

**HOUSING AUTHORITY of the
COUNTY OF CONTRA COSTA**

**CALENDAR FOR THE BOARD OF
COMMISSIONERS**

BOARD CHAMBERS ROOM 107, COUNTY ADMINISTRATION BUILDING
651 PINE STREET
MARTINEZ, CALIFORNIA 94553-1229

CANDACE ANDERSEN, CHAIR
DIANE BURGIS, VICE CHAIR
JOHN GIOIA
KAREN MITCHOFF
FEDERAL D. GLOVER

JOSEPH VILLARREAL, EXECUTIVE DIRECTOR, (925) 957-8000

To slow the spread of COVID-19, the Health Officer's Shelter Order of June 16, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Board of Supervisors meeting will be accessible via television and live-streaming to all members of the public as permitted by the Governor's Executive Order N29-20. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov.

PERSONS WHO WISH TO ADDRESS THE BOARD DURING PUBLIC COMMENT OR WITH RESPECT TO AN ITEM THAT IS ON THE AGENDA MAY CALL IN DURING THE MEETING BY DIALING 888-251-2949 FOLLOWED BY THE ACCESS CODE 1672589#. To indicate you wish to speak on an agenda item, please push "#2" on your phone.

All telephone callers will be limited to one (1) minutes apiece. The Board Chair may reduce or eliminate the amount of time allotted per telephone caller at the beginning of each item or public comment period depending on the number of calls and the business of the day. Your patience is appreciated.

A lunch break or closed session may be called at the discretion of the Board Chair.

Staff reports related to open session items on the agenda are also accessible on line at www.contracosta.ca.gov.

**ANNOTATED AGENDA & MINUTES
July 14, 2020**

1:00 P.M. Convene and call to order.

CONSIDER CONSENT ITEMS: (Items listed as C.1 through C.9 on the following agenda) - Items are subject to removal from the Consent Calendar by request from any Commissioner or on request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Discussion Items.

DISCUSSION ITEMS

D. 1 CONSIDER Consent Items previously removed.

There were no consent items removed for discussion.

D. 2 PUBLIC COMMENT (1 Minute/Speaker)

There were no requests to speak at public comment.

D.3 CONSIDER approving amendments to the Housing Authority's (HACCC) Admissions and Continued Occupancy Policy in response to HUD'S COVID-19 Statutory and Regulatory Waivers.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

D.4 CONSIDER approving amendments to the Housing Authority's (HACCC) Housing Choice Voucher Administrative Plan in response to HUD'S COVID-19 Statutory and Regulatory Waivers.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

ADJOURN

Adjourned today's meeting at 3:59 p.m.

CONSENT ITEMS:

C. 1 DENY claim filed by Yvonne Baker.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.2 RECEIVE the Housing Authority of the County of Contra Costa's investment report for the quarter ending March 31, 2020.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.3 ACCEPT the 2019-2020 Fiscal Year End (Unaudited) Budget Report for the period ending March 31, 2020.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.4 RATIFY and APPROVE the Housing Choice Voucher payment standards for the Housing Authority of the County of Contra Costa effective June 1, 2020 in response to COVID-19.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.5 AWARD and AUTHORIZE the Housing Authority Executive Director, or designee, to execute a construction contract with Garland/DBS, Inc., in the amount of \$399,942 for the Roof Replacement Project, Bayo Vista Public Housing Development, Rodeo area, and take related actions under the California Environmental Quality Act.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.6 APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or designee, to execute a contract with the Contra Costa County Sheriff's Department in an amount not to exceed \$250,000 to provide the Housing Authority's Bayo Vista public housing development with additional law enforcement services for the period July 1, 2020 through June 30, 2021.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

C.7 APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or his designee, to execute a twelve month contract with the City of Pittsburg in an amount not to exceed \$158,000 to provide the Housing Authority's El Pueblo public housing development with additional law enforcement services for the period July 1, 2020 through June 30, 2021.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

- C.8 APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or designee, to execute a contract with the Contra Costa County Sheriff's Department in an amount not to exceed \$125,000 to provide the Housing Authority's Las Deltas public housing development with additional law enforcement services for the period July 1, 2020 through December 31, 2020.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

- C.9 ADOPT Resolution No. 5229 to approve collection loss write-offs in the public housing program in the amount of \$ 40,643.89 for the quarter ending March 31, 2020.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE

GENERAL INFORMATION

Persons who wish to address the Board of Commissioners should complete the form provided for that purpose and furnish a copy of any written statement to the Clerk.

All matters listed under CONSENT ITEMS are considered by the Board of Commissioners to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time the Commission votes on the motion to adopt.

Persons who wish to speak on matters set for PUBLIC HEARINGS will be heard when the Chair calls for comments from those persons who are in support thereof or in opposition thereto. After persons have spoken, the hearing is closed and the matter is subject to discussion and action by the Board.

Comments on matters listed on the agenda or otherwise within the purview of the Board of Commissioners can be submitted to the office of the Clerk of the Board via mail: Board of Commissioners, 651 Pine Street Room 106, Martinez, CA 94553; by fax: 925-335-1913; or via the County's web page: www.co.contracosta.ca.us, by clicking "Submit Public Comment" (the last

bullet point in the left column under the title “Board of Commissioners.”)

The County will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Clerk of the Board at least 24 hours before the meeting, at (925) 335-1900; TDD (925) 335-1915. An assistive listening device is available from the Clerk, Room 106. Copies of taped recordings of all or portions of a Board meeting may be purchased from the Clerk of the Board. Please telephone the Office of the Clerk of the Board, (925) 335-1900, to make the necessary arrangements.

Applications for personal subscriptions to the monthly Board Agenda may be obtained by calling the Office of the Clerk of the Board, (925) 335-1900. The monthly agenda may also be viewed on the County’s internet Web Page: www.co.contra-costa.ca.us

The Closed session agenda is available each month upon request from the Office of the Clerk of the Board, 651 Pine Street, Room 106, Martinez, California, and may also be viewed on the County’s Web Page.

AGENDA DEADLINE: Thursday, 12 noon, 12 days before the Tuesday Board meetings.

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: PUBLIC HOUSING ADMISSIONS and CONTINUED OCCUPANCY POLICY PLAN AMENDMENTS IN RESPONSE TO HUD'S COVID-19 STATUTORY AND REGULATORY WAIVERS

RECOMMENDATIONS

APPROVE amendments to the Housing Authority's (HACCC) Admissions and Continued Occupancy Policy in response to HUD'S COVID-19 Statutory and Regulatory Waivers.

BACKGROUND

On April 10, 2020, as part of its response to the COVID-19 pandemic, the U.S. Department of Housing and Urban Development (HUD) waived many of its existing statutory and regulatory requirements for the Public Housing and Housing Choice Voucher (HCV) programs, while establishing alternative methods to continue program operations. HUD's waivers were designed to "provide administrative flexibilities and relief to public housing agencies (PHAs)" and "HUD strongly encourages PHAs to utilize any and all waivers and alternative requirements as necessary to keep public housing and HCV programs operational to the extent practicable."

Every PHA that manages a public housing program is required by HUD to maintain a written Admissions and Continued Occupancy Policy (ACOP) that establishes local policies for administration of the [program](#) in accordance with HUD requirements. The ACOP, and any revisions, must be formally adopted by the [PHA](#) Board of [Commissioners](#) or other authorized [PHA](#) officials. Normally, Board approval is required prior to implementation of any changes to the ACOP. In order to implement the COVID-19 waivers as quickly as possible, HUD authorized PHAs to immediately adopt temporary changes to their ACOPs.

Action of Board On: **07/14/2020** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

BACKGROUND (CONTD)

While HUD allowed early implementation, they also require the Board to formally adopt the related COVID changes to HACCC's ACOP by July 31, 2020.

HACCC adopted many of the administrative policies and procedures permitted by the HUD waivers. Most of these changes are temporary and will expire at HUD's direction. Currently, the majority of HUD's waivers expire on July 31, 2020, October 31, 2020 or December 31, 2020. HUD has indicated that they will be extending some or all of their waivers, but have not yet made an official announcement regarding extensions.

Staff implemented a number of changes to HACCC's ACOP and staff is asking the Board to approve the continued use of these changes for as long as permitted by HUD. The following are the proposed temporary changes to HACCC's ACOP (with current expiration date in parentheses):

- Delay annual family income and composition examinations (12-31-20);
- Suspend of the HUD Income Verification Hierarchy for Annual Examinations (7-31-20);
- Suspend of the HUD Income Verification Hierarchy for Interim Examinations (7-31-20);
- Suspend Enterprise Income Verification (EIV) report monitoring (7-31-20);
- Suspend the of the Community Service Requirement (3-31-21);
- Allow over-Income families to continue at their existing rent level until the family's first annual examination after the COVID waivers are lifted (12-31-20)
- Send notification to families within 30 days of making any changes to policies and rules in response to COVID-19 instead of providing impacted families with a 30-day notice prior to implementing the changes. (7-31-20)
- HACCC will not ask HUD for new Public Housing Assessment System (PHAS) scores in 2020. The existing PHAS scores will carry over until March 31, 2021 (3-31-21);
- Extend the period in which HACCC is required to submit recertification data into HUD's PIC system from 60 days to 90 days after the effective date of any changes (12-31-20); and
- Suspend a household's repayment agreement in the event of hardship (12-31-20).

Staff also implemented several changes in response to COVID that are intended to be permanent. These are policies that were never implemented by HACCC, but were previously allowed by HUD. The following are the proposed permanent changes to HACCC's public housing policies and procedures:

- HACCC will utilize alternative methods, as needed, to conduct applicant interviews and to collect and/or provide other information to families moving into units. These include video conferencing, telephone briefings and any other electronic means deemed suitable; and
- Added additional formats for accepting documents such as jpeg, screen shots from phones, etc. so that families can conduct business with HACCC remotely.

Finally, HACCC staff took the following action:

- Suspended all eviction proceedings during the COVID pandemic (July 24, 2020).

The proposed updates are attached. A complete copy of the proposed ACOP is available for review at HACCC's main office.

FISCAL IMPACT

No direct financial impact.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to approve the changes to the ACOP, HACCC will be out of compliance with HUD requirements. HUD may also impose additional sanctions.

CLERK'S ADDENDUM

ATTACHMENTS

Temp Changes

PIH Waiver

TEMPORARY CHANGES TO PUBLIC HOUSING POLICIES AND PROCEDURES IN RESPONSE TO COVID-19

HUD has facilitated the adoption of specific waiver authority by PHAs in an effort to ensure operations are not impacted and families can continue to be served during the Shelter in Place Order by the Public Health Director and Emergency Declarations made by the Governor of California and the President of the United States.

Pursuant to PIH Notice 2020-05 issued on April 10, 2020, HACCC has adopted the following waivers and modified its policies and procedures to implement said waivers. These waivers were adopted effective April 14, 2020 and expire as indicated below.

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

HUD is waiving the requirement that 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.

Policy Change:

HACCC will delay annual examinations of the income and household composition of HCV and public housing families during the period permitted by HUD.

Expires: All annual examinations due in Calendar Year (CY) 2020 must be completed by December 31, 2020.

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

HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. 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 for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

3. PH & HCV - 4: Family Income and Composition; Interim Examinations

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 verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

4. PH & HCV - 5: Enterprise Income Verification (EIV) Monitoring

HUD is waiving mandatory EIV monitoring requirements found in PIH Notice 2018-18 through July 31, 2020.

Policy Change:

HACCC will not review EIV reports until the end of the waiver authority period. In the event of discrepancies, the family will be required to submit corroborating evidence of declarations.

Expires: July 31, 2020

5. PH-5 Community Service and Self Sufficiency Requirement (CSSR)

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 until the family's next annual reexamination.

Policy Change:

HACCC will suspend the community service and self-sufficiency requirement for Public Housing Residents beginning with those whose annual reexamination is effective May 1, 2020.

Expires March 31, 2021

6. PH-7 Over- Income Families

HUD is waiving the requirement that PHAs terminate rental assistance or charge an alternative rent (flat rent) to families whose income exceeds the program maximum over two consecutive reexamination cycles through December 31, 2020. Through this waiver PHAs would be allowed to permit over-income families to remain in their units and pay the same rental amount until that PHA conducts the family's next annual income recertification.

Policy Change:

HACCC will permit over-income families to continue paying their existing rental amount until the PHA conducts the family's next annual income recertification.

Expires: December 31, 2020

7. PH-10 Tenant Notifications for Changes to Project Rules and Regulations

HUD is waiving the requirement to provide 30-day notices to impacted families for changes to policies, rules, and special charges to families, except for notices related to tenant charges, through July 31, 2020. Although HUD is waiving the advanced notice, PHAs must still provide adequate notification to families within 30 days of making such changes.

Policy Change:

HACCC will update policies and rules as needed and required by HUD where permitted without providing 30-days to impacted families, however when changes are made HACCC will send notification to families within 30 days of making the changes.

Expires: July 31, 2020.

8. PHAS, SEMAP and Financial Reporting Standards

(a): Public Housing Assessment System (PHAS)

HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.

Policy Change:

HACCC will not request that HUD issue a new PHAS score. HACCC's existing PHAS score will be carried forward.

Expires: HUD will issue new PHAS scores beginning with FYE March 31, 2021

9. Other Waivers

(a): PHA Reporting Requirements on HUD Form 50058

HUD is waiving the requirement that PHAs must submit form HUD-50058 within 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, HUD will permit PHAs that adopt the waiver to submit their form HUD-50058 within 90 days after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.

Policy Change:

HACCC will adopt the 90 day waiver during the COVID-19 response period and will use it as needed. However, HACCC will strive to continue submitting line 2b transactions to the HUD PIC database within 60 days after the effective date.

Expires: December 31, 2020

10. Repayment Agreements

Families are required to make repayments on unreported income or non-payment of rent on Repayment Agreements executed between the tenant and /or and HACCC. HACCC recognizes that COVID-19 has resulted in many households having their monthly income affected by loss of employment, layoff or reduction in hours worked.

HACCC Policy:

In the event of hardship, on a case-by-case basis, HACCC will suspend a household's repayment agreement until December 31, 2020.

Expires: December 31, 2020

Availability of Waivers and Alternative Requirements

The waiver and alternative requirement period of availability begins immediately on April 10, 2020, the issuance date of the notice. The specific waiver and alternative requirement period of availability end dates are listed in each waiver discussed in the notice. The waivers are generally broken into three periods of availability categories: short-term, ending on July 31, 2020; long-term, ending on December 31, 2020; and waiver-specific end dates – dates that are unique to the waiver that may be based on fiscal years or specific activities.

PHAs are not required to use the waiver for the full period of availability and may go back to the standard program requirements at any time. HUD, through PIH notice, may also extend the period of availability if deemed necessary.

Waivers for Both Public Housing and Housing Choice Voucher Programs

	Adopted	Date Adopted	Certification Required	End Date	Completion Deadline
--	---------	--------------	------------------------	----------	---------------------

PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements

Waiver ID

<p>PH & HCV - 1</p> <p>HUD is establishing an alternative requirement for which PHAs with 6/30/20 or 9/30/20 fiscal year-end (FYE) dates must submit their 5-Year and annual plans or civil rights certification for qualified PHAs no later than 10/18/20 (75 days before 1/1/21). PHAs with 12/31/20 FYE dates must submit their 5-Year and annual plans not later than 1/16/21 (75 days before 4/1/21). Unless HUD subsequently updates this waiver authority, PHAs with 3/31 FYE dates will not be impacted.</p>	N/A				
<p>HUD is also waiving the requirement that PHAs cannot adopt significant amendments or modifications to the annual plan without receiving Board approval and providing an open meeting for the public. PHAs must still notify public housing residents and HCV families of any impacts that the significant amendment may have on them as soon as practicable. This can be done by placing information on the PHA’s website, leaving voice-mail messages for residents and additional follow-up communication. Policy changes related to Section 18, Section 22, or the Rental Assistance Demonstration (RAD) are not included within this waiver.</p>	N/A				

Family Income and Composition; Delayed and Annual Examinations

<p>PH & HCV - 2</p> <p>HUD will allow PHAs to delay annual reexaminations of HCV and public housing families. However, all annual recertifications due in CY 2020 must be completed by December 31, 2020 and PHAs must comply with the alternative requirement regarding increases in payment standards under HAP contract terms (see HCV waivers below).</p>	N/A				
---	-----	--	--	--	--

Family Income and Composition; Annual Examination – Income Verification requirements

PH & HCV - 3	HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. 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 for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.	X	4/14/2020	Self-Declaration of Income needs to be in all Annuals	07/31/20	07/31/20
--------------	--	---	-----------	---	----------	----------

Family Income and Composition; Interim Examinations

PH & HCV - 4	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 verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.	X	4/14/2020	Self-Declaration of Income needs to be in all Interims	07/31/20	07/31/20
--------------	---	---	-----------	--	----------	----------

Enterprise Income Verification (EIV) Monitoring

PH & HCV - 5	HUD is waiving mandatory EIV monitoring requirements found in PIH Notice 2018-18 through July 31, 2020.	X	4/14/2020	N/A	07/31/20	07/31/20
--------------	---	---	-----------	-----	----------	----------

Family Self-Sufficiency (FSS) Contract of Participation; Contract Extension

PH & HCV - 6	HUD will consider the circumstances surrounding COVID-19 to qualify as “good cause” to extend a family’s contract of participation in the FSS program for no more than 2 years through December 31, 2020.	X	4/14/2020	Amendment of COP needs to be in file.	12/31/20	12/31/20
--------------	---	---	-----------	---------------------------------------	----------	----------

Waiting List: Opening and Closing; Public Notice

PH & HCV - 7	HUD is waiving the requirement that PHA's must give public notice of opening a wait list by publication in a local newspaper and by minority media and other suitable means through July 31, 2020. PHAs may provide public notice of an open waitlist in a voicemail message on its main or general information telephone number and through its website. These messages must meet applicable fair housing requirements.	N/A				07/31/20	07/31/20
--------------	--	-----	--	--	--	----------	----------

Housing Choice Voucher – Housing Quality Standards (HQS) Waivers

Housing Quality Standards (HQS) Inspections

Housing Agencies that delay Biennial inspections under any of these waivers must inspect the units as soon as reasonably possible, when it is safe to do so. Housing agencies retain the right to conduct an inspection and the use of the waivers does not relieve owners of their responsibility to maintain the unit in accordance with HQS.

Initial Inspection Requirements

HQS - 1	A PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. A PHA may add other requirements or conditions to the owner's certification. The PHA is required to conduct an HQS inspection on the units as soon as reasonably possible, but no later than October 31, 2020. The waiver may also apply to PHA-owned units.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification by owner and tenant & Video File When Possible.	07/31/20	10/31/20
---------	---	---	-----------	---	----------	----------

Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Complete Units

HQS - 2	A PHA may rely on the owner's certification that the owner that has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The PHA must conduct an HQS inspection no later than October 31, 2020 but must do so as soon as reasonably possible. If there's a requirement under the Agreement to enter into a Housing Assistance Payment (AHAP) contract for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met. The waiver may also apply to PHA-owned units, if the independent entity is unable to perform the inspection.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	--	---	-----------	---	----------	----------

Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option

HQS - 3	A PHA has the option to approve an assisted tenancy for units that fail HQS with non-life-threatening conditions, as long as PHAs withhold housing assistance payments from the owner if the non-life-threatening failing conditions are not corrected within 30 days. A PHA may now provide 60 days to correct non-life-threatening failing conditions. This option is available for both tenant-based, project-based units, and PHA-owned units.	N/A				07/31/20	07/31/20
---------	--	-----	--	--	--	----------	----------

HQS Initial Inspection Requirement – Alternative Inspection Option

HQS - 4	A PHA may allow the occupancy of a unit prior to an initial inspection if the unit has passed an alternative inspection in the past 24 months. The PHA may then make assistance payments retroactive to the beginning of the lease term once the unit meets HQS. The PHA must also inspect the unit within 15 days of the request for tenancy approval. This waiver would allow PHAs to waive the requirement to conduct their own inspections for these units which have undergone alternative inspections. A PHA may begin payments based on the alternative inspection and the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The initial inspection option is available to the PHA for both tenant-based and project-based units. The waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.	N/A				07/31/20	10/31/20
---------	--	-----	--	--	--	----------	----------

Biennial Inspections

HQS - 5	The Department is waiving the requirement that PHAs inspect the unit not less than biennially (certain small, rural PHAs may inspect units triennially). All delayed biennial inspections must be completed as soon as reasonably possible, but no later than October 31, 2020. This waiver may be applied to PHA-owned units if the independent entity is unable to perform the inspection.	X	4/14/2020	Delay all Annual HQS - Insert Flyer To File Announcing COVID-19 Delay			10/31/20
---------	--	---	-----------	---	--	--	----------

Interim Inspections

HQS - 6	This waiver states that if an HQS reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the PHA notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, the PHA must notify the owner within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification. The PHA may add other requirements. The PHA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on alternative verification methods (photos, tenant certification, etc.). This waiver may apply to PHA-owned units where the independent entity is unable to perform the inspection.	X	4/14/2020	Create Policy and forms to document failed items repaired in 24 hours or 30 days as needed.	07/31/20	07/31/20
---------	---	---	-----------	---	----------	----------

PBV Turnover Unit Inspections

HQS - 7	The Department is waiving the regulation that requires a PBV unit inspection before the unit is leased to a new family. The PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other requirements. The waiver may be applied to PHA-owned units if the independent entity is unable to complete inspections.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	--	---	-----------	---	----------	----------

PBV HAP Contract – HQS Inspections to Add or Substitute Units

HQS - 8	The Department is waiving the HQS inspection requirement when substituting or adding a new unit to a PBV HAP contract. Instead, the PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other conditions. The waiver may also be applied to PHA-owned units.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	---	---	-----------	---	----------	----------

HQS Quality Control Inspections

HQS - 9	The Department is waiving its supervisory quality control inspections until October 31, 2020.	X	4/14/2020	N/A	10/31/20	10/31/20
---------	---	---	-----------	-----	----------	----------

HQS Space and Security

HQS - 10	The Department is waiving the regulation requiring one bedroom for every two people where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 emergency. This waiver does not apply to an initial or new lease.	X	4/14/2020	Document File to reflect Over-Crowding	Current Lease Term or One Year from Notice - April 09, 2020
----------	--	---	-----------	--	---

Homeownership Option – Initial HQS Inspection

HQS - 11	The Department is waiving the requirement for an initial HQS inspection before commencing monthly homeownership assistance payments. The family is still required to obtain an independent professional inspector and the PHA is still required to review the independent inspection and has discretion to disapprove the unit because of the contents of the inspection report.	X	4/14/2020	Document File. Review Home Inspection as substitute for HQS.	07/31/20	07/31/20
----------	--	---	-----------	--	----------	----------

Housing Choice Voucher – General Waivers

Administrative Plan

HCV - 1	The Department is waiving the requirement that a PHA’s administrative plan must be formally adopted by a PHA’s board. Must be formerly adopted as practicable following June 30, 2020, but no later than July 31, 2020.	X	4/14/2020		06/30/20	07/31/20
---------	---	---	-----------	--	----------	----------

Information When Family Is Selected – PHA Oral Briefing

HCV - 2	The Department is waiving the requirement that the PHA must give an oral briefing to families in the HCV and PBV programs. The PHA must instead conduct the briefing by other means such as webcast, video call, ex expanded information packet. The PHA must ensure that the method of communication for the briefing effectively communicates with each family member, including those with vision, hearing, and other communication-related disabilities and those with persons with limited English proficiency.	X	4/14/2020	Document File for Phone Briefing and how packet provided.	07/31/20	07/31/20
---------	--	---	-----------	---	----------	----------

Term of Voucher – Extensions of Term

HCV - 3	The Department is waiving the requirement the voucher term extensions must be in accordance with the PHA administrative plan.	X	4/14/2020	Policy statement waiving proof of search for extension	07/31/20	07/31/20
---------	---	---	-----------	--	----------	----------

PHA Approval of Assisted Tenancy – When HAP Contract is Executed

HCV - 4	The Department is waiving the requirement that the HAP contract may not be executed 60 days after the lease term begins. A PHA may now execute a HAP contract after 60 days after the beginning of a lease and make HAP back to the beginning of the lease term. The HAP contract must be executed no later than 120 days from the beginning of the lease term.	X	4/14/2020	N/A	07/31/20	07/31/20
---------	---	---	-----------	-----	----------	----------

Absence from Unit

HCV - 5	The Department is waiving the requirement that a voucher family may not be absent from a unit for a period of more than 180 consecutive calendar days. The PHA has discretion whether to continue the HAP contract in this situation and not terminate due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, or caring for family members). The period of availability to continue making these HAP payments despite the family’s absence ends on December 31, 2020. The PHA may not make payments after this date if the family is absent and the HAP contract will terminate.	X	4/14/2020	Document absent from unit and intended date of return.	12/31/20	12/31/20
---------	---	---	-----------	--	----------	----------

Automatic Termination of HAP Contract

HCV - 6	The Department is waiving the requirement to terminate a HAP contract 180 days after a housing assistance payment is reduced to \$0. This is in recognition that the COVID-19 emergency may cause the temporary addition of household members which causes the calculation of HAP to reach \$0. As an alternative requirement, the PHA, following a written notice to the owner and family, may extend the period of time following the last payment to the owner that triggers the automatic termination.	X	4/14/2020	Document file and Policy statement that will resume terminations after	12/31/2020	12/31/20
---------	--	---	-----------	--	------------	----------

Increase in Payment Standard under HAP contract term

HCV - 7	The Department is waiving the requirement that if a payment standard is increased during the term of a HAP contract, the increased payment standard shall not be effective until the family's first regular reexamination. Instead, the increased payment standard may be effective at any time (e.g., interim reexamination, owner rent increase) after the effective date as long as it is not later than then family's first regular reexamination.	X	4/14/2020	Adjusted 0 - 3 BR PS in All non-East County Citites	12/31/20	12/31/20
---------	--	---	-----------	---	----------	----------

Utility Allowance Schedule – Required Review and Revision

HCV - 8	The Department is waiving the requirement to review the schedule of utility allowances and revise the allowance if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance schedule was revised. PHAs may delay the review and update of utility allowances.	N/A			12/31/20	12/31/20
---------	--	-----	--	--	----------	----------

Homeownership Option – Homeownership Counseling

HCV - 9	The Department is waiving briefing and counseling sessions to permit families to purchase a home without fulfilling the normally applicable pre-assistance homeownership counseling requirements, though HUD encourages families to continue the sessions that can be accomplished in accordance with social distancing directives.	N/A				
---------	---	-----	--	--	--	--

Family Unification Program (FUP) Youth Age Eligibility to Enter HAP Contract

HCV - 10	The Department is waiving the requirement that FUP youth must be not more than 24 years of age (not yet reached their 25 th birthday) and is replacing it with the requirement that FUP youth be not more than 25 years of age (not yet reached their 26 th birthday).	N/A				
----------	--	-----	--	--	--	--

PUBLIC HOUSING PROGRAM WAIVERS

Fiscal Closeout of Capital Grant Funds

PH -1	The Actual Development Cost Certificates (ADCC) must be submitted 12 months from the date of completion or HUD termination of a development activity, and the Actual Modernization Cost Certifications (AMCC) must be submitted not later than 12 months from the activity's expenditure deadline. HUD is waiving the requirement that PHAs submit Actual Development Cost Certificates (ADCC) and Actual Modernization Cost Certifications (AMCC) that fall between March 1, 2020 and September 30, 2020 by six months.	N/A				
-------	--	-----	--	--	--	--

Total Development Costs

PH -2	HUD is waiving the Total Development Cost (TDC) and Housing Construction Cost (HCC) limits to allow the amount of Public Housing funds committed to development of a project to exceed the applicable limits by 25 percent without a waiver from HUD. Amounts in excess of 25 percent and up to 50 percent may be approved on a case-by-case basis. This waiver is applied to public housing development, Mixed-Finance development, and Choice Neighborhoods development. Any Development Proposals submitted to HUD before December 31, 2021 are eligible for this waiver.	N/A				12/31/21
-------	---	-----	--	--	--	----------

Cost and Other Limitations; Types of Labor

PH -3	HUD will allow non-high performer PHAs to use force account labor for modernization activities even if the use of such activities is not included in the Capital Fund 5-Year Action Plan through December 31, 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

ACOP: Adoption of Tenant Selection Policies

PH -4	HUD is waiving the requirement that PHA policies in the ACOP must be duly adopted and implemented with formal board approval. However, any informally adopted revisions under this waiver authority must be formally adopted as soon as practicable after June 30, 2020 but not later than July 31, 2020.	X	4/14/2020	Policy statement that will resume requirement after 7/31/2020	06/30/20	07/31/20
-------	---	---	-----------	---	----------	----------

Community Service and Self-Sufficiency Requirement (CSSR)

PH -5	HUD is waiving and suspending the CSSR requirement. If a PHA adopts this waiver, a family will remain exempt from the CSSR until their first reexamination after March 31, 2021.	X	4/14/2020	Document file and Policy statement that will resume requirement after 3/31/2021	03/31/21	First reexamination after March 31, 2021
-------	--	---	-----------	---	----------	--

Energy Audits

PH -6	HUD is waiving and suspending the requirement to complete energy audits for PHA projects if the audit is due to HUD before December 31, 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

Over-Income Families

PH -7	HUD is waiving the requirement that PHAs terminate rental assistance or charge an alternative rent to families whose income exceeds the program maximum over two consecutive reexamination cycles through December 31, 2020. Through this waiver PHAs would be allowed to permit over-income families to remain in their units and pay the same rental amount until that PHA conducts the family's next annual income recertification.	X	4/14/2020	Document file and Policy statement that will resume requirement after next annual recertification	12/31/20	12/31/20
-------	--	---	-----------	---	----------	----------

Resident Council elections

PH -8	HUD will allow PHAs to delay resident council elections beyond the three-year limit, if necessary, through July 31, 2020. Delayed elections must be rescheduled and held as soon as reasonably possible after July 31, 2020.	N/A			07/31/20	As soon as reasonably possible
-------	--	-----	--	--	----------	--------------------------------

Review and Revision of Utility Allowances

PH -9	HUD is allowing PHAs to delay the review and update of utility allowances. Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by the end of 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

Tenant Notifications for Changes to Project Rules and Regulations

PH -10	<p>HUD is waiving the requirement to provide 30-day notices to impacted families for changes to policies, rules, and special charges to families, except for notices related to tenant charges, through July 31, 2020.</p> <p>Although HUD is waiving the advanced notice, PHAs must still provide adequate notification to families within 30 days of making such changes.</p>	X	4/14/2020	Policy statement that will resume advance notice after 7/31/20		07/31/20
--------	---	---	-----------	--	--	----------

PHAS, SEMAP and UNIFORM FINANCIAL REPORTING STANDARDS

PHAS

a.	<p>HUD is waiving the inspection requirement of PHAS and postponing physical inspections (except for threat to life or property inspection) for all PHAs until further notice.</p> <p>HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.</p> <p>New PHAS scores will issued by HUD beginning with PHAs that have a fiscal year end date of March 31, 2021.</p> <p>HUD is waiving the inspection requirement of PHAS and postponing physical inspections (except for threat to life or property inspection) for all PHAs until further notice.</p> <p>HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.</p> <p>New PHAS scores will issued by HUD beginning with PHAs that have a fiscal year end date of March 31, 2021.</p>	X	4/14/2020	N/A	03/31/21	03/31/21
----	---	---	-----------	-----	----------	----------

SEMAP (Section Eight Management Assessment Program)

b.	<p>HUD will not issue SEMAP scores that are pending or for fiscal years ending in 2020 unless a PHA requests a SEMAP score. HUD will carry forward the PHAs most recent SEMAP score on record.</p>	X	4/14/2020	N/A	03/31/21	03/31/21
----	--	---	-----------	-----	----------	----------

Uniform financial reporting standards; Filing of financial reports; Reporting Compliance Dates

c	<p>HUD is waiving the unaudited and audited financial submission requirements and adopting an alternative requirement.</p> <p>Unaudited Financials: Submission of unaudited financials have been extended for six (6) months for PHAs with fiscal year ends of December 31, 2019 and March 31, 2020. December 31, 2019 fiscal year end PHAs now must submit their unaudited financials by August 31, 2020 and March 31, 2020 fiscal year end PHAs now must submit their unaudited financials by November 30, 2020.</p> <p>Audited Financials: Submission of audited financials have been extended for six (6) months for PHAs with fiscal year ends of June 30, 2019; September 30, 2019; December 31, 2019; and March 31, 2020. June 30, 2019 fiscal year end PHAs now must submit their audited financials by September 30, 2020; September 30, 2019 fiscal year end PHAs now must submit their audited financials by December 31, 2020; December 31, 2019 fiscal year end PHAs now must submit their audited financials by March 31, 2021; and March 31, 2020 fiscal year end PHAs now must submit their audited financials by June 30, 2021.</p>	X				
---	--	---	--	--	--	--

Other Waivers and Administrative Relief

PHA Reporting Requirements on HUD Form 50058

a.	<p>HUD is waiving the requirement that PHAs must submit form HUD-50058 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, PHAs will have 90 days to submit their form HUD-50058 after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.</p>	X	4/14/2020	Will make efforts to stick to 60 days but will use 90 days if needed.	90 Days from Effective Date	12/31/20
----	---	---	-----------	---	-----------------------------	----------

Designated Housing Plans – HUD 60 Day Notification

b.	<p>HUD is waiving the statutory requirement that HUD must respond to Designated Housing Plans that demonstrate project compliance with requirements to establish occupancy by elderly and/or disabled families no later than 60 days after receiving the plan. Currently, if HUD does not respond within 60 days, the plan is considered accepted.</p> <p>This waiver would allow HUD more than 60 days to review Designated Housing Plans through July 31, 2020</p>	N/A				
----	--	-----	--	--	--	--

Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds

c.	<p>HUD is extending both the Capital Fund obligation end date and the Capital Fund expenditure date for all open Capital Fund grants by one year from the current obligation and expenditure end date. No programmatic expenditure end date shall be extended beyond one month prior to the closure of the relevant appropriation account.</p>	N/A				
----	--	-----	--	--	--	--

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN AMENDMENTS IN RESPONSE TO HUD'S
 COVID-19 STATUTORY AND REGULATORY WAIVERS

RECOMMENDATIONS

CONSIDER approving amendments to the Housing Authority's (HACCC) Housing Choice Voucher Administrative Plan in response to HUD'S COVID-19 Statutory and Regulatory Waivers.

BACKGROUND

On April 10, 2020, as part of its response to the COVID-19 pandemic, the U.S. Department of Housing and Urban Development (HUD) waived many of its existing statutory and regulatory requirements for the Public Housing and Housing Choice Voucher (HCV) programs, while establishing alternative methods to continue program operations. HUD's waivers were designed to "provide administrative flexibilities and relief to public housing agencies (PHAs)" and "HUD strongly encourages PHAs to utilize any and all waivers and alternative requirements as necessary to keep public housing and HCV programs operational to the extent practicable."

Every PHA that manages an HCV program is required by HUD to maintain a written administrative plan that "establishes local policies for administration of the [program](#) in accordance with HUD requirements. The [administrative plan](#) and any revisions of the plan [must](#) be formally adopted by the [PHA](#) Board of

Action of Board On: **07/14/2020** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

BACKGROUND (CONTD)

Commissioners or other authorized [PHA](#) officials.” Normally, Board approval is required prior to implementation of any changes to the administrative plan. In order to implement the COVID-19 waivers as quickly as possible, HUD authorized PHAs to immediately adopt temporary changes to their administrative policies and procedures. While HUD allowed early implementation, they also require the Board to formally adopt the related COVID changes to HACCC’s administrative plan (Admin Plan) by July 31, 2020.

HACCC adopted many of the administrative policies and procedures permitted by the HUD waivers. Most of these changes are temporary and will expire at HUD’s direction. Currently, the majority of HUD’s waivers expire on July 31, 2020, October 31, 2020, or December 31, 2020. HUD has indicated that they will be extending some or all of their waivers, but have not yet made an official announcement regarding extensions.

Staff implemented a number of changes to HACCC’s administrative policies and procedures and staff is asking the Board to approve the continued use of these changes for as long as permitted by HUD. The following are the proposed temporary changes to HACCC’s Admin Plan (with current expiration date in parentheses):

- · Suspension of the HUD Income Verification Hierarchy (7-31-20);
- · Suspension of annual re-examination (12-31-20);
- · Suspension of the use of the Enterprise Income Verification (EIV) System (7-31-20);
- · Adoption of remote virtual initial inspections for new rental units coming on line when the owner refuses on-site access for the HCV and PBV Programs (in-home must still be completed by 10-31-20);
- · Suspension of in-home Annual HQS inspections (10-31-20);
- · Adopt use of virtual inspection formats to conduct inspections for complaint, initial, annual or re-inspection (7-31-20);
- · Suspension of Quality Control inspections (10-31-20);
- · Suspension of the Space and Security policies to permit families sheltering in place to “overcrowd” an assisted unit (either duration of lease term or 4-10-21, whichever is longer);
- · Suspension of initial inspection of homeownership units until cleared by HUD (7-31-20);
- · Suspension of changes made to the Administrative Plan (7-31-20);
- · Revised policies to conduct briefings for new participating families and families moving to new units by utilizing alternative methods like video conferencing, telephone briefings or other electronic means deemed suitable (7-31-20);
- · Suspended the requirement that families provide proof of search in order to extend the search period on their voucher (7-31-20);
- · Suspended the period within which HACCC must execute a new HAP Contract. Permits a period longer than 60 days if needed (7-31-20);
- · Suspended policies terminating a participants subsidy if absent from the unit for more than 180 days (7-31-20);
- · Suspended policies terminating HAP Contracts where the tenant receives zero subsidy for a period of six months (12-31-20);
- · Modified the Payment Standards so that families would not be affected by increases in their rent portion because their 2nd annual certification date occurred on or after the COVID-19 impact date (effective until payment standards are modified in future);
- · Suspended the Section 8 Management Assessment Program (SEMAP) submission requirements until March 31, 2021 (3-31-21);
- · Extended the period HACCC has to submit recertification data to the HUD PIC site from 60 days to 90 days after completion of the transaction in HACCC’s software system (12-31-20);
- · Suspended all required payments to repayment agreements during the COVID pandemic (TBD); and
- · Updated the Table of Contents to include a new section that outlines the temporary COVID changes being

adopted.

Staff also implemented several changes to the Admin Plan in response to COVID that are intended to be permanent changes. These are policies that were never implemented by HACCC, but were previously allowed by HUD. The following are the proposed permanent COVID changes to HACCC's Admin Plan:

- Modified the re-inspection policy to include alternative methods such as virtual inspections, video conferencing and photo evidence to determine that repairs are completed;
- Added additional formats for accepting documents such as jpeg, screen shots from phones, etc. so that families can conduct business with HACCC remotely; and
- Revised the Briefing policy to include remote alternative methods for ensuring new and continuing participants of the HCV Program are properly briefed.

Finally, staff is proposing two clarifications to the Admin Plan and the addition of homeless units at the Lillie Mae Jones PBV site. The following are the proposed, non-COVID changes to HACCC's Admin Plan:

- Modified the Interim policy to ensure that when tenant rent portions are reduced due to a reduction in the household income, it will be increased, with proper notice, once the income is restored;
- Clarified the requirement that program participants must report reduction in the income to zero of family members, not just for heads of households; and
- Added 8 units at Lillie Mae Jones to the list of PBV units set aside for Homeless individuals and families. These units are filled using referrals from the County's Coordinated Entry System.

The proposed changes to the Admin Plan are attached. A complete copy of the proposed Admin Plan is available for review at HACCC's main office.

FISCAL IMPACT

No direct financial impact.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to approve the changes to the Admin Plan, HACCC will be out of compliance with HUD requirements. HUD may also impose additional sanctions.

CLERK'S ADDENDUM

ATTACHMENTS

HCV Admin Changes

PIH Mega Waiver Summary

16-VI.B.	Record Retention	16-30
16-VI.C.	Records Management	16-30
Part VII:	Reporting And Record Keeping For Children With Environmental Intervention Blood Lead Level	16-33
16-VII.A.	Reporting And Record Keeping For Children With Environmental Intervention Blood Lead Level - Overview	16-33
16-VII.B.	Reporting Requirement	16-33
16-VII.C.	Data Collection And Record Keeping	16-33
Part VIII:	Determination Of Insufficient Funding.	16-34
16-VIII.A.	Determination Of Insufficient Funding - Overview	16-34
16-VIII.B.	Methodology	16-34
Part IX:	Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality	16-35
16-IX.A.	Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality - Overview	16-35
16-IX.B.	Definitions	16-35
16-IX.C.	Notification	16-37
16-IX.D.	Documentation	16-40 38
16-IX.E.	Confidentiality	16-41 39
16-IX-F	<u>Temporary COVID-19 Changes to the Administrative Plan and Emergency Response Actions</u>	<u>16-64</u>

CHAPTER 17 PROJECT-BASED VOUCHERS

Part I:	General Requirements	17-2
17-I.A.	General Requirements - Overview	17-2
17-I.A.1	Units Not Subject to PBV Program Unit Limitation	17-3
17-I.A.2	Other Units Not Subject to PBV Program Unit Exceptions	17-4
17-I.B.	Tenant-Based Vs. Project-Based Voucher Assistance	17-5
17-I.C.	Relocation Requirements	17-5
17-I.D.	Equal Opportunity Requirements	17-5
Part II:	PBV Owner Proposals	17-6
17-II.A.	PBV Owner Proposals - Overview	17-6
17-II.B.	Owner Proposal Selection Procedures	17-6
17-II.C.	Housing Type	17-10
17-II.D.	Prohibition Of Assistance For Certain Units	17-10
17-II.E.	Subsidy Layering Requirements	17-11
17-II.F.	Cap On Number Of PBV Units In Each Project	17-12
17-II.G.	Site Selection Standards	17-14
17-II.H.	Environmental Review	17-17
Part III:	Dwelling Units	17-18
17-III.A.	Dwelling Units - Overview	17-18
17-III.B.	Housing Quality Standards	17-18
17-III.C.	Housing Accessibility For Persons With Disabilities	17-18
17-III.D.	Inspecting Units	17-18
Part IV:	Rehabilitated And Newly Constructed Units	17-20
17-IV.A.	Rehabilitated And Newly Constructed Units - Overview	17-20
17-IV.B.	Agreement To Enter Into HAP Contract	17-20
17-IV.C.	Conduct Of Development Work	17-21
17-IV.D.	Completion Of Housing	17-21
Part V:	Housing Assistance Payments Contract	17-23

PART I: BRIEFINGS AND FAMILY OBLIGATIONS

5-I.A. OVERVIEW

HUD regulations require HACCC to conduct mandatory briefings for applicant families who qualify for a voucher. The briefing provides a broad description of owner and family responsibilities, explains HACCC's procedures, and includes instructions on how to lease a unit. This part describes how oral briefings will be conducted, specifies what written information will be provided to families, and lists the family's obligations under the program.

5-I.B. BRIEFING [24 CFR 982.301]

HACCC must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed individually or in groups. At the briefing, HACCC must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

HACCC Policy

Briefings ~~may~~will be conducted in group meetings.

Generally, the head of household is required to attend the briefing. If the head of household is unable to attend, HACCC may approve another adult family member to attend the briefing.

Families that attend group briefings and still need individual assistance will be referred to an appropriate PHA staff person.

Briefings will be conducted in English. For limited English proficient (LEP) applicants, HACCC will provide translation services in accordance with HACCC's LEP plan (See Chapter 2).

Notification and Attendance

HACCC Policy

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

In addition to in-person group and/or individual briefings, HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

If the notice is returned by the post office with no forwarding address, a notice of denial (see Chapter 3) will be sent to the family's last address of record, as well as to any alternate address provided on the initial application. Applicants who fail to attend a

occurs on a weekend or holiday in which case the reinspection will occur on the next business day.

When failures that are not life-threatening are identified, HACCC will send the owner and the family a written notification of the inspection results within 7 calendar days of the inspection. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. Generally not more than 30 days will be allowed for the correction.

The notice of inspection results will inform the owner that if life-threatening conditions are not corrected within 24 hours, and non-life threatening conditions are not corrected within the specified time frame (or any PHA-approved extension), the owner's HAP will be abated in accordance with HACCC Policy (see 8-II.G.). Likewise, in the case of family caused deficiencies, the notice will inform the family that if corrections are not made within the specified time frame (or any PHA-approved extension, if applicable) the family's assistance will be terminated in accordance with HACCC Policy (see Chapter 12).

Extensions

For conditions that are life-threatening, HACCC cannot grant an extension to the 24 hour corrective action period. For conditions that are not life-threatening, HACCC may grant an exception to the required time frames for correcting the violation, if HACCC determines that an extension is appropriate [24 CFR 982.404].

HACCC Policy

Extensions will be granted in cases where HACCC has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

A repair cannot be completed because required parts or services are not available.

A repair cannot be completed because of weather conditions.

A reasonable accommodation is needed because the family includes a person with disabilities.

HACCC will not grant oral extensions. Requests for extensions must be made in writing, preferably using HACCC form, however emails, faxes and letters will be accepted. Must be received no less than 7 calendar days before the scheduled inspection

The length of the extension will be determined on a case by case basis.

Reinspections

HACCC Policy

HACCC will conduct a reinspection to verify that failed items have been corrected. Where applicable, HACCC may verify that the repair has been completed using alternative methods such as virtual inspection with tenant and owner-signed certification, pictures or other video evidence, and/or contractor invoices and receipts of payment that document the work completed.

The family and owner will be given reasonable notice of the reinspection appointment. In the case of life-threatening conditions, the owner must notify HACCC staff within 24 hours and provide documentation (picture, receipt, invoice, etc) that the repair has been corrected within the specified 24-hour period. A reinspection will be conducted within 24 hours unless it occurs on a weekend or holiday in which case the reinspection will occur on the next business day. If the deficiencies have not been corrected by the time of the reinspection, HACCC will send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with PHA policies. If HACCC is unable to gain entry to the unit in order to conduct the scheduled reinspection, HACCC will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

8-II.G. ENFORCING OWNER COMPLIANCE

If the owner fails to maintain the dwelling unit in accordance with HQS, HACCC must take prompt and vigorous action to enforce the owner obligations.

HAP Abatement

If an owner fails to correct HQS deficiencies by the time specified by HACCC, HUD requires HACCC to abate housing assistance payments no later than the first of the month following the specified correction period (including any approved extension) [24 CFR 985.3(f)]. No retroactive payments will be made to the owner for the period of time the rent was abated. Owner rents are not abated as a result of HQS failures that are the family's responsibility.

HACCC Policy

HACCC will make all HAP abatements effective the first of the month following the expiration of HACCC specified correction period (including any extension).

HACCC will inspect abated units within 7 calendar days of the owner's notification that the work has been completed. Payment will resume effective on the earlier of the day the unit passes inspection or the date the correction was reported completed. Where applicable, HACCC may verify that the repair has been completed using alternative methods such as virtual inspection with tenant and owner-signed certification, pictures and other video evidence and/or contractor invoices and receipts of payment that document the work completed.

During any abatement period the family continues to be responsible for its share of the rent. The owner must not seek payment from the family for abated amounts and may not use the abatement as cause for eviction.

HAP Contract Termination

HACCC must decide how long any abatement period will continue before the HAP contract will be terminated. HACCC should not terminate the contract until the family finds another unit, provided the family does so in a reasonable time [HCV GB p. 10-29] and must give the owner reasonable notice of the termination. HACCC will issue a voucher to permit the family to move to another unit as described in Chapter 10.

HACCC Policy

portability, the notice to HACCC must specify the area where the family wishes to move [24 CFR 982.354(d)(2)]. The notices must be in writing [24 CFR 982.5].

Approval

HACCC Policy

Upon receipt of a family's notification that it wishes to move, HACCC will determine whether the move is approvable in accordance with the regulations and policies set forth in sections 10-I.A and 10-I.B. HACCC will notify the family in writing of its determination within 14 calendar days following receipt of the family's notification. If the family has given a minimum of a 30-day notice and it has expired, the family is required to serve the owner with another 30-day notice, if agreeable to the present landlord, or sign a Mutual Agreement to Rescind the Lease form. Otherwise, the family is not authorized to vacate the unit and HACCC shall not process a new HAP Contract for the family.

Reexamination of Family Income and Composition

HACCC Policy

For families approved to move to a new unit within HACCC's jurisdiction, HACCC may perform a new annual reexamination in accordance with the policies set forth in Chapter 11 of this plan.

For families moving into or families approved to move out of HACCC's jurisdiction under portability, HACCC will follow the policies set forth in Part II of this chapter.

Voucher Issuance and Briefing

HACCC Policy

For families approved to move to a new unit within HACCC's jurisdiction, HACCC will issue a new voucher within 15 calendar days of HACCC's written approval to move. A briefing is not required for these families. However, families approved to transfer to another unit will be given an abridged version of the applicant briefing packet and directed to the HACCC website for further Briefing Packet information. HACCC will follow the policies set forth in Chapter 5 on voucher term, extension, and expiration. If a family does not locate a new unit within the term of the voucher and any extensions, the family may remain in its current unit with continued voucher assistance if the owner agrees and HACCC approves. Otherwise, the family will lose its assistance.

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

For families moving into or families approved to move out of HACCC's jurisdiction under portability, HACCC will follow the policies set forth in Part II of this chapter.

Formatted: List Paragraph, LAR NOFA, Left, Indent: Left: 0", Space Before: 0 pt

abridged briefing packet will include information of low poverty and low minority-concentrated areas within HACCC's jurisdiction.

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

Formatted: List Paragraph, LAR NOFA, Left, Indent: Left: 0", Space Before: 0 pt

HACCC will provide the name, address, and phone of the contact for the PHA in the jurisdiction to which they wish to move. If there is more than one PHA with jurisdiction over the area to which the family wishes to move, HACCC will advise the family that the family selects the receiving PHA and notifies the initial PHA of which receiving PHA was selected. HACCC will provide the family with contact information for all of the receiving PHAs that serve the area. HACCC will not provide any additional information about receiving PHAs in the area. HACCC will further inform the family that if the family prefers not to select the receiving PHA, HACCC will select the receiving PHA on behalf of the family. In this case, HACCC will not provide the family with information for all receiving PHAs in the area.

HACCC will advise the family that they will be under the RHA's policies and procedures, including screening, subsidy standards, voucher extension policies and payment standards.

Voucher Issuance and Term

An applicant family has no right to portability until after the family has been issued a voucher [24 CFR 982.353(b)]. In issuing vouchers to applicant families, HACCC will follow the regulations and procedures set forth in Chapter 5.

HACCC Policy

For participating families approved to move under portability, HACCC will issue a new voucher within 15 calendar days of HACCC's written approval to move.

The initial term of the voucher will be 120 days.

Administration of the voucher must be in accordance with the receiving PHA's policies. This requirement also applies to policies of Moving to Work agencies. The receiving PHA procedures and preferences for selection among eligible applicants do not apply to the family, and the receiving PHA waiting list is not used [24 CFR 982.355(c)(10)]. The family's unit, or voucher, size is determined in accordance with the subsidy standards of the receiving PHA [24 CFR 982.355 (c) (12)], and the receiving PHA's policies on extensions of the voucher term apply [24 CFR 982.355(c)(14)].

Responding to Initial PHA's Request [24 CFR 982.355(c)]

The receiving PHA must respond via e-mail or other confirmed delivery method to the initial PHA's inquiry to determine whether the family's voucher will be billed or absorbed [24 CFR 982.355(c)(3)]. If the receiving PHA informs the initial PHA that it will be absorbing the voucher, the receiving PHA cannot reverse its decision at a later date without consent of the initial PHA [24 CFR 982.355(c)(4)].

HACCC Policy

HACCC will use e-mail, when possible, to notify the initial PHA whether it will administer or absorb the family's voucher.

Initial Contact with Family

When a family moves into HACCC's jurisdiction under portability, the family is responsible for promptly contacting HACCC and complying with HACCC's procedures for incoming portable families. The family's failure to comply may result in denial or termination of the receiving PHA's voucher [24 CFR 982.355(c)(8)].

If the voucher issued to the family by the initial PHA has expired, the receiving PHA must contact the initial PHA to determine if it will extend the voucher [24 CFR 982.355(c)(13)]. An informal hearing is not required when a voucher has expired without the family leasing a unit.

If for any reason the receiving PHA refuses to process or provide assistance to a family under the portability procedures, the family must be given the opportunity for an informal review or hearing [Notice PIH 2016-09]. (For more on this topic, see later under "Denial or Termination of Assistance.")

Briefing

HUD allows the receiving PHA to require a briefing for an incoming portable family as long as the requirement does not unduly delay the family's search [Notice PIH 2016-09].

HACCC Policy

HACCC will require the family to ~~attend a group~~participate in a briefing only in the event the family is a first-time participant to the HCV Program. For port-in program participants, HACCC will provide the family with an abridged briefing packet (as described in Chapter 5) and, directed to HACCC's website for additional briefing packet information.

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the

Formatted: Indent: Left: 0.5"

phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

Income Eligibility and Reexamination

The receiving PHA does not redetermine eligibility for a portable family that was already receiving assistance in the initial PHA's voucher program [24 CFR 982.355(c)(9)]. If the receiving PHA opts to conduct a new reexamination for a current participant family, the receiving PHA may not delay issuing the family a voucher or otherwise delay approval of a unit [24 CFR 982.355(c)(11)].

HACCC Policy

For any family moving into its jurisdiction under portability, HACCC will not conduct a reexamination except in the following instances:

- The reexamination anniversary is within the next 120 days or
- A reexamination has not been completed in the last 12 months
- New income information has been submitted
- If the information provided is incomplete.

However, HACCC will not delay issuing the family a voucher while the reexamination is being performed. HACCC may delay approving a unit for the family if the family is an applicant and HACCC cannot otherwise confirm that the family is income eligible for admission to the program in the area where the unit is located.

HACCC will rely upon any verifications provided by the initial PHA to the extent that they (a) accurately reflect the family's current circumstances and (b) were obtained within the last 120 days. Any new information may be verified by documents provided by the family and adjusted, if necessary, when third party verification is received.

Voucher Issuance

When a family moves into its jurisdiction under portability, the receiving PHA is required to issue the family a voucher [24 CFR 982.355(c)(13)]. The family must submit a request for tenancy approval to the receiving PHA during the term of the receiving PHA's voucher [24 CFR 982.355(c)(15)].

Timing of Voucher Issuance

HUD expects the receiving PHA to issue the voucher within two weeks after receiving the family's paperwork from the initial PHA if the information is in order, the family has contacted the receiving PHA, and the family complies with the receiving PHA's procedures [Notice PIH 2016-09].

HACCC Policy

HACCC Policy

If a household member ceases to reside in the unit, the family must inform HACCC within 14 calendar days. This requirement also applies to a family member who has been considered temporarily absent at the point that the family concludes the individual is permanently absent.

If a live-in aide, foster child, or foster adult ceases to reside in the unit, the family must inform HACCC within 14 calendar days.

11-ILC. CHANGES AFFECTING INCOME OR EXPENSES

Interim reexaminations can be scheduled either because HACCC has reason to believe that changes in income or expenses may have occurred, or because the family reports a change. When a family reports a change, HACCC may take different actions depending on whether the family reported the change voluntarily, or because it was required to do so.

PHA-Initiated Interim Reexaminations

PHA-initiated interim reexaminations are those that are scheduled based on circumstances or criteria defined by HACCC. They are not scheduled because of changes reported by the family.

HACCC Policy

HACCC will conduct interim reexaminations in each of the following instances:

EID: For families receiving the Earned Income Disallowance (EID), HACCC will conduct an interim reexamination at the start and conclusion of the 24-month eligibility period.

Zero-Income Families: If the family has reported zero income, HACCC will conduct an interim reexamination every 3 months as long as the family continues to report that they have no income.

If a family member reports a zero income, while other family members continue to receive income, HACCC will conduct an Interim reexamination to reduce the family's rent portion for the first of the month following the reported reduction in income. Once that family member begins to receive income, they must report it within 14 days and HACCC will conduct a follow-up Interim reexamination to adjust the tenant rent portion to begin at least 30 days from the reported increase in income. This is to be distinguished from a reduction in income for a family member or household whereby HACCC will adjust the household's rent portion for the first of the following month, but will not re-adjust the rent portion when the household's income increases again until the family's Annual reexamination. The family is still required to report the increase in income as indicated in this chapter.

Formatted: Underline, Font color: Auto

Formatted: Underline, Font color: Auto

Difficulty Anticipating Annual Income: If at the time of the annual reexamination, it is not feasible to anticipate a level of income for the next 12 months (e.g. seasonal or cyclic income), HACCC will schedule an interim reexamination to coincide with the end of the period for which it is feasible to project income.

Updating Provisional Documents: If at the time of the annual reexamination, tenant declarations were used on a provisional basis due to the lack of third-party verification, and third-party verification becomes available, HACCC will conduct an interim reexamination.

Error Correction: HACCC may conduct an interim reexamination at any time in order to correct an error in a previous reexamination, or to investigate a tenant fraud complaint.

Family-Initiated Interim Reexaminations

HACCC must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

Required Reporting

HUD regulations give HACCC the freedom to determine the circumstances under which families will be required to report changes affecting income.

HACCC Policy

Families are not required to report increases in income between annual recertifications with the exception of families participating in the FSS program, *families or family members declaring zero income* or families qualifying for the earned income disallowance (EID). These families that are required to report increases must report any increase within 14 calendar days..

HACCC will conduct interim reexaminations for families on the FSS program, *families and family members declaring zero income* and families that qualify for the earned income disallowance (EID), only when the family's share of rent will change as a result of the increase.

Optional Reporting

The family may request an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)]. HACCC must process the request if the family reports a change that will result in a reduced family income [HCV GB, p. 12-9].

If a family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced [24 CFR 5.615]. For more information regarding the requirement to impute welfare income see Chapter 6.

HACCC Policy

If a family reports a change that it was not required to report and that would result in an increase in the family share of the rent, HACCC will note the information in the tenant software database, but will not conduct an interim reexamination.

If a family reports a change that will last for at least 30 calendar days that it was not required to report and that would result in a decrease in the family share of rent, HACCC will conduct an interim reexamination. See Section 11-II.D. for effective dates.

Families may report changes in income or expenses at any time.

11-II.D. PROCESSING THE INTERIM REEXAMINATION

Method of Reporting

HACCC Policy

The family must notify HACCC of changes in writing.

Generally, the family will not be required to attend an interview for an interim reexamination. However, if HACCC determines that an interview is warranted, the family may be required to attend.

Based on the type of change reported, HACCC will determine the documentation the family will be required to submit. The family must submit any required information or documents within 14 calendar days of receiving a request from HACCC. This time frame may be extended for good cause with PHA approval. HACCC will accept required documentation by email or other electronic format acceptable to HACCC such as screen shots or jpeg files, by mail, by fax, or in person.

Effective Dates

HACCC must establish the time frames in which any changes that result from an interim reexamination will take effect [24 CFR 982.516(d)]. The changes may be applied either retroactively or prospectively, depending on whether there is to be an increase or a decrease in the family share of the rent, and whether the family reported any required information within the required time frames [HCV GB, p. 12-10].

HACCC Policy

If the family share of the rent is to *increase*:

The increase generally will be effective on the first of the month following 30 days' notice to the family.

If a family fails to report a change within the required time frames, or fails to provide all required information within the required time frames, the increase will be applied retroactively, to the date it would have been effective had the information been provided on a timely basis. The family will be responsible for any overpaid subsidy and may be offered a repayment agreement in accordance with the policies in Chapter 16.

If the family share of the rent is to *decrease*:

The decrease will be effective on the first day of the month following the month in which the change was reported and all required documentation was submitted however, all required documentation must be received by the 20th calendar day of the month to allow adequate time for processing.

- Principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such debt;
- Home insurance;
- HACCC allowance for maintenance expenses;
- HACCC allowance for costs of major repairs and replacements;
- HACCC utility allowance for the home; and
- Principal and interest on debt incurred to finance major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if HACCC determines that allowance of such costs as homeownership expenses is needed as a reasonable accommodation so that the homeownership option is readily accessible to and usable by such person.
- Cooperative operating charges or maintenance fees assessed by the cooperative homeowner association.

15-VI.L. PORTABILITY [24 CFR 982.636, 982.637, 982.353(b) and (c), 982.552, 982.553]

Subject to the restrictions on portability included in HUD regulations and HACCC policies, a family may exercise portability if the receiving PHA is administering a voucher homeownership program and accepting new homeownership families. The receiving PHA may absorb the family into its voucher program, or bill the initial PHA.

The family must ~~attend~~ participate in the briefing and counseling sessions required by the receiving PHA. The receiving PHA will determine whether the financing for, and the physical condition of the unit, are acceptable. The receiving PHA must promptly notify HACCC if the family has purchased an eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by PHA.

15-VII.M. MOVING WITH CONTINUED ASSISTANCE [24 CFR 982.637]

A family receiving homeownership assistance may move with continued tenant-based assistance. The family may move with voucher rental assistance or with voucher homeownership assistance. Continued tenant-based assistance for a new unit cannot begin so long as any family member holds title to the prior home.

HACCC may deny permission to move to a new unit with continued voucher assistance as follows:

- Lack of funding to provide continued assistance.
- At any time, HACCC may deny permission to move with continued rental or homeownership assistance in accordance with 24 CFR 982.638, regarding denial or termination of assistance.

**16-IX.F. TEMPORARY COVID-19 CHANGES TO THE ADMINISTRATIVE PLAN
AND EMERGENCY RESPONSE ACTIONS**

Formatted: Justified, Space Before: 12 pt,
Tab stops: 0.63", Left

Formatted: Font: Bold

**HOUSING CHOICE VOUCHER PROGRAM TEMPORARY CHANGES TO POLICIES AND
PROCEDURES IN RESPONSE TO COVID-19**

Formatted: Font: 12 pt, Not Bold

HUD has facilitated the adoption of specific waiver authority by PHAs in an effort to ensure operations are not impacted and families can continue to be served during the Shelter in Place Order by the Public Health Director and Emergency Declarations made by the Governor of California and the President of the United States.

Pursuant to PIH Notice 2020-05 issued on April 10, 2020, HACCC has adopted the following waivers and modified its policies and procedures to implement said waivers. These waivers were adopted effective April 14, 2020 and expire as indicated below.

**1. PH & HCV - 3: Family Income and Composition; Annual Examination-Income
Verification requirements**

HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. 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 for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

2. PH & HCV - 4: Family Income and Composition; Interim Examinations

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 verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.

Policy Change:

HACCC will consider written and verbal self-declarations submitted by household adults as primary verification of income and process reexaminations based on the self-certification. Where available, third party verification will be accepted to augment or support the self

certification. The HUD Hierarchy and Techniques is suspended and will not be in effect during the HUD declared period.

Expires: July 31, 2020

3. PH & HCV - 5: Enterprise Income Verification (EIV) Monitoring

HUD is waiving mandatory EIV monitoring requirements found in PIH Notice 2018-18 through July 31, 2020.

Policy Change:

HACCC will not review EIV reports until the end of the waiver authority period. In the event of discrepancies, the family will be required to submit corroborating evidence of declarations.

Expires: July 31, 2020

4. PH & HCV - 6: Family Self-Sufficiency (FSS) Contract of Participation; Contract

Extension

HUD will consider the circumstances surrounding COVID-19 to qualify as “good cause” to extend a family’s contract of participation in the FSS program for no more than 2 years through December 31, 2020.

HACCC Policy:

As needed, HACCC shall extend FSS Contracts of Participation for a period of up to two years.

Expires: December 31, 2020

5. HOS - 1: Initial Inspection Requirements

A PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. A PHA may add other requirements or conditions to the owner’s certification. The PHA is required to conduct an HOS inspection on the units as soon as reasonably possible, but no later than October 31, 2020. The waiver may also apply to PHA-owned units.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

Expires: July 31, 2020

6. HQS - 2: Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA

Acceptance of Complete Units

A PHA may rely on the owner's certification that the owner that has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The PHA must conduct an HQS inspection no later than October 31, 2020 but must do so as soon as reasonably possible. If there's a requirement under the Agreement to enter into a Housing Assistance Payment (AHAP) contract for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met. The waiver may also apply to PHA-owned units, if the independent entity is unable to perform the inspection.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

Expires: July 31, 2020

7. HQS - 5: Biennial Inspections

HUD is waiving the requirement that PHAs inspect the unit not less than biennially (certain small, rural PHAs may inspect units triennially). All delayed biennial inspections must be completed as soon as reasonably possible, but no later than October 31, 2020. This waiver may be applied to PHA-owned units if the independent entity is unable to perform the inspection.

HACCC Policy:

All Annual/Biennial inspections will be postponed until COVID-19 restrictions are lifted. HACCC will document all tenant files with a flyer to document this delay. Once restrictions are lifted all delayed HQS inspections will be conducted by October 31, 2020 or alternative date as determined by HUD.

Expires: October 31, 2020

8. HQS - 6: Interim Inspections

The waiver states that if an HQS reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the PHA notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, the PHA must notify the owner within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification. The PHA may add other requirements. The PHA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on alternative verification methods (photos, tenant certification, etc.). This waiver may apply to PHA-owned units where the independent entity is unable to perform the inspection.

HACCC Policy:

HACCC shall continue to conduct in-person Interim inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

If repairs to the unit are needed, the owner and/or tenant will be required to submit picture or video evidence of all corrected deficiencies along with any receipts for services or materials as applicable within 24 hours or 30 days, depending on the failed item. The tenant shall confirm the repairs are completed by certification or by verbal confirmation to staff who will document the conversation for the tenant file

Expires: July 31, 2020

9. HQS - 7: PBV Turnover Unit Inspections

The Department is waiving the regulation that requires a PBV unit inspection before the unit is leased to a new family. The PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other requirements. The waiver may be applied to PHA-owned units if the independent entity is unable to complete inspections.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or alternative date determined by HUD.

Expires: July 31, 2020

10. HOS - 8: PBV HAP Contract – HOS Inspections to Add or Substitute Units

The Department is waiving the HOS inspection requirement when substituting or adding a new unit to a PBV HAP contract. Instead, the PHA may rely on the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other conditions. The waiver may also be applied to PHA-owned units.

HACCC Policy:

HACCC shall continue to conduct in-person initial inspections where possible. If the owner or family refuses to grant access during COVID-19 restrictions, the owner and tenant will both be required to complete a self-certification of the condition of the unit. In addition, where feasible, HACCC shall require that a video file be submitted as documentation of the condition of the unit. The alternative to a video file would be photo evidence of all rooms, and amenities in the unit. All files will be documented with the Certifications and an Inspection template, Form HUD 52580, remotely completed by staff. All Initial self-certification inspections shall be signed by the owner and tenant.

Once the COVID-19 restrictions are lifted, all self-certified initial inspections will be inspected in person by October 31, 2020 or by an alternative date determined by HUD.

Expires: July 31, 2020

11. HOS - 9: HOS Quality Control Inspections

HUD is waiving its supervisory quality control inspections until October 31, 2020.

HACCC Policy:

HACCC will not conduct monthly quality control inspections of completed inspections. HACCC will resume QC Inspections in November, 2020 or alternative date as determined by HUD.

Expires: October 31, 2020

12. HOS - 10: HOS Space and Security

HUD is waiving the regulation requiring one bedroom for every two people where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 emergency. This waiver does not apply to an initial or new lease.

HACCC Policy:

HACCC shall permit the addition of family members to existing tenancies even if it results in overcrowding. The family will not be issued a different-sized voucher to accommodate the change in the family size during or after COVID-19, but the added members will be permitted to live in the unit and the entire household's income will be included in calculation of the tenant rent portion. The tenant file will be documented that the over-crowded condition was a result of the COVID-19 response.

Expires: Current Lease Term or One Year from the date of the HUD Notice - April 09, 2021

13. HQS - 11: Homeownership Option – Initial HQS Inspection

HUD is waiving the requirement for an initial HQS inspection before commencing monthly homeownership assistance payments. The family is still required to obtain an independent professional inspector and the PHA is still required to review the independent inspection and has discretion to disapprove the unit because of the contents of the inspection report.

HACCC Policy:

HACCC will continue to review the Home Inspection to ensure compliance to physical standards. However, HQS inspections will not be done by HACCC until HUD imposed expiration of this provision.

Expires: July 31, 2020

14. HCV - 1: Administrative Plan

HUD is waiving the requirement that a PHA's administrative plan must be formally adopted by a PHA's board. Must be formerly adopted as practicable following June 30, 2020, but no later than July 31, 2020.

HACCC Policy:

HACCC will update the Administrative Plan as needed and required by HUD where permitted without Board of Commissioners approval and will bring all changes implemented to the Board by the HUD determined deadline.

Expires: June 30, 2020 and must be presented to the Board by July 31, 2020.

15. HCV - 2: Information When Family Is Selected – PHA Oral Briefing

HUD is waiving the requirement that the PHA must give an oral briefing to families in the HCV and PBV programs. The PHA must instead conduct the briefing by other means such as webcast, video call, expanded information packet. The PHA must ensure that the method of communication for the briefing effectively communicates with each family member, including those with vision, hearing, and other communication-related disabilities and those with persons with limited English proficiency.

HACCC Policy:

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The

tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

Expires: July 31, 2020

16. HCV - 3: Term of Voucher – Extensions of Term

HUD is waiving the requirement the voucher term extensions must be in accordance with the PHA administrative plan.

HACCC Policy:

HACCC already has a liberal policy of granting voucher extensions especially as a result of its restrictive rental market. HACCC is waiving the requirement that the family provide evidence of their housing search in order to be granted an extension of their voucher search period.

Expires: July 31, 2020

17. HCV - 4: PHA Approval of Assisted Tenancy – When HAP Contract is Executed

HUD is waiving the regulatory requirement that the HAP contract may not be executed 60 days after the lease term begins and will instead allow PHAs to execute the HAP contract after the 60-day deadline has passed and make housing assistance payments retroactive to the beginning of the lease term. However, the PHA and owner must execute the HAP contract no later than 120 days from the beginning of the lease term.

HACCC Policy:

HACCC will continue to require that contract be processed within 60 days after the lease begins. The waiver authority is being incorporated for special circumstances at the discretion of the Director of the Assisted Housing Programs.

Expires: July 31, 2020

18. HCV - 5: Absence From Unit

The Department is waiving the requirement that a voucher family may not be absent from a unit for a period of more than 180 consecutive calendar days. The PHA has discretion whether to continue the HAP contract in this situation and not terminate due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, or caring for family members). The period of availability to continue making these HAP payments despite the family's absence ends on December 31, 2020. The PHA may not make payments after this date if the family is absent and the HAP contract will terminate.

HACCC Policy:

HACCC shall document the absence of any family member and indicate the expected return date of the absent family member(s). No action will be taken to remove the family member

before the HUD expiration deadline. Thereafter, unless proper documentation is presented regarding extenuating circumstances, the HAP Contract will be terminated.

Expires: December 31, 2020

19. HCV - 6: Automatic Termination of HAP Contract

The Department is waiving the requirement to terminate a HAP contract 180 days after a housing assistance payment is reduced to \$0. This is in recognition that the COVID-19 emergency may cause the temporary addition of household members which causes the calculation of HAP to reach \$0. As an alternative requirement, the PHA, following a written notice to the owner and family, may extend the period of time following the last payment to the owner that triggers the automatic termination.

HACCC Policy:

HACCC shall not terminate HAP Contracts with \$0 subsidy for 6 months or more until the COVID-19 restrictions expire. Tenant files will be documented as deliberate non-terminations due to COVID-19 responses. Thereafter, all contracts that are at \$0 subsidy for 6 months or more will be reviewed to determine if extenuating circumstances exist to not terminate the HAP Contract.

Expires: December 31, 2020

20. HCV - 7: Increase in Payment Standard under HAP contract term

The Department is waiving the requirement that if a payment standard is increased during the term of a HAP contract, the increased payment standard shall not be effective until the family's first regular reexamination. Instead, the increased payment standard may be effective at any time (e.g., interim reexamination, owner rent increase) after the effective date as long as it is not later than the family's first regular reexamination.

HACCC Policy:

HACCC does not have a situation that would warrant changes as a result of an increase in the Payment Standard. However, due to a decrease in the payment standards effective April 1, 2019, for studio to three bedroom units in all cities not in East County, it was anticipated that some families would experience increases in their tenant rent portion effective June 1, 2020, since this would be their second annual certification since the decrease in payment standard. HACCC has revised the Payment Standard for studio to three bedroom units for all cities not in East County so that families will not experience a rent increase, as a result of the previously reduced payment standard, at their next annual recertification.

Expires: December 31, 2020

21. PHAS, SEMAP and Financial Reporting Standards (b): SEMAP (Section Eight Management Assessment Program)

HUD will not issue SEMAP scores that are pending or for fiscal years ending in 2020 unless a PHA requests a SEMAP score. HUD will, instead, carry forward the PHAs most recent SEMAP score on record.

HACCC Policy:

HACCC will not submit a SEMAP score for FY2020. It will request that HUD carry forward their SEMAP score from 2019 which indicated that HACCC was a High Performer for its Housing Choice Voucher Program.

Expires: March 31, 2021

22. Other Waivers (a): PHA Reporting Requirements on HUD Form 50058

HUD is waiving the requirement that PHAs must submit form HUD-50058 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, PHAs will have 90 days to submit their form HUD-50058 after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.

HACCC Policy:

HACCC will continue to submit data to the HUD PIC Database within 60 days after the completion of any transaction recorded in its system. However, if circumstances result in delays or overwhelm staffing capacity during the COVID-19 response period, HACCC will ensure that submissions are made within 90 days.

Expires: December 31, 2020

23. Repayment Agreements

Families are required to make repayments on unreported income or non-payment of rent on Repayment Agreements executed between the tenant and /or and HACCC. HACCC recognizes that COVID-19 has resulted in many households having their monthly income affected by loss of employment, layoff or reduction in hours worked.

HACCC Policy:

In the event of hardship, HACCC shall suspend a households repayment agreement until July 31, 2020 or alternative deadline for temporary waivers as determined by HUD.

Expires: July 31, 2020

System (CES). These units are required to be used to house homeless families that are in the CES for housing assistance referral. When vacancies occur at the PBV properties in these designated units, the owner shall request a suitable referral from the Coordinated Entry System. Once the owner has reviewed the application and accepted the referral for housing assistance, the owner shall refer the family to HACCC's initial eligibility team for program eligibility determination and leasing. Families will only be placed on this waiting list if they are deemed suitable for occupancy by the owner and immediately processed for intake.

This waiting list will not have a preference designation since all additions to the list will immediately be designated for specific units within the PBV portfolio. The only qualifier will be the date and time of the applicant's addition to the CES wait list.

Units eligible for CES assistance and priority are as follows:

- Garden Park Apartments - 2387 Lisa Lane, Pleasant Hill, CA
- Idaho Apartments - 10203 San Pablo Ave., El Cerrito/Richmond 94530
- Lakeside Apartments - 1897 Oakmead Dr., Concord, CA

1. Unit A-10	5. Unit C-7	9. Unit E-1
2. Unit B-3	6. Unit C-8	10. Unit E-14
3. Unit B-5	7. Unit D-2	11. Unit G-9
4. Unit C-1	8. Unit D-16	
- Robin Lane - 1149 Meadow Lane, Concord, CA

1. M103		
2. M203		
3. R101		
4. R104		
5. R204		
- St. Paul's Commons - 1860 Trinity Ave., Walnut Creek, CA

1. 202	6. 306	11. 406
2. 203	7. 310	12. 411
3. 209	8. 311	13. 412
4. 212	9. 313	14. 413
5. 213	10. 316	
- Lillie Mae Jones - 120 MacDonald Ave., Richmond, CA

<u>1. 103</u>	<u>5. 209</u>	
<u>2. 104</u>	<u>6. 302</u>	
<u>3. 202</u>	<u>7. 303</u>	
<u>4. 203</u>	<u>8. 307</u>	

This list may be modified from time to time to reflect new units added to the CES portfolio with PBV designations.

Income Targeting [24 CFR 983.251(C)(6)]

At least 75 percent of the families admitted to HACCC's tenant-based and project-based voucher programs from the waiting list must be extremely-low income families in accordance with HUD practice and regulations. The income targeting requirement applies to the total of admissions to both programs.

Formatted: List Paragraph, LAR NOFA, Indent: Left: 0.25", Bulleted + Level: 1 + Aligned at: 1" + Indent at: 1.25"

Formatted: List Paragraph, LAR NOFA, Indent: Left: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1", Tab stops: 2.81", Left

Any family that has been terminated from HACCC's HCV program due to insufficient program funding (20 Points);

All applicants will be assigned points based on any preference(s) for which they qualify (e.g., a veteran and resident of HACCC's jurisdiction would receive 11 points). Applicants with more preference points will be ranked ahead of applicants with fewer preference points. Among applicants with the same number of preference points, families will be selected according to the date and time of application to that site-based wait list. A family who applied ahead of another family with the same preference points will have preference over that family.

17-VI.E. OFFER OF PBV ASSISTANCE

Refusal Of Offer [24 CFR 983.251(E)(3)]

HACCC is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refuse to list the applicant on the waiting list for tenant-based voucher assistance;
- Deny any admission preference for which the applicant qualifies;
- Change the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under HACCC's selection policy;
- Remove the applicant from the tenant-based voucher waiting list.

The HACCC shall remove an applicant from the site-based wait list of a project when the applicant refuses an offer of housing at the specific site. At the Executive Director's discretion, exceptions may be made for situations where the family is forced to refuse an offer of PBV housing due to a family, medical or legal obstacle.

Disapproval By Landlord [24 CFR 983.251(E)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list. Rejection by the PBV owner, however, shall be grounds for removal from the PBV site-based wait list.

Acceptance of Offer [24 CFR 983.252]

Family Briefing

When a family accepts an offer for PBV assistance, HACCC must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, HACCC must provide a briefing packet that explains how HACCC determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

18-V.F. OFFER OF PBV ASSISTANCE

Refusal of Offer [24 CFR 983.251(e)(3)]

The PHA is prohibited from taking any of the following actions against a family who has applied for, received, or refused an offer of PBV assistance:

- Refusing to list the applicant on the waiting list for tenant-based voucher assistance
- Denying any admission preference for which the applicant qualifies
- Changing the applicant's place on the waiting list based on preference, date, and time of application, or other factors affecting selection under the PHA's selection policy
- Removing the applicant from the tenant-based voucher waiting list

Disapproval by Landlord [24 CFR 983.251(e)(2)]

If a PBV owner rejects a family for admission to the owner's units, such rejection may not affect the family's position on the tenant-based voucher waiting list.

Acceptance of Offer [24 CFR 983.252]

Family Briefing

When a family accepts an offer for PBV assistance, the PHA must give the family an oral briefing. The briefing must include information on how the program works and the responsibilities of the family and owner. In addition to the oral briefing, the PHA must provide a briefing packet that explains how the PHA determines the total tenant payment for a family, the family obligations under the program, and applicable fair housing information.

HACCC shall conduct briefings for new participants and households moving to other units by telephone or other electronic means and refer them to our website for the briefing packet or mail it to the family to have and follow along with staff during the phone briefing. The tenant file will be documented with the date and time of the remote briefing and how the briefing packet was provided to them.

Formatted: List Paragraph,LAR NOFA

Persons with Disabilities

If an applicant family's head or spouse is disabled, the PHA must assure effective communication, in accordance with 24 CFR 8.6, in conducting the oral briefing and in providing the written information packet. This may include making alternative formats available (see Chapter 2). In addition, the PHA must have a mechanism for referring a family that includes a member with a mobility impairment to an appropriate accessible PBV unit.

Persons with Limited English Proficiency

The PHA should take reasonable steps to assure meaningful access by persons with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166 (see Chapter 2).

Availability of Waivers and Alternative Requirements

The waiver and alternative requirement period of availability begins immediately on April 10, 2020, the issuance date of the notice. The specific waiver and alternative requirement period of availability end dates are listed in each waiver discussed in the notice. The waivers are generally broken into three periods of availability categories: short-term, ending on July 31, 2020; long-term, ending on December 31, 2020; and waiver-specific end dates – dates that are unique to the waiver that may be based on fiscal years or specific activities.

PHAs are not required to use the waiver for the full period of availability and may go back to the standard program requirements at any time. HUD, through PIH notice, may also extend the period of availability if deemed necessary.

Waivers for Both Public Housing and Housing Choice Voucher Programs

	Adopted	Date Adopted	Certification Required	End Date	Completion Deadline
--	---------	--------------	------------------------	----------	---------------------

PHA 5-Year and Annual Plan Submission Dates, Significant Amendment Requirements

Waiver ID

PH & HCV - 1	<p>HUD is establishing an alternative requirement for which PHAs with 6/30/20 or 9/30/20 fiscal year-end (FYE) dates must submit their 5-Year and annual plans or civil rights certification for qualified PHAs no later than 10/18/20 (75 days before 1/1/21). PHAs with 12/31/20 FYE dates must submit their 5-Year and annual plans not later than 1/16/21 (75 days before 4/1/21). Unless HUD subsequently updates this waiver authority, PHAs with 3/31 FYE dates will not be impacted.</p>	N/A				
	<p>HUD is also waiving the requirement that PHAs cannot adopt significant amendments or modifications to the annual plan without receiving Board approval and providing an open meeting for the public. PHAs must still notify public housing residents and HCV families of any impacts that the significant amendment may have on them as soon as practicable. This can be done by placing information on the PHA’s website, leaving voice-mail messages for residents and additional follow-up communication. Policy changes related to Section 18, Section 22, or the Rental Assistance Demonstration (RAD) are not included within this waiver.</p>	N/A				

Family Income and Composition; Delayed and Annual Examinations

PH & HCV - 2	<p>HUD will allow PHAs to delay annual reexaminations of HCV and public housing families. However, all annual recertifications due in CY 2020 must be completed by December 31, 2020 and PHAs must comply with the alternative requirement regarding increases in payment standards under HAP contract terms (see HCV waivers below).</p>	N/A				
--------------	---	-----	--	--	--	--

Family Income and Composition; Annual Examination – Income Verification requirements

PH & HCV - 3	HUD is waiving the requirement that PHAs must use the income hierarchy described by PIH Notice 2018-18. HUD will allow PHAs to forgo third-party income verification requirements for annual reexaminations, including the use of EIV, if a PHA opts to conduct annual recertifications rather than delaying them. 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 for the written record by PHA staff), through an email or postal mail with a self-certification form by the tenant, or through other electronic communication. Income and family composition examinations and recertifications do not have to be conducted in-person.	X	4/14/2020	Self-Declaration of Income needs to be in all Annuals	07/31/20	07/31/20
--------------	--	---	-----------	---	----------	----------

Family Income and Composition; Interim Examinations

PH & HCV - 4	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 verifications, including EIV. PHAs may consider self-certification as the highest form of income verification for interim reexaminations. Interim reexaminations are not required to be held in-person.	X	4/14/2020	Self-Declaration of Income needs to be in all Interims	07/31/20	07/31/20
--------------	---	---	-----------	--	----------	----------

Enterprise Income Verification (EIV) Monitoring

PH & HCV - 5	HUD is waiving mandatory EIV monitoring requirements found in PIH Notice 2018-18 through July 31, 2020.	X	4/14/2020	N/A	07/31/20	07/31/20
--------------	---	---	-----------	-----	----------	----------

Family Self-Sufficiency (FSS) Contract of Participation; Contract Extension

PH & HCV - 6	HUD will consider the circumstances surrounding COVID-19 to qualify as “good cause” to extend a family’s contract of participation in the FSS program for no more than 2 years through December 31, 2020.	X	4/14/2020	Amendment of COP needs to be in file.	12/31/20	12/31/20
--------------	---	---	-----------	---------------------------------------	----------	----------

Waiting List: Opening and Closing; Public Notice

PH & HCV - 7	HUD is waiving the requirement that PHA's must give public notice of opening a wait list by publication in a local newspaper and by minority media and other suitable means through July 31, 2020. PHAs may provide public notice of an open waitlist in a voicemail message on its main or general information telephone number and through its website. These messages must meet applicable fair housing requirements.	N/A				07/31/20	07/31/20
--------------	--	-----	--	--	--	----------	----------

Housing Choice Voucher – Housing Quality Standards (HQS) Waivers

Housing Quality Standards (HQS) Inspections

Housing Agencies that delay Biennial inspections under any of these waivers must inspect the units as soon as reasonably possible, when it is safe to do so. Housing agencies retain the right to conduct an inspection and the use of the waivers does not relieve owners of their responsibility to maintain the unit in accordance with HQS.

Initial Inspection Requirements

HQS - 1	A PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit instead of conducting an initial inspection. A PHA may add other requirements or conditions to the owner's certification. The PHA is required to conduct an HQS inspection on the units as soon as reasonably possible, but no later than October 31, 2020. The waiver may also apply to PHA-owned units.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification by owner and tenant & Video File When Possible.	07/31/20	10/31/20
---------	---	---	-----------	---	----------	----------

Project-Based Voucher (PBV) Pre-HAP Contract Inspections, PHA Acceptance of Complete Units

HQS - 2	A PHA may rely on the owner's certification that the owner that has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The PHA must conduct an HQS inspection no later than October 31, 2020 but must do so as soon as reasonably possible. If there's a requirement under the Agreement to enter into a Housing Assistance Payment (AHAP) contract for newly constructed or rehabilitated projects, the PHA may choose to allow the owner to certify that the PHA requirement has been met. The waiver may also apply to PHA-owned units, if the independent entity is unable to perform the inspection.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	--	---	-----------	---	----------	----------

Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option

HQS - 3	A PHA has the option to approve an assisted tenancy for units that fail HQS with non-life-threatening conditions, as long as PHAs withhold housing assistance payments from the owner if the non-life-threatening failing conditions are not corrected within 30 days. A PHA may now provide 60 days to correct non-life-threatening failing conditions. This option is available for both tenant-based, project-based units, and PHA-owned units.	N/A				07/31/20	07/31/20
---------	--	-----	--	--	--	----------	----------

HQS Initial Inspection Requirement – Alternative Inspection Option

HQS - 4	A PHA may allow the occupancy of a unit prior to an initial inspection if the unit has passed an alternative inspection in the past 24 months. The PHA may then make assistance payments retroactive to the beginning of the lease term once the unit meets HQS. The PHA must also inspect the unit within 15 days of the request for tenancy approval. This waiver would allow PHAs to waive the requirement to conduct their own inspections for these units which have undergone alternative inspections. A PHA may begin payments based on the alternative inspection and the owner’s certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. A PHA may add other requirements. The initial inspection option is available to the PHA for both tenant-based and project-based units. The waiver and alternative requirement may also be applied to PHA-owned units if the independent entity is unable to perform the inspection.	N/A				07/31/20	10/31/20
---------	--	-----	--	--	--	----------	----------

Biennial Inspections

HQS - 5	The Department is waiving the requirement that PHAs inspect the unit not less than biennially (certain small, rural PHAs may inspect units triennially). All delayed biennial inspections must be completed as soon as reasonably possible, but no later than October 31, 2020. This waiver may be applied to PHA-owned units if the independent entity is unable to perform the inspection.	X	4/14/2020	Delay all Annual HQS - Insert Flyer To File Announcing COVID-19 Delay			10/31/20
---------	--	---	-----------	---	--	--	----------

Interim Inspections

HQS - 6	This waiver states that if an HQS reported deficiency is life-threatening, the PHA must notify the owner of the reported life-threatening deficiency and the owner must correct it within 24 hours of the PHA notification or provide documentation that the deficiency does not exist. For non-life-threatening deficiencies, the PHA must notify the owner within 30 days and the owner must either make the repair or document that the deficiency does not exist within 30 days of the PHA notification. The PHA may add other requirements. The PHA is not required to conduct an on-site inspection to verify the repairs have been made, but may rely on alternative verification methods (photos, tenant certification, etc.). This waiver may apply to PHA-owned units where the independent entity is unable to perform the inspection.	X	4/14/2020	Create Policy and forms to document failed items repaired in 24 hours or 30 days as needed.	07/31/20	07/31/20
---------	---	---	-----------	---	----------	----------

PBV Turnover Unit Inspections

HQS - 7	The Department is waiving the regulation that requires a PBV unit inspection before the unit is leased to a new family. The PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other requirements. The waiver may be applied to PHA-owned units if the independent entity is unable to complete inspections.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	--	---	-----------	---	----------	----------

PBV HAP Contract – HQS Inspections to Add or Substitute Units

HQS - 8	The Department is waiving the HQS inspection requirement when substituting or adding a new unit to a PBV HAP contract. Instead, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit. The PHA may add other conditions. The waiver may also be applied to PHA-owned units.	X	4/14/2020	Conduct Initial if possible. If not, Self Certification & Video File When Possible.	07/31/20	10/31/20
---------	---	---	-----------	---	----------	----------

HQS Quality Control Inspections

HQS - 9	The Department is waiving its supervisory quality control inspections until October 31, 2020.	X	4/14/2020	N/A	10/31/20	10/31/20
---------	---	---	-----------	-----	----------	----------

HQS Space and Security

HQS - 10	The Department is waiving the regulation requiring one bedroom for every two people where the PHA wishes to assist a current participant that needs to add a member or members to the assisted household as a result of the COVID-19 emergency. This waiver does not apply to an initial or new lease.	X	4/14/2020	Document File to reflect Over-Crowding	Current Lease Term or One Year from Notice - April 09, 2020
----------	--	---	-----------	--	---

Homeownership Option – Initial HQS Inspection

HQS - 11	The Department is waiving the requirement for an initial HQS inspection before commencing monthly homeownership assistance payments. The family is still required to obtain an independent professional inspector and the PHA is still required to review the independent inspection and has discretion to disapprove the unit because of the contents of the inspection report.	X	4/14/2020	Document File. Review Home Inspection as substitute for HQS.	07/31/20	07/31/20
----------	--	---	-----------	--	----------	----------

Housing Choice Voucher – General Waivers

Administrative Plan

HCV - 1	The Department is waiving the requirement that a PHA’s administrative plan must be formally adopted by a PHA’s board. Must be formerly adopted as practicable following June 30, 2020, but no later than July 31, 2020.	X	4/14/2020		06/30/20	07/31/20
---------	---	---	-----------	--	----------	----------

Information When Family Is Selected – PHA Oral Briefing

HCV - 2	The Department is waiving the requirement that the PHA must give an oral briefing to families in the HCV and PBV programs. The PHA must instead conduct the briefing by other means such as webcast, video call, ex expanded information packet. The PHA must ensure that the method of communication for the briefing effectively communicates with each family member, including those with vision, hearing, and other communication-related disabilities and those with persons with limited English proficiency.	X	4/14/2020	Document File for Phone Briefing and how packet provided.	07/31/20	07/31/20
---------	--	---	-----------	---	----------	----------

Term of Voucher – Extensions of Term

HCV - 3	The Department is waiving the requirement the voucher term extensions must be in accordance with the PHA administrative plan.	X	4/14/2020	Policy statement waiving proof of search for extension	07/31/20	07/31/20
---------	---	---	-----------	--	----------	----------

PHA Approval of Assisted Tenancy – When HAP Contract is Executed

HCV - 4	The Department is waiving the requirement that the HAP contract may not be executed 60 days after the lease term begins. A PHA may now execute a HAP contract after 60 days after the beginning of a lease and make HAP back to the beginning of the lease term. The HAP contract must be executed no later than 120 days from the beginning of the lease term.	X	4/14/2020	N/A	07/31/20	07/31/20
---------	---	---	-----------	-----	----------	----------

Absence from Unit

HCV - 5	The Department is waiving the requirement that a voucher family may not be absent from a unit for a period of more than 180 consecutive calendar days. The PHA has discretion whether to continue the HAP contract in this situation and not terminate due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, or caring for family members). The period of availability to continue making these HAP payments despite the family’s absence ends on December 31, 2020. The PHA may not make payments after this date if the family is absent and the HAP contract will terminate.	X	4/14/2020	Document absent from unit and intended date of return.	12/31/20	12/31/20
---------	---	---	-----------	--	----------	----------

Automatic Termination of HAP Contract

HCV - 6	The Department is waiving the requirement to terminate a HAP contract 180 days after a housing assistance payment is reduced to \$0. This is in recognition that the COVID-19 emergency may cause the temporary addition of household members which causes the calculation of HAP to reach \$0. As an alternative requirement, the PHA, following a written notice to the owner and family, may extend the period of time following the last payment to the owner that triggers the automatic termination.	X	4/14/2020	Document file and Policy statement that will resume terminations after 12/31/2020	12/31/20	12/31/20
---------	--	---	-----------	---	----------	----------

Increase in Payment Standard under HAP contract term

HCV - 7	The Department is waiving the requirement that if a payment standard is increased during the term of a HAP contract, the increased payment standard shall not be effective until the family's first regular reexamination. Instead, the increased payment standard may be effective at any time (e.g., interim reexamination, owner rent increase) after the effective date as long as it is not later than then family's first regular reexamination.	X	4/14/2020	Adjusted 0 - 3 BR PS in All non-East County Citites	12/31/20	12/31/20
---------	--	---	-----------	---	----------	----------

Utility Allowance Schedule – Required Review and Revision

HCV - 8	The Department is waiving the requirement to review the schedule of utility allowances and revise the allowance if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance schedule was revised. PHAs may delay the review and update of utility allowances.	N/A			12/31/20	12/31/20
---------	--	-----	--	--	----------	----------

Homeownership Option – Homeownership Counseling

HCV - 9	The Department is waiving briefing and counseling sessions to permit families to purchase a home without fulfilling the normally applicable pre-assistance homeownership counseling requirements, though HUD encourages families to continue the sessions that can be accomplished in accordance with social distancing directives.	N/A				
---------	---	-----	--	--	--	--

Family Unification Program (FUP) Youth Age Eligibility to Enter HAP Contract

HCV - 10	The Department is waiving the requirement that FUP youth must be not more than 24 years of age (not yet reached their 25 th birthday) and is replacing it with the requirement that FUP youth be not more than 25 years of age (not yet reached their 26 th birthday).	N/A				
----------	--	-----	--	--	--	--

PUBLIC HOUSING PROGRAM WAIVERS

Fiscal Closeout of Capital Grant Funds

PH -1	The Actual Development Cost Certificates (ADCC) must be submitted 12 months from the date of completion or HUD termination of a development activity, and the Actual Modernization Cost Certifications (AMCC) must be submitted not later than 12 months from the activity's expenditure deadline. HUD is waiving the requirement that PHAs submit Actual Development Cost Certificates (ADCC) and Actual Modernization Cost Certifications (AMCC) that fall between March 1, 2020 and September 30, 2020 by six months.	N/A				
-------	--	-----	--	--	--	--

Total Development Costs

PH -2	HUD is waiving the Total Development Cost (TDC) and Housing Construction Cost (HCC) limits to allow the amount of Public Housing funds committed to development of a project to exceed the applicable limits by 25 percent without a waiver from HUD. Amounts in excess of 25 percent and up to 50 percent may be approved on a case-by-case basis. This waiver is applied to public housing development, Mixed-Finance development, and Choice Neighborhoods development. Any Development Proposals submitted to HUD before December 31, 2021 are eligible for this waiver.	N/A				12/31/21
-------	---	-----	--	--	--	----------

Cost and Other Limitations; Types of Labor

PH -3	HUD will allow non-high performer PHAs to use force account labor for modernization activities even if the use of such activities is not included in the Capital Fund 5-Year Action Plan through December 31, 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

ACOP: Adoption of Tenant Selection Policies

PH -4	HUD is waiving the requirement that PHA policies in the ACOP must be duly adopted and implemented with formal board approval. However, any informally adopted revisions under this waiver authority must be formally adopted as soon as practicable after June 30, 2020 but not later than July 31, 2020.	X	4/14/2020	Policy statement that will resume requirement after 7/31/2020	06/30/20	07/31/20
-------	---	---	-----------	---	----------	----------

Community Service and Self-Sufficiency Requirement (CSSR)

PH -5	HUD is waiving and suspending the CSSR requirement. If a PHA adopts this waiver, a family will remain exempt from the CSSR until their first reexamination after March 31, 2021.	X	4/14/2020	Document file and Policy statement that will resume requirement after 3/31/2021	03/31/21	First reexamination after March 31, 2021
-------	--	---	-----------	---	----------	--

Energy Audits

PH -6	HUD is waiving and suspending the requirement to complete energy audits for PHA projects if the audit is due to HUD before December 31, 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

Over-Income Families

PH -7	HUD is waiving the requirement that PHAs terminate rental assistance or charge an alternative rent to families whose income exceeds the program maximum over two consecutive reexamination cycles through December 31, 2020. Through this waiver PHAs would be allowed to permit over-income families to remain in their units and pay the same rental amount until that PHA conducts the family's next annual income recertification.	X	4/14/2020	Document file and Policy statement that will resume requirement after next annual recertification	12/31/20	12/31/20
-------	--	---	-----------	---	----------	----------

Resident Council elections

PH -8	HUD will allow PHAs to delay resident council elections beyond the three-year limit, if necessary, through July 31, 2020. Delayed elections must be rescheduled and held as soon as reasonably possible after July 31, 2020.	N/A			07/31/20	As soon as reasonably possible
-------	--	-----	--	--	----------	--------------------------------

Review and Revision of Utility Allowances

PH -9	HUD is allowing PHAs to delay the review and update of utility allowances. Any review and update of utility allowances that were due at some point in time in CY 2020 must be completed by the end of 2020.	N/A				12/31/20
-------	---	-----	--	--	--	----------

Tenant Notifications for Changes to Project Rules and Regulations

PH -10	<p>HUD is waiving the requirement to provide 30-day notices to impacted families for changes to policies, rules, and special charges to families, except for notices related to tenant charges, through July 31, 2020.</p> <p>Although HUD is waiving the advanced notice, PHAs must still provide adequate notification to families within 30 days of making such changes.</p>	X	4/14/2020	Policy statement that will resume advance notice after 7/31/20		07/31/20
--------	---	---	-----------	--	--	----------

PHAS, SEMAP and UNIFORM FINANCIAL REPORTING STANDARDS

PHAS

a.	<p>HUD is waiving the inspection requirement of PHAS and postponing physical inspections (except for threat to life or property inspection) for all PHAs until further notice.</p> <p>HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.</p> <p>New PHAS scores will issued by HUD beginning with PHAs that have a fiscal year end date of March 31, 2021.</p> <p>HUD is waiving the inspection requirement of PHAS and postponing physical inspections (except for threat to life or property inspection) for all PHAs until further notice.</p> <p>HUD will not issue PHAS scores that are pending or for fiscal years ending in 2020 unless a PHA requests a PHAS score. HUD will carry forward the PHAs most recent PHAS score on record.</p> <p>New PHAS scores will issued by HUD beginning with PHAs that have a fiscal year end date of March 31, 2021.</p>	X	4/14/2020	N/A	03/31/21	03/31/21
----	---	---	-----------	-----	----------	----------

SEMAP (Section Eight Management Assessment Program)

b.	<p>HUD will not issue SEMAP scores that are pending or for fiscal years ending in 2020 unless a PHA requests a SEMAP score. HUD will carry forward the PHAs most recent SEMAP score on record.</p>	X	4/14/2020	N/A	03/31/21	03/31/21
----	--	---	-----------	-----	----------	----------

Uniform financial reporting standards; Filing of financial reports; Reporting Compliance Dates

c	<p>HUD is waiving the unaudited and audited financial submission requirements and adopting an alternative requirement.</p> <p>Unaudited Financials: Submission of unaudited financials have been extended for six (6) months for PHAs with fiscal year ends of December 31, 2019 and March 31, 2020. December 31, 2019 fiscal year end PHAs now must submit their unaudited financials by August 31, 2020 and March 31, 2020 fiscal year end PHAs now must submit their unaudited financials by November 30, 2020.</p> <p>Audited Financials: Submission of audited financials have been extended for six (6) months for PHAs with fiscal year ends of June 30, 2019; September 30, 2019; December 31, 2019; and March 31, 2020. June 30, 2019 fiscal year end PHAs now must submit their audited financials by September 30, 2020; September 30, 2019 fiscal year end PHAs now must submit their audited financials by December 31, 2020; December 31, 2019 fiscal year end PHAs now must submit their audited financials by March 31, 2021; and March 31, 2020 fiscal year end PHAs now must submit their audited financials by June 30, 2021.</p>	X				
---	--	---	--	--	--	--

Other Waivers and Administrative Relief

PHA Reporting Requirements on HUD Form 50058

a.	<p>HUD is waiving the requirement that PHAs must submit form HUD-50058 60 calendar days after any action recorded on line 2b for transactions impacted by implemented waivers and alternative requirements. Through December 31, 2020, PHAs will have 90 days to submit their form HUD-50058 after the effective date of action to HUD. Although the waiver provides up to 90 days to submit form HUD-50058, HUD encourages PHAs that have operational capacity to continue submitting form HUD-50058 within the normal 60-day timeframe. HUD will issue guidance in the near future that will provide PHAs with workarounds to ensure that the delayed submission of form HUD-50058 does not cause any fatal errors in the IMS-PIC system.</p>	X	4/14/2020	Will make efforts to stick to 60 days but will use 90 days if needed.	90 Days from Effective Date	12/31/20
----	---	---	-----------	---	-----------------------------	----------

Designated Housing Plans – HUD 60 Day Notification

b.	<p>HUD is waiving the statutory requirement that HUD must respond to Designated Housing Plans that demonstrate project compliance with requirements to establish occupancy by elderly and/or disabled families no later than 60 days after receiving the plan. Currently, if HUD does not respond within 60 days, the plan is considered accepted.</p> <p>This waiver would allow HUD more than 60 days to review Designated Housing Plans through July 31, 2020</p>	N/A				
----	--	-----	--	--	--	--

Extension of Deadline for Programmatic Obligation and Expenditure of Capital Funds

c.	<p>HUD is extending both the Capital Fund obligation end date and the Capital Fund expenditure date for all open Capital Fund grants by one year from the current obligation and expenditure end date. No programmatic expenditure end date shall be extended beyond one month prior to the closure of the relevant appropriation account.</p>	N/A				
----	--	-----	--	--	--	--

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: AWARD OF CONSTRUCTION CONTRACT FOR ROOF REPLACEMENT PROJECT, BAYO VISTA PUBLIC HOUSING DEVELOPMENT, RODEO CONTRACT No. 26023

RECOMMENDATIONS

- (1) **APPROVE** specifications as proposed by Garland/DBS, Inc. ("Garland") for the Roof Replacement Project at eight public housing units, Bayo Vista, Rodeo (Contract No. 26023)
- (2) **APPROVE** the above project and take related actions under the California Environmental Quality Act (CEQA).
- (3) **DETERMINE** the project is a CEQA Class 1 categorical exemption, pursuant to Article 19, Section 15301 of the CEQA Guidelines.
- (4) **AWARD** the construction contract for the above project to Garland in the amount listed in Garland's proposal (\$399,942) total, and **DIRECT** that Garland shall present two good and sufficient surety bonds contractor shall present two good and sufficient surety bonds (performance and payment) in the amount of \$99,942 each and that the Executive Director, or designee, shall prepare the contract.
- (5) **AUTHORIZE** the Executive Director, or designee, to approve construction change orders, as needed, up to a maximum total of 10% (\$39,994), which is in addition to the contract award amount.
- (6) **ORDER** that, after the contractor has signed the contract and returned it, together with the bonds as noted above, certificates of insurance, and any other required documents, and the Executive Director has reviewed and found them to be sufficient, the Executive Director, or designee, is authorized to sign the contract for this Board.
- (7) **ORDER** that the Executive Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by HACCC to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

Action of Board On: **07/14/2020** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

RECOMMENDATIONS (CONT'D)

(8) **DELEGATE**, pursuant to Public Contract Code Section 4114, to the Executive Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(9) **DELEGATE**, pursuant to Labor Code Section 6705, to the Executive Director, or to any registered civil or structural engineer employed by HACCC, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(10) **DIRECT** the County Director of Conservation and Development to file a Notice of Exemption with the County Clerk and **AUTHORIZE** the Executive Director, or designee to arrange for payment of a \$25 fee to Conservation and Development for processing and a \$50 fee to the County Clerk for filing the Notice of Exemption.

BACKGROUND

Over the past winter, eight public housing units, located in the Bayo Vista development in Rodeo, has been experiencing roof leaks. The roof leaks, which have been increasing in frequency and severity, have been temporarily addressed with patching and other repairs. However, the roofing at these buildings are the end of their useful lives and require permanent replacement. In addition, there is likely dry rot damage underneath the roofing that is in need of prompt repair.

HACCC solicited a quote for the roof replacement work from Garland, piggy-backing off of an existing Master Intergovernmental Cooperative Purchasing Agreement between Garland and Cobb County, GA and U.S. Communities (MICPA #14-5903). On May 11, 2020, Garland submitted a proposal to perform the roof replacement project for \$399,942. Staff has reviewed the proposal, which is comparable to our own Independent Cost Estimate, and is satisfied it is a reasonable price for the work involved.

To enable the roof replacement project to be completed this construction season, the Executive Director recommends that the Board take the following actions:

(1) Approve the project proposal specifications, which approval will give design immunity to the Housing Authority.

(2) Determine that the roof replacement project qualifies as a categorical exemption under Class 1 (repair and maintenance of public structures, facilities) of the Guidelines for the California Environmental Quality Act (CEQA). See the Notice of Exemption attached to this Board order.

(3) Award the construction contract for the above project to Garland for \$399,942, direct the Executive Director to prepare the contract, and authorize the Executive Director to sign the contract following his review and approval of the signed contract, bonds, and insurance from Garland.

(4) Take the additional related actions listed in the Recommended Actions above.

FISCAL IMPACT

The construction contract will be funded 100% by HUD.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board not award the construction contract, as recommended, the roofing at these eight public housing units will remain in substandard condition, with the potential for additional leakage and damage during the next rainy season.

CLERK'S ADDENDUM

ATTACHMENTS

NOE

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
Notice of Exemption**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: Contra Costa County
Dept. of Conservation & Development
30 Muir Road, Martinez, CA 94553

County Clerk
County of: Contra Costa

Project Title: Roof Replacement Project, County File CP20-10 (FM19-0001).

Project Applicant: Housing Authority of the County of Contra Costa- 3133 Estudillo Street
Martinez, CA 94553- Contact: Robert Moore (925) 957-8025.

Project Location: The Roof Replacement project will take place at 8 public housing units located at the Bayo Vista, Rodeo area of the County, at the following addresses:

111 California Street, APN 357-352-001; 123 California Street, APN 357-352-001
134 California Street, APN 357-340-001; 136 California Street, APN 357-340-001
158 California Street, APN 357-340-001; 313 California Street, APN 357-362-001
315 California Street, APN 357-362-001; 1249 Trigger Road, APN 357-352-001

Description of Nature, Purpose and Beneficiaries of Project: This project involves roof replacement of 8 units owned by the Housing Authority of Contra Costa County. This project also involves the award of a construction contract to Garland/DBS, INC, in the amount of \$399,942 to allow the roof replacement project and other related actions. Over the past winter, each of the eight public housing buildings have been experiencing roof leaks, and potentially dry rot. The roof leaks, which have been increasing in frequency and severity, have been temporarily addressed with patching and other repairs. The roofing at these buildings are at the end of their useful lives and require permanent replacement.

Lead Agency: Department of Conservation and Development - Contact: Telma B. Moreira (925) 674-7783.

Name of Person or Agency Carrying Out Project: Housing Authority of Contra Costa County-
3133 Estudillo Street, Martinez, CA 94553- Contact: Robert Moore (925) 957-8025.

Exempt Status:

- | | |
|---|--|
| <input type="checkbox"/> Ministerial Project (Sec. 21080(b) (1); 15268(a); | <input checked="" type="checkbox"/> Categorical Exemption, Section 15301 |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)); | <input type="checkbox"/> Other Statutory Exemption |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269(b)(c)); | <input type="checkbox"/> General Rule of Applicability |

Reasons why project is exempt: This project is exempt from CEQA as Section 15301 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or public structures, involving negligible expansion of the existing or former use.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date _____ Title: _____

Contra Costa County Department of Conservation and Development

Signed by Lead Agency Signed by Applicant

AFFIDAVIT OF FILING AND POSTING

I declare that on _____ I received and posted this notice as required by California Public Resources Code Section 21152(c). Said notice will remain posted for 30 days from the filing date.

Signature

Title

Applicant:

Robert Moore
Housing Authority of the
County of Contra Costa
3133 Estudillo Street
Martinez, CA 94553
(925) 957-8025

Department of Fish and Game Fees Due

EIR - \$3,343.25

Total Due: \$ _____

Neg. Dec. - \$2,406.75

Total Paid \$ _____

DeMinimis Findings - \$0

County Clerk - \$50

Receipt#:

Conservation & Development - \$25

To: Contra Costa County Housing Authority Board of Commissioners
From: David Twa, County Administrator
Date: July 14, 2020



Contra
Costa
County

Subject: Claims

RECOMMENDATIONS

DENY claim filed by Yvonne Baker.

BACKGROUND

DENY claim filed by Yvonne Baker.

FISCAL IMPACT

No fiscal impact.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
Candace Andersen,
Commissioner
Diane Burgis, Commissioner
Karen Mitchoff,
Commissioner
Federal D. Glover,
Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020
Joseph Villarreal, Executive Director

By: Stacey M. Boyd, Deputy

Contact: Scott Selby
925.335.1400

cc:

CLERK'S ADDENDUM

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: COLLECTION LOSS WRITE-OFF FOR THE QUARTER ENDING MARCH 31, 2020

RECOMMENDATIONS

ADOPT Resolution No.5229 to approve collection loss write-offs in the public housing program in the amount of \$ 40,643.89 for the quarter ending March 31, 2020.

BACKGROUND

The Housing Authority takes action to write off accounts that have been determined to be non-collectible.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

BACKGROUND (CONT'D)

For this quarter ending March 31, 2020 a breakdown of the recommended write-offs, by housing development, is provided in the following table:

CA011-001	Alhambra Terrace Martinez	\$1,150.00
CA011-003	Bridgemont Antioch	\$0
CA011-004	Los Nogales Brentwood	\$0
CA011 005	El Pueblo Pittsburg	\$6,665.00
CA011-006	Las Deltas N. Richmond	\$988.00
CA11-008	Los Arboles Oakley	\$1,407.31
CA011-009A	Las Deltas N. Richmond	\$0
CA011-009B	Las Deltas N. Richmond	\$4,069.97
CA011-010	Bayo Vista Rodeo	\$19,828.50
CA011-011	Hacienda Martinez	\$3,365.20
CA011-012	Casa de Manana Oakley	\$0
CA011-013	Casa de Serena Bay Point	\$0
CA011-015	Elder Winds Antioch	\$3,170.91
CA011-4501	Vista del Camino San Pablo	\$0
CA011-4502	Kidd Manor	\$0
TOTAL		\$40,644.89

A total of 20 accounts are being recommended for write-off, representing an average of \$2,032.19 per account.

The following table illustrates the collection losses per quarter for the past four quarters.

Conventional Program

THIS QUARTER	
03/31/2020	\$40,644.89
12/31/2019	\$97,148.32
03/31/2018	\$50,381.06

Prior to submission of an account for write-offs, the staff makes every effort to collect money owed to HACCC. Once the account is written off, staff uploads debt amount to HUD's Debts Owed System, to further Housing Authorities' efforts to collect monies owed. Past participants that owe Housing Agencies may be denied admission to public housing or housing choice voucher programs in the future unless the debt is repaid.

FISCAL IMPACT

Uncollectible amounts impact the budget by reducing total rental income. The Housing Authority of the County of Contra Costa (HACCC) regularly writes off those accounts that have been determined to be uncollectible. Once an account is written off, it can be turned over to a collection agency. For the period ending March 31, 2020, the collection loss write-off total is \$40,644.89.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to adopt Resolution No. 5229 these accounts would inflate the total accounts receivable for HACCC and present an inaccurate financial position.

CLERK'S ADDENDUM

AGENDA ATTACHMENTS

Write Off Chart

RES Write Off

MINUTES ATTACHMENTS

Signed Resolution No. 5229

M E M O R A N D U M

TO: Joseph Villarreal, Executive Director

FROM: Elizabeth Campbell, Director of Managed Housing Programs

SUBJECT: Vacated Collection Loss Write-Offs

DATE: MARCH 31, 2020

I have reviewed the request for Vacated Collection Loss Write-Off Accounts submitted by the Housing Managers and recommend that the following amounts be written off/submitted as non-collectible:

PROJECT	RENT	LEGAL	MAINTENANCE	TOTAL	TENANT ACCOUNTS
Alhambra Terr. Martinez CAL 11-1	\$200.00	-0-	\$950.00	\$1,150.00	1
Bridgemont, Antioch CAL 11-3	-0-	-0-	-0-	-0-	0
Los Nogales, Brentwood CAL 11-4	-0-	-0-	-0-	\$0	0
El Pueblo, Pittsburg CAL 11-5	\$6,540.00	-0-	\$125.00	\$6,665.0	1
Las Deltas, N. Richmond CAL 11-6	\$510.50	-0-	\$477.50	\$988.00	3
Los Arboles, Oakley CAL 11-8	\$198.00	-0-	\$1,209.31	\$1,407.31	1
Las Deltas, N. Richmond CAL 11-9A	-0-	-0-	-0-	-0-	0
Las Deltas, N. Richmond CAL 11-9B	\$3,397.00	-0-	\$672.97	\$4,069.97	5
Bayo Vista, Rodeo CAL 11-10	\$17,023.25	-0-	\$2,805.25	\$19,828.50	5
Hacienda, Martinez CAL 11-11	\$781.34	-0-	\$2,583.86	\$3,365.20	3
Casa de Manana, Oakley CAL 11-12	-0-	-0-	-0-	-0-	0
Casa de Serena Bay Point CAL 11-13	-0-	-0-	-0-	-0-	0
Elder Winds, Antioch CAL 11-15	\$400.91	-0-	\$2,770.00	\$3,170.91	1
Vista del Camino San Pablo 4501	-0-	-0-	-0-	-0-	0
Kidd Manor, San Pablo 4502	-0-	-0-	-0-	-0-	0
TOTALS:	\$29,051.00	-0-	\$11,593.89	\$40,644.89	20

THE BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA

RESOLUTION NO. 5229

RESOLUTION APPROVING COLLECTION LOSS WRITE-OFF IN THE AMOUNT OF \$40,644.89 FOR THE
PERIOD ENDING MARCH 31, 2020

WHEREAS, a certain vacated tenant accounts have been determined to be uncollectable by management; and

WHEREAS, these tenant accounts may have been, or may be, turned over to a collection agency for continued collection efforts;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the County of Contra Costa that the following amounts be written off for collection loss for period ending March 31, 2020

	Conventional Program
Dwelling Rent	\$29,051.00
Legal Charges	\$0
Maintenance & Other Charges	\$11,593.89
TOTAL	\$40,644.89

PASSED AND ADOPTED ON _____ by the following vote of the Commissioners.



THE BOARD OF COMMISSIONERS
HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA

RESOLUTION NO. 5229

RESOLUTION APPROVING COLLECTION LOSS WRITE-OFF IN THE AMOUNT OF \$40,644.89 FOR THE PERIOD ENDING MARCH 31, 2020

WHEREAS, a certain vacated tenant accounts have been determined to be uncollectable by management; and

WHEREAS, these tenant accounts may have been, or may be, turned over to a collection agency for continued collection efforts;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the County of Contra Costa that the following amounts be written off for collection loss for period ending March 31, 2020

	Conventional Program
Dwelling Rent	\$29,051.00
Legal Charges	\$0
Maintenance & Other Charges	\$11,593.89
TOTAL	\$40,644.89

PASSED AND ADOPTED ON July 14 2020 by the following vote of the Commissioners:

AYES: John Gioia, Candace Andersen, Diane Burgis, Karen Mitchoff, Federal Glover

NOES: None

ABSENT: None

ABSTAIN: None

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Commissioners on the date shown.

ATTESTED: July 14 2020
Joseph Villarreal, Secretary of the Board of Commissioners
and Executive Director

By June M. Brown, Deputy

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: CONTRACT WITH THE CITY OF PITTSBURG POLICE DEPARTMENT FOR COMMUNITY POLICING SERVICES AT THE EL PUEBLO PUBLIC HOUSING DEVELOPMENT IN THE CITY OF PITTS

RECOMMENDATIONS

APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or his designee, to execute a twelve month contract with the City of Pittsburg in an amount not to exceed \$158,000 to provide the Housing Authority's El Pueblo public housing development with additional law enforcement services for the period beginning July 1, 2020 and ending June 30, 2021.

BACKGROUND

For the past twenty-three years (or more), HACCC has contracted with the City of Pittsburg to provide one full-time police officer for additional community-oriented policing duties at the El Pueblo Housing Development. The officer focuses on eliminating drug-related activities, eliminating violent crimes, and working closely with residents to provide services beyond those normally offered by the police.

FISCAL IMPACT

The Housing Authority's (HACCC) total cost for one year service will not exceed \$158,000. Funding for this contract is included in HACCC's current budget using the public housing operating subsidy provided by the U. S. Department of Housing and Urban Development.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

CONSEQUENCE OF NEGATIVE ACTION

If the Board of Commissioners does not approve this contract, the City of Pittsburg will not have sufficient resources to continue providing additional law enforcement services to the residents of the El Pueblo public housing community.

CLERK'S ADDENDUM

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: CONTRACT WITH THE CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT FOR COMMUNITY
 POLICING SERVICES AT THE BAYO VISTA PUBLIC HOUSING DEVELOPMENT

RECOMMENDATIONS

APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or his designee, to execute a twelve-month contract with the Contra Costa County Sheriff's Department in an amount not to exceed \$250,000 to provide the Housing Authority's Bayo Vista public housing development with additional law enforcement services for the period beginning July 1, 2020 and ending June 30, 2021.

BACKGROUND

For over twenty-five years, HACCC has contracted with the Contra Costa County Sheriff's Department to provide one full-time Sheriff's Deputy for additional community-oriented policing duties at the Bayo Vista Housing Development in Rodeo. The Deputy focuses on eliminating violent crimes, and working closely with the residents to provide services beyond those normally offered by the Sheriff's office.

FISCAL IMPACT

The Housing Authority's (HACCC) total cost for one year service will not exceed \$250,000. Funding for this contract is included in HACCC's current budget using the public housing operating subsidy provided by the U. S. Department of Housing and Urban Development.

Action of Board On: **07/14/2020** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

CONSEQUENCE OF NEGATIVE ACTION

If the Board of Commissioners does not approve this contract, the Sheriff's department will not have sufficient resources to continue providing additional law enforcement services to the residents of the Bayo Vista public housing community.

CLERK'S ADDENDUM

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: CONTRACT WITH THE CONTRA COSTA COUNTY SHERIFF'S DEPARTMENT FOR LAW ENFORCEMENT SERVICES AT THE LAS DELTAS DEVELOPMENT

RECOMMENDATIONS

APPROVE and AUTHORIZE the Executive Director of the Housing Authority of the County of Contra Costa, or his designee, to execute a six-month contract with the Contra Costa County Sheriff's Department in an amount not to exceed \$125,000 to provide the Housing Authority's Las Deltas public housing development with additional law enforcement services for the period beginning July 1, 2020 and ending December 31, 2020.

BACKGROUND

HACCC has contracted with the Contra Costa County Sheriff's Department for over twenty-five years to provide one full-time Sheriff's Deputy focused on additional community-oriented policing services at the Las Deltas Housing Development in Richmond, CA (Development). Over the past few years, HACCC has relocated every resident from the Development to other affordable housing units throughout Contra Costa County under the Rental Assistance Demonstration Program (RAD). Now that all of the former tenants have moved, HACCC is working with HUD to finalize the release of the Development from the public housing program. Once this is complete, HACCC will begin the process of selling the property and/or partnering with developers to create new, project-based affordable housing on-site. These last two steps will take time to complete. While the property sits vacant, HACCC requires additional law enforcement services to address criminal and nuisance activities in the Development.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

FISCAL IMPACT

(HACCC) total cost for the six-month service will not exceed \$125,000. Funding for this contract is included in HACCC's current budget using the public housing operating subsidy provided by the U. S. Department of Housing and Urban Development (HUD).

CONSEQUENCE OF NEGATIVE ACTION

If the Board of Commissioners does not approve this contract, the Sheriff's department will not have sufficient resources to provide additional law enforcement services to the property located in North Richmond, CA.

CLERK'S ADDENDUM

To: Contra Costa County Housing Authority Board of Commissioners

From:

Date: July 14, 2020



Contra
Costa
County

Subject: FY 2019-2020 Fiscal Year End Budget Report

RECOMMENDATIONS

ACCEPT the 2019-2020 Fiscal Year End (Unaudited) Budget Report for the period ending 3/31/20.

BACKGROUND

This report is intended to provide the Board of Commissioners with an overview of the financial operating position of the Housing Authority of the County of Contra Costa (HACCC) for the Fiscal Year Ending 3/31/20. The report begins with a summary of HACCC's overall fiscal standing at the end of the quarter. The overall numbers are then broken down by individual funds. Each fund overview includes a brief program summary and an explanation of the variance between budgeted and actual performance.

AGENCY OVERVIEW: Budget Report

HACCC's overall budget position for the Fiscal Year 3/31/20 is shown in the chart below. Activity in the Public Housing Program had the most significant impact on HACCC's budget.

The variance in revenue and expenditures at the Agency Level is a summary of all variances reported at the program levels. The program revenue and expenditure variance summary is as follows:

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
Candace Andersen,
Commissioner
Diane Burgis, Commissioner
Karen Mitchoff,
Commissioner
Federal D. Glover,
Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

BACKGROUND (CONT'D)

Revenue Variance Summary

Housing Choice Vouchers favorable variance \$ 2,486,155
 Public Housing favorable variance 1,124,544
 State and Local favorable variance 918,415
 Housing Certificate favorable variance 301,406
 Agency Favorable Variance \$ 4,830,520

Expenditure Variance Summary

Housing Choice Vouchers favorable variance \$ -1,543,369
 State and Local unfavorable variance - 689,295
 Public Housing unfavorable variance - 937,842
 Housing Certificate favorable variance - 397,583
 Agency Unfavorable Variance \$ -3,568,089

HACC Agency Summary	Annual Budget	4th Quarter Actual 3/31/2020	Remaining FY Estimate	Annual Total	Variance
Revenue	\$ 183,684,001	\$ 188,511,521	\$ -0-	\$ 188,511,521	\$ 4,830,520
Expenditures	\$ 184,610,904	\$ 188,178,994	\$ -0-	\$ 188,178,994	\$(3,568,090)
	\$ (929,903)	\$ 332,527	\$ -0-	\$ 332,527	

The net change to overall reserves was an increase of \$332,527. The summary of Agency Reserves by Program and type is as follows:

Analysis of Agency Reserves	Beginning Balance 4/1/19 (Audited)	4th Quarter ending 3/31/2020 (Unaudited)	Reserve Balance period ending 3/31/2020 (Unaudited)
Total Reserves	\$ 32,479,898	\$ 332,527	\$ 32,812,425
<u>Net Invested in Capital Assets</u>			
Housing Choice Vouchers	\$ 353,584	\$ 946,832	\$ 1,300,416
Public Housing & Cap. Funds	\$ 6,419,660	\$ 211,191	\$ 6,630,851
State & Local Programs	\$ 13,474,466	\$ (892,159)	\$ 12,582,307
Housing Certificates Programs	-0-	-0-	-0-
Total Capital Assets	\$ 20,247,710	\$ 2,769,238	\$ 23,016,948
<u>Restricted Reserves</u>			
Housing Choice Vouchers	\$ -0-	\$ -0-	\$ -0-
Public Housing & Cap. Funds			

FISCAL IMPACT

None. Information item only.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to accept the investment report it would result in an audit finding of non-compliance and could ultimately affect future funding from the U.S. Department of Housing and Urban Development (HUD).

CLERK'S ADDENDUM

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: INVESTMENT REPORT FOR THE QUARTER ENDING MARCH 31, 2020

RECOMMENDATIONS

RECEIVE the Housing Authority of the County of Contra Costa's investment report for the quarter ending March 31st, 2020.

BACKGROUND

California Government Code (CGC) Section 53646 requires the Housing Authority of the County of Contra Costa (HACCC) to present the Board of Commissioners with a quarterly investment report that provides a complete description of HACCC's portfolio. The report is required to show the issuers, type of investments, maturity dates, par values (equal to market value here) and the current market values of each component of the portfolio, including funds managed by third party contractors.

It must also include the source of the portfolio valuation (in HACCC's case it is the issuer). Finally, the report must provide certifications that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and; (2) HACCC will meet its expenditure obligations for the next six months. (CGC 53646(b)) The state-mandated report has been amended to indicate the amount of interest earned and how the interest was allocated. The amended report is attached.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

BACKGROUND (CONT'D)

In summary, HACCC had \$26,026.98 in interest earnings for the quarter ending March 31st, 2020. That interest was earned within discrete programs and most of the interest earned is available only for use within the program which earned the interest. Further, interest earnings may be restricted to specific purposes within a given program. The Housing Choice Voucher Program reserve as of 12/31/2013 held in cash and investments was transitioned to HUD held program reserve account. Non-restricted interest earnings within both the voucher and public housing programs must be used solely within those programs, but such interest earnings can be used for a wider range of purposes within the individual programs. The interest earned in the State and Local fund can be used for any purpose within HACCC's scope of operations. The interest earned for the quarter ending March 31st, 2020 is shown below. A more detailed report is attached.

FISCAL IMPACT

None. For reporting purposes only.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to accept the investment report it would result in an audit finding of non-compliance and could ultimately affect future funding from the U.S. Department of Housing and Urban Development (HUD).

CLERK'S ADDENDUM

ATTACHMENTS

Investment Report

HOUSING AUTHORITY OF CONTRA COSTA COUNTY

INVESTMENT REPORT : PORTFOLIO HOLDINGS BY TYPE

For Period Ending: 3/31/2020

Issuer	Investment Type	Amount Invested	Yield	Investment Date	Maturity Date	Estimated Value@ Maturity Date
Cantella & Company						
Prime Fund Capital Reserves (Cash)	Money Market	127,396.04	0.01%	ongoing	ongoing	127,396.04
Farmer Mac	Govt Agency	100,000.00	1.920%	3/17/16	1/07/21	109,242.30
Discover Bank	Certificate of Deposit	105,000.00	2.250%	1/11/17	1/11/22	116,818.97
Federal Farm Credit Bank	Govt Agency	105,000.00	2.030%	2/10/17	2/03/22	115,622.46
Everbank	Certificate of Deposit	247,000.00	2.150%	4/28/17	4/28/22	273,567.05
Capital One , NA	Certificate of Deposit	100,000.00	2.300%	5/10/17	5/10/22	111,506.30
Capital One , NA	Certificate of Deposit	110,000.00	2.300%	5/10/17	5/10/22	122,656.93
Goldman Sachs	Certificate of Deposit	149,000.00	2.400%	6/07/17	6/07/22	166,889.80
Capital One Bank, USA	Certificate of Deposit	220,000.00	2.250%	9/20/17	9/20/22	244,763.56
Barclays Bank Delaware	Certificate of Deposit	247,000.00	2.250%	9/27/17	9/27/22	274,802.73
Discover Bank	Certificate of Deposit	140,000.00	2.550%	12/28/17	12/28/22	157,859.78
Morgan Stanley Bank	Certificate of Deposit	150,000.00	2.650%	1/11/18	1/11/23	169,885.89
Sally Mae Bank	Certificate of Deposit	173,000.00	2.650%	2/08/18	2/08/23	195,935.06
Citi Bank NA	Certificate of Deposit	100,000.00	3.100%	5/04/18	5/04/23	115,508.49
Goldman Sacs	Certificate of Deposit	100,000.00	3.300%	7/25/18	7/25/23	116,509.04
Commenty Capital Bank	Certificate of Deposit	120,000.00	3.250%	8/13/18	8/14/23	139,521.37
HSBC Bank USA	Certificate of Deposit	100,000.00	3.400%	9/28/18	9/28/23	117,009.32
Citi Bank NA	Certificate of Deposit	145,000.00	3.000%	2/15/19	2/15/24	166,761.92
State Bank of India	Certificate of Deposit	130,000.00	3.150%	2/27/19	2/27/24	150,486.22
Morgan Stanley Private Bank	Certificate of Deposit	160,000.00	2.200%	7/25/19	7/25/24	177,619.29
Wells Fargo Bank	Certificate of Deposit	105,000.00	2.150%	9/12/19	9/12/24	116,299.87
Wells Fargo Bank	Certificate of Deposit	125,000.00	2.150%	9/12/19	9/12/24	138,452.23
GRAND TOTALS		3,058,396.04				3,425,114.61

L.A.I.F. (Acct # 25-07-003)	Liquid Account	106,539.93	2.03%	ongoing	ongoing	106,539.93
De Anza Gardens, LP	Loan	1,000,000.00	3.00%			1,000,000.00
GRAND TOTALS		4,164,935.97				4,531,654.54

HOUSING AUTHORITY OF CONTRA COSTA COUNTY

INVESTMENT REPORT BY FUND

For Period Ending 3/31/2020

Issuer	Amount Invested	Amount Invested by Fund:				
		Public Housing	Management	Central Office	Housing Choice Voucher	Rental Rehabilitation
<u>Cantella & Company</u>						
Prime Fund Capital Reserves (Cash)	127,396.04	10,700.70	3,091.30	113,604.04		
Farmer Mac	100,000.00	100,000.00				
Discover Bank	105,000.00			105,000.00		
Federal Farm Credit Bank	105,000.00	105,000.00				
Everbank	247,000.00	247,000.00				
Capital One , NA	100,000.00	100,000.00				
Capital One , NA	110,000.00			110,000.00		
Goldman Sachs	149,000.00	149,000.00				
Capital One Bank, USA	220,000.00	220,000.00				
Barclays Bank Delaware	247,000.00	247,000.00				
Discover Bank	140,000.00	140,000.00				
Morgan Stanley Bank	150,000.00	150,000.00				
Sally Mae Bank	173,000.00		173,000.00			
Citi Bank NA	100,000.00		100,000.00			
Goldman Sacs	100,000.00			100,000.00		
Commenty Capital Bank	120,000.00			120,000.00		
HSBC Bank USA	100,000.00			100,000.00		
Citi Bank NA	145,000.00	145,000.00				
State Bank of India	130,000.00	130,000.00				
Morgan Stanley Private Bank	160,000.00	160,000.00				
Wells Fargo Bank	105,000.00		105,000.00			
Wells Fargo Bank	125,000.00			125,000.00		
GRAND TOTALS	3,058,396.04	1,903,700.70	381,091.30	773,604.04	-	-
L.A.I.F. (Acct # 25-07-003)	106,539.93	-	-	-		106,539.93
De Anza Gardens, LP	1,000,000.00				1,000,000.00	
GRAND TOTALS	4,164,935.97	1,903,700.70	381,091.30	773,604.04	1,000,000.00	106,539.93

HOUSING AUTHORITY OF CONTRA COSTA COUNTY

Report per CGC 53646 CURRENT MARKET VALUE

For Period Ending 3/31/2020

Issuer	Investment Type	Maturity Date	Amount Invested	Current Market Value (at 3/31/20)	Yield
Cantella & Company					
Prime Fund Capital Reserves (Cash)	Money Market	ongoing	127,396.04	127,396.04	0.01%
Farmer Mac	Govt Agency	1/07/2021	100,000.00	101,297.00	1.92%
Discover Bank	Certificate of Deposit	1/11/2022	105,000.00	106,698.90	2.25%
Federal Farm Credit Bank	Govt Agency	2/03/2022	105,000.00	107,951.55	2.03%
Everbank	Certificate of Deposit	4/28/2022	247,000.00	250,993.99	2.15%
Capital One , NA	Certificate of Deposit	5/10/2022	100,000.00	101,947.00	2.30%
Capital One , NA	Certificate of Deposit	5/10/2022	110,000.00	112,141.70	2.30%
Goldman Sachs	Certificate of Deposit	6/07/2022	149,000.00	152,301.84	2.40%
Capital One Bank, USA	Certificate of Deposit	9/20/2022	220,000.00	224,556.20	2.25%
Barclays Bank Delaware	Certificate of Deposit	9/27/2022	247,000.00	252,145.01	2.25%
Discover Bank	Certificate of Deposit	12/28/2022	140,000.00	144,229.40	2.55%
Morgan Stanley Bank	Certificate of Deposit	1/11/2023	150,000.00	154,981.50	2.65%
Sally Mae Bank	Certificate of Deposit	2/08/2023	173,000.00	178,864.70	2.65%
Citi Bank NA	Certificate of Deposit	5/04/2023	100,000.00	104,960.00	3.10%
Goldman Sacs	Certificate of Deposit	7/25/2023	100,000.00	105,925.00	3.30%
Commenty Capital Bank	Certificate of Deposit	8/14/2023	120,000.00	127,028.40	3.25%
HSBC Bank USA	Certificate of Deposit	9/28/2023	100,000.00	101,103.00	3.40%
Citi Bank NA	Certificate of Deposit	2/15/2024	145,000.00	153,201.20	3.00%
State Bank of India	Certificate of Deposit	2/27/2024	130,000.00	130,451.10	3.15%
Morgan Stanley Private Bank	Certificate of Deposit	7/25/2024	160,000.00	164,561.60	2.20%
Wells Fargo Bank	Certificate of Deposit	9/12/2024	105,000.00	105,247.80	2.15%
Wells Fargo Bank	Certificate of Deposit	9/12/2024	125,000.00	125,295.00	2.15%
			3,058,396.04	3,133,277.93	
L.A.I.F. (Acct # 25-07-003)	Liquid Account	ongoing	106,539.93	106,539.93	2.03%
De Anza Gardens, LP	Loan		1,000,000.00	1,000,000.00	3.00%
GRAND TOTALS			4,164,935.97	4,239,817.86	

HOUSING AUTHORITY OF CONTRA COSTA COUNTY

Investment Interest Earnings Report

For Period Ending 3/31/2020

150189	Amount Invested	Interest Earned this Qtr	Interest Earned this Quarter by Fund				
			Public Housing	Management	Central	Rental Rehab	Housing Voucher
			Unrestricted	Unrestricted	Unrestricted	Unrestricted	Unrestricted
Cantella & Company							
Prime Fund Capital Reserves (Cash)	127,396.04	3.14	0.26	0.08	2.80	-	-
Farmer Mac	100,000.00	473.42	473.42	-	-	-	-
Discover Bank	105,000.00	582.53	-	-	582.53	-	-
Federal Farm Credit Bank	105,000.00	525.58	525.58	-	-	-	-
Everbank	247,000.00	1,309.44	1,309.44	-	-	-	-
Capital One , NA	100,000.00	567.12	567.12	-	-	-	-
Capital One , NA	110,000.00	623.84	-	-	623.84	-	-
Goldman Sachs	149,000.00	881.75	881.75	-	-	-	-
Capital One Bank, USA	220,000.00	1,220.55	1,220.55	-	-	-	-
Barclays Bank Delaware	247,000.00	1,370.34	1,370.34	-	-	-	-
Discover Bank	140,000.00	880.27	880.27	-	-	-	-
Morgan Stanley Bank	150,000.00	980.14	980.14	-	-	-	-
Sally Mae Bank	173,000.00	1,130.42	-	1,130.42	-	-	-
Citi Bank NA	100,000.00	764.38	-	764.38	-	-	-
Goldman Sacs	100,000.00	813.70	-	-	813.70	-	-
Commenty Capital Bank	120,000.00	961.64	-	-	961.64	-	-
HSBC Bank USA	100,000.00	838.36	-	-	838.36	-	-
Citi Bank NA	145,000.00	1,072.60	1,072.60	-	-	-	-
State Bank of India	130,000.00	1,009.73	1,009.73	-	-	-	-
Morgan Stanley Private Bank	160,000.00	867.95	867.95	-	-	-	-
Wells Fargo Bank	105,000.00	556.64	-	556.64	-	-	-
Wells Fargo Bank	125,000.00	662.67	-	-	662.67	-	-
-	3,058,396.04	18,096.21	11,159.15	2,451.52	4,485.54	-	-
L.A.I.F. (Acct # 25-07-003)	106,539.93					533.51	
De Anza Gardens, LP	1,000,000.00	7,397.26					7,397.26
GRAND TOTALS	4,164,935.97	26,026.98	11,159.15	2,451.52	4,485.54	533.51	7,397.26

To: Contra Costa County Housing Authority Board of Commissioners
 From: Joseph Villarreal, Housing Authority
 Date: July 14, 2020



Contra
 Costa
 County

Subject: RATIFY AND APPROVE THE HOUSING CHOICE VOUCHER PAYMENT STANDARDS EFFECTIVE JUNE 1, 2020 IN RESPONSE TO COVID-19

RECOMMENDATIONS

RATIFY and APPROVE the Housing Choice Voucher payment standards for the Housing Authority of the County of Contra Costa effective June 1, 2020 in response to COVID-19.

BACKGROUND

Payment standards are used to calculate the housing assistance payment (HAP), or subsidy, that a housing authority (HA) will pay on behalf of families leasing units under the program. Each HA must establish a schedule of payment standard amounts by bedroom size. The range of possible payment standard amounts is based on HUD's published fair market rent (FMR) schedule for the FMR area within which the HA has jurisdiction. HACCC's payment standards are based on the FMRs for the Oakland-Fremont, CA Metro area which includes all of Alameda and Contra Costa Counties. FMRs are based on the 40th percentile of rents charged for standard housing in the FMR area. This is the dollar amount below which 40 percent of the standard-quality rental housing units are rented. HAs may set their payment standards amounts from 90% to 110% of the published FMRs without HUD approval. Payment standards can be set higher or lower than this basic range in response to market conditions with HUD approval.

Action of Board On: 07/14/2020 APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF COMMISSIONERS

AYE: John Gioia, Commissioner
 Candace Andersen,
 Commissioner
 Diane Burgis, Commissioner
 Karen Mitchoff,
 Commissioner
 Federal D. Glover,
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 14, 2020

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

BACKGROUND (CONT'D)

The level at which the payment standards are set directly affects the amount of subsidy a family will receive, and the amount of rent paid by program participants. If the payment standard amount is too low:

- Families may need to pay more for rent than they can afford; or
- Families may have a hard time finding acceptable units or units in more desirable areas; or
- Housing choices will be narrowed and the HA's efforts to affirmatively further fair housing will be undermined.

If the payment standards amounts are too high, owners may be encouraged to ask for higher than reasonable rents.

As approved by the Board on January 12, 2016, HACCC's payment standards were split into two different amounts. One payment standard was established for all cities located in East County and a second payment standard was established for the rest of the cities in HACCC's jurisdiction. This was done to give families greater access to housing opportunities in low poverty neighborhoods throughout the County and to limit the tendency for families to lease in high poverty areas concentrated in East County

The Board approved Payment Standards on September 24, 2019 that took effect October 1, 2019. These payment standards were based on revised FMRs published by HUD on August 3, 2019. Despite the strength of our rental market, HUD's FMRs declined for some bedroom sizes. As a result, several of HACCC's payment standards were lowered in order to stay within HUD's range of 90% to 110% of the published FMR. Specifically, the studio through three bedroom payment standards outside of East County were all reduced.

Assuming rent, utilities and household income stay the same, a family whose payment standard is reduced will have to pay more for their rent and HACCC will pay less. In order to protect families from an immediate financial impact, HUD regulations require that whenever the payment standard is reduced, it will not be applied to a specific family's rent calculation until that family's second annual income certification. The first families impacted by the 2019 decrease in payment standards were scheduled to have their share of rent increase as of June 1, 2020. In order to prevent this during the COVID-19 pandemic, staff raised the payment standards for the families affected starting June 1, 2020. As stated above, the affected families are those living in studio, one, two or three bedroom units outside of East County. It is these payment standards that were increased effective June 1, 2020. All other payment standards were left the same since they were not going to have the same negative impact on families. The revised payment standards fall within HUD's 90% to 110% range of the currently published FMR. Due to past decreases in HUD's FMRs (despite a rental market that never really slowed), HACCC adjustment to the studio through three bedroom Payment Standards restores them to the amounts that were in effect on October, 2017.

The proposed payment standards are as follows:

EAST COUNTY - Antioch, Bay Point, Bethel Island, Brentwood, Byron, Discovery Bay, Knightsen, Oakley

	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR	6-BR	7-BR
PS	\$1,435	\$1,723	\$2,173	\$3,017	\$3,552	\$4,085	\$4,617	\$5,150
% of FMR	96.44%	95.30%	97.05%	99.18%	95.48%	95.49%	95.47%	95.48%

All Other Cities in HACCC's Jurisdiction:

	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR	6-BR	7-BR
PS	\$1,578	\$1,895	\$2,390	\$3,318	\$3,945	\$4,537	\$5,129	\$5,721
% of FMR	106.05%	104.81%	106.74%	109.07%	106.05%	106.05%	106.06%	106.06%
FMR	\$1,488	\$1,808	\$2,239	\$3,042	\$3,720	\$4,278	\$4,836	\$5,394
110% of FMR	\$1,636	\$1,988	\$2,462	\$3,346	\$4,092	\$4,705	\$5,319	\$5,933

FISCAL IMPACT

Funding for this program is provided by the U.S. Department of Housing and Urban Development (HUD). Funding for the proposed change is provided for in the Housing Authority of the County of Contra Costa's (HACCC) current budget.

CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners not adopt and approve the proposed payment standards, then a significant number of families will suffer financially.

CLERK'S ADDENDUM