

## **Attachment C**

### **Summary of December, 2020 Administrative Plan Changes**

- Removed evidence of eviction from publicly or privately owned housing as a result of a criminal action during the past two years as a cause for termination of assistance;
- Revised language on when a family is removed from a waiting list for failure to respond to HACCC outreach. Families now have up to one year or the expiration of the waiting list, whichever is sooner, to contact HACCC and to be reinstated to the wait list due to removal for failure to respond;
- Clarified the methodology for calculating the market value of real estate assets for annual income determinations;
- Clarified how HACCC would calculate reasonable child care expenses for Contra Costa County;
- Clarified that application of COLAs for fixed sources of income would apply to annual reexaminations due 60 days after HACCC learns of the COLA's effective date;
- Clarify that HACCC reserves the right to request more than four pay stubs if staff feel that is needed to properly calculate rent portions;
- Clarified the requirements for excluding financial aid assistance from a household's rent determination;
- Clarified that, for buildings where an owner rents unassisted units to the public in addition to assisted units, the unassisted unit rents will be considered for rent reasonableness determination;
- Confirmed that HACCC has adopted an Emergency Transfer Plan to discuss external transfers to other covered housing programs;
- Clarified when and how a family can request a review of how their rent was calculated and how to request an informal hearing if they disagree with HACCC's decision;
- Revised language that ensures equal and fair opportunity outreach to landlords regarding participation in the HCV program including efforts to reach persons with hearing, visual, and other communications-related disabilities and taking reasonable steps to ensure meaningful access to programs to persons with limited English proficiency;
- Added language stating that landlords may keep the entire rental assistance payment for the month in which a family vacates a unit (as permitted by HUD);
- Added regulatory language outlining the protections voucher clients have in the event their assisted unit undergoes foreclosure;
- Added language that indicates HACCC will not voluntarily adopt the use of Small Area Fair Market Rents (SAFMR). SAFMRs will only be used if needed to establish exception payment standards in certain zip code areas.
- Removed reference to "suspension" of a voucher term since this is not a viable option in administration of the HCV Program. The voucher term can be tolled, extended or terminated, but not suspended;
- Added a policy permitting remote hearings to be conducted as a result of weather, pandemic, illness, as a reasonable accommodation, or in other instances (such as lack of

childcare) determined appropriate by HACCC. Remote hearings will be properly noticed in advance and HACCC will provide technical assistance as needed;

- Added language to ensure that pre-hearing discovery is granted whenever there is a remote hearing. HACCC will provide all relevant documents in advance of the hearing to the family and will also require that the family provide HACCC with advance copies of documents the family plans to submit at the hearing;
- Streamlined language specifying who could be a hearing officer and clarified that it must not be a person involved in the decision-making process relevant to the violation that the family is disputing;
- Added language reflecting the new PBV regulations that permit the maximum cap on PBV assisted units to increase by 10% from 20% to 30%. This 10% expansion only applies to units that are under a HAP contract first executed on, or after, April 18, 2017 and is only available for units designated for the homeless or veterans;
- Updated language in the plan regarding when and how a Subsidy Layering Review is to be conducted when developing housing with PBV assistance;
- Clarified HACCC's policy on when it would limit the number of units it would fund in a PBV-assisted development. Only elderly units, or units covered by a supportive services agreement can be included as excepted units. Otherwise, all units will be included as permitted by PBV program regulations;
- Clarified HACCC's inspection policy to state that PBV families would not be assisted until the initial or turnover unit complies with the HQS requirements;
- Updated the list of PBV-assisted properties to include the Terraces Family and the Terraces Senior Apartments in Richmond, CA;
- Revised PBV waiting list language to permit unresponsive households who are removed from the wait list to be added back onto the waitlist without penalty within one year from their removal. Thereafter, they will have to re-apply when the list is re-opened;
- Added language regarding special provisions applying to Tenant Protection Vouchers (TPV) awarded as part of a Voluntary Conversion of public housing units in projects that include RAD PBV units – These provisions are detailed under the RAD program regulations and laid out in Chapter 18 of the Plan;
- Inserted a table that reflects the RAD provisions that are applicable to non-RAD units in a project;
- Added language, in compliance with RAD regulations, detailing the protections available to tenants in RAD-assisted units;
- Added a table to list the RAD-assisted projects in HACCC's jurisdiction and which version of the HUD RAD regulations were applicable to each;
- Numerous changes were made to the chapter 18 language regarding the applicability of RAD provisions to non-RAD assisted units in a project. HACCC has ten projects assisted with both RAD and PBV rental assistance. Initial guidance limited the RAD provisions to the RAD units, but that is no longer the case;
- Language regarding the applicability of temporary and permanent relocation for Rad projects added to Chapter;

- Language added to distinguish between ownership entities under different applicable RAD Notices, but all essentially require that the ownership entity cannot be the PHA and should be a non-profit or non-profit affiliate of the PHA;
- Added language confirming that when a PHA converts all of their Public Housing units, the PHA can use all of the operating funds it was receiving to operate the RAD units;
- Included language that explains the various limitations on the maximum number of units permitted to be designated for RAD based on the applicable HUD RAD Notice;
- Reaffirmed that no RAD units will be approved for occupancy until they meet HQS. HACCC will not be using alternative inspection standards;
- Reemphasized the mandatory HAP Contract renewal requirement for RAD transactions;
- Added a policy stating that newly admitted families to RAD units whose Total Tenant Payment exceeds the gross rent, will NOT be permitted to participate in the RAD rental assistance program. This is in accord with HUD regulations and will also apply to non-RAD units in the same project;
- Added language to clarify that for initial RAD Certification, the family's public housing rent will be used for calculating their housing assistance payment amount and tenant rent. Until their first annual reexamination. At the family's first annual reexamination, the calculation will be completed based on HCV rent calculation methodologies and utility allowance guidance;
- Clarified HACCC's policy for implementing an increase in a family's rent portion after conversion to the RAD PBV program. Increases will be tiered over the course of three years;