

Annual PHA Plan <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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Public Comment period – 9/30/22- 11/17/22

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, including changes to these policies, 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. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

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 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, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																										
A.1	<p>HA Name: _____ Anniston Housing Authority _____ PHA Code: _____ AL004 _____</p> <p>PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA</p> <p>PHA Plan for Fiscal Year Beginning: (MM/YYYY): _____ 4/2023 _____</p> <p>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</p> <p>Number of Public Housing (PH) Units _____ 582 _____ Number of Housing Choice Vouchers (HCVs) _____ 523 _____ Total Combined Units/Vouchers _____ 1105 _____ in HUD PIC 8/2/22.</p> <p>PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>Availability of Information. PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. 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>This plan is available to view in ALL AHA offices. Resident Council members are provided a copy for review. A copy of the plan is available upon request.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse; 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: 15%;">Program(s) not in the Consortia</th> <th colspan="2" style="width: 25%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 10%;">PH</th> <th style="width: 15%;">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> </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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B. Plan Elements						
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</p> <p>Y N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Grievance Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Community Service and Self-Sufficiency Programs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Asset Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>Attachment A</p> <p>The AHA has adopted the following regulatory waivers in PIH Notice 2020-05 and PIH Notice 2020-13:</p> <ol style="list-style-type: none"> PH and HCV-2: Family Income and Composition: Delayed Annual Examination; PH and HCV-3: Family Income and Composition: Annual Examination-Income Verification requirements; and PH and HCV-4: Family Income and Composition: Interim Examinations PH and HCV-5 Enterprise Income Verification PH CSSR requirement PH Over income requirement PH Review of utility requirement PH Annual self-inspections <p>HCV</p> <p>Above 1, 2, 3, and 4 along with</p> <p>HQS 5 Biennial inspections</p> <p>HQS 6 Interim inspections</p> <p>HQS 9 HQS Quality control inspections</p> <p>HCV 2 PHA Oral Briefings</p> <p>HCV 3 Term Of Voucher – Extensions</p> <p>HCV 4 HAP contract execution</p> <p>HCV 5 Absence from a unit</p> <p>HCV 6 Automatic termination of HAP</p> <p>HCV 7 Increase in Payment Standard</p> <p>HCV 8 Utility Allowance Schedule</p> <p>PH 6 Energy Audits</p> <p>Listed Waivers began 4/01/2020.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):</p> <p>(c) The PHA must submit its Deconcentration Policy for Field Office review.</p> <p>Attachment B</p>					
B.2	<p>New Activities.</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?</p> <p>Y N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p>					

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

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.

B.3

Progress Report.

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

The Anniston Housing Authority is continuing in its 5-Year Plan. The following are our goals for this plan:

- Continue aggressive marketing efforts to decrease the vacancy to a minimum of 2% vacancies in public housing. Currently, we are at 94.97 % occupied with a 5.03% vacancy on 8/02/2022.
- AHA received a Standard Performer rating. We continue to strive to increase this rating back to a high performer status under the PHAS system.
- HCV program is designated as a “standard performer” in SEMAP. The HCV waiting will open within the next few months to accept applications for both the HCV program and establish a new waiting list for 60 Project Based Vouchers located at Barber Terrace which is new construction and was a successful RAD conversion in May 2021.
- AHA has created a new position titled Public Information Officer (P.I.O.). This employee is responsible for getting information out to residents and the general public via the website, social media and mail. The AHA has done a total reconstruction and update of the website. Residents can now pay their rent and place work orders through the website. The public can fill out preliminary applications online as well. We have created two social media accounts; Instagram & Facebook in order to reach the public in a more effective way.
- We continue to make our best efforts to reach residents AHA will implement “Mass Notification” through our SACS system. This will allow AHA to send mass texts and emails to all residents.
- Encourage participation in the AHA Employment Training Center to give staff and residents an opportunity to develop employment skills that will become a catalyst for economic revitalization in the City of Anniston.
- Explore alternative funding methods such as Mixed Finance including LIHTC to modernized public housing properties beyond HUD Capital Fund Programs.
- Promote economic independence and self-sufficiency of families and individuals.
- Implemented the awarded ROSS Grant
- Implemented the awarded OST Grant
- Increase enrollments in the AHA Section 8 Homeownership program.
- Continue to work with modernization funding to improve key REAC inspection areas and make modest improvements for our residents.
- Continue work on a Development Strategy to address the long-term viability and sustainability of AHA developments. The AHA has procured a Developer for the Cooper site to obtain financing for redevelopment. A PHASE II environmental has been completed for the proposed new development. An application has been accepted and approved by the Alabama Department of Environmental Management (ADEM) for the “Engineered Solution” as recommended for the site from environmental contaminants. Comments will be submitted to the Alabama Housing Finance Authority to accept an “Engineered Solution” as an acceptable means to clean the property which is currently not allowed under the current Qualified Allocation Plan. Allowing this type of cleanup would allow the AHA to apply for Low Income Housing Tax Credits as a funding opportunity. After further consideration, the AHA Board has elected to partner with the City of Anniston for collaboration efforts in the environmental cleanup of the Cooper site. Additional funding is required to complete the cleanup.
- We are currently seeking additional funding options to redevelop the Cooper site such as the 221d4 program. The AHA Board of Commissions have requested a priority be placed on the Cooper Redevelopment project to bring affordable housing back to the Anniston area.

	<ul style="list-style-type: none"> • A Section 18 demolition application was submitted and approved for Glen Addie Homes, all residents have relocated. • A 5-year Capital Fund Action Plan including the installation of exterior storm doors for Washington and Parkwin Homes, creation of the Constantine Envision Center, Constantine also created a laundry facility and completed sidewalk repair/replacement and repaving. Norwood Homes created a covered/fenced parking area for maintenance and that included camera's & lighting installation for the administrative & maintenance offices and select exterior buildings. • The AHA was awarded the 2019 HUD Safety & Security grant in the amount of \$246,198 for security camera systems and lighting at the Glen Addie, Norwood Homes, and Constantine Homes developments to improve security and monitoring, this grant has been closed out successfully in 2022.
B.4	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>Approval in EPIC pending. PHA Plan Update</p> <p>Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <ul style="list-style-type: none"> • Glen Addie – Property demolition of apartment units • Allocation of funding for pre-development cost, development cost, relocation benefits, office relocation and demolition cost as part of the AHA's Development Strategy. RAD funding for pre-closing cost. Environmental studies and Energy Audit. • Constantine – Appliance replacement and Interior improvements. • Constantine – roof replacement • Constantine – HVAC replacement for flat units • Constantine Homes Envision Center – Renovation and improvements as needed • Tinsley Manor – Texture ceiling, HVAC replacement as needed, interior upstairs floor replacement and ceiling replacement, exterior plumbing replacement • Tinsley Manor – Exterior upgrades to include exterior door replacement with screens, exterior lighting, brick replacement and/or painting and roof replacement • Tinsley – exterior landscape improvements • Norwood – Brick replacement • Norwood – Replace exterior siding. • Norwood – Exterior door and screen door replacement for both front and rear entrance • Norwood – parking lot repairs and paving/stripping as needed • Norwood – Electrical conduit on the outside replacement • Norwood - Establish a community center • Norwood – conversion of HVAC units • Norwood – Extend wall for filing purposes in the main office • Norwood – create a community center • Norwood – create a no parking area in alleyway • Norwood – create additional parking in other areas • Installation of Exterior lighting for Fairview Terrace, and Tinsley Manor. • Repainting/replacement of exterior siding for Fairview Terrace & Tinsley Manor. • Parkwin – - Roof replacement • Washington - Roof replacement • Washington – HVAC replacement and duct work installation • Tinsley Manor/Fairview– replacement of plumbing roof vents. • Washington & Parkwin –countertop replacement, flooring replacement, sink replacement for bathroom that are not vented properly. • Washington & Parkwin – Stove replacement as needed • Exterior landscaping improves Norwood and Constantine administrative offices. • AHA wide, upgrade with new installation of computer software • During the Covid-19 pandemic, operations continue to seek necessary measures to maintain a safe environment for our employees and residents. • Relocation assistance for Tinsley Manor residents

<p>B.5</p>	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p>C. Other Document and/or Certification Requirements.</p>	
<p>C.1</p>	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<p>C.2</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p>C.3</p>	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<p>C.4</p>	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
<p>C.5</p>	<p>Troubled PHA.</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 checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<p>D. Affirmatively Furthering Fair Housing (AFFH).</p>	

D.1 Affirmatively Furthering Fair Housing (AFFH).

Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.

Fair Housing Goal:

Describe fair housing strategies and actions to achieve the goal

Ensure equal opportunity and affirmatively further fair housing, in accordance with the Administrative and Admissions and Occupancy Plan (ACOP) including taking affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex familial status, and disability. Anniston Housing Authority will undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of housing choice or unit size required.

Describe fair housing strategies and actions to achieve the goal

When it is reasonable, the PHA shall accommodate the needs of a person with disabilities. Examples include but are not limited to • Permitting applications and reexaminations to be completed by mail • Providing "large-print" forms • Conducting home visits • Permitting a higher utility allowance for the unit if a person with disabilities requires the use of specialized equipment related to the disability • Modifying or altering a unit or physical system if such a modification or alteration is necessary to provide equal access to a person with a disability • Installing a ramp into a dwelling or building • Installing grab bars in a bathroom • Installing visual fire alarms for hearing impaired persons • Allowing a PHA-approved live-in aide to reside in the unit if that person is determined to be essential to the care of a person with disabilities, is not obligated for the support of the person with disabilities, and would not be otherwise living in the unit. • Providing a designated handicapped-accessible parking space • Allowing an assistance animal • Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with PHA staff • Displaying posters and other housing information in locations throughout the PHA's office in such a manner as to be easily readable from a wheelchair A person with a disability may require special accommodations in order to have equal access to the public housing program. The types of reasonable accommodations the PHA can provide include changes, exceptions, or adjustments to a rule, policy, practice, or service.

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

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

A.1 Include the full **PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), PHA Inventory, Number of Public Housing Units and 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. Plan Elements. All PHAs must complete this section.

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

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.” (24 CFR §903.7)

Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR §5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR §903.7(a)).

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

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2. (24 CFR §903.23(b)) Describe the PHA’s admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA’s policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. (24 CFR §903.7(b)) Describe the PHA’s procedures for 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 (24 CFR §903.7(l)). Provide a description of: **1)** Any programs relating to services and amenities provided or offered to assisted families; and **2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs subject to Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135) and FSS. (24 CFR §903.7(l))

Safety and Crime Prevention (VAWA). Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. (24 CFR §903.7(m)) 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. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32 REV-3, successor RAD Implementation Notices, or other RAD Notices.

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

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

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

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:

https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6. (Notice PIH 2011-47)

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:

https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6/mfph#4

Demolition and/or Disposition. With respect to public housing only, describe any public housing development(s), or portion of a public housing development projects, owned by the PHA and subject to ACCs (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition approval under section 11 of the 1937 Act (42 U.S.C. 1437p); and **2)** A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA's last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. Approval of the PHA Plan does not constitute approval of these activities. See guidance on HUD's website at: 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, **5)** the number of units affected and; **6)** expiration date of the designation of any HUD approved plan. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation. (24 CFR §903.7(i)(C))

Conversion of Public Housing under the Voluntary or Mandatory Conversion programs. Describe 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 under the Rental Assistance Demonstration (RAD) program. Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to Project-Based Rental Assistance or Project-Based Vouchers under RAD. See additional guidance on HUD's website at: [Notice PIH 2012-32 REV-3, successor RAD Implementation Notices, and other RAD notices.](#)

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 and Notice PIH-2017-03. \(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 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.7\(r\)\(1\)](#))

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

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154 or 24 CFR 5.160(a)(3) as applicable; (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations, impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).

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

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

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: “To implement goals and priorities in an AFH, strategies and actions shall be included in program participants’ ... PHA Plans (including any plans incorporated therein) ... Strategies and actions must affirmatively further fair housing” Use the chart provided to specify each fair housing goal from the PHA’s AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction’s initiatives to affirmatively further fair housing that require the PHA’s involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

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

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

Attachment A
ACOP revisions

Significant Amendment/Modification: **Summary of Changes 2016**

Significance Amendment 8/2016:

Applies to both ACOP & HCV Administrative Plan unless otherwise noted.

- **Amendment to the verification of Social Security Numbers-** The change creates a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of 6 years.
- **Definition of extremely low-income families (ELI) -** to define ELI families as very low-income families whose income does not exceed the highest of 30 percent of the area median income of the federal poverty level. For the public housing program, not less than 40 percent of the units that become available per PHA fiscal year must be made available for occupancy by ELI families.
- **Exclusion of mandatory education fees from income-** amends the definition of “income” to exclude from calculations of individual income any financial assistance received for mandatory fees and charges (in addition to tuition).
- **Earn income disregard-** The new regulatory provisions limit to 24 straight months the time period during which a family member is eligible to receive the benefit of the earned income disregard (EID), which streamline the administration of the EID by eliminating the requirement for PHAs to track family member changes in employment over a 4-year period.
- **ACOP only - Public housing rents for mixed families-** This provision changes the methodology for calculating public housing rents for mixed families by requiring PHAs to use the established flat rent applicable to the units.
- **ACOP only- Utility payment schedules-** This provision permits PHAs to make utility reimbursement payments quarterly, rather than monthly, if the total quarterly reimbursement payment due a family is equal to or less than \$45 per quarter.
- **HCV only – Utility Allowance-** The utility allowance for a family is the lower of the utility allowance for the family unit size; or The utility allowance for the unit size rented by the family
The utility allowance changes were made to reduce the HAP expenses for participants occupying larger units than their family sizes required. Families are allowed to choose unit sizes as long as the rental amounts are within HUD payment standards, however, HUD will no longer pay the cost of the utility allowance for the additional bedroom(s).
- **ACOP only- Local Preferences-** Occupancy preferences for applicants to qualify for the housing authority wait list. Involuntary Displacement, Working Preference, Educational and Training, Elderly/Disabled/Handicapped Families and Domestic Violence.

- **HCV only - Local Preference -** Occupancy preferences for applicants to qualify for the HCV program wait list. Involuntary Displacement, Working Families and Elderly/Disabled/Handicapped Families.

- **HCV - Interim Reexamination:** The HA will only conduct interim reexaminations for families that qualify for EID (disabled families only) and only when the EID family’s rent will change as a result of the increase. The HA will conduct interim reexaminations for families that are now reporting income and were previously reporting no income. In all other cases, the HA will note the information in the participant file, but will not conduct an interim reexamination. If a family reports a change that it was not required to report and that would result in an increase in the family rent, the HA will note the information in the participant file, but will not conduct an interim reexamination. If a family reports a change that it was not required to report and that would result in a decrease in the family rent, the HA will conduct an interim reexamination. Families may report changes in income, deductions and family composition at any time. Retroactive rent will not be charged if the family reports their changes on a timely basis but the HA does not make the change until the annual reexamination.

Summary of Changes 2017

- **Amendment to Transfers for Reason of Health, ADA, Reasonable Accommodations or VAWA:**
 - **Violence Against Women Act (VAWA):** Resident will be transferred when the HA receives the Emergency Transfer Request, **Form HUD 5383**. This request must be received within 90 days from the qualifying event.
 - The resident must pay for all moving expenses.
 - If the Form HUD 5383 is not submitted timely, the request shall be treated as a convenience transfer under Section IX.B.6.
 - AHA has decreased from 8 waiting list to 7 waiting list due to the Cooper Homes Demolition
- **Exclusion of mandatory education fees from income-** amends the definition of “income” to exclude from calculations of individual income any financial assistance received for mandatory fees and charges (*in addition to tuition*).
- **Clarification of disallowance:**

During the 12-month period beginning when the member first qualifies for a disallowance, the HA must exclude from Annual Income any increase in income as a result of employment. For the 12 months following the exclusion period, 50% of the income increase shall be excluded.

Previously stated: The disallowance benefit is limited to a lifetime 24-month period for the qualifying family member.

Regardless of how long it takes a resident to work for 12 months (to qualify for the first exclusion) or the second 12 months (to qualify for the second exclusion), the maximum period for the disallowance (exclusion) is 48 months.

Previously stated: maximum period of 24 months. At the end of the 24 months, the disallowance ends regardless of how many months were “used”.

- **Actions regarding deconcentration rule:** remove 30% with terminology of *below extremely* low-income limit
- **Public housing rents for mixed families-** This provision changes the methodology for calculating public housing rents for mixed families by requiring PHAs to use the established flat rent applicable to
- **Definition of extremely low-income families (ELI) -** A Family whose Annual Income does not exceed 30% of the higher of 30% of the Area Median Income or the Federal poverty level. Where the higher of 30% of the Area Median Income or the Federal poverty level exceeds the Very Low-Income (VLI) limit, the ELI limit is reduced to equal the VLI limit as published by HUD.
 - **Grievance Policy -** The housing authority shall notify the Tenant of the date, time and *location* that the hearing will take place.

Previously stated: place instead of location.

- ACOP new policies:
- **New Policy: Criminal Records Management Policy -** The Criminal Records Management Policy has been created to established rules to safe guard criminal records reports for applicants applying or residing in Public Housing. This policy specifies criminal record access, record retention and when a record can be destroyed.
 - **New Policy: Smoke Free Policy -** The Department of Housing and Urban Development (HUD) has implemented a Rule that requires each Public Housing Authority (PHA) administering public housing to implement a smoke-free policy. Specifically the Rule requires each PHA to implement a policy prohibiting lit tobacco products and all smoking in any interior common areas, including but not limited to community rooms, community bathrooms, lobbies, reception areas, hallways, laundry rooms, electrical rooms and closets, storage units or rooms, stairways, offices, elevators and within all living units in public housing, and PHA administration office

buildings and vehicles (in brief, a smoke-free policy for all public housing indoor areas). The Housing Authority is also prohibiting electronic nicotine delivery systems (ENDS) and is including it in this policy's definition of Smoking. This policy extends to all outdoor areas *up to twenty five (25) feet* from housing (doors/entrances, windows and porches) and administrative office buildings and maintenance facilities.

HUD is requiring implementation of smoke-free public housing to improve indoor air quality in housing, benefit the health of public housing tenants and public housing staff, reduce the risk of catastrophic fires, and lower overall maintenance costs. This policy applies to all tenants, tenant's families, tenant's guests, visitors, contractors, service personnel, and employees.

ACOP Significant Amendment 2018

Public Housing Program /ACOP

Processing Applications – Additional program explanation

Eligibility – Change in program wording to include reasonable accommodation.

HUD form 92006 – Contact information updated/Authorized by resident.

Transfer Policy – Now includes VAWA disclosure information and emergency transfer request.

Lease Contract Additional wording includes:

Zero tolerance policy - The Landlord has a zero tolerance policy with respect to violations of lease terms regarding drug and/or violent criminal activity. Tenants will face swift eviction action as outlined in this lease if Tenants or guests engage in drug and other criminal activity..

Tenant's Right to Use and Occupancy:

With the prior written consent of the Landlord, a foster child or a live-in aide may reside on the premises.

Termination of Tenancy and Eviction:

Tenants are limited to two (2) cures of the same lease infraction in a 12 month period.

Security Deposit:

Rent accrues until the keys are returned and/or the 10-day notice period has expired and/or return of unit under eviction action.

New Policy:

Non-Smoking Policy - The Housing Authority is also prohibiting electronic nicotine delivery systems (ENDS) and is including it in this policy's definition of Smoking. This policy extends to all outdoor areas *up to twenty five (25) feet* from housing (doors/entrances, windows and porches) and administrative office buildings and maintenance facilities. Previous policy has been revised to include 3 warnings prior to eviction proceedings.

ACOP Significant Amendment 2019

<p>New Policy:</p> <p>Required Termination of families exceeding the over income limit</p>	<p>The Housing Opportunity Through Modernization Act of 2016 requires that Public Housing Authorities establish income limits for continued occupancy. The law sets the limit at 120 percent of the area median income.</p> <p>Families with a valid Family Self-Sufficiency (FSS) contract are exempt from this Regulation.</p> <p><u>A. Over Income Limit:</u></p> <p>The over income limit is determined by multiplying the current HUD published Very-Low Income Limit for the family size by 2.4. Families are provided with a two-year grace period before any actions are taken in regards to an over income status.</p> <p><u>B. Timing</u></p> <p>3. At every annual or interim reexamination of income (on or after March 24, 2019) the HA will determine if the family’s adjusted income exceeds the over-income limit. The HA shall document and track any over-income findings in the resident’s file.</p> <p>4. For over-income families, the HA will schedule an income reexamination (annual or interim) 12 months from the reexamination that identified the family as over income.</p> <p>NOTE: The Flat Rent annual update does not require an over-income determination, only the income reexamination that must be performed at least once every three years for families on flat rents. If a Flat Rent family is over income at the reexamination, an interim reexamination must be conducted in 12 months.</p> <p><u>C. Actions</u></p> <p>1. If one year after the initial over-income finding by the HA, the family’s income continues to exceed the over-income limit, the HA will provide written notification to the family.</p> <p>2. This notification must inform the family that their income has exceeded the over income limit for one year, and if the family’s income continues to exceed the over income limit for the next 12 consecutive months, the family will be subject to a higher rent (based on HUD guidelines to be provided and will be posted in the development office).</p> <p>NOTE: If the HA discovers through an annual or interim reexamination that a previously over-income family has income that is now below the over-income limit, the family is no longer subject to these provisions. A previously over-income family would be entitled to a new two-year grace period if the family’s income once again exceeds the over-income limit.</p>
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	Exception: The over-income limit does not apply to families with income exceeding the over-income limit if they are housed by a PHA renting to over-income families under Section XXIV, Occupancy by over Income Families in Certain Public Housing.
Revised Policy: Procedures to be used in determining income and rent	4. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts (See below for treatment of delayed or deferred periodic payment of social security, supplemental security income benefits or Veteran’s Administration (VA) benefits.);
Revised Policy: Total Annual Family Income	The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefit and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment; (Excluding Lump Sum Supplemental Security Income (SSI), Lump Sum Social Security Benefits (SS) and lump sum Veteran’s Administration (VA) benefits)

Anniston Housing Authority
Significant Amendment or Modification Definition
DEFINITION OF “SUBSTANTIAL DEVIATION” and “SIGNIFICANT AMENDMENT OR MODICATION”

In accordance with HUD regulations in 24 CFR 903.7 and CFR 905.3, the Anniston Housing Authority has defined below the basic criteria that will be used for determining substantial deviation from its 5-Year Plan, significant amendment or modifications to the 5-Year and Annual PHA plans and significant amendment of modifications to the Capital Fund Program (CFP) 5-Year Action Plan.

The Anniston Housing Authority criteria is applicable to all CFP components including Capital Funds grants, Replacement Housing Factor grants, Disaster Grants, Capital Fund Financing Program allocations, as well as any new or future formula components such as Demolition and Deposition of Transitional Funding.

Criteria for defining “Substantial Deviation” from the 5-Year Plan:

A major change in the direction of the Anniston Housing Authority pertaining to its mission and goals would constitute a “substantial deviation” from the Agency’s 5-Year Plan.

Examples include the undertaking of new program activities, development strategies, or financial initiatives that do not otherwise further the Anniston Housing Authority’s stated mission and goals as described in the 5-Year Plan.

Criteria for defining “Significant Amendment or Modification” to the 5-Year and Annual PHA Plans:

Changes to rent, admission policies, or organization of the waiting list (s) in the Public Housing Program that will impact a significant number of applicants and/or households assisted under the Program.

Substantial changes to demolition, disposition, designated housing, homeownership or conversion activities identified in the current HUD approved Annual or 5-Year Plan.

Housing Choice Voucher Program Section Eight Management Assessment Program (SEMAP)

The AHA has created a Standard Operating Policy and Procedures (SOP) for monitoring the SEMAP certification.

Attachment B **De-concentrating Rule**

(b) The PHA must submit its De-concentration Policy for Field Office Review.

DECONCENTRATION RULE

The objective of the deconcentrating Rule for public housing units is to ensure that families are housed in a manner that will prevent a concentration of poverty families and/or a concentration of higher income families in any one development. The specific objective of the HA is to house no less than 40 percent of its public housing inventory with families that have income at or below 30% of the area median income by public housing development. Also the HA will take actions to insure that no individual development has a concentration of higher income families in one or more of the developments. The HA will track the status of family income, by development, on a monthly basis by utilizing income reports generated by the HA's computer system.

The following are exempt from this rule.

- Public housing development with fewer than 100 public housing units. A covered development is defined as any single development or contiguous developments that total over 100 units.
- Public housing developments, which house only elderly persons or persons with disabilities, or both.
- Public housing developments, which consist of only one general occupancy family public housing development.
- Public housing developments approved for demolition or conversion to resident based assistance.
- Mixed financing developments.

To accomplish the deconcentrating goals, the HA will take the following actions:

The HA shall determine the average income of all families residing in all the HA's covered To accomplish the deconcentrating goals, the HA will take the following actions:

At the beginning of each HA fiscal year, the HA will establish a goal for housing 40% of its new admissions with families whose incomes are at or below the area median income. The annual goal will be calculated by taking 40% of the total number of move-ins from the previous HA fiscal year.

To accomplish the goals of deconcentrating:

- a) Not less than 40% of the HA admissions on an annual basis shall be to families that have incomes at or below 30% extremely low-income limit and
- b) The HA shall determine the average income of all families residing in all the HA's covered developments. The HA shall determine the average income of all families residing in each covered development. In determining average income for each development, this HA has adjusted its income analysis for unit size in accordance with procedures prescribed by HUD. The HA shall determine whether each of its covered developments falls above, within or below the established income range. The established income range is from 85 to 115 percent (inclusive) of the average family income, except that the upper limit (115 percent) shall never be less than the income at which a family would be defined an extremely low-income family developments. The HA shall determine the average income of all families residing in each covered development. In determining average income for each development, this HA has adjusted its income analysis for unit size in accordance with procedures prescribed by HUD. The HA shall determine whether each of its covered developments falls above, within or below the established income range. The established income range is from 85 to 115 percent (inclusive) of the average family income, except that the upper limit (115 percent) shall never be less than the income at which a family would be defined an extremely low-income family.

NOTE: Fair housing requirements. All admission and occupancy policies for public housing programs must comply with Fair Housing Act requirements and with regulations to affirmatively, further fair housing. The HA may not impose any specific income or racial quotas for any development or developments.

(c) If the PHA answered yes for any element, describe the revisions for each element below:

Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

A. Housing Needs of Families in the Jurisdiction Served by the HA Based upon the information contained in the Consolidated Plan’s for the HA’ jurisdiction, the housing needs are contained in the following table. In the “Overall” Needs column, the estimated number of renter families that have housing needs. For the remaining characteristics in the table the HA does not have information available to rate these characteristics; therefore, N/A (not applicable) is noted since the HA cannot make this assessment.

Housing Needs of Families in the HA Jurisdiction by Family Type							
Family Type	Overall	Affordability	Supply	Quality	Accessibility	Size	Location
Income <= 30% of AMI	3150	N/A	N/A	N/A	N/A	N/A	N/A
Income >30% but <=50% of AMI	3190	N/A	N/A	N/A	N/A	N/A	N/A
Income >50% but <80% of AMI	4670	N/A	N/A	N/A	N/A	N/A	N/A
Elderly	20.8%	N/A	N/A	N/A	N/A	N/A	N/A
Families with Disabilities	15.2%	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity – White	43.8%	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity – Black	52.3%	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity – Hispanic	3.8%	N/A	N/A	N/A	N/A	N/A	N/A
Race/Ethnicity- Other	.10%	N/A	N/A	N/A	N/A	N/A	N/A

The source of information used by the HA was the U. S. Census data, the Comprehensive Housing Affordability Strategy, CHAS data set **2014-2018**.

B. Housing Needs of Families on the Public Housing and Section 8 Tenant- Based Assistance Waiting Lists

Housing Needs of Families on the HA’s Waiting List is as follows:			
Listed below are the totals for the Public Housing and Section 8 Waiting list Combined			
	# of families	% of total families (766 units leased) 694 AHA/230 HCV	Annual Turnover 105 AHA/44 HCV
Waiting list total	924	50.64 %	
Extremely low income <=30% AMI	850	48.23%	
Very low income (>30% but <=50% AMI)125	50	1.28%	
Low income (>50% but <80% AMI)	24	1.14%	
Families with children	386	20.2%	
Elderly families	54	2.99%	
Families with Disabilities	75	2.85%	
Race/ethnicity	683	40.26%	Black
Race/ethnicity	238	10.25%	White
Race/ethnicity 1	3	.29%	Other
Race/ethnicity			
Characteristics by Bedroom Size (Public Housing Only)	Waiting List Total 694	(396 units leased)	Annual Turnover

Housing Needs of Families on the HA's Waiting List is as follows:			
1BR	382	55.05%	105
2 BR	201	28.97%	
3 BR	72	10.38%	
4 BR	36	5.19%	
5BR	0	.0	
5+ BR	0	.0	
Waiting list data as of 8/02/2022 .			

The waiting list for Public Housing is currently open.

HA Plan Element: Financial Resources

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants		
a) Public Housing Operating Fund (2021)	\$2,805,835.00	Day to Day Operations
b) Public Housing Capital Fund (2021)	\$2,372,239.00	Operating Costs, Resident Relocation, Alley Paving, Demolition cost, pre-development
c) Annual Contributions for Section 8 Tenant-Based Assistance –Section 8 Vouchers	\$211,742.00	Admin fees
d) 3/31/21	\$2,522,369.00	Housing Assistance
3. Public Housing Dwelling Rental Income (3/31/22)		
	\$426,475.00	Day to Day Operations
4. Other income (list below)		
	\$250,690.00	Day to Day Operations
Details of Other Income (YE 3/31/21)		
Interest Income	\$2,596.00	
Other Income	-\$121,796.00	
Cares Act Revenue		
	\$288,750.00	
Other Grants		
	\$142,724.00	
Total resources		
	\$9,001,624.00	

MIXED FLAT RENT (F.R.) CALCULATION FOR FLAT RENTS effective 1/1/2023 no change for 2022

Norwood Homes	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Current Flat Rent	334	411	485	562
New Flat Rent	355	497	*600	748
Increase/Decrease	21	86	115	186

Constantine	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Current Flat Rent	334	409	485	555	681
New Flat Rent	355	470	*597	731	860
Increase/Decrease	21	61	112	176	179

Washington	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Current Flat Rent	331	406	483	576
New Flat Rent	353	487	*584	729
Increase/Decrease	22	81	101	153

Parkwin	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom
Current Flat Rent	331	406	483	576	683
New Flat Rent	353	487	*584	729	852
Increase/Decrease	22	81	101	153	169

Tinsley Manor	1 Bedroom	2 Bedroom	3 Bedroom
Current Flat Rent	341	468	569
New Flat Rent)	364	501	720
Increase/Decrease	23	33	151

Fairview Terrace	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Current Flat Rent	341	469	569	676
New Flat Rent	364	501	720	749
Increase/Decrease	23	32	151	73

Utility Allowance (UA) for AL-004 **Effective 12/1/2022.**

Bedroom	Washington	Parkwin	Norwood	Fairview	Constantine	Tinsley
1	\$135	\$135	\$133	\$124		\$124
1 infrared					\$133	
2	\$153	\$153	\$143	\$139	\$170	\$139
3	\$187	\$187	\$158	\$152	\$164	\$152
4	\$215	\$215	\$196	\$195	\$213	
5		\$234			\$192	

HCV Subsidy Standards

Number of Bedrooms	Number of Persons	
	Minimum	Maximum
1 Br	1	2
2 Br	2	4
3 Br	3	6
4 Br	4	8
5 Br	5	10
6 Br	6	12

**SECTION 8
Payment Standards**

(1) Payment Standards

The AHA's payment standard amended for 2022 effective December 1, 2022 the HUD published Fair Market Rents (FMR) for the Calhoun County are as follows:

**PAYMENT STANDARDS-
EFFECTIVE 12/1/2022**

Proposed FY 2023 FMRs By Unit Bedrooms maximum pending Board Approval

<u>Efficiency</u>	<u>One-Bedroom</u>	<u>Two-Bedroom</u>	<u>Three-Bedroom</u>	<u>Four-Bedroom</u>
FY 2023 FMR	\$609	\$802	\$1088	\$1189
Payment Standard	\$622	\$818	\$1086	\$1111

The HA reevaluates the payment standards annually. The factors used by the HA in its assessment of the adequacy of its payment standard are 1) success rates of assisted families and 2) rent burdens of assisted families.

Attachment C

Development Activity Description

11/18/2020 - The AHA Board of Commissions have requested a priority be placed on the Cooper Redevelopment project to bring affordable housing back to the Anniston area.

1a. Development Name: Cooper Homes, Public Housing Development update after work session

1b. Development (project) number: AL004-02

1c. Description of development:

- This rental development was built in 1952 and has 19 dwelling unit buildings and one non-dwelling unit building. The unit size bedroom distribution includes 12 one-bedroom, 42 two-bedroom, 36 three-bedroom, 10 four-bedroom, and 2 five-bedroom rental units. As future HUD funding is available, AHA plans to submit a Choice Neighborhood Planning and Implementation Grant. The AHA has applied and HUD approved for replacement housing vouchers to relocate residents for the demolition. The AHA has been working with the Alabama Department of Environmental Management (ADEM) to create a Voluntary Clean-up program due to industrial waste located at the site that requires cleanup prior to new construction.

2. Activity Type: Demolition and/or Disposition and/or Development

3. Application Status: Demolition completed.

4. Date application planned for submission: 10/03/2014

5. Number of units affected: 102

Coverage of action: Total Development

6. Timeline for activity:

The following chart was added after Public Comment on 11/12/2020 as a requested recommendation:

Activity	Date	Comments
Demolition application submitted	10/03/2014	
Demolition application approved	8/20/2015	
Project resident relocation began	2/2016	
Project demolition	2/2018	
CDBG application	4/30/2018	Requested \$400,000
Developer Procured – Hollyhand Development	12/13/2018	<ul style="list-style-type: none"> • Met with Alabama Housing Finance Authority (AHFA) • Met with Alabama Department Environmental Management (ADEM) • Met with Environmental Protection Agency
HOME fund application	3/04/2019	Requested \$240,000
Environmental report Phase II	4/03/2019	United consulting
ADEM Voluntary Clean up application submission	11/20/2019	Review fee \$13,520. Administrative fee \$5,060.
ADEM Voluntary Clean up application approved	7/2/2020	
AHFA Qualified Allocation Plan 2021 comments submitted	8/20/2020	Pending Qualified Allocation Plan to allow “Engineered Solution” for tax credit application
ADEM – Pending implementation of voluntary clean-up plan.		This can begin if a tax credit application is not desired. The clean-up cost is a loan to the AHA to implement the plan and clean the site. Alternative financing after cleanup could be the Capital Fund Program (CFP), HUD 221d4 Program, City funding, as well as a conventional loan.

Collaboration agreement with the City of Anniston to complete an environmental cleanup plan for the former Cooper Homes site in order for the site to be classified as “unrestricted residential use” as defined by Alabama Department of Environmental Management (ADEM).	June/24/2021	Cooper Homes has had numerous environmental challenges which continues today. With the existing environmental data, the site has been approved for a Voluntary Cleanup Program (VCP) by ADEM with detailed Engineered Solutions. This plan is the most cost feasible remediation approach which would include some limited removals, with engineering and institutional controls being implemented to provide protection from the potential exposure pathways. However, the Alabama Housing Finance Authority (AHFA) does not accept an Engineered Solution and requires “unrestricted residential use”. This standard would require a complete removal and replacement of an estimated 4 feet of soil removal across the Cooper Homes site.
Letter from Steven Folks to Senator Del Marsh and Representative Barbara Boyd.	July 23th, 2021	Commitment from the City of Anniston and the AHA collaboration for site cleanup and State funding assistance
Proposal from United Consulting remediate the Cooper site	September 17 th , 2021	Cost \$12,000 - \$23,000 Proposal to change the approved ADEM cleanup plan to perform additional testing at the site to see if it will be feasible to clean the site to “unrestricted residential use”.
Conference call with ADEM	October 6, 2021	ADEM call to update the status of the Cooper site, and the AHA’s desire to remediate the soil conditions below the property to "unrestricted residential use" standards. The approved Cleanup Work Plan (CWP) and the VCP would have to be revised to reflect new testing plan
Submission of the VCP-Supplemental Property Assessment Plan	11/2021	Application cost \$ 6740
Execute environmental clean-up testing	January 2022	Estimated cost of \$1.5 - \$3.0 million exact cost will not be until procured
Apply for Project Based set aside units	2023	Pending Board direction
Submission of 4% or 9% Tax Credit Application (LIHTC)	2023	Pending due to environmental cleanup. Alternative financing after cleanup could be the Capital Fund Program (CFP), HUD 221d4 Program, City funding, as well as a conventional loan
Procure Architectural design specification and Engineering	Projected June 2023	Estimated cost of \$250,000.
Environmental clearance testing	Projected June 2023	Estimated cost of \$100,000.
Preparation and submission of a 4% LIHTC application	October 2023	Pending Board direction
Begin Construction	Pending Board direction	Pending Board direction, estimated cost of \$11 million up to \$15 million with environmental cleanup
Complete Construction		

Projected start date of activity: 03/2016

Projected end date of activity: 6/2026

Demolition Activity Description

1a. Development Name: Glen Addie Homes, Public Housing Development

1b. Development (project) number: AL 004-01

1c. Description of development:

- This rental development was built in 1940 and has 15 dwelling unit buildings and three non-dwelling unit building. The buildings are block/brick row type structures. The unit size bedroom distribution includes 56 one-bedroom, 80 two-bedroom, and 28 three-bedroom units. While there are currently 164 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to redevelop the site utilizing future HUD and Tax credit funding, when available. AHA also plans to pursue the Choice Neighborhood Planning Grant and/or Purpose Build Community's revitalization model.

2. Activity Type: Mixed Finance Modernization and/or Demolition/Development

3. Application Status: **Demolition application approved by HUD on 9/28/19**

4. Date application planned for submission: 09/01/2022 **Submitted to HUD 7/31/19**

5. Number of units affected: 164

Coverage of action: Total Development

6. Timeline for activity:

a. Projected start date of activity: changed to 7/1/20

b. Projected end of date of activity: changed to 7/1/24

The following chart was added after Public Comment on 11/12/2020 as a requested recommendation:

Activity	Date	Comments
Met with HUD representative from the Birmingham Field Office to discuss mold issues and amount requested in Capital Fund Program for repairs		Recommended demolition application
Environmental report PHASE II		
Demolition Application	7/31/2019	Submitted application to HUD
Demolition Application	9/28/2019	HUD approved
Received relocation voucher for relocation	3/27/2020	Began relocation
Relocation completed	10/1/2021	
Redevelopment		Demolition, Developer or plans for the Glen Addie site have not been discussed or procured

1a. Development Name: Constantine Homes, Public Housing Development

1b. Development (project) number: AL004-04

1c. Description of development:

- This rental development was built in 1954 and has 35 dwelling unit buildings and three non-dwelling unit building. The buildings are block/brick row type structures. The unit size bedroom distribution includes 20 one-bedroom, 76 two-bedroom, 55 three-bedroom, 16 four-bedroom, and 4 five-bedroom rental units. While there are currently 171 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to redevelop the site utilizing future HUD and Tax credit funding, when available. AHA also plans to pursue the Purpose Build Communities revitalization model and the Choice Neighborhood Planning Grant.

2. Activity Type: Mixed Finance Modernization and/or Demolition/Development

3. Application Status: Planned application

4. Date application planned for submission: 2028

5. Number of units affected: 171

Coverage of action: Total Development

6. Timeline for activity:

a. Projected start date of activity: 9/1/2028

b. Projected end of date of activity: 9/1/2031

RAD - Mixed Finance Modernization

1a. Development Name: Norwood, Public Housing Development

1b. Development (project) number: AL004-003

1c. Description of development:

- This rental development was built in 1953 and has 21 dwelling unit buildings and one non-dwelling unit building. The buildings are block/brick row type structures. The unit size bedroom distribution includes 12 one-bedroom, 44 two-bedroom, 33 three-bedroom and 12 four-bedroom units. Housing purpose will remain unchanged with Families, Disabled and Elderly residing in the unit. While there are currently 101 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to redevelop the site utilizing future HUD and Tax Credit funding, when available. AHA also plans to pursue the Choice Neighborhood Planning Grant. AHA is seeking to identify a public housing development in which to submit an application for, and ultimately implement the Rental Assistance Demonstration Program.

2. Activity Type: RAD - Mixed Finance Modernization and/or Development

3. Application Status: Planned application

4. Date application planned for submission: will depend on Board consideration

5. Number of units affected: 97

Coverage of action: Total Development

6. Timeline for activity:

a. Projected start date of activity: 04/15/2023

b. Projected end of date of activity: 04/15/2027

Development Name: Tinsley Manner, Public Housing Development

1b. Development (project) number: AL004-07A

1c. Description of development:

- This rental development was built in 1985 and has 6 dwelling unit buildings. The buildings are row type brick veneer structures. The unit size bedroom distribution includes 4 one-bedroom, 16 two-bedroom and 4 three-bedroom. Housing purpose will remain unchanged with Families, Disabled and Elderly residing in the unit. While there are currently 24 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to modernize the site utilizing future HUD and Tax credit funding, if available. AHA is seeking to identify a public housing development in which to submit an application for, and ultimately implement the Rental Assistance Demonstration Program.

2. Activity Type: RAD - Mixed Finance Modernization

3. Application Status: Planned application

4. Date application planned for submission: will depend on Board consideration

5. Number of units affected: 24

Coverage of action: Total Development

6. Timeline for activity:

a. Projected start date of activity: 04/15/2023

b. Projected end of date of activity: 04/15/2025

a. Development Name: Fairview Terrace, Public Housing Development

1b. Development (project) number: AL004-07B

1c. Description of development:

- This rental development was built in 1985 and has 12 dwelling unit buildings. The buildings are row type brick veneer and multi family structures. The unit size bedroom distribution includes 2 one-bedroom, 6 two-bedroom, 10 three-bedroom and 8 four-bedroom units. Housing purpose will remain unchanged with Families, Disabled and Elderly residing in the unit. While there are currently 26 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to modernize the site utilizing future HUD and Tax credit funding, when available. AHA is seeking to identify a public housing development in which to submit an application for, and ultimately implement the Rental Assistance Demonstration Program.

2. Activity Type: RAD - Mixed Finance Modernization

3. Application Status: Planned application

4. Date application planned for submission: will depend on Board consideration

5. Number of units affected: 26

Coverage of action: Total Development

6. Timeline for activity:

- a. Projected start date of activity: 04/15/2023
 - b. Projected end of date of activity: 04/15/2025
-

1a. Development Name: Washington Homes, Public Housing Development

1b. Development (project) number: AL004-06A

1c. Description of development:

- This rental development was built in 1961 and has 26 dwelling unit buildings and one non-dwelling unit building. Families occupy the row type brick veneer structures. The unit size bedroom distribution includes 4 one-bedroom, 17 two-bedroom, 21 three-bedroom and 5 four-bedroom units. Housing purpose will remain unchanged with Families, Disabled and Elderly residing in the unit. While there are currently 47 units, AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to modernize the site utilizing future HUD and Tax credit funding, when available. AHA is seeking to identify a public housing development in which to submit an application for, and ultimately implement the Rental Assistance Demonstration Program.

2. Activity Type: RAD - Mixed Finance Modernization

3. Application Status: Planned application

4. Date application planned for submission: will depend on Board consideration

5. Number of units affected: 47

Coverage of action: Total Development

6. Timeline for activity:

- a. Projected start date of activity: 4/15/2023
 - b. Projected end of date of activity: 4/15/2025
-

1a. Development Name: Parkwin Homes, Public Housing Development

1b. Development (project) number: AL004-06B

1c. Description of development:

- This rental development was built in 1961 and has 30 dwelling unit buildings and one non-dwelling unit building. The buildings are multifamily block/brick structures. The unit size bedroom distribution includes 6 one-bedroom, 19 two-bedroom, 21 three-bedroom, 5 four-bedroom, and 2 five-bedroom rental units. While there are currently 53 units, Housing purpose will remain unchanged with Families, Disabled and Elderly residing in the unit. AHA will work with a qualified planner and architectural and engineering firm to determine the maximum number and type of replacement units. AHA's intentions are to modernize the site utilizing future HUD and Tax credit funding, when available. AHA is seeking to identify a public housing development in which to submit an application for, and ultimately implement the Rental Assistance Demonstration Program.

2. Activity Type: RAD - Mixed Finance Modernization

3. Application Status: Planned application

4. Date application planned for submission: will depend on Board consideration

5. Number of units affected: 53

Coverage of action: Total Development

6. Timeline for activity:

- a. Projected start date of activity: 4/15/2023
 - b. Projected end of date of activity: 4/15/2025
-

Project Based Voucher

The AHA has been approved for the demolition application for Glen Addie Homes, a 164 unit complex. The AHA received tenant relocation vouchers and plans to submit a request that 56 vouchers be set-aside for another Public Housing property located at 1414 Cooper Avenue that was previously demolished under Section 18.

The Project Based Program guidelines for the AHA are located in [Attachment C](#).

Rental Assistance Demonstration - RAD Significant Amendment 2019 Fact Sheet

RAD-Specific Significant Amendment to the PHA Plans

The Anniston Housing Authority is amending its Annual Plan, ACOP, HCV Administration Plan and/or 5 year PHA Plan because it was a successful applicant in the U.S. Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. Presently, the Authority will be converting four public housing communities to the RAD program. Conversion of assistance under RAD is considered a Significant Amendment to the Authority's Annual/5 year Plan.

Key Points of RAD Conversation

Right to Return. Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete.

No Re-screening of Tenants upon Conversion. At conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit.

Under-Occupied Unit. If a family is in an under-occupied at the time of conversion, the family may remain in this unit until an appropriate-sized unit become available in the covered Project. When an appropriate sized unit becomes available in the covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time.

Renewal of Lease. The PHA will renew all leases upon lease expiration.

Phase-in of Tenant Rent Increases. If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 years.

Public Housing Family Self Sufficiency (PH FSS). Public Housing residents that are current FSS participants will continue to be eligible for FSS.

Grievance Process. The hearing procedures for Project Based Voucher (PBV) and PBV clients converted under RAD are outlined in of the Anniston Housing Authority HCV Administrative Plan.

Earned Income Disregard (EID). Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion.

RAD-Specific Significant Amendment to the PHA Plan

Narrative

The Anniston Housing Authority is amending its Annual PHA Plan and/or 5 year PHA Plan because it was a successful applicant in the U.S. Department of Housing and Urban Development’s (HUD) Rental Assistance Demonstration (RAD) program. Presently, the Authority will be converting public housing units described below to RAD Project Based Voucher assisted units under the guidelines of PIH Notice 2012-32 (HA), REV-3 (Issued January 12, 2017) and any successor Notices. Conversion of assistance under RAD is considered a Significant Amendment to the Authority’s Annual and/or Five Year Plan.

Upon conversion to RAD Project Based Vouchers, the Authority will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6 of PIH Notice 2012-32 (HA), REV-3, Attachment 1B of the Notice and the Joint Housing/PIH Notice H-2014-09/PIH-2014-17. These resident rights, participation, waiting list and grievance procedures are further listed below.

Additionally, the Authority is currently compliant with all fair housing and civil rights requirements. This RAD conversion complies with all applicable site selection and neighborhood reviews standards and all appropriate procedures have been followed.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing the Authority 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 be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that the Authority may also borrow funds to address their capital needs. The Authority currently does not have debt under an Energy Performance Contract.

1. A description of the units to be converted.

AMP	Sites	Type	0BR	1BR	2BR	3BR	4BR	5BR	Total
AL004000003B	Tinsley Manor	Family	0	4	16	4	0	0	24
AL004000001B	Washington Homes	Family	0	4	17	21	5	0	47
AL004000001A	Parkwin Homes.	Family	0	6	19	21	5	2	53

2. Any change in the number of units that is proposed as part of the conversion.
 - a. De minimis unit reductions – *none*.
 - b. Unit reductions that are exempt from the de minimis cap – *none*.

- c. Any change in the bedroom distribution of units that is proposed as part of the conversion – Barber Terrace- see the following chart

3. Changes in the policies that govern eligibility, admission, selection, and occupancy of units at the project after it has been converted.

Converting to Project Based Vouchers (PBV). Currently used waiting list preferences used for public housing will continue for all covered projects. Resident Rights and Participation, Tenant Protections for residents stated in Section 1.6, Attachment 1B of this RAD Notice Revision 3 and the Joint Housing/PIH Notice H-2014-09/ PIH2014-17 will all be adhered to.

Specifically:

1. Right to Return. Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Permanent involuntary displacement of residents may not occur as a result of a project's conversion of assistance, including, but not limited to, as a result of a change in bedroom distribution, a reduction of units, or the reconfiguration of apartments. Where the transfer of assistance to a new site is warranted and approved residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a PHA or Owner's offer to permanently relocate to another assisted unit or other suitable housing, and thereby waive their right to return to the development after rehabilitation or construction is completed.

2. No Re-screening of Tenants upon Conversion. Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family.

3. Under-Occupied Unit. If a family is in an under-occupied unit under 24 CFR 983.259 at the time of conversion, the family may remain in this unit until an appropriate-sized unit become available in the covered Project. When an appropriate sized unit becomes available in the covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the covered Project, 24 CFR 983.259 is waived.

4. Renewal of Lease. Under current regulations at 24 CFR § 983.257(b)(3), the PHA must renew all leases upon lease expiration, unless cause exists. This provision must be incorporated by the PBV owner into the tenant lease or tenancy addendum, as appropriate.

5. Phase-in of Tenant Rent Increases. If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over

3 or 5 years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of “total tenant payment” (TTP)) only to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

Anniston Housing Authority Policy: If the tenant’s monthly rent increases more than 10% or \$25, whichever is greater, a three (3) year phase in will be implemented according to the Three Year Phase in scheduled below.

The method below explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section “standard TTP” refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the “most recently paid TTP” refers to the TTP recorded on line 9j of the family’s most recent HUD Form 50058.

Three Year Phase-in:

Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP and the standard TTP

Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 66% of difference between most recently paid TTP and the standard TTP

Year 3: Year 3 AR and all subsequent recertification’s – Full standard TTP.

6. Public Housing Family Self Sufficiency (PH FSS). Public Housing residents that are current FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and PHAs will be allowed to use any PH FSS funds, to serve those FSS participants who live in units converted by RAD. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the FY15 Appropriations Act), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g. escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984, and participants’ contracts of participation, and the alternative requirements established in the “Waivers and Alternative Requirements for the FSS Program” Federal Register notice, published on December 29, 2014, at 79 FR 78100. Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered Tenant Based Rental Assistance (TBRA) funds, thus reverting to the HAP account if forfeited by the FSS participant.

7. Resident Participation and Funding. Residents of covered projects with converted PBV assistance will have the right to establish and operate a resident organization for the purpose of

addressing issues related to their living environment and be eligible for resident participation funding.

8. Resident Procedural Rights. The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner’s lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

a. Termination Notification. HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257, related to Project owner termination of tenancy and eviction, the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

- i. A reasonable period of time, but not to exceed 30 days:
 - a. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - b. In the event of any drug-related or violent criminal activity or any felony conviction;
- ii. 14 days in the case of nonpayment of rent; and
- iii. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
- iv. 3 day Expedited Lease Termination: If the health or safety of other residents, AHA employees, or persons residing in immediate vicinity of the premises is threatened; or if any member of the household has engaged in any drug related criminal or violent criminal activity; or if any member of the household has been convicted of a felony, AHA shall give the resident three (3) day’s written notice of termination of tenancy.

b. Grievance Process. Pursuant to the requirements in the RAD Statute, HUD has established additional procedural rights to comply with the requirements of section 6 of the Act.

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

- i. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project owner action in accordance with the individual’s lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident’s rights, obligations, welfare, or status.
 - a. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the

program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).

b. For any additional hearings required under RAD, the Project Owner will perform the hearing.

ii. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.

iii. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).

iv. The Project Owner provides opportunity for an informal hearing before an eviction. Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

Anniston Housing Authority Policy: The hearing procedures for PBV and PBV clients converted under RAD are outlined in the Anniston Housing Authority HCV Administrative Plan.

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

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

10. Jobs Plus. *Not Applicable*

11. When Total Tenant Payment Exceeds Gross Rent. Under normal PBV rules, the PHA may only select an occupied unit to be included under the PBV HAP contract if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(d)). Also a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent) (24 CFR § 983.258). Since the rent limitation may often result in a family's TTP equaling or exceeding the gross rent for the unit, for current residents (i.e. residents living in the public housing property prior to conversion), HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP contract when TTP equals or exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that the rent to owner for the unit equal the family's TTP until such time that the family is eligible for a housing assistance payment. HUD is waiving as necessary to implement this alternative provision, the provisions of Section 8(o)(13)(H) of the

Act and the implementing regulations at 24 CFR 983.301 as modified by PIH Notice 2012-32, REV-2. In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract. Assistance may subsequently be reinstated if the tenant becomes eligible for assistance.

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

12. Transfer of Assistance. *Not applicable*

Transfer of assistance at the time of conversion – *none*.

13. Impact on existing voluntary compliance agreements, consent orders or consent decrees or final judicial rulings or administrative rulings or decisions - *none exist*.

14. RAD conversion compliance with all applicable site selection and neighborhood reviews standards and procedures.

15. All applicable site selection and neighborhood reviews standards and procedures have been followed.

16. Moving To Work Requirements – *not applicable*.

17. Additionally, in accordance with 24 CFR Part 903, a PHA must perform the following actions in regards to their Capital Funds:

The PHA shall notify the public that the current and future Capital Fund Program Grants Budgets, will be reduced as a result of any projects converting to RAD.

a. The Anniston Housing Authority receives approximately \$1,600,000.00 annually from HUD from the Capital Fund Program. A decrease in the Capital Fund Program will continue due to the term limit on receiving proration for Cooper Homes and the RAD conversion reduction. Capital Fund Program Grants will no longer be available for the converted sites. The Anniston Housing Authority will fund replacement reserve accounts out of proceeds from contract rents.

b. Additionally, the Anniston Housing Authority does not have an existing Energy Performance Contract (EPC) for the converting projects.

18. All other required information and certifications necessary to submit a Significant Amendment to the PHA Plan, including Resident Advisory Board comments and responses, challenged elements, and all required certifications.

This submission will include the following:

- Comments from the Resident Advisory Board
- Public Comments and Challenged elements
- Responses
- Required Certifications

**PUBLIC HEARING NOTICE OF APPROVAL OF THE
ANNUAL PLAN/5 Year Plan/ACOP 2022-2023
Anniston Housing Authority
September 30, 2022**

The Public is hereby given notice that the Anniston Housing Authority (AHA) will conduct a Public Hearing on **November 17th 2022 at 3:00 p.m.** The hearing will be held at 500 Glen Addie Anniston Alabama in the AHA office. The purpose of the hearing is to obtain public comments on changes to our Annual Plan, 5 Year Plan and the Admission and Continued Occupancy Policy (ACOP) and HDV Administrative Plan for 2022. Plans includes the long range goals and objectives for achieving the Authority's mission over the next five years. This site is accessible to handicapped and disabled individuals.

The following are proposed changes to be included in the plan:

Annual Plan & 5 Year Plan

Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

- Glen Addie – Property demolition of apartment units
- Allocation of funding for pre-development cost, development cost, relocation benefits, office relocation and demolition cost as part of the AHA's Development Strategy. RAD funding for pre-closing cost. Environmental studies and Energy Audit.
- Constantine – Appliance replacement and Interior improvements.
- Constantine – roof replacement
- Constantine – HVAC replacement for flat units
- Constantine Homes Envision Center – Renovation and improvements as needed
- Tinsley Manor – Texture ceiling, HVAC replacement as needed, interior upstairs floor replacement and ceiling replacement, exterior plumbing replacement
- Tinsley Manor – Exterior upgrades to include exterior door replacement with screens, exterior lighting, brick replacement and/or painting and roof replacement
- Tinsley – exterior landscape improvements
- Norwood – Brick replacement
- Norwood – Replace exterior siding.
- Norwood – Exterior door and screen door replacement for both front and rear entrance
- Norwood – parking lot repairs and paving/stripping as needed
- Norwood – Electrical conduit on the outside replacement
- Norwood - Establish a community center
- Norwood – conversion of HVAC units
- Norwood – Extend wall for filing purposes in the main office
- Norwood – create a community center
- Norwood – create a no parking area in alleyway
- Norwood – create additional parking in other areas
- Installation of Exterior lighting for Fairview Terrace, and Tinsley Manor.
- Repainting/replacement of exterior siding for Fairview Terrace & Tinsley Manor.
- Parkwin – - Roof replacement
- Washington - Roof replacement
- Washington – HVAC replacement and duct work installation
- Tinsley Manor/Fairview– replacement of plumbing roof vents.
- Washington & Parkwin –countertop replacement, flooring replacement, sink replacement for bathroom that are not vented properly.
- Washington & Parkwin – Stove replacement as needed
- Exterior landscaping improves Norwood and Constantine administrative offices.
- AHA wide, upgrade with new installation of computer software
- During the Covid-19 pandemic, operations continue to seek necessary measures to maintain a safe environment for our employees and residents.
- Relocation assistance for Tinsley Manor residents

A draft copy of our Plans are available for review and inspection at the central office beginning **September 30, 2022**. For additional information concerning the plan, please telephone Gregg Fortner at (256)236-1575, extension 134. Residents may request a copy of the plan from your Property Manager.

All comments will be considered by the Housing Authority and the Board of Commissioners. Submission of written comments on the proposed plan must be received no later than **November 2nd, 2022**.

If any members of the Housing Authority communities require special accommodations in order to attend this meeting, please contact Terri Lloyd at 256-236-1575 extension 120.



Defined changes to ACOP 2019

Section		New Policy
II	Required Termination of families exceeding the over income limit	<p>The Housing Opportunity Through Modernization Act of 2016 requires that Public Housing Authorities establish income limits for continued occupancy. The law sets the limit at 120 percent of the area median income.</p> <p>Families with a valid Family Self-Sufficiency (FSS) contract are exempt from this Regulation.</p> <p><u>A. Over Income Limit:</u> The over income limit is determined by multiplying the current HUD published Very-Low Income Limit for the family size by 2.4. Families are provided with a two-year grace period before any actions are taken in regards to an over income status.</p> <p><u>B. Timing</u></p> <p>3. At every annual or interim reexamination of income (on or after March 24, 2019) the HA will determine if the family’s adjusted income exceeds the over-income limit. The HA shall document and track any over-income findings in the resident’s file.</p> <p>4. For over-income families, the HA will schedule an income reexamination (annual or interim) 12 months from the reexamination that identified the family as over income.</p> <p>NOTE: The Flat Rent annual update does not require an over-income determination, only the income reexamination that must be performed at least once every three years for families on flat rents. If a Flat Rent family is over income at the reexamination, an interim reexamination must be conducted in 12 months.</p> <p><u>C. Actions</u></p> <p>1. If one year after the initial over-income finding by the HA, the family’s income continues to exceed the over-income limit, the HA will provide written notification to the family.</p> <p>2. This notification must inform the family that their income has exceeded the over income limit for one year, and if the family’s income continues to exceed the over income limit for the next 12 consecutive months, the family will be subject to a higher rent (based on HUD guidelines to be provided and will be posted in the development office).</p> <p>NOTE: If the HA discovers through an annual or interim reexamination that a previously over-income family has income that is now below the over-income limit, the family is no longer subject to these provisions. A previously over-income family would be entitled to a new two-year grace period if the family’s income once again exceeds the over-income limit.</p> <p>Exception: The over-income limit does not apply to families with income exceeding the over-income limit if they are housed by a PHA renting to over-income families under Section XXIV, Occupancy by over Income Families in Certain Public Housing.</p>
XVI.	PROCEDURES TO BE USED IN	4. The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or

	DETERMINING INCOME AND RENT	death benefits, and other similar types of periodic receipts (See below for treatment of delayed or deferred periodic payment of social security, supplemental security income benefits or Veteran's Administration (VA) benefits.);
Appendix	Total Annual Family Income	The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefit and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment; (Excluding Lump Sum Supplemental Security Income (SSI), Lump Sum Social Security Benefits (SS) and lump sum Veteran's Administration (VA) benefits.)

Operations Waiver for 2020

9/29/2020

**PUBLIC HOUSING OPERATIONS
TEMPORARY ADDENDUM DOCUMENT**

INTRODUCTION

On April 10, 2020, HUD issued Notice PIH 2020-05. Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act, HUD is waiving and establishing alternative requirements for numerous statutory and regulatory requirements for the Public Housing Program. These waivers provide administrative flexibilities and relief to and relief to public housing agencies (PHAs), in response to the COVID-19 national emergency. Use of these waivers is at the discretion of the PHA. On July 2, 2020, HUD issued Notice PIH 2020-13, a revision to 2020-05, restating the waivers and alternative requirements, extending the period of availability for previously established waivers and alternative requirements, and issuing technical amendments to several of the previously established waivers and alternative requirements.

A PHA does not need to notify HUD or receive HUD approval to begin utilizing these waivers/alternative requirements. However, HUD may subsequently require the PHA to provide information to HUD on the waivers used by the PHA and the date the PHA applied the waiver to its program(s).

HUD has allowed PHAs to revise its Public Housing ACOP on a temporary basis without Board Approval with the understanding that said revisions must be formally adopted no later than December 31, 2020. This document, with Board approval, contains the PHA's policies for implementation. The PHA must also evaluate whether adoption of any of the temporary policies would constitute a significant amendment to its annual plan, and must revise the annual plan if necessary.

The temporary provisions that this PHA is adopting are as follows:

1. PH 6 – Energy Audits

PH 6: Energy Audits

Regulatory Authority: 24 CFR § 965.302

Description: PHAs are required by this regulation to complete an energy audit for each PHA-owned project not less than once every five years. Due to shelter-in-place orders, and closures of many non-essential businesses, access to qualified energy auditors is likely to be limited during the period of time that the coronavirus is impacting the program. Therefore, HUD is waiving this requirement and is alternatively suspending the performance of the audits for one year for those that were due before December 31, 2020.

Period of Availability: The period of availability is one year beyond the date of the energy audit deadline in 2020 for the impacted project.

PHA Policy:

The PHA will implement this policy

9/29/2020

**PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)
TEMPORARY ADDENDUM DOCUMENT**

INTRODUCTION

On April 10, 2020, HUD issued Notice PIH 2020-05. Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act, HUD is waiving and establishing alternative requirements for numerous statutory and regulatory requirements for the Public Housing Program. These waivers provide administrative flexibilities and relief to and relief to public housing agencies (PHAs), in response to the COVID-19 national emergency. Use of these waivers is at the discretion of the PHA. On July 2, 2020, HUD issued Notice PIH 2020-13, a revision to 2020-05, restating the waivers and alternative requirements, extending the period of availability for previously established waivers and alternative requirements, and issuing technical amendments to several of the previously established waivers and alternative requirements.

A PHA does not need to notify HUD or receive HUD approval to begin utilizing these waivers/alternative requirements. However, HUD may subsequently require the PHA to provide information to HUD on the waivers used by the PHA and the date the PHA applied the waiver to its program(s).

HUD has allowed PHAs to revise its Public Housing ACOP on a temporary basis without Board Approval with the understanding that said revisions must be formally adopted no later than December 31, 2020. This document, with Board approval, contains the PHA's policies for implementation. The PHA must also evaluate whether adoption of any of the temporary policies would constitute a significant amendment to its annual plan, and must revise the annual plan if necessary.

The temporary provisions that this PHA is adopting are as follows:

1. Family Income and Composition: Delayed Annual Examination
2. Family Income and Composition: Annual Examination-Income Verification Requirements
3. Family Income and Composition: Interim Examinations
4. Enterprise Income Verification (EIV) Monitoring
5. Community Service and Self-Sufficiency Requirement (CSSR)
6. Over-Income Families
7. Review and Revision of Utility Allowances
8. Tenant Notifications for Changes to Project Rules and Regulations
9. Public Housing Agency Annual Self-Inspections

1. PH and HCV-2: Family Income and Composition: Delayed Annual Examinations

Statutory Authority: Section 3(a)(1) of the USHA of 1937

Regulatory Authority: 24 CFR § 982.516(a)(1) - HCV

Regulatory Authority: 24 CFR § 960.257(a) - Public Housing

Description: PHAs are required to conduct a reexamination of family income and composition at least annually. Recognizing the foreseeable difficulties in complying with this requirement in light of the COVID-19 emergency, HUD is waiving this statutory and regulatory requirement to permit PHAs to delay annual reexaminations of HCV and public housing families.

Period of Availability: All annual recertifications due in Calendar Year (CY) 2020 must be completed by December 31, 2020.

PHA Policy:
The PHA will implement this policy

2. PH and HCV-3: Family Income and Composition: Annual Examination - Income Verification requirements

Regulatory Authority: 24 CFR §5.233(a)(2) - HCV and Public Housing

Regulatory Authority: 24 CFR §960.259(c) - Public Housing

Regulatory Authority: 24 CFR §982.516(a) - HCV

Sub-regulatory Guidance: PIH Notice 2018-18

Description: PHAs are required to use the Enterprise Income Verification (EIV) System for verification of family income at the annual examination. 24 CFR § 5.233(a)(2) requires PHAs to use EIV as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertification's of family composition and income in accordance with §5.236 and administrative guidance issued by HUD. PIH Notice 2018-18 describes the required verification hierarchy process PHAs must follow. HUD understands that documentation may be difficult to obtain as a result of the COVID-19 public health emergency. PHAs are also facing challenges with securely accessing HUD systems while many if not all staff are working remotely.

To address these challenges, HUD is waiving the requirements to use the income hierarchy described by PIH Notice 2018-18 and will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if the PHA wishes to conduct the annual recertification rather than delaying the family's annual recertification (as permitted under PH and HCV-2 above).

During the allowable period of availability, PHAs may consider self-certification as the highest form of income verification to process annual reexaminations. This may occur over the telephone (but must be documented by PHA staff with a contemporaneous written record), through an email or postal mail with a self-certification form by the tenant, or through other electronic communications. PHAs are encouraged to incorporate procedures to remind families of the obligation to provide true and complete information when adopting these flexibilities.

PHAs are further reminded that there is no HUD requirement that income and family composition examinations and recertification's must be conducted in-person unless determined necessary as a reasonable accommodation as long as applicable public health guidelines are followed (e.g., social distancing) and any state or local ordinance is followed.

PHAs that conduct annual examinations under this waiver/alternative requirement will be responsible for addressing any material discrepancies that may arise later. For example, if a tenant self-certified that the tenant lost their job, but later the EIV Income Validation Tool (IVT) shows the tenant's employment continued, the PHA must take enforcement action in accordance with their policies and procedures.

Period of Availability: The period of availability to conduct annual reexaminations using these modified verification requirements ends on December 31, 2020.

PHA Policy:
The PHA will implement this policy

3. PH AND HCV-4: FAMILY INCOME AND COMPOSITION: INTERIM EXAMINATIONS

Statutory Authority: Section 3(a)(1) of the USHA of 1937

Regulatory Authority: 24 CFR § 5.233(a)(2) - HCV and Public Housing

Regulatory Authority: 24 CFR § 982.516(c)(2) - HCV

Regulatory Authority: 24 CFR §§ 960.257(a), (b), and (d); 960.959(c) - Public Housing

Sub-regulatory Guidance: PIH Notice 2018-18

Description: For the HCV and Public Housing programs, PHAs are required to adopt policies (in their Administrative Plans and Admissions and Continued Occupancy Plans (ACOPs), respectively) prescribing when and under what conditions the family must report a change in family income or composition. However, at any time that a family requests an interim determination of family income or composition because of any changes since the last determination, the PHA must make the interim determination within a reasonable time after the family's request. In most cases, the reason a family requests an interim determination is due to a loss in income or a change in family composition.

PHAs are required to use EIV for verification of family income at interim reexamination. 24 CFR §960.259(c) and 24 CFR §982.516(a) require PHAs to obtain third-party verification, or document in the tenant file why third-party verification was not available, during mandatory reexaminations or recertification's of family composition and income. 24 CFR § 5.233(a)(2) requires PHAs to use EIV as a third-party source to verify tenant employment and income information during mandatory reexaminations or recertification's of family composition and income in accordance with §5.236 and administrative guidance issued by HUD. PIH Notice 2018-18 further describes the required verification hierarchy process PHAs must follow.

To assist PHAs that may be prioritizing the processing of interim reexaminations due to decreases in family income and mitigate the challenges of transferring documentation during periods of shelter-in-place/stay-at-home efforts in response to the COVID-19 pandemic, HUD is waiving the requirements to use the income verification hierarchy as described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for interim reexaminations, including the required use of EIV. During the allowable period of eligibility, PHAs may consider self-certification as the highest form of income verification to process interim reexaminations. This may occur over the telephone (with a contemporaneous written record by the PHA staff person), through an email with a self-certification form by the family, or through other electronic communications.

As noted in the previous waiver description, there is no HUD requirement that income and family composition examinations and recertifications must be conducted in-person unless it may be necessary as a reasonable accommodation for a person with a disability. In such cases, PHAs may look to applicable public health guidelines and any state or local ordinance on how to maintain appropriate health precautions (e.g., social distancing).

PHAs that conduct interim reexaminations under this waiver/alternative requirement will be responsible for addressing any material discrepancies that may arise later. For example, if a tenant self-certified that the tenant lost their job, but later the EIV IVT Report shows the tenant's employment continued, the PHA must take enforcement action that is consistent with its policies and procedures.

PHAs may wish to review and adjust their interim reexamination policies (e.g., revising the PHA requirements when families must report increases in income between annual reexaminations or revising the policy regarding how to determine the effective date of an interim examination). PHAs should see HCV-1 and PH-4 for information on how these types of changes can be expedited.

Period of Availability: The period of availability ends on December 31, 2020.

PHA Policy:

The PHA will implement this policy.

4. PH AND HCV-5: ENTERPRISE INCOME VERIFICATION (EIV) MONITORING

Regulatory Authority: 24 CFR § 5.233 - Public Housing and HCV

Sub-regulatory Guidance: PIH Notice 2018-18

Description: PIH Notice 2018-18 specifies the required monitoring of EIV reports. For example, PHAs are required to monitor the Deceased Tenants Report, the Identity Verification Report, the Immigration Report, the IVT Report, and the Multiple Subsidy Report and the New Hires Report on a monthly basis. Recognizing the challenges PHAs are facing with many if not all staff working remotely, HUD is waiving the mandatory EIV monitoring requirements. PHAs are reminded that EIV data is overwritten; monthly or quarterly reports must be downloaded to preserve the data for a particular month or quarter.

Period of Availability: The period of availability ends on December 31, 2020.

PHA Policy:

The PHA will implement this policy.

5. PH-5: COMMUNITY SERVICE AND SELF-SUFFICIENCY REQUIREMENT (CSSR)

Statutory Authority: Section 12(c) of the USHA of 1937

Regulatory Authority: 24 CFR § 960.603(a) and 960.603(b)

Description: The statute and regulations require that each adult resident of public housing, except for any family member that is exempt, must contribute 8 hours per month of community service or participate in an economic self-sufficiency program or a combination of both. A family's noncompliance with the service requirement is grounds for non-renewal of the lease at the end of the lease term. HUD is waiving this requirement and is alternatively suspending the community service and self-sufficiency requirement. If a PHA adopts this waiver, tenants will not be subject to this requirement at the family's next annual reexamination. Upon the family's next annual reexamination, PHAs should report on Form HUD-50058 each individual's CSSR status as either exempt for those that are exempt, or pending for those that are otherwise eligible but for which the suspension prevents a housing authority from determining compliance. After a PHA completes an annual reexamination for any family, the CSSR becomes effective again for family members for the subsequent annual reexamination cycle.

Period of Availability: The period of availability ends on March 31, 2021.

PHA Policy:

The PHA will implement this policy

6. PH-7: OVER-INCOME FAMILIES

Statutory Authority: Section 16(a)(5) of the USHA of 1937

Regulatory Authority: Housing Opportunity Through Modernization Act of 2016: Final Implementation of the Public Housing Income Limit (83 FR 35490, July 26, 2018)
Sub-regulatory Guidance: Notice PIH 2019-11

Description: PHAs are required by statute and the Federal Register Notice to terminate or charge an alternative rent to families whose income exceeds the program maximum income level for two consecutive years. HUD defined the two-year time period as two consecutive reexamination cycles. In order to be consistent with the delay in annual reexaminations permitted under waiver PH and HCV-2, HUD is waiving this requirement and is permitting families to remain in their units and to continue to pay the same rental amount until such time that a PHA conducts the next annual income recertification that would impact the family. In order to adopt this waiver, PHAs must also adopt a waiver under PH and HCV-2.

Period of Availability: The period of availability ends on December 31, 2020.

PHA Policy:
The PHA will implement this policy.

7. PH-9: REVIEW AND REVISION OF UTILITY ALLOWANCES

Regulatory Authority: 24 CFR § 965.507

Description: The regulations require the PHA to review at least annually the basis on which utility allowances have been established and revise allowances if required on the basis of that review. Due to shelter-in-place orders, and closures of many non-essential businesses, PHAs are encouraged to focus administration on critical program functions. Further, access to information on changing utility rates may be limited in some jurisdictions. Therefore, HUD is waiving this requirement to allow PHAs to delay the review and update of utility allowances.

Period of Availability: Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by December 31, 2020.

PHA Policy:
The PHA will implement this policy

8. PH-12: PUBLIC HOUSING AGENCY ANNUAL SELF-INSPECTIONS

Statutory Authority: Section 6(f)(3) of the USHA of 1937

Regulatory Authority: 24 CFR § 902.20(d)

Description: The statute requires PHAs which own or operate public housing to make an annual inspection of each public housing project to determine whether units in the project are maintained to applicable standards and remain safe for residents. HUD is waiving the requirement that the PHA must inspect each project during CY 2020.

This waiver does not alleviate the PHA of its responsibility to provide safe housing. PHAs are reminded to expeditiously identify, respond to, and address serious conditions that could jeopardize life or property.

HUD encourages PHAs that choose not to utilize this waiver, or that wish to conduct inspections on a more limited basis to consider establishing and maintaining methods of performing remote, video-assisted or "virtual" inspections of dwelling units to identify maintenance needs while complying with CDC and local guidelines, especially for those units that may not be inspected this year. PHAs should also consider utilizing electronic means (such as videoconferencing, text messaging and email) of receiving maintenance requests and reports of life-threatening safety concerns directly from residents while minimizing in-person interactions. Additionally, it is recommended that PHAs continue to conduct exterior/site inspections or maintenance evaluations in compliance with social distancing requirements outlined by the CDC. As outlined in Maintenance Guidebook II, Chapter 2, Sections A and B, PHAs are required to establish both a regular and emergency maintenance plan. In separate and forthcoming guidance, HUD will describe an approach for the recommencement of Real Estate Assessment Center inspections. This guidance may also be helpful to PHAs in determining when to resume self-inspections, however, PHAs will be required to complete an inspection of every public housing property during CY 2021.

Period of Availability: The period of availability ends on December 31, 2020.

PHA Policy:

The PHA will implement this policy

SECTION 8 PROJECT-BASED VOUCHER PROGRAM

A: Statement of Section 8 Project-Based Voucher Program Goal and Approach

1. The Section 8 Project-Based Voucher Program (PBV) goal is designed to accomplish two major objectives for the PHA:
 - a. To increase the supply of assisted rental housing for eligible individual families; and
Anniston Housing Authority Housing Choice Voucher Administrative Plan
 - b. To improve the efficiency and utilization of the Section 8 Housing Choice Voucher Program.
2. In order to facilitate the administration of the PVB Program and to develop a system of checks and balances, the follow will occur:
 - a. The PHA will administer the PBV program for up to 20% of the amount of budget authority allocated to the PHA by HUD in the PHA's HCV program.
 - b. The waiting list team will be responsible for processing applicants as well as administering the waiting list; and
 - c. The Section 8 Department will be responsible for housing the eligible qualified applicants and will continue to administer the PBV program for the duration of the housing assistance payment contract with the owner.

B: Public Notice, Owner Proposal Submission Requirements, and Site Selection Policy (24 CFR 983.51)

1. General

Both selection methods described in 24 CFR 983.51(b) will be considered to determine which method best meets the needs of the PHA.
2. Public Notice Requirements
 - a. If the PHA selects the proposal method of proposals that have not been through a competition pursuant to 983.51(b), it will publish a Public Notice of Agency Request for PBV Proposals.
 - b. This notice will be published in the newspaper with the widest general circulation in the PHA jurisdiction.
 - c. This notice may include but not necessarily be limited to the following:
 - 1) A request for PBV proposal
 - 2) Contact information to request a proposal submission package
 - 3) The addresses to send the proposal
 - 4) A statement that the submission package contains all required details and only proposals submitted using the submission package will be considered, and
 - 5) The time and date proposals are to be received.
 - d. The Public Notice will be published once each week for three (3) consecutive weeks.
 - e. The deadlines for receipt of proposals will be at least 30 calendar days from the publication date of the last public notice.
 - f. The public notice may specify the estimated amount of housing assistance payment/ ACC units that may be available.
 - g. The PHA will maintain a log of the name and address of interested parties to whom

submission packages are sent or by whom submission packages are picked up at the main office, the date of the request and the date the packages are mailed or picked up.

- h. Submission packages that are not picked up shall be sent by first class mail no later than two (2) calendar days after receiving the request.
- i. The PHA will maintain a list of proposals received and the date they are received.
- j. The outside of the envelope or package will be dated and time stamped.
- k. The PHA may hold a briefing for potential applicants. The date, time and location of the briefing are to be provided in the Public Notice.

3. Owner Proposal Submission Requirements

- a. A proposal package will be prepared and provided to interested parties upon request.
- b. This package may include at least:

- 1) Detailed information required to be included in the proposal
- 2) Selection evaluation factors
- 3) Instructions to mark the outside of the proposal with the words "PBV Proposal" in the lower left-hand corner of the envelope or package.

- c. As appropriate the PHA may select what items are to be included in a PBV proposal and list these items in the PBV Proposal Submission Package from the following items:

- 1) A description of the housing to be constructed or rehabilitated, including:
 - a) The number of units by size (square footage)
 - b) Bedroom count
 - c) Bathroom count
 - d) Sketches of the proposed new construction or rehabilitation
 - e) Unit plans
 - f) Listing of amenities and services and
 - g) Estimated date of completion
- 2) For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation
- 3) Evidence of site control
- 4) For new construction, identification and description of the proposed site, site plan, and neighborhood
- 5) Evidence the proposed new construction or rehabilitation is permitted by current zoning or regulations, or evidence to indicate the needed re-zoning is likely and will not delay the project
- 6) Proposed contract rent per unit, including:
 - a) Indication of utilities, services and equipment included in rent
 - b) Indication of utilities, services and equipment not included; and
 - c) For utilities not included, estimated monthly average cost for each unit type for the first year of occupancy.
- 7) A statement identifying:
 - a) The number of persons (families, individuals, businesses and non-profit organizations) occupying the property on application submission date
 - b) Number of persons to be displaced, temporarily relocated or moved permanently within the building or complex
 - c) Estimated cost of relocation payments and services, and the sources of funding
 - d) The organization(s) that will carry out the relocation activities
 - e) Identify the owner and other project principals and the names of officers and principal members, shareholders, investors and other parties having a substantial interest
 - f) Certification showing the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from federal procurement and

non-procurement programs

g) Disclosure of any possible conflict of interest by any of the parties that would be in violation of the Agreement to Enter into a HAP Contract or the HAP Contract itself.

h) Any information on the qualifications and experience of the principal participants

i) The owners plan for managing and maintaining the units

j) Evidence of financing or lender interest and the proposed terms of financing

k) Documentation that site is free from environmental or safety hazards

l) Documentation that site is not on a 100-year Flood Plan or does not involve a historic property, and

m) Statement the rehabilitation is or is not being undertaken in areas targeted for revitalization.

Site Selection Policy

The site selection policy and procedures herein promote the PBV goals by ensuring the supply of assisted rental housing is expanded while being in compliance with the Section 8 Project-Based Voucher Program Final Rule.

a. A three (3) member team of the PHA staff will review, evaluate and recommend a proposal. Proposals will not be opened until after the submission deadline.

b. The PHA is under no obligation to award a PBV to any proposal received.

c. As appropriate the Executive Director shall recommend a proposal to the Board of Commissioners (Board), subject to the proposed site passing environmental. Review requirements at 24 CFR 983.58.

d. The agency will establish written evaluation criteria. The evaluation will be in two (2) steps:

1) Proposals must first meet written qualifying factors required in a HUD regulation or a HUD notice. Proposals not meeting the qualifying factors will not be evaluated/rated in the second tier. A qualifying factor form will be prepared listing each factor and the results of the qualifying factor review for each item and the signature of the person performing the review. The October 15, 2005, Project Based Voucher Program lists the following factors:

a) The proposal was received by the deadline.

b) The property is eligible housing (24 CFR sections 983.53 and 983.54). The PHA will confirm the proposed units are not part of the list of prohibited units.

c) The proposal complies with the cap on the number of PBV units per building (24 CFR section 983.56)

d) The proposal meets the Site Selection standards (24 CFR 983.57)

e) The proposal meets zoning requirements

f) The site is consistent with the goal of deconcentrating poverty and expanding housing opportunity pursuant to elements listed at 24 CFR section 983.57(b)(1). The PHA will use a form to document that each of the seven (7) items listed were considered.

g) The site facilitates compliance with Civil Rights Requirements listed at 24 CFR section 983.57(b)(2).

h) The site meets HQS site standards at 24 CFR 982.401(l)

i) If needed, the proposal passes the HUD subsidy layering review pursuant to 24 CFR 983.55

2) Proposals meeting all Qualifying Factors are then evaluated based upon the PHA's Evaluation Selection Criteria:

a) The Evaluation Selection Criteria will be consistent with HUD regulations and guidelines, including 24 CFR 983.57 (d) and (e).

- b) The criteria will be written and adopted by the Board prior to the first Public Notice.
 - c) Each criteria will be assigned a maximum point value indicative of its relative importance.
 - d) An Evaluation Selection Criteria rating sheet will be prepared, listing each criteria, the maximum points, the points awarded for each criteria, the total points awarded, voluntary comments, the name of the reviewer and the date of the review.
 - e) Each proposal will be independently rated by each evaluator over the same period of time.
 - f) The evaluation team may meet to determine a recommendation.
 - g) The agency is not obligated to select the highest rated proposal if a reasonable explanation can be provided to the Board.
 - h) If appropriate, PHA quality and design requirements in addition to Housing Quality Standards pursuant to 24 CFR 983.100(e) may be included as a rating factor.
 - i) The results of pre-selection inspection of existing units pursuant to 24 CFR 983.103(a) will be an evaluation/rating factor if existing units are being considered.
 - j) Evidence of financial commitment as compared to construction/rehabilitation cost and debt service may be a rating factor.
 - k) An operation cash flow projection may be a rating factor.
 - l) A written Management Plan describing how the owner will fulfill the occupancy and maintenance requirements may be a rating factor.
- 3) For proposals with omissions or discrepancies, applicants will be notified by letter and will be allowed 10 calendar days to correct or complete the proposal. If the corrections or additional requested information is not received by the deadline, the proposal will be considered incomplete and rejected.
 - 4) Within seven (7) calendar days of Board approval, the PHA will provide written notification of the selected proposal(s) to all parties submitting a proposal.
 - 5) Within 14 calendar days of Board approval, the PHA will publish a public notice announcing the parties selected to receive PBV in the same newspaper in which the Public Notice of Agency Request for PBV Proposals was published.
 - 6) If the PHA has any direct or indirect interest in selected proposals, the PHA will request the selection process be reviewed by the local HUD Field Office or HUD approved independent entity, to determine the proposal was appropriately selected based on the selection procedures specified in the PHA Section 8 Administrative Plan. The requirements at 24 CFR 983.59 for independent entity to Anniston Housing Authority Housing Choice Voucher Administrative Plan perform the inspection, reasonable rent determination and determination of initial occupant rent shall be followed.
 - 7) Documentation regarding the basis for the proposal selection will be made available at the Executive Director's office under the control of an assistant to the Executive Director for at least three (3) years from the date the Board approved the proposal.

C: Housing Type

1. The PHA retains discretion to determine which housing type to select among the eligible housing types. However, the PHA resumes the right not to provide PBV assistance to Excepted units pursuant to 24 CFR 983.56(c)(2).
2. Depending on the PHA's needs, particular housing types may receive points in the proposal evaluation/rating process.

D: Excepted Units for Elderly, Disabled and Supportive Services Families

1. Excepted units may be part of the PBV contract and are not to be counted toward the cap on the number of PBV units in a building. However, the PHA reserves the right to not provide PBV assistance to Excepted units, pursuant to 24 CFR 983.56(c)(2).
2. Excepted units must be used for a “Qualifying” family.
3. The PHA may consider the following families as “Qualifying” families:
 - a. Elderly or disabled families
 - b. Families receiving any type of supportive services from an accredited source and receiving any level of supportive services
 - c. The services do not need to be provided at the project
 - d. If supportive services are discontinued the family shall continue to be a “Qualified” family as long as the family resides in the unit
 - e. If the family vacates the unit, the unit shall remain as “Excepted” if it is re-rented to another “Qualifying” family
 - f. The PHA shall monitor the family’s participation in supportive services once each year as part of the annual reexamination of the family. The family shall provide a third-party verification to document participation in supportive services.
 - g. If the family does not fulfill its obligations under a family self-sufficiency or similar program, the PHA reserves the right to take or not to take any action, pursuant to 24 CFR 983.201 and other parts of this Administrative Plan
 - h. The PHA reserves the right to place a cap less than 25% on the number of units receiving PBV or other project-based assistance in a building with “Excepted” units.

4. New Construction or Rehabilitation

If an owner is proposing to pledge the HAP Contract as security for financing, the owner must submit the financing document to the PHA for review. In determining approvability of the pledge arrangement, the PHA must ensure that the financing documents do not modify the contract and do not contain any requirements inconsistent with the contract. Any contract must be limited to amount payable under the contract in accordance with the terms of the contract.

E: PBV Housing Assistance Payments Contract (HAP) Process for Rehabilitation or Newly Constructed Units

1. The PHA and the owner will enter into an Agreement to Enter into a HAP Contract (AHAP) for Project-Based Voucher provided by HUD.
2. “Timely Completion” of the development shall be defined in the AHAP.
3. If the development work is not completed (i.e. occupying permit being issued) within the timely completion period, the PHA reserves the right to either terminate the AHAP or provide and extension to the timely completion period.
4. The PHA may, as needed, determine the acceptability of work drawings and specifications and require additional drawings and specifications in the work description section of the AHAP.
5. The AHAP cannot be executed until after the PHA receives approval of the Subsidy Layering Review (if needed) and approval of the Environmental Review.
6. After receiving the approval in item 5 (above), the AHAP shall be executed within 30 calendar days.
7. The AHAP will clearly describe the required evidence of completion that will be provided by the owner.
8. The PHA will review all evidence of completion and either approve or require additional evidence.
9. The PHA will use the HUD issued Project-Based Voucher Housing Assistance payments

(HAP) contract.

10. For existing housing, the HAP contract shall be executed within 14 calendar days after the units and buildings pass HQS inspection.

11. For newly constructed or rehabilitation housing, the HAP contract will be executed 14 calendar days after:

- a. The PHA has inspected the completed units and buildings and determined the development work was completed pursuant to the AHAP;
- b. The owner has submitted all required evidence of completion; and
- c. The PHA has accepted the evidence of completion.

12. The term of the HAP Contract will be for 10 years unless there is a documented and compelling reason for a lesser term of not less than one (1) year.

F: Conduct of Development Work

1. If needed, the PHA shall monitor Davis-Bacon wage requirements bi-weekly.
2. The PHA will maintain adequate documentation in an easily audited format for all items required to be monitored per the AHAP.
3. The PHA will provide a Documentation of Completion Certification to the owner pursuant with 24 CFR 983.155.

G: Extension of HAP Contract

1. The HAP Contract may be extended for terms of up to 15 years if deemed appropriate by the PHA.
2. When determining appropriateness for a HAP Contract extension, the PHA may consider:
 - a. The owner's history of compliance with the HAP contract;
 - b. The owner's history of properly screening clients and enforcing the lease;
 - c. The PBV units can still be properly supported by the PHA Five-Year and Annual Plan or other documented community needs; and
 - d. The PHA determines that PBV is still the best use of the HCV program budget authority.

H: Substitution and Addition of Contract Units

1. When considering the substitution of a contract unit, in addition to the substitute unit meeting HQS, the PHA may take into consideration:
 - a. A request for reasonable accommodation;
 - b. Changes in the condition or use of units in the building;
 - c. A resulting improvement in program or building management; and
 - d. Other reasonable justifications.
2. When adding units to the PBV HAP Contract during the first three (3) years of the contract, the PHA may take into consideration:
 - a. The regulatory limits per building and 20% of ACC units;
 - b. A request for reasonable accommodation;
 - c. Changes in the condition or use of units in the building;
 - d. A resulting improvement in program or building management; and
 - e. Other reasonable justifications.

I: Condition of Contract Unit

1. When determining the need for additional HQS requirements, the following items may be considered:
 - a. Assurance of continued compliance with any design, architecture or quality requirements listed in the AHAP or HAP Contract; and
 - b. Request for reasonable accommodation.
2. Additional HQS requirements are located in the HQS section of this Section 8 Administrative Plan.

J: Management

1. Owner Responsibilities

- a. The owner shall develop a written management plan that will be reviewed by the PHA during the proposal evaluation/rating process.
- b. The PHA will review the owner's compliance performance with the HAP Contract on or about the anniversary date of the contract.
- c. The owner shall appropriately screen applicants referred by the PHA.
- d. Provide the PHA with a copy of any termination of tenancy notifications on the following day.
- e. Offer vacant, accessible units to a family with one or more members with a disability requiring accessibility features of the vacant unit.

2. Waiting List and Selection for Participation

- a. The PHA HCV will establish a separate waiting list for each PBV project unless increased efficiency can be achieved by having the same waiting list for two or more PBV developments.
- b. All applicants of the appropriate bedroom size(s) on the Section 8 HCV Program will have the opportunity to be placed on the PBV waiting list when it is first established.
- c. Applicants who pass the HUD required Section 8 Program screening will be referred to the Owner.
- d. The PHA may place families referred by the owner of project-based voucher units on its PBV waiting list. Families will be referred to housing units from the waiting list.
- e. Concerning Income Targeting, in any fiscal year, not less than 75% of families admitted to the combined tenant-based and Project-Based Voucher Program should be extremely low-income families.
- f. PBV units will not remain vacant for an excessive period of time to meet the Income Targeting percentage.

3. Filing Vacant Units

- a. When the Owner notifies the PHA of vacancies in the PBV units, the PHA will refer to the owner one or more families of the appropriate size on the waiting list. A family that refuses the offer of a unit with Project-Based assistance will maintain its place on the waiting list.
- b. The owner must notify the PHA in writing within two (2) calendar days of learning of a vacancy.
- c. The owner will confirm occupancy, usually through rent payment, once each month.
- d. The PHA will refer applicants to the Owner within five (5) calendar days after receiving notice of vacancies. Such referral shall be in the form of providing the Owner with a copy of the Section 8 voucher and retain a copy with the application.
- e. The Owner must rent all vacant units to eligible families referred by the PHA from its waiting list. The PHA will determine eligibility for participation in accordance with HUD requirements.
- f. If the PHA does not refer a sufficient number of interested applicants on the PHA waiting list to the Owner within 30 calendar days of the Owner's notification to the PHA of a vacancy, the Owner may advertise for or solicit applications from eligible very low-income families. The Owner must refer these applicants to the PHA to determine final eligibility.
- g. The Owner shall notify rejected applicants within three (3) calendar day of the decision in writing with a copy to the PHA.

4. Briefing the Family

Within seven (7) calendar days after accepting PBV, the PHA will provide an oral briefing and a written briefing packet pursuant to 24 CFR 983.252.

K: Overcrowded, Under-Occupied, and Accessible Units

The PHA's subsidy standards apply to the PBV program and will determine the appropriate unit size for the family size and composition.

1. If the PHA determines that family is occupying a wrong-size unit (overcrowded or underoccupied) or a unit with accessibility features that the family does not require and the unit is needed by a family that requires the accessibility features, the PHA will promptly notify the owner of this determination and offer family continued assistance in the form of:

- a. PBV assistance in an appropriate-size unit, in the same project or in another project;
- b. Other project-based housing assistance (e.g., by occupancy of a public housing unit);
- c. Tenant-based rental assistance under the HCV program; or
- d. Other comparable public or private tenant-based assistance (e.g., under the HOME program).

2. Termination of Housing Assistance Payment

a. If the PHA offers the family the opportunity to receive Tenant-based rental assistance under the HCV program, the PHA must terminate the HAP payment for a wrong-sized or accessible unit:

- 1) At the earlier of the expiration of the term of the family's voucher (including any extension granted by the PHA), or
- 2) The date upon which the family vacates the unit.
- 3) If the family does not move out of the wrong-sized unit or accessible unit by the expiration of the date of the term of the family's voucher, the PHA must remove the unit from the HAP contract.

b. If the PHA offers the family the opportunity for another form of continued housing assistance, not in the tenant-based voucher program, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by the PHA, or both, the PHA will terminate the housing assistance payment for the wrong-sized or accessible unit at the expiration of a reasonable period as determined by the PHA and remove the unit from the HAP contract.

L: Reduction of Number of Units Covered by HAP Contract

1. Owners must lease all assisted units under HAP Contract to eligible families. Leasing of vacant units to ineligible tenants is a violation of the HAP Contract and grounds for all available legal remedies including suspension or debarment from HUD contracts and reducing the number of contract units.

2. The PHA may reduce the number of units if a unit is vacant for 120 days since Notice of Vacancy from the Owner to the PHA and the PHA has made good faith efforts to refer applicant to Owner.

3. Restoration

The PHA will agree to an amendment of the HAP contract to provide subsequent restoration of any reduction made, if:

- a. The PHA determines that the reduction is justified by demand;
- b. The Owner otherwise has a record of compliance with obligations under the HAP contract; and
- c. Contract authority is available.

M: Maintenance and Inspections

1. The owner must provide all services, maintenance and utilities as agreed under the HAP Contract, subject to abatement of housing assistance payments or other applicable remedies if the owner fails to meet these obligations

2. The PHA will inspect 100% of the PBV units under contract at least annually and at other times as may be necessary to assure the owner is meeting the obligations to maintain the

units in decent, safe and sanitary condition and to provide the agreed upon utilities and services.

3. If the PHA notifies the owner the unit(s) under contract are not in decent, safe and sanitary condition and the owner fails to take corrective action within the time prescribed in the notice, the PHA may exercise any or all of its rights or remedies under the HAP Contract, including abatement of the housing assistance payment or termination of the HAP Contract.

N: Rent and Housing Assistance Payments

1. The Owner will not charge more than one (1) month's rent as a security deposit and will not charge a security deposit that is higher than non-subsidized units.

2. The PHA will maintain documents to clearly justify the determination or rent to owner pursuant to 24 CFR 983.301.

3. Rent Adjustments

a. If the Owner wishes a rent increase, the Owner must request a rent increase by written notice to the PHA at least 90 days before the HAP Contract anniversary date.

b. To be eligible for an increase, the Owner must comply with all requirements of the HAP Contract, including HQS for all contract units.

c. The adjusted rent will be reasonable in comparison with rents charged for comparable dwelling units in the private, unassisted local market.

4. Special Rent Adjustments

a. A special rent adjustment may be approved only to reflect increases in the actual and necessary cost of owning and maintaining the contract units due to substantial and general increases in:

- 1) Real Property taxes;
- 2) Special governmental assessments;
- 3) Cost of utilities not covered by regulated rates.

b. The owner must submit financial information, as requested by the PHA, that supports the request for a special adjustment.

5. Owner Certification of Rent

By accepting each monthly housing assistance payment from the PHA, the owner certifies that the rent to owner is not more than rent charged by the owner for comparable unassisted units in the premises.

6. Reasonable Rent

a. The PHA will not enter into an agreement or HAP Contract until it is determined the initial rent to the owner is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination the PHA will consider:

- 1) The location, quality, size, unit type, and age of the contract unit; and
- 2) Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

b. The initial rent to the owner for a unit may not exceed the reasonable rent as determined by the PHA in accordance with 24 CFR 983.

7. FMR/Exception Rent Limit

The initial gross rent for the unit shall not exceed 110% of the established Fair Market Rent on the date the Agreement to enter into a HAP Contract is executed. The FMR/exception rent is determined by the PHA in accordance with 24 CFR 982.504

O: Rental Assistance Demonstration - RAD Significant Amendment 2019 Fact Sheet

RAD-Specific Significant Amendment to the PHA Plans

The Anniston Housing Authority is amending its Annual Plan, ACOP, HCV Administration Plan and/or 5 year PHA Plan because it was a successful applicant in the U.S. Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. Presently, the Authority will be converting four public housing communities to the RAD program. Conversion of assistance under RAD is considered a Significant Amendment to the Authority's Annual/5 year Plan.

Key Points of RAD Conversation

Right to Return. Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete.

No Re-screening of Tenants upon Conversion. At conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit.

Under-Occupied Unit. If a family is in an under-occupied at the time of conversion, the family may remain in this unit until an appropriate-sized unit become available in the covered Project. When an appropriate sized unit becomes available in the covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time.

Renewal of Lease. The PHA will renew all leases upon lease expiration.

Phase-in of Tenant Rent Increases. If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 years.

Public Housing Family Self Sufficiency (PH FSS). Public Housing residents that are current FSS participants will continue to be eligible for FSS.

Grievance Process. The hearing procedures for Project Based Voucher (PBV) and PBV clients converted under RAD are outlined in of the Anniston Housing Authority HCV Administrative Plan.

Earned Income Disregard (EID). Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion.

RAD-Specific Significant Amendment to the PHA Plan

Narrative

The Anniston Housing Authority amended its Annual PHA Plan and/or 5 year PHA Plan because it was a successful applicant in the U.S. Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. Presently, the Authority will be converting public housing units described

below to RAD Project Based Voucher assisted units under the guidelines of PIH Notice 2012-32 (HA), REV-3 (Issued January 12, 2017) and any successor Notices. Conversion of assistance under RAD is considered a Significant Amendment to the Authority’s Annual and/or Five Year Plan.

Upon conversion to RAD Project Based Vouchers, the Authority will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6 of PIH Notice 2012-32 (HA), REV-3, Attachment 1B of the Notice and the Joint Housing/PIH Notice H-2014-09/PIH-2014-17. These resident rights, participation, waiting list and grievance procedures are further listed below.

Additionally, the Authority is currently compliant with all fair housing and civil rights requirements. This RAD conversion complies with all applicable site selection and neighborhood reviews standards and all appropriate procedures have been followed.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing the Authority 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 be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that the Authority may also borrow funds to address their capital needs. The Authority currently does not have debt under an Energy Performance Contract.

4. A description of the units to converted.

AMP	Sites	Type	0BR	1BR	2BR	3BR	4BR	5BR	Total
AL004000003A	Barber Terrace	Family	0	12	22	22	4	0	60

5. Any change in the number of units that is proposed as part of the conversion.

- a. De minimis unit reductions – *none*.
- b. Unit reductions that are exempt from the de minimis cap – *none*.
- c. Any change in the bedroom distribution of units that is proposed as part of the conversion – Barber Terrace- see the following chart

Conversion change to Barber Terrace:

AMP	Sites	Type	0BR	1BR	2BR	3BR	4BR	5BR	Total
AL004000003A	Barber Terrace	Family	0	12	22	22	4	0	60

New unit mix:

AMP	Sites	Type	0BR	1BR	2BR	3BR	4BR	5BR	Total
AL004000003A	Barber Terrace	Family	0	18	24	16	2	0	60

6. Changes in the policies that govern eligibility, admission, selection, and occupancy of units at the project after it has been converted.

Converting to Project Based Vouchers (PBV). Currently used waiting list preferences used for public housing will continue for all covered projects. Resident Rights and Participation, Tenant Protections

for residents stated in Section 1.6, Attachment 1B of this RAD Notice Revision 3 and the Joint Housing/PIH Notice H-2014-09/ PIH2014-17 will all be adhered to.

Specifically:

- 6. Right to Return.** Any resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Permanent involuntary displacement of residents may not occur as a result of a project's conversion of assistance, including, but not limited to, as a result of a change in bedroom distribution, a reduction of units, or the reconfiguration of apartments. Where the transfer of assistance to a new site is warranted and approved residents of the converting project will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a PHA or Owner's offer to permanently relocate to another assisted unit or other suitable housing, and thereby waive their right to return to the development after rehabilitation or construction is completed.
- 7. No Re-screening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family.
- 8. Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR 983.259 at the time of conversion, the family may remain in this unit until an appropriate-sized unit become available in the covered Project. When an appropriate sized unit becomes available in the covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the covered Project, 24 CFR 983.259 is waived.
- 9. Renewal of Lease.** Under current regulations at 24 CFR § 983.257(b)(3), the PHA must renew all leases upon lease expiration, unless cause exists. This provision must be incorporated by the PBV owner into the tenant lease or tenancy addendum, as appropriate.
- 10. Phase-in of Tenant Rent Increases.** If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) only to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

Anniston Housing Authority Policy: If the tenant’s monthly rent increases more than 10% or \$25, whichever is greater, a three (3) year phase in will be implemented according to the Three Year Phase in scheduled below.

The method below explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section “standard TTP” refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the “most recently paid TTP” refers to the TTP recorded on line 9j of the family’s most recent HUD Form 50058.

Three Year Phase-in:

Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP and the standard TTP

Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 66% of difference between most recently paid TTP and the standard TTP

Year 3: Year 3 AR and all subsequent recertification’s – Full standard TTP.

- 9. Public Housing Family Self Sufficiency (PH FSS).** Public Housing residents that are current FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and PHAs will be allowed to use any PH FSS funds, to serve those FSS participants who live in units converted by RAD. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the FY15 Appropriations Act), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g. escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984, and participants’ contracts of participation, and the alternative requirements established in the “Waivers and Alternative Requirements for the FSS Program” Federal Register notice, published on December 29, 2014, at 79 FR 78100. Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered Tenant Based Rental Assistance (TBRA) funds, thus reverting to the HAP account if forfeited by the FSS participant.

- 10. Resident Participation and Funding.** Residents of covered projects with converted PBV assistance will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.

- 11. Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner’s lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

a. Termination Notification. HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257, related to Project owner termination of tenancy and eviction, the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

- i. A reasonable period of time, but not to exceed 30 days:
 - a. If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - b. In the event of any drug-related or violent criminal activity or any felony conviction;
- ii. 14 days in the case of nonpayment of rent; and
- iii. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
- iv. 3 day Expedited Lease Termination: If the health or safety of other residents, AHA employees, or persons residing in immediate vicinity of the premises is threatened; or if any member of the household has engaged in any drug related criminal or violent criminal activity; or if any member of the household has been convicted of a felony, AHA shall give the resident three (3) day's written notice of termination of tenancy.

b. Grievance Process. Pursuant to the requirements in the RAD Statute, HUD has established additional procedural rights to comply with the requirements of section 6 of the Act.

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

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

iv. The Project Owner provides opportunity for an informal hearing before an eviction. Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

Anniston Housing Authority Policy: The hearing procedures for PBV and PBV clients converted under RAD are outlined in the Anniston Housing Authority HCV Administrative Plan.

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

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

20. Jobs Plus. *Not Applicable*

21. When Total Tenant Payment Exceeds Gross Rent. Under normal PBV rules, the PHA may only select an occupied unit to be included under the PBV HAP contract if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(d)). Also a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent) (24 CFR § 983.258). Since the rent limitation may often result in a family's TTP equaling or exceeding the gross rent for the unit, for current residents (i.e. residents living in the public housing property prior to conversion), HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP contract when TTP equals or exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that the rent to owner for the unit equal the family's TTP until such time that the family is eligible for a housing assistance payment. HUD is waiving as necessary to implement this alternative provision, the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR 983.301 as modified by PIH Notice 2012-32, REV-2. In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract. Assistance may subsequently be reinstated if the tenant becomes eligible for assistance.

Following conversion, 24 CFR § 983.53(d) applies, and any new families referred to the RAD PBV project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP

contract because a new admission's TTP come to equal or exceed the gross rent for the unit and if the project is fully assisted, HUD is imposing an alternative requirement that the PHA must reinstate the unit after the family has vacated the property; and, if the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR § 983.207 or, where "floating" units have been permitted.

22. Transfer of Assistance. *Not applicable*

Transfer of assistance at the time of conversion – *none*.

23. Impact on existing voluntary compliance agreements, consent orders or consent decrees or final judicial rulings or administrative rulings or decisions - *none exist*.

24. RAD conversion compliance with all applicable site selection and neighborhood reviews standards and procedures.

25. All applicable site selection and neighborhood reviews standards and procedures have been followed.

26. Moving To Work Requirements – *not applicable*.

27. Additionally, in accordance with 24 CFR Part 903, a PHA must perform the following actions in regards to their Capital Funds:

The PHA shall notify the public that the current and future Capital Fund Program Grants Budgets, will be reduced as a result of any projects converting to RAD.

b. The Anniston Housing Authority receives approximately \$1,600,000.00 annually from HUD from the Capital Fund Program. A decrease in the Capital Fund Program will continue due to the term limit on receiving proration for Cooper Homes and the RAD conversion reduction. Capital Fund Program Grants will no longer be available for the converted sites. The Anniston Housing Authority will fund replacement reserve accounts out of proceeds from contract rents.

b. Additionally, the Anniston Housing Authority does not have an existing Energy Performance Contract (EPC) for the converting projects.

28. All other required information and certifications necessary to submit a Significant Amendment to the PHA Plan, including Resident Advisory Board comments and responses, challenged elements, and all required certifications.

This submission will include the following:

- Comments from the Resident Advisory Board
- Public Comments and Challenged elements
- Responses
- Required Certifications