>Work Statement for Year 3 2019</b>	<b>Work Statement for Year 4 2020</b>	<b>Work Statement for Year 5 2021</b>
	LANGLEY VILLAGE (VA017000004)	\$170,661.00	\$530,661.00		\$265,661.00	\$383,292.00
	AUTHORITY-WIDE	\$244,569.00	\$244,569.00	\$244,569.00	\$244,569.00	\$244,569.00
	PHOEBUS (VA017000001)	\$400,000.00	\$40,000.00	\$570,661.00	\$305,000.00	\$187,369.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b> 1	2017	
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
PHOEBUS (VA017000001)		
Geo-Well Replacement(Dwelling Unit-Interior (1480)-Mechanical)		\$325,000.00
A/E Fees(Operations (1406))		\$35,000.00
Modernization Inspector(Administration (1410)-Salaries)		\$40,000.00
LANGLEY VILLAGE (VA017000004)		
Replace HVAC (Phase I)(Dwelling Unit-Interior (1480)-Mechanical)		\$170,661.00
Subtotal of Estimated Cost		\$570,661.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b>	2	2018
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
LANGLEY VILLAGE (VA017000004)		
Replace HVAC (Phase II)(Dwelling Unit-Interior (1480)-Mechanical)		\$520,661.00
A/E Fees(Operations (1406))		\$10,000.00
PHOEBUS (VA017000001)		
Modernization Inspector(Administration (1410)-Salaries)		\$40,000.00
Subtotal of Estimated Cost		\$570,661.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b>	3	2019
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
PHOEBUS (VA017000001)		
Windows(Dwelling Unit-Exterior (1480)-Windows)		\$500,661.00
Modernization Inspector(Administration (1410)-Salaries)		\$40,000.00
A/E Fees(Operations (1406))		\$30,000.00
Subtotal of Estimated Cost		\$570,661.00

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b>	4	2020
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
PHOEBUS (VA017000001)		
Paint Siding(Dwelling Unit-Exterior (1480)-Exterior Paint and Caulking)		\$155,000.00
Security Screen Doors(Dwelling Unit-Exterior (1480)-Exterior Doors)		\$110,000.00
Modernization Inspector(Administration (1410)-Salaries)		\$40,000.00
LANGLEY VILLAGE (VA017000004)		
Bathroom Vanity and Lights(Dwelling Unit-Interior (1480)-Electrical,Dwelling Unit-Interior (1480)-Bathroom Counters and Sinks)		\$179,300.00
Roof Replacement (Phase I)(Dwelling Unit-Exterior (1480)-Roofs)		\$36,361.00



<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b> 4 2020		
<b>Development Number/Name</b> <b>General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
A/E Fees(Operations (1406))		\$50,000.00
Subtotal of Estimated Cost		\$570,661.00

Capital Fund Program - Five-Year Action Plan

U.S. Department of Housing and Urban Development  
 Office of Public and Indian Housing  
 2577-0274  
 06/30/2017

<b>Part II: Supporting Pages - Physical Needs Work Statements (s)</b>		
<b>Work Statement for Year</b>	5	2021
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Quantity</b>	<b>Estimated Cost</b>
PHOEBUS (VA017000001)		
Vinyl Sheet Replacement(Dwelling Unit-Interior (1480)-Flooring (non routine))		\$147,369.00
Modernization Inspector(Administration (1410)-Salaries)		\$40,000.00
LANGLEY VILLAGE (VA017000004)		
Carpet Replacement(Dwelling Unit-Interior (1480)-Flooring (non routine))		\$245,532.00
A/E Fees(Operations (1406))		\$10,000.00
Roof Replacement (Phase II)(Dwelling Unit-Exterior (1480)-Roofs)		\$127,760.00

Capital Fund Program - Five-Year Action Plan

Part II: Supporting Pages - Physical Needs Work Statements (s)		
Work Statement for Year 5 2021		
Development Number/Name General Description of Major Work Categories	Quantity	Estimated Cost
Subtotal of Estimated Cost		\$570,661.00

<b>Part III: Supporting Pages - Management Needs Work Statements (s)</b>	
<b>Work Statement for Year</b> 1	2017
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Estimated Cost</b>
Housing Authority Wide	
Management Improvements(Management Improvement (1408)-System Improvements,Management Improvement (1408)-Staff Training)	\$81,523.00
Operations(Operations (1406))	\$81,523.00
Administration(Administration (1410)-Salaries)	\$81,523.00
Subtotal of Estimated Cost	\$244,569.00

<b>Part III: Supporting Pages - Management Needs Work Statements (s)</b>	
<b>Work Statement for Year</b> 2	2018
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Estimated Cost</b>
Housing Authority Wide	
Management Improvements(Management Improvement (1408)-Staff Training,Management Improvement (1408)-System Improvements)	\$81,523.00
Operations(Operations (1406))	\$81,523.00
Administration(Administration (1410)-Salaries)	\$81,523.00
Subtotal of Estimated Cost	\$244,569.00

<b>Part III: Supporting Pages - Management Needs Work Statements (s)</b>	
<b>Work Statement for Year</b> 3	2019
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Estimated Cost</b>
Housing Authority Wide	
Operations(Operations (1406))	\$81,523.00
Administration(Administration (1410)-Salaries)	\$81,523.00
Management Improvements(Management Improvement (1408)-Staff Training,Management Improvement (1408)-System Improvements)	\$81,523.00
Subtotal of Estimated Cost	\$244,569.00

<b>Part III: Supporting Pages - Management Needs Work Statements (s)</b>	
<b>Work Statement for Year</b> 4	2020
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Estimated Cost</b>
Housing Authority Wide	
Management Improvements(Management Improvement (1408)-Staff Training,Management Improvement (1408)-System Improvements)	\$81,523.00
Administration(Administration (1410)-Salaries)	\$81,523.00
Operations(Operations (1406))	\$81,523.00
Subtotal of Estimated Cost	\$244,569.00

<b>Part III: Supporting Pages - Management Needs Work Statements (s)</b>	
<b>Work Statement for Year</b> 5	2021
<b>Development Number/Name General Description of Major Work Categories</b>	<b>Estimated Cost</b>
Housing Authority Wide	
Administration(Administration (1410)-Salaries)	\$81,523.00
Management Improvements(Management Improvement (1408)-System Improvements,Management Improvement (1408)-Staff Training)	\$81,523.00
Operations(Operations (1406))	\$81,523.00
Subtotal of Estimated Cost	\$244,569.00