



Staff Summary Report

Council Meeting Date: 4/9/2009

Agenda Item Number: _____

SUBJECT: This is a public hearing to obtain citizen comment and approval of a resolution approving the City of Tempe Housing Authority's Annual Plan for Fiscal Year 2009-2010 (**Public Hearing**)

DOCUMENT NAME: 20090409cdlc01 **HOUSING AUTHORITY SECTION 8 ANNUAL PLAN (0408-12)**
RESOLUTION NO. 2009.21

SUPPORTING DOCS: Yes

COMMENTS:

PREPARED BY: Liz Chavez, Housing Services Administrator (480-350-8958)

REVIEWED BY: Chris Salomone, Community Development Manager (480-350-8294)

LEGAL REVIEW BY: Teresa Voss, Assistant City Attorney (480-350-8814)

FISCAL NOTE: All funding associated with the preparation and administration of the Annual Plan and Section 8 Housing Assistance Program is federal.

RECOMMENDATION: Approval of Resolution 2009.21

ADDITIONAL INFO: The U.S. Department of Housing and Urban Development (HUD) requires Section 8 housing agencies to submit an Agency Plan listing their goals and objectives for a five year period. Once approved, the housing agency must submit an Annual Plan for each year during the term of the five-year Agency Plan. This year, an Annual Plan for the fourth year of our five-year Plan (FY2005-2009) is required. It is through the Annual Plan that a Housing Authority receives funding.

This Annual Plan has been reviewed by our Resident Advisory Committee which included Section 8 participants. No comments were submitted.

The Annual Plan has been made available for public comment in accordance with HUD Regulations, through notices in the local newspaper, Housing Services office and web site. This public hearing is to give citizens an opportunity to comment on the Plan before it is submitted to HUD for approval. Any comments obtained will be added to the Annual Plan. After City Council has held the public hearing and approved the Annual Plan, staff will submit it to HUD for approval.

RESOLUTION NO. 2009.21

**A RESOLUTION OF THE CITY COUNCIL OF TEMPE, ARIZONA
APPROVING AND AUTHORIZING THE SUBMISSIONS OF THE
TEMPE HOUSING AUTHORITY ANNUAL PLAN FOR FY 2009-2010.**

WHEREAS, the Department of Housing and Urban Development (HUD) requires Housing Agencies to complete an Annual Plan; and

WHEREAS, the City of Tempe desires to participate in the Section 8 Housing Assistance Program and pursuant to the program requirements, has held a public hearing allowing a tenant advisory board, citizens and groups to participate in the determination of goals, objectives and program administrative policies, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE ARIZONA, as follows:

Section 1. The City of Tempe's Housing Agency Plan (FY2009-2010) is hereby approved and,

Section 2. The City Manager is authorized and directed to execute the required certifications of compliance associated with the Tempe Housing Authority's Plans and related regulations.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this 9th day of April, 2009.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

PHA 5-Year and Annual Plan

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

**OMB No. 2577-0226
Expires 4/30/2011**

1.0	PHA Information PHA Name: <u>City of Tempe Housing Authority</u> PHA Code: <u>A031</u> PHA Type: <input type="checkbox"/> Small <input type="checkbox"/> High Performing <input checked="" type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/2009</u>														
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>1082</u>														
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only														
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)														
	Participating PHAs PHA 1: N/A PHA 2: PHA 3:	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	<table border="1"> <thead> <tr> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	No. of Units in Each Program		PH	HCV						
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PH	HCV														
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.														
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: N/A														
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. N/A														
6.0	PHA Plan Update (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission: On November 20, 2008, the PHA's Administrative Plan was adopted to reflect revisions to the PHA's policies and procedures. The adopted Plan includes the PHA's VAWA statement and the PHA procedures that ensures that tenants are notified of their rights under VAWA. The City of Tempe is revising its Administrative Plan to comply with and support the Final Rule on Refinement of Income and Rent Determinations in Public Housing and Assisted Housing Programs published on January 27, 2009 and to be effective March 30, 2009. In addition, due to budget constraints and the PHA's determination of insufficient funding, the PHA has taken the following actions take to reduce costs in the Housing Choice Voucher Program ("the voucher program") in accordance with the Consolidated Appropriations Act, 2005 (Public Law 108-447): <i>Voucher Issuance.</i> The PHA has stopped issuing turnover vouchers. <i>Subsidy Standards.</i> If a family leases a unit larger than the unit size on the voucher, the payment standard is based on the lower of the voucher unit size or the actual unit size leased. If the family size is reduced after admission, the PHA ensures that the correct the payment standard is used. If the unit size for which the family is eligible changes during the term of the HAP contract, the "new" unit size is applicable at the first regular reexamination following the change (§982.505(b)(5)). <i>Utility Allowances.</i> Effective January 1, 2009, the PHA has reviewed and revised its utility allowances to determine if they are too high. Changes in utility allowances are implemented immediately, but not later than the next regularly scheduled reexamination of family income.														

Ensuring rent reasonableness. Effective March 1, 2009, at the contract anniversary date the PHA will review owner rents and reduce them if warranted. The PHA will determine whether the rent to owner is a reasonable rent in comparison to rent for other comparable unassisted units in accordance with the regulations at §982.507(b) and the HAP contract. Even if an owner's rent is reasonable, the PHA will request the owner to voluntarily agree to a temporary rent reduction or defer a rent increase to avoid termination of family assistance and HAP contract termination. It is the owner's option to agree to such measures.

Portability and Moves Within the PHA Jurisdiction. The PHA has opted to deny portability moves, and moves within the PHA jurisdiction under its calendar year 2009 to subsidize families that move to a higher cost area or unit. This is a denial to move for insufficient funding under §982.314(e) (1). In such cases, the PHA will contact the receiving PHA and confirm that the receiving PHA will not absorb the family. If the receiving PHA is willing to absorb, there are no grounds to deny the portability move under §982.314(e) (1).

Family Income Matching/Verification and Other Anti-Fraud Efforts. The PHA has accelerated efforts concerning income matching and income verification. The PHA immediately notifies families that enforcement action could be taken where underreporting of income is discovered.

- (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

Public Access to Information regarding any activities outlined in this plan can be obtained by contacting the PHA's main administrative office. The PHA also provide each resident board member a copy of its 5-Year and Annual Plan during its resident council meetings.

Locations For PHA Plans and Supporting Documents including Plan revised policies or program changes (including attachments) are available for public review and inspection at the Main administrative office of the PHA and the PHA's website at www.tempe.gov/housing.

Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. *Include statements related to these programs as applicable.*

(d) Homeownership Programs.

The PHA offers a single down payment assistance grant funded by HOME and CDBG funds for income eligible and qualified families when available by HUD. Deferred loans are provided to eligible households who wish to purchase a primary residence on an owner-occupied basis within the geographic boundaries of the city. Loans are available for down payment assistance, prepaid expenses, reasonable closing costs and principal reduction. Eligibility Criteria:

- First-time homebuyer
- Earn at least 30% AMI (Area Medium Income for family size)
- One year continuous full time employment
- Completion of initial Section 8 lease
- No outstanding debts to other Housing Authorities
- No current ownership interests
- No Prior Section 8 mortgage defaults
- No outstanding credit barriers to obtaining mortgage financing
- Household income below 80% AMI (The income and employment guidelines do not apply to disabled individuals)

7.0

The PHA will limit the number of families participating in the Section 8 homeownership to the maximum number of 10 participants in fiscal year 2009-2010.

Actions the PHA will undertake to implement the program this year include the renewal of the PHA's grant funding for two Family Self-Sufficiency (FSS) Homeownership Coordinator positions. These positions will assist in the administration of the existing FSS program and homeownership programs which include the Community Assisted Mortgage Program (CAMP) and the Section 8 Homeownership program. Both programs will use HOME and American Dream Downpayment Initiative (ADDI) (if available) and Individual Development and Empowerment Account (IDEA) as the funding source.

The PHA has demonstrated its capacity to administer the program by:

- Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- Partnering with a qualified agency or agencies to administer the program:
Homeownership Counseling Agency - Newtown Community Development Corporation – 7 years experienced
- Demonstrating that it has other relevant experience:
The PHA currently partners and funds other qualified agencies that administer first-time homebuyer down payment assistance programs and also provides affordable housing for the city. These agencies include Habitat for Humanity, Chicanos Por La Causa (CPLC), and Newtown, CDC.

8.0

Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.
N/A

8.1

Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the *Capital Fund Program Annual Statement/Performance and Evaluation Report*, form HUD-50075.1, for each current and open CFP grant and CFFP financing.
N/A

8.2

Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the *Capital Fund Program Five-Year Action Plan*, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.
N/A

8.3

Capital Fund Financing Program (CFFP).
 Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.
N/A

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.

The housing needs for the City of Tempe are provided in the Consolidated Plan 2005-2009 Housing Needs Table. The source of the data was obtained from the Comprehensive Housing Affordability Strategy (CHAS) tables derived from the 2000 Census. The information is calculated by the U.S. Department of Housing and Urban Development and provided to each community.

As indicated in the Housing Needs Table, the need is far greater than the capacity of the City to meet those needs in a five-year period. The main obstacle in meeting the needs in each category is the availability of resources. In projecting how to meet the City's housing needs during the next five-year period, estimates were determined using available funding sources and capacity.

Extremely low-income (0-30% of median income)

Renters: The City will use the Section 8 Housing Choice Voucher (HCV) Program to meet the needs of extremely low-income households. In accordance with current HUD regulations, 75% of families admitted to the tenant-based HCV Program must be in the extremely low-income category.

To determine the estimated housing needs, the City considers the annual turn-over rate in the HCV program and the estimated funding available to meet maximum lease-up. In addition, it is the City's intention to take the opportunity to apply for new units under the HCV program should funding become available from the U.S. Department of Housing and Urban Development.

Annual turn-over rate:	128
Units estimated for maximum lease-up:	40
Estimated new units applied for annually:	<u>50</u>
Total estimated units annually to meet need:	<u>218</u>

9.0

The total estimated annual units that must be targeted to the extremely low income households is 75%: 163.

In addition to the HCV Program, the City will assist renters in the extremely low-income category using the Rental Reinvestment Program. This program provides five-year forgivable loans for the moderate rehabilitation of existing rental units. The units, after receiving rehabilitation, will be rent and income restricted for five years. This restriction will ensure the affordability of units for extremely low-income household for the five-year period. It is estimated by the City that five units per year will be rehabilitated under this program. Using the 75% target for extremely low-income rental assistance under the HCV program, it is estimated that four of the rehabilitated rental units will be available for extremely low-income households. The funding source for this program is HOME funds.

Owners: The City will utilize the Housing Improvement Program (HIP) and the Emergency Grant Program to address the housing needs of extremely low-income owners. Trends in both programs indicate fewer households in this category receive rehabilitation assistance for their homes. This can be attributed to the fact that few extremely low-income households are able to own their homes. It is anticipated, based on past assistance trends, that approximately 25% (15) of the total units (60) receiving rehabilitation assistance will be provided to extremely low-income households. Funding sources for this program will be CDBG, HOME and program income from loans that utilized City funds.

Very low-income (30%-50% of median income)

Renters: The City will use the Section 8 Housing Choice Voucher (HCV) Program to meet the needs of very low-income households. Of the families admitted to the HCV Program, 75% must be in the extremely low-income category; therefore, the remaining 25% will meet the very-low income category. Using the above estimates for housing needs, the total estimated annual units targeted to the very low-income households will be 54.

The Rental Reinvestment Program will also be used to address the needs of the very low-income category. With 75% of the households targeted to the extremely low-income households, 25%, or 1 unit, will be targeted to this category.

Owners: Using the Housing Improvement Program and the Emergency Grant Program, the housing needs of the very low-income households will be met. Currently, approximately 23% of owner households receiving rehabilitation assistance are in the very low-income category. Projecting this percentage for the rehabilitation program, it is estimated that approximately 14 households annually in the very-low income category will receive assistance.

Low to Moderate Income (50%-80% median income)

Renters: While families currently receiving assistance on the HCV program fall within this category, no new households can be admitted to the program in this category under HUD Regulations.

Owners: The City's rehabilitation programs meet the needs of this category. Approximately 50% of households receiving rehabilitation assistance fall within this category; therefore, it is projected that approximately 30 families will receive rehabilitation assistance for their homes in this category.

Homebuyer assistance programs will also be targeted to the low to moderate income households. It is anticipated that 25 low-moderate income households will receive homebuyer assistance annually under the Community Assistance Mortgage Program, CAMP. Funding for this activity will be CDBG, HOME, American Dream Down payment Initiative funding and Family Self-Sufficiency Escrow accounts homebuyer assistance. In addition, 5 first-time homebuyers annually are anticipated to utilize the PHA's Section 8 Homebuyer assistance program.

In addition, the City of Tempe is a member of the Maricopa County HOME Consortium through an Intergovernmental Agreement. Federal regulations (CFR 91.405) require that housing needs assessment be consolidated for the entire Consortium service area. For information on the Consortium service area needs, refer to the 2005/2009 Consolidated Plan for the Maricopa County HOME Consortium.

To the extent that any racial or ethnic group has a disproportionately greater need for any income category in comparison to the needs of that category as a whole, the City of Tempe has completed an assessment of that specific need. Based on census data for the City of Tempe, it is determined that there is not a disproportionate need in any racial or ethnic group. Per the 2000 Census, the City of Tempe's general demographic characteristics are as follows:

Race:	
White	77.5%
Black or African American	3.7%
American Indian and Alaska Native	2.0%
Asian	4.7%
Native Hawaiian and Other Pacific Islander	0.3%
Some other race	8.5%
Two or more races	3.3%

Ethnicity:	
Hispanic or Latino (of any race)	17.9%

A review of households receiving Section 8 assistance provides the following characteristics:

Race:	
White	64%
Black or African American	29%
American Indian and Alaska Native	4.0%
Asian	2.0%
Native Hawaiian and Other Pacific Islander	1.0%
Ethnicity:	
Hispanic or Latino (of any race)	23%

Census data for Tempe indicates that approximately 5% of households, regardless of race, in owner occupied units are below the poverty level. In contrast, 23% of households, regardless of race, in renter occupied units are below the poverty level.

Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.**

The PHA has adopted the following Strategy for Addressing Housing Needs and to ensure consistency of this PHA Plan with the Consolidated Plan for the City of Tempe:

9.1

- The PHA has based its statement of needs of families on its waiting lists on the needs expressed in the Consolidated Plan/s.
- The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
- The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

- **Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan:**
Housing:
 - Increase homeownership through first time homebuyer and downpayment assistance programs**Eliminate barriers to affordable housing by:**
 - Providing affordability of decent, safe and sanitary rental housing
 - Increase the supply of affordable housing by supporting agencies to develop affordable housing through site acquisition and development activities
- **Homeless needs:**
 - Support regional Continuum of Care activities to serve the homeless
 - Support local activities to address homelessness in Tempe
- **Special needs populations**
 - Identify and address special needs populations
 - Provide financial assistance to non-profit agencies that provide services to special needs populations

In FY2006, the City created the Affordable Housing Council Committee, consisting of city staff, council members and community partners. This committee is currently in effect. The goal of the committee was to ensure planning, development, coordination and implementation of affordable and workforce housing concepts and programs, including overseeing coordination of spectrum of services targeted at moving individuals and families from homelessness to homeownership.

The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments:

- The Consolidated Plan for the City of Tempe supports the PHA's goals of applying for additional Section 8 tenant-based units. The Plan also supports the PHA's plans to apply for special-purpose vouchers targeted to families with disabilities. The Consolidated Plan lists this special population as having unmet needs and a high priority housing need.
- The Consolidated Plan supports the PHA's goals of increasing the number of affordable housing units by applying for additional Section 8 units should they become available.
- The Consolidated Plan also indicates a high priority housing need for families at or below 30% of area median income. The PHA Agency Plan lists a strategy of exceeding the HUD federal targeting requirements for families at or below 30% of AMI in tenant-based assistance. This strategy conforms to the Plan's goals.
- The PHA's goal of developing a first-time homebuyer's program conforms to the affordable housing strategies listed in the Consolidated Plan.

Additional Information. Describe the following, as well as any additional information HUD has requested.

- (a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.

At the beginning of FY 2009, due to budget constraints and the PHA's determination of insufficient funding, the PHA has taken the actions needed to reduce costs in the Housing Choice Voucher Program in accordance with the Consolidated Appropriations Act, 2005 (Public Law 108-447). Although this has impacted the PHA's progress in lease-up, the PHA continues to achieve its mission and state goals by expanding the supply of quality assisted housing, promoting economic opportunities and ensuring equal opportunity for affordable housing in our community.

- (b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

Definition of "substantial deviation" and "significant amendment or modification":

Substantial deviations or significant amendments or modifications are defined as discretionary changes in the plans or policies of the PHA that fundamentally change the mission, goals, objectives or plans of the agency and which require formal approval of the City Council of the City of Tempe.

Changes to this plan, not considered substantial deviations or significant amendments, based on changes in Federal, state or local rules, regulations or policies, may be adopted without formal approval of the City Council. All changes and/or amendments must however be reviewed by the Resident Advisory Board.

10.0

(c) PHA's must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance.

For the PHA's 2008 Section 8 Management Assessment Program (SEMAP), the PHA recorded a rating of zero on at least two of the performance indicators. The PHA's overall performance rating was "Standard Performer". Due to these scores, the PHA took the necessary corrective actions to ensure compliance with program requirements and submitted a Corrective Action Plan (CAP). The CAP provided by the PHA has been reviewed and the correction actions have been approved by HUD as satisfactorily addressing the deficiencies as addressed in the 2008 SEMAP CAP.

Despite these challenges, the PHA continues in meeting the mission and goals described in the 5-Year Plan. The PHA continues to report solid and improved performance in meeting its objectives in FY 2009.

- 11.0 Required Submission for HUD Field Office Review.** In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.
- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
 - (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
 - (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
 - (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
 - (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
 - (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
 - (g) Challenged Elements
 - (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
 - (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

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 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 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

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained 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 its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **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.

3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.

4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance 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.

5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission, and; 5) the number of units affected.

7. **Community Service and Self-Sufficiency.** A description of: (1) Any programs relating to services and amenities provided or offered to assisted families; (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; (3) How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. (Note: applies to only public housing).

8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (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.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of 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.
13. **Violence Against Women Act (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or 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 HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that **approved and/or pending** demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter 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>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". (Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. (Note: Standard and Troubled PHAs complete annually).

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.