

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

**CALENDAR FOR THE BOARD OF  
COMMISSIONERS**

BOARD CHAMBERS, COUNTY ADMINISTRATION BUILDING  
1025 ESCOBAR STREET  
MARTINEZ, CALIFORNIA 94553-1229

DIANE BURGIS, *CHAIR*  
FEDERAL D. GLOVER, *VICE CHAIR*  
JOHN GIOIA  
**CANDACE ANDERSEN**  
KAREN MITCHOFF  
CYNTHIA JORDAN  
JOANN SEGURA

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

**To slow the spread of COVID-19, in lieu of a public gathering, the Board meeting will be accessible via television and live-streaming to all members of the public as permitted by Government Code section 54953(e). 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](http://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 **888-278-0254** FOLLOWED BY THE ACCESS CODE **843298#**. To indicate you wish to speak on an agenda item, please push "#2" on your phone. Access via Zoom is also available via the following link: <https://ccccounty-us.zoom.us/j/87344719204>. To indicate you wish to speak on an agenda item, please "raise your hand" in the Zoom app.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking callers.

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 online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov).

**ANNOTATED AGENDA & MINUTES  
December 7, 2021**

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

**Convened the meeting at 3:15 p.m with Commissioner Jordan not having joined. Commissioner Jordan was able to connect commencing with item D.3.**

**CONSIDER CONSENT ITEMS: (Items listed as C.1 through C.1 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 (2 Minutes/Speaker)

**Helen, resident of Contra Costa noted the lateness of the meeting that was supposed to begin at 1:00 p.m, and requested the Commission review the availability of water supplies for the future new housing units in Contra Costa County.**

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE
Commissioner Joanne Segura	AYE
Commissioner Cynthia Jordan	AYE

D.3 ACCEPT this Board Order from the Executive Director to serve as written acknowledgment stating he understands the current and future cost of the negotiated health care benefit changes for retirees from both represented and unrepresented classes, as detailed in a report provided by the Housing Authority's Actuary on October 5, 2021.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE
Commissioner Joanne Segura	AYE
Commissioner Cynthia Jordan	ABSENT

- D.4 CONSIDER adopting Resolution No. 5239 approving the health care benefits portion of the Successor Memorandum of Understanding with Public Employees Union, Local #1/AFSCME, for the term of July 1, 2021 through June 30, 2024; and ADOPT Resolution No. 5240 approving health care benefits for the unrepresented employees of the Housing Authority of the County of Contra Costa.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE
Commissioner Joanne Segura	AYE
Commissioner Cynthia Jordan	AYE

- D.5 HEARING to adopt Resolution No. 5241 titled the PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications approving HACCC's Annual Plan for fiscal year 2022, including revisions to the Admissions and Continued Occupancy Plan and the Section 8 Administrative Plan.

Commissioner John Gioia	AYE
Commissioner Candace Andersen	AYE
Commissioner Diane Burgis	AYE
Commissioner Karen Mitchoff	AYE
Commissioner Federal D. Glover	AYE
Commissioner Joanne Segura	AYE
Commissioner Cynthia Jordan	AYE

## ADJOURN

**Adjourned today's meeting at 3:55 p.m.**

### CONSENT ITEMS:

- C.1 RECEIVE the Housing Authority of the County of Contra Costa's investment report for the quarter ending September 30, 2021.

## 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, 1025 Escobar Street, Martinez, CA 94553; by fax: 925-655-2006; or via the County's web page: [www.co.contracosta.ca.us](http://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) 655-2000. An assistive listening device is available from the Clerk. 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) 655-2000, 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) 655-2000. The monthly agenda may also be viewed on the County's internet Web Page: [www.co.contra-costa.ca.us](http://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, 1025 Escobar Street, 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.**



Contra  
Costa  
County

To: Contra Costa County Housing Authority Board of Commissioners

From: Joseph Villarreal, Housing Authority

Date: December 7, 2021

Subject: GOVERNMENT CODE 7507 - CHIEF EXECUTIVE OFFICER ACKNOWLEDGMENT OF FUTURE COSTS OF BENEFITS - PROPOSED CHANGES FOR SPECIFIC RETIREES

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### **RECOMMENDATIONS**

ACCEPT that this Board Order serves as written acknowledgment by the Executive Director (chief executive officer) that he understands the current and future cost of the negotiated health care benefit changes for retirees from both represented and unrepresented classes, as detailed in a report provided by the Housing Authority's Actuary on October 5, 2021 (attached).

### **BACKGROUND**

At its meeting on November 9, 2021, the Board of Commissioners accepted an actuarial valuation of future annual costs of negotiated and proposed changes to Other Post-Employment Benefits for current and future employees and retirees. The report containing the actuarial valuation of the proposed health care benefit changes was provided to HACCC on October 5, 2021.

Section 7507 requires that "upon the adoption of any benefit change to which this section applies, the person with the responsibilities of a chief executive officer in an entity providing the benefit, however that person is denominated, shall acknowledge in writing that he or she understands the current and future cost of the benefit as determined by the actuary." As the Executive Director (chief executive officer), by approving this Board Order, I acknowledge in writing that I understand the current and future cost of the benefit changes presented to you today, as determined by the actuary and contained in the actuary's report provided to HACCC on October 5, 2021.

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Action of Board On: **12/07/2021**  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  
Joanne Segura,  
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: December 7, 2021

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

ABSENT: Cynthia Jordan,  
Commissioner

Contact: 925-957-8028

cc:

FISCAL IMPACT

As shown in the valuation, the result of the proposed health care benefit changes, if implemented for all current and future eligible retirees, will create a \$368,000 increase in the Annual Required Contribution, a \$128,090 increase in the Normal Cost, and a \$2.9 million increase in the total Actuarial Accrued Liability.

CONSEQUENCE OF NEGATIVE ACTION

If the Executive Director does not make and sign this acknowledgment, HACCC will be in violation of California Government Code section 7507 and the proposed health care benefits may not be adopted.

To: Contra Costa County Housing Authority Board of Commissioners  
 From: Joseph Villarreal, Housing Authority  
 Date: December 7, 2021



Contra  
 Costa  
 County

Subject: APPROVE HEALTH CARE BENEFIT ENHANCEMENTS FOR REPRESENTED AND UNREPRESENTED EMPLOYEES

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## **RECOMMENDATIONS**

1. ADOPT Resolution No. 5239 approving the health care benefits portion of the Successor Memorandum of Understanding with Public Employees Union, Local #1/AFSCME, for the term of July 1, 2021, through June 30, 2024.
2. ADOPT Resolution No. 5240 approving health care benefits for the unrepresented employees of the Housing Authority of the County of Contra Costa.

## **BACKGROUND**

On August 10, 2021, this Board adopted Resolution No. 5236 approving the Successor Memorandum of Understanding (MOU) with Public Employees Union, Local #1/AFSCME (Union), providing for wages, non-healthcare benefits, and other employment conditions for the term of July 1, 2021, through June 30, 2024. Similarly, on September 14, 2021, this Board adopted Resolution No. 5237 regarding compensation and non-healthcare benefits for the unrepresented employees of the Housing Authority of the County of Contra Costa.

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Action of Board On: 12/07/2021  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  
 Joanne Segura,  
 Commissioner  
 Cynthia Jordan,  
 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: December 7, 2021

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

## BACKGROUND (CONT'D)

On June 29, 2021, a Tentative Agreement with the Union was signed that included a change to the health care subsidy paid by HACCC from a flat amount to a percentage payment. Specifically, the TA provided that HACCC will pay the following percentages of the premium for the CalPERS Kaiser Premium plan, towards all health plans offered by CalPERS:

- 64% Effective January 1, 2022
- 67% Effective January 1, 2023
- 70% Effective January 1, 2024

Any excess amounts necessary to pay the health care premium in full shall be paid for by the Employee through payroll deductions. The proposed change to the health care subsidy was not included in either the Successor MOU or the compensation package for unrepresented employees, because HACCC was awaiting an actuarial analysis of the change as required by State law.

As required by California Government Code section 7507, the actuarial report that considered the future costs of changes in retirement benefits, or other post-employment benefits was provided to this Board at the November 9, 2021, meeting. This meeting was more than two weeks ago, so it is appropriate to consider adoption of the proposed health care benefit changes for current employees and current and future retirees who are eligible for health care coverage at today's meeting. HACCC's Actuary will be in attendance if there are any questions about the report.

## FISCAL IMPACT

As shown in the attached actuarial valuation, the result of the health care plan changes described herein, if implemented for all current and future eligible retirees, will create a \$368,000 increase in the Annual Required Contribution, a \$128,090 increase in the Normal Cost, and a \$2.9 million increase in the total Actuarial Accrued Liability.

## CONSEQUENCE OF NEGATIVE ACTION

It is expected that the Union will seek to reopen negotiations concerning health care reimbursements.

## AGENDA ATTACHMENTS

RES 5239

RES 5240

Email HACCC 2020-2024 ADC Project Plan Change

HACCC 2020-2024 ADC Projection with Plan Change

## MINUTES ATTACHMENTS

Signed Resolution No. 5239



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

RESOLUTION NO. 5239

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA  
APPROVING THE HEALTH CARE BENEFITS PORTION OF THE SUCCESSOR  
MEMORANDUM OF UNDERSTANDING WITH PUBLIC EMPLOYEES UNION, LOCAL  
#1/AFSCME, FOR THE TERM OF JULY 1, 2021, THROUGH JUNE 30, 2024

WHEREAS, on June 29, 2021, a Tentative Agreement with Public Employees Union, Local #1/AFSCME (Union) was signed that included a change to the health care subsidy paid by HACCC from a flat amount to a percentage payment; and

WHEREAS, on August 10, 2021, the Board of Commissioners adopted Resolution No. 5236 approving the Successor Memorandum of Understanding (MOU) with the Union providing for wages, non-healthcare benefits, and other employment conditions for the term of July 1, 2021, through June 30, 2024; and

WHEREAS, pursuant to California Government Code section 7507, the negotiated healthcare benefits could not be approved until the services of an enrolled actuary were secured to provide a statement of the actuarial impact upon future annual costs of the negotiated benefits; and

WHEREAS, the statement of the enrolled actuary of the actuarial impact upon future annual costs of the negotiated healthcare benefits was discussed at a public meeting of the Board of Commissioners on November 9, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the County of Contra Costa, as follows:

1. The Board of Commissioners authorizes the negotiated healthcare benefits with the Union for the term of July 1, 2021, through June 30, 2024; and,
2. The actuarial impact upon future annual costs of the negotiated healthcare benefits was made public at a public meeting of the Board of Commissioners on November 9, 2021 in accordance with California Government Code section 7507; and
3. The Authority is directed to forward a copy of this resolution to the Contra Costa County Employees Retirement Association; and
4. The Authority is directed to forward a copy of this resolution to CalPERS.

PASSED AND ADOPTED ON \_\_\_\_\_ by  
the following vote of the Commissioners.

AYES:

NOES:

ABSENT:

ABSTAIN:

I HEREBY CERTIFY THAT THIS IS A  
TRUE AND CORRECT COPY OF AN  
ACTION TAKEN AND ENTERED ON THE  
MINUTES OF THE BOARD OF  
COMMISSIONERS ON THE DATE SHOWN.

ATTESTED \_\_\_\_\_  
JOSEPH VILLARREAL, CLERK OF THE  
BOARD OF COMMISSIONERS  
AND EXECUTIVE DIRECTOR

By \_\_\_\_\_



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

RESOLUTION NO. 5239

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA APPROVING THE HEALTH  
CARE BENEFITS PORTION OF THE SUCCESSOR MEMORANDUM OF UNDERSTANDING WITH PUBLIC  
EMPLOYEES UNION, LOCAL  
#1/AFSCME, FOR THE TERM OF JULY 1, 2021, THROUGH JUNE 30, 2024

WHEREAS, on June 29, 2021, a Tentative Agreement with Public Employees Union, Local #1/AFSCME (Union) was signed that included a change to the health care subsidy paid by HACCC from a flat amount to a percentage payment; and

WHEREAS, on August 10, 2021, the Board of Commissioners adopted Resolution No. 5236 approving the Successor Memorandum of Understanding (MOU) with the Union providing for wages, non-healthcare benefits, and other employment conditions for the term of July 1, 2021, through June 30, 2024; and

WHEREAS, pursuant to California Government Code section 7507, the negotiated healthcare benefits could not be approved until the services of an enrolled actuary were secured to provide a statement of the actuarial impact upon future annual costs of the negotiated benefits; and

WHEREAS, the statement of the enrolled actuary of the actuarial impact upon future annual costs of the negotiated healthcare benefits was discussed at a public meeting of the Board of Commissioners on November 9, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the County of Contra Costa, as follows:

1. The Board of Commissioners authorizes the negotiated healthcare benefits with the Union for the term of July 1, 2021, through June 30, 2024; and,
2. The actuarial impact upon future annual costs of the negotiated healthcare benefits was made public at a public meeting of the Board of Commissioners on November 9, 2021 in accordance with California Government Code section 7507; and
3. The Authority is directed to forward a copy of this resolution to the Contra Costa County Employees Retirement Association; and
4. The Authority is directed to forward a copy of this resolution to CalPERS.

PASSED AND ADOPTED ON December 7, 2021 by the following vote of the Commissioners:

AYES: John Gioia, Candace Andersen, Diane Burgis, Karen Mitchoff, Federal Glover, Joanne Segura, Cynthia Jordan

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: December 7 2021  
Joseph Villarreal, Secretary of the Board of Commissioners and Executive Director

By [Signature] Deputy

**From:** Molly McGee <[MMcGee@nicolayconsulting.com](mailto:MMcGee@nicolayconsulting.com)>

**Sent:** Tuesday, October 5, 2021 10:59 AM

**To:** John Hunter <[jhunter@contracostahousing.org](mailto:jhunter@contracostahousing.org)>

**Cc:** Eric Waldschmidt <[ewaldschmidt@nicolayconsulting.com](mailto:ewaldschmidt@nicolayconsulting.com)>; Earlene Young <[eyoung@nicolayconsulting.com](mailto:eyoung@nicolayconsulting.com)>; Anthony Nicolay <[anicolay@nicolayconsulting.com](mailto:anicolay@nicolayconsulting.com)>; Chaonan Liu <[cliu@nicolayconsulting.com](mailto:cliu@nicolayconsulting.com)>

**Subject:** HACCC Projection Results with Plan Change

Hi John,

Attached please find the HACCC's projection calculations showing a comparison of results with and without the January 1, 2022 plan amendment.

Please contact us if you have any questions.

Thank you,  
Molly

Molly McGee

Actuarial Consultant, ASA, EA, FCA, MAAA

Nicolay Consulting Group

530 Bush Street, Suite 500 | San Francisco, CA 94108

Main: 415.512.5300 x234 | Toll-Free: 800.998.7675 x234

Email: [mmcgee@nicolayconsulting.com](mailto:mmcgee@nicolayconsulting.com)

# Projection of the Actuarially Determined Contribution (ADC)

Table 1 presents a five-year projection under these assumptions: There are no plan changes, the Authority contributes according to the Funding Policy, assets earn 7.39% per year, the discount rate remains 7.39% and the Normal Cost component of the ADC increases by 5.00% per year throughout the five-year period. We assumed mid-year benefit withdrawals from the Trust.

Plan Year	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026
Actuarial Accrued Liability	\$7,646,757	\$7,834,890	\$8,015,961	\$8,166,551	\$8,339,082
Actuarial Value of Assets	<u>1,041,102<sup>1</sup></u>	<u>1,306,948</u>	<u>1,587,642</u>	<u>1,861,728</u>	<u>2,152,867</u>
Unfunded AAL	\$6,605,656	\$6,527,942	\$6,428,319	\$6,304,823	\$6,186,215
Amortization Period	18	17	16	15	14
Normal Cost End of Year	\$196,133	\$205,940	\$216,237	\$227,049	\$238,401
Amortization of UAAL	<u>539,186</u>	<u>554,442</u>	<u>570,015</u>	<u>585,889</u>	<u>605,063</u>
Actuarially Determined Contribution	\$735,319	\$760,382	\$786,252	\$812,938	\$843,464
Discount Rate	7.39%	7.39%	7.39%	7.39%	7.39%
Expected Return on Assets	7.39%	7.39%	7.39%	7.39%	7.39%
Normal Cost Growth Rate	5.00%	5.00%	5.00%	5.00%	5.00%

Plan Year	2021 - 22	2022 - 23	2023 - 24	2024 - 25	2025 - 26
Est. Pay-go	\$427,455	\$456,041	\$473,142	\$485,622	\$496,459
Est. Implicit Rate Subsidy	125,571	126,678	161,840	179,137	194,890
Est. Net Trust Contribution	<u>182,293</u>	<u>177,663</u>	<u>151,270</u>	<u>148,179</u>	<u>152,115</u>
Funding Policy Contribution	\$735,319	\$760,382	\$786,252	\$812,938	\$843,464

<sup>1</sup> Estimated

## Projection of the Actuarially Determined Contribution (ADC)

Table 2 presents a five-year projection under the same assumptions as table 1, but that a plan amendment effective January 1, 2022 caps the Authority's contribution to 64% of the CalPERS Kaiser Region 1 premium rate in CY22, and increase 3% per year until 70% in CY24.

Plan Year	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025	2025 - 2026
Actuarial Accrued Liability (AAL)	\$10,576,841	\$11,141,278	\$11,703,249	\$12,231,285	\$12,752,338
Actuarial Value of Assets	<u>1,041,102<sup>1</sup></u>	<u>1,719,215</u>	<u>2,426,544</u>	<u>3,134,444</u>	<u>3,872,884</u>
Unfunded AAL	\$9,535,739	\$9,422,063	\$9,276,705	\$9,096,840	\$8,879,454
Amortization Period	18	17	16	15	14
Normal Cost End of Year	\$324,223	\$340,434	\$357,456	\$375,329	\$394,095
Amortization of UAAL	<u>778,353</u>	<u>800,251</u>	<u>822,588</u>	<u>845,343</u>	<u>868,484</u>
Actuarially Determined Contribution	\$1,102,576	\$1,140,685	\$1,180,044	\$1,220,672	\$1,262,579
Discount Rate	7.39%	7.39%	7.39%	7.39%	7.39%
Expected Return on Assets	7.39%	7.39%	7.39%	7.39%	7.39%
Normal Cost Growth Rate	5.00%	5.00%	5.00%	5.00%	5.00%

Plan Year	2021 - 22	2022 - 23	2023 - 24	2024 - 25	2025 - 26
Est. Pay-go	\$396,883	\$454,050	\$508,136	\$552,479	\$591,094
Est. Implicit Rate Subsidy	125,571	126,678	161,840	179,137	194,890
Est. Net Trust Contribution	<u>580,122</u>	<u>559,957</u>	<u>510,068</u>	<u>489,056</u>	<u>476,595</u>
Funding Policy Contribution	\$1,102,576	\$1,140,685	\$1,180,044	\$1,220,672	\$1,262,579

<sup>1</sup> Estimated

# Projection of the Actuarially Determined Contribution (ADC)

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The purpose of this projection is to compare the current plan's projected Actuarial Determined Contributions (ADC) with the projected ADC's for a proposed plan amendment.

## Current Plan:

Eligible employees who retire from HACCC and commence receiving their Contra Costa Authority Employees Retirement Association Plan (CCCERA) pension at the time of retirement are eligible to receive a HACCC contribution toward the cost of postemployment medical and dental coverage.

Eligibility for retiree medical and dental benefits generally requires an employee to:

- be age 50 or older with at least 10 years of service with HACCC, or
- be age 55 or older with at least 5 years of service with HACCC, or
- have completed 30 or more years of service with HACCC.

HACCC contributes the cost of retiree and dependent medical and dental coverage up to specified limits. The maximum monthly contributions are for 2020 and 2021 are:

Coverage Level	Maximum Monthly Contribution
Retiree	\$462.00
Retiree + 1	\$924.00
Retiree + 2	\$1,205.00

At the retiree's death a surviving spouse may elect to continue coverage. However, they must contribute 100% of the required premium.

The retiree dental plan is the same as the plan provided to active employees. Monthly dental only premiums are shown below:

Coverage Level	2020/21 Dental Only Premium
Retiree	\$63.72
Retiree + 1	\$110.81
Retiree + 2	\$186.36

# Projection of the Actuarially Determined Contribution (ADC)

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**Proposed Amendment:**

Beginning on January 1 2022, HACCC will contribute the cost of retiree and dependent medical and dental coverage up to specified percentages of the CalPERS Kaiser Region 1 rate:

Calendar Year	Percent Contribution
2022	64%
2023	67%
2024 and after	70%

Since the HACCC contribution is a percentage of the CalPERS Kaiser Region 1 rate for the year, we have assumed the cap will increase with Pre-Medicare medical trend after coverage year 2024.

Health Care Trend

Year Beginning	Increase in Premium Rates	
	Pre-65	Post-65
2022	6.80%	5.00%
2023	6.55%	5.00%
2024	6.30%	5.00%
2025	6.05%	5.00%
2026	5.80%	5.00%
2027	5.55%	5.00%
2028	5.30%	5.00%
2029	5.05%	5.00%
2030 and later	5.00%	5.00%



# Projection of the Actuarially Determined Contribution (ADC)

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Estimated Maximum Monthly Contributions (Medical, Vision and Dental) for 5 years reflecting the January 1, 2022 change and Health Care Trend.

Calendar Year	Percent Kaiser Contribution	Estimated Monthly Contribution Retiree	Estimated Monthly Contribution Retiree +1
2022	64%	\$556.14	\$1,112.28
2023	67%	\$620.34	\$1,240.68
2024	70%	\$688.95	\$1,377.90
2025	70%	\$730.63	\$1,461.26
2026	70%	\$773.01	\$1,546.02

## Effect of the Amendment

We have measured the effect of the proposed amendment if reflected for the July 1, 2021-June 30, 2022 plan year. The proposed Amendment would increase the Actuarial Accrued Liability as of July 1, 2021 (AAL) from \$7,647,000 to \$10,577,000 or a 38% increase.

The estimated 2021-2022 Actuarially Determined Contribution is \$1,103,000, a 50% increase over the current plan contribution of \$735,000.

# Projection of the Actuarially Determined Contribution (ADC)

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## The Authority's Funding Policy as of 6/30/20:

Your funding policy is to fund the full Actuarial Determined Contribution (ADC), which includes:

- Pay-go (Explicit retiree benefit costs)
- Implicit rate subsidy (Transfers of a portion of employee benefit expense to OPEB)
- Trust contribution (Calculated as the ADC less the above two amounts, but no less than zero)

To: Contra Costa County Housing Authority Board of Commissioners  
 From: Joseph Villarreal, Housing Authority  
 Date: December 7, 2021



Contra  
 Costa  
 County

Subject: PUBLIC HOUSING AGENCY ANNUAL PLAN HEARING FOR FISCAL YEAR 2022

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### **RECOMMENDATIONS**

OPEN the public hearing for the HACCC Annual Plan for fiscal year 2022, RECEIVE testimony, and CLOSE the public hearing.

ADOPT Resolution No. 5241 titled the PHA Certifications of Compliance with the PHA Plan and Related Regulations including Required Civil Rights Certifications approving HACCC's Annual Plan for fiscal year 2022, including revisions to the Admissions and Continued Occupancy Plan and the Section 8 Administrative Plan.

### **BACKGROUND**

Any local, regional or state agency that receives funds to operate a federal public housing or housing choice voucher (Section 8) program must submit a Public Housing Agency (PHA) Plan. The PHA Plan is a template that outlines public housing agency policies, programs, operations, and strategies for meeting local housing needs and goals.

The Annual Plan provides details about the PHA's current programs, and the resident population served, as well as the PHA's strategy for addressing the housing needs of currently assisted families and the larger

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Action of Board On: 12/07/2021  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  
 Joanne Segura,  
 Commissioner  
 Cynthia Jordan,  
 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: December 7, 2021

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 9259578028

cc:

## BACKGROUND (CONTD)

community (Plan). The Plan also serves as the PHA's yearly request for grants to support improvements to public housing buildings (through the Capital Fund Program).

As required by the U.S. Department of Housing and Urban Development (HUD), the Housing Authority of the County of Contra Costa (HACCC) staff provided public notice of this hearing in the East, West, and Contra Costa Times on October 19th and 21st, 2021. Staff met virtually with HACCC's Resident Advisory Board (RAB) on four different occasions to discuss the proposed Plan: September 20<sup>th</sup>, October 4<sup>th</sup>, November 8<sup>th</sup> and 29<sup>th</sup>, 2021. The RAB approved the proposed changes to the Annual Plan at its November 29, 2021, meeting.

The following sections provide a synopsis of the major changes proposed by HACCC staff to the Annual Plan, its elements and to HACCC's policies. The specific proposed policies, with changes highlighted, are attached.

### **Public Housing**

The proposed changes to HACCC's Public Housing Admissions and Continued Occupancy Plan (ACOP) are as follows:

- Unit Size Determination language revised to provide clarification;
- Flat rents for all bedroom sizes revised based on the new Fair Market Rents effective October 1, 2021.

### **Capital Fund**

The Capital Fund program provides PHAs with annual funding from HUD for public housing development, financing and modernization as well as for management improvements and security costs. Capital fund dollars cannot be used for luxury improvements, direct social services, costs funded by other HUD programs, or any other ineligible activities as determined by HUD on a case-by-case basis. PHAs must report annually on how they plan to use their capital funds.

The proposed PHA Plan shows ongoing and planned capital fund activity. The following projects are among the proposed for HACCC's Federal Fiscal Year (FFY) 2020, 2021 & 2022 capital fund grants:

- \$559,000 for roofing and modernization of the Alhambra Terrace office in Martinez.
- \$360,000 for concrete flatwork at Bayo Vista, Rodeo and El Pueblo, Pittsburg.
- \$310,000 for site improvements to five properties, including hardscape and landscape modernization.
- \$260,000 for fencing installation and maintenance for the post-demolition Las Deltas site in North Richmond.
- \$185,000 for non-routine maintenance repairs (ordinary maintenance items such as window and flooring replacement or electrical repair where the scale of damage is beyond the scope of day-to-day maintenance) at various properties.
- \$170,000 for electrical infrastructure upgrades to Alhambra Terrace in Martinez.
- \$162,000 for foundation repairs and modernization at Alhambra Terrace in Martinez.
- \$158,000 for boiler upgrades at Hacienda in Martinez.
- \$130,000 for unscheduled and emergency unit modernization and site improvements at various properties.
- \$102,000 for elevator upgrades at four senior properties.
- \$86,000 for window and door cover protection of the remaining units at Las Deltas in North Richmond.
- \$80,000 for office, networking and computer equipment for on-site management offices at various properties.
- \$72,000 for foundation repairs at the Los Nogales
- \$67,000 for demolition of the former daycare building at Las Deltas.

- \$49,000 for new appliances at various properties.

## **Housing Choice Voucher**

In addition to numerous grammatical changes, edits were made to HACCC's HCV - Section 8 Administrative Plan's (Administrative Plan) Introduction in order to reflect HUD's standard language. These are not policy changes but changes required by the Code of Federal Regulations. The substantive policy changes to the Administrative Plan are as follows:

- In HACCC's Homeownership program, language was added to clarify that participants may not refinance the mortgage with the intent to use the proceeds to purchase investment property or a second home.
- In April of 2020, HUD issued a slate of COVID-19-related regulatory waivers in order for PHAs to operate in a pandemic environment. These waivers were slated to expire on June 30, 2021. However, HUD extended the period to December 31, 2021. All waivers were updated with the new expiration date and required inspection protocols for self-certification inspections during the previous 18 months.
- The preference on waiting lists of people who live in the city where a Project-Based Voucher property is located was removed.
- HACCC was awarded 201 Emergency Housing Vouchers (EHV) in May of 2021. A new chapter was added to the Administrative Plan to outline how HACCC, in collaboration with the Contra Costa County's Coordinated Entry System, will administer the EHV program.

A complete copy of the proposed PHA Annual Plan, HCV – Section 8 Administrative Plan and ACOP are available for review on the HACCC's website: [www.contracostahousing.org](http://www.contracostahousing.org).

### FISCAL IMPACT

No direct financial impact.

### CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners elect not to approve the 2022 PHA Annual Plan, HACCC will be out of compliance with HUD requirements and may not receive any funding via HUD's Capital Fund program until the PHA Annual Plan has been submitted to, and approved by, HUD. HUD may also impose additional sanctions beyond the withholding of Capital Fund moneys.

### AGENDA ATTACHMENTS

FY22 50075

FY22 ACOP

FY22 Admin Plan

Admin Plan Redline

FY22 Housing Needs

FY22 Flat Rents Change

FY22 Activities

FY Progress Goals

FY22 Capital Fund

FY22 RAB Suggestions

RES

### MINUTES ATTACHMENTS

Signed Resolution No. 5421

<b>Annual PHA Plan</b> <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

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

**Definitions.**

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

A.	PHA Information.																																
A.1	<p> <b>PHA Name:</b> Housing Authority of the County of Contra Costa _____ <b>PHA Code:</b> CA011  <b>PHA Type:</b> <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA  <b>PHA Plan for Fiscal Year Beginning:</b> (MM/YYYY): 04/2022  <b>PHA Inventory</b> (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)  <b>Number of Public Housing (PH) Units 963</b> <b>Number of Housing Choice Vouchers (HCVs) 9511</b> <b>Total Combined Units/Vouchers 10,474</b>  <b>PHA Plan Submission Type:</b> <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission         </p> <p> <b>Availability of Information.</b> PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.         </p> <p> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below)         </p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 25%;">Participating PHAs</th> <th rowspan="2" style="width: 10%;">PHA Code</th> <th rowspan="2" style="width: 25%;">Program(s) in the Consortia</th> <th rowspan="2" style="width: 20%;">Program(s) not in the Consortia</th> <th colspan="2" style="width: 20%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 10%;">PH</th> <th style="width: 10%;">HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																							
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<b>B.</b>	<b>Plan Elements</b>
<b>B.1</b>	<p><b>Revision of Existing PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</p> <p>Y N</p> <p>X <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs</p> <p><input type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p>X <input type="checkbox"/> Rent Determination. (Flat rent)</p> <p><input type="checkbox"/> <input type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input type="checkbox"/> Grievance Procedures.</p> <p>X <input type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input type="checkbox"/> Community Service and Self-Sufficiency Programs.</p> <p><input type="checkbox"/> <input type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input type="checkbox"/> Asset Management.</p> <p><input type="checkbox"/> <input type="checkbox"/> Substantial Deviation.</p> <p>X <input type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s): See attachment B.1</p> <p>(c) The PHA must submit its Deconcentration Policy for Field Office review.</p>
<b>B.2</b>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p>X <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p>X <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input type="checkbox"/> Designated Housing for Elderly and/or Disabled Families.</p> <p><input type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.</p> <p><input type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.</p> <p><input type="checkbox"/> <input type="checkbox"/> Occupancy by Over-Income Families.</p> <p><input type="checkbox"/> <input type="checkbox"/> Occupancy by Police Officers.</p> <p><input type="checkbox"/> <input type="checkbox"/> Non-Smoking Policies.</p> <p>X <input type="checkbox"/> Project-Based Vouchers.</p> <p><input type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p>X <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>See attachment B.2</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p>
<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.</p> <p>See attachment B.3</p>

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



D.	<b>Affirmatively Furthering Fair Housing (AFFH).</b>						
D.1	<p><b>Affirmatively Furthering Fair Housing (AFFH).</b></p> <p>Provide a statement of the PHA’s strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1" data-bbox="180 663 1455 1310"> <tr> <td data-bbox="180 663 1455 701"><b>Fair Housing Goal:</b></td> </tr> <tr> <td data-bbox="180 701 1455 739"><i>Describe fair housing strategies and actions to achieve the goal</i></td> </tr> <tr> <td data-bbox="180 739 1455 1310"> <ol style="list-style-type: none"> <li>1. <b>Reduce discriminatory barriers to residential mobility.</b> <ol style="list-style-type: none"> <li>i. <b>Work to ban discrimination in housing on the basis of source of income, including receipt of a Housing Choice Voucher, in the unincorporated areas of the County and in the Cities of Antioch, Concord, Pittsburg, and Walnut Creek. Develop and disseminate a model ordinance for adoption by other municipalities throughout the County.</b></li> <li>ii. <b>Encourage local block grants or other funding for a security deposit fund to incentivize landlords to rent to voucher holders.</b></li> </ol> </li> </ol> </td> </tr> </table> <table border="1" data-bbox="180 1335 1455 1749"> <tr> <td data-bbox="180 1335 1455 1373"><b>Fair Housing Goal:</b></td> </tr> <tr> <td data-bbox="180 1373 1455 1411"><i>Describe fair housing strategies and actions to achieve the goal</i></td> </tr> <tr> <td data-bbox="180 1411 1455 1749"> <ol style="list-style-type: none"> <li>2. <b>Increase residential racial and ethnic integration by increasing the supply of affirmatively marketed affordable housing for families in high opportunity areas.</b> <ol style="list-style-type: none"> <li>i. <b>Target use of Project-Based Vouchers and RAD transfers of assistance in designated opportunity areas with low poverty rates, healthy neighborhoods, and high-performing schools.</b></li> <li>ii. <b>Explore pooling of Project-Based Vouchers across Contra Costa County</b></li> </ol> </li> </ol> </td> </tr> </table>	<b>Fair Housing Goal:</b>	<i>Describe fair housing strategies and actions to achieve the goal</i>	<ol style="list-style-type: none"> <li>1. <b>Reduce discriminatory barriers to residential mobility.</b> <ol style="list-style-type: none"> <li>i. <b>Work to ban discrimination in housing on the basis of source of income, including receipt of a Housing Choice Voucher, in the unincorporated areas of the County and in the Cities of Antioch, Concord, Pittsburg, and Walnut Creek. Develop and disseminate a model ordinance for adoption by other municipalities throughout the County.</b></li> <li>ii. <b>Encourage local block grants or other funding for a security deposit fund to incentivize landlords to rent to voucher holders.</b></li> </ol> </li> </ol>	<b>Fair Housing Goal:</b>	<i>Describe fair housing strategies and actions to achieve the goal</i>	<ol style="list-style-type: none"> <li>2. <b>Increase residential racial and ethnic integration by increasing the supply of affirmatively marketed affordable housing for families in high opportunity areas.</b> <ol style="list-style-type: none"> <li>i. <b>Target use of Project-Based Vouchers and RAD transfers of assistance in designated opportunity areas with low poverty rates, healthy neighborhoods, and high-performing schools.</b></li> <li>ii. <b>Explore pooling of Project-Based Vouchers across Contra Costa County</b></li> </ol> </li> </ol>
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**Fair Housing Goal:**

Describe fair housing strategies and actions to achieve the goal

3. **Increase and stabilize access to proficient schools**
  - i. **Create regular lines of communications between housing boards and staff with county and district school boards and school district staff to ensure that districts take into account the needs of low income residents in redistricting and investment decisions, particularly for residents of public and assisted housing in the region.**
  - ii. **To the extent possible, focus the development of new family affordable housing in school districts and school zones with lower rates of school-based poverty concentration (and require new market rate multifamily development in high performing school zones to include larger affordable apartments for families with children**

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

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

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

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

**B. Plan Elements.** All PHAs must complete this section.

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

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

**Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA’s strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii)

households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR §5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR §903.7(a)).

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

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see [24 CFR 903.2](#). (24 CFR §903.23(b)) Describe the PHA's admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA's policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. (24 CFR §903.7(b)) Describe the PHA's procedures for maintain waiting lists for admission to public housing and address any site-based waiting lists. (24 CFR §903.7(b)). A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. (24 CFR §903.7(b)) Describe the unit assignment policies for public housing. (24 CFR §903.7(b))

**Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA operating, capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

**Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. (24 CFR §903.7(d))

**Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA. (24 CFR §903.7(e))

**Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants. (24 CFR §903.7(f))

**Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HOPEI public housing or Housing Choice Voucher (HCV) homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))

**Community Service and Self-Sufficiency Programs.** Describe how the PHA will comply with the requirements of (24 CFR §903.7(l)). Provide a description of: 1) Any programs relating to services and amenities provided or offered to assisted families; and 2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs subject to Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135) and FSS. (24 CFR §903.7(l))

**Safety and Crime Prevention (VAWA).** Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. (24 CFR §903.7(m)) A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

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

**Asset Management.** State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory. (24 CFR §903.7(q))

**Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

**Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32 REV-3, successor RAD Implementation Notices, or other RAD Notices.

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

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

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

**HOPE VI or Choice Neighborhoods.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Choice Neighborhoods; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI or Choice Neighborhoods is a separate process. See guidance on HUD’s website at:

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/ph/hope6](https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6). (Notice PIH 2011-47)

**Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD’s website at:

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/programs/ph/hope6/mfph#4](https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6/mfph#4)

**Demolition and/or Disposition.** With respect to public housing only, describe any public housing development(s), or portion of a public housing development projects, owned by the PHA and subject to ACCs (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition approval under section 18 of the 1937 Act (42 U.S.C. 1437p); and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA’s last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. Approval of the PHA Plan does not constitute approval of these activities. See guidance on HUD’s website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm). (24 CFR §903.7(h))

**Designated Housing for Elderly and Disabled Families.** Describe any public housing projects owned, assisted or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission; 5) the number of units affected and; 6) expiration date of the designation of any HUD approved plan. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation. (24 CFR §903.7(i)(C))

**Conversion of Public Housing under the Voluntary or Mandatory Conversion programs.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD’s website at:

<http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(j))

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

**Occupancy by Over-Income Families.** A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA’s cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty days notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD’s website at: [Notice PIH 2011-7](#). (24 CFR 960.503) (24 CFR 903.7(b))

**Occupancy by Police Officers.** The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A “police officer” means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD’s website at: [Notice PIH 2011-7](#). (24 CFR 960.505) (24 CFR 903.7(b))

**Non-Smoking Policies.** The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD’s website at: [Notice PIH 2009-21 and Notice PIH-2017-03](#). (24 CFR §903.7(e))

**Project-Based Vouchers.** Describe any plans to use Housing Choice Vouchers (HCVs) for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 983.57(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan (24 CFR §903.7(b)).

**Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with [24 CFR §990.145\(a\)\(1\)](#).

**Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

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

**B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.7\(c\)\(1\)](#))

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

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

**C. Other Document and/or Certification Requirements.**

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

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

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

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

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

**D. Affirmatively Furthering Fair Housing (AFFH).**

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

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

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

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

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

## **Attachment B.1**

### **Summary of ACOP Changes 2021**

#### **5-I.B. DETERMINING UNIT SIZE**

Persons of different generations will not be required to share a bedroom, except:

A single pregnant woman with no other household members will be assigned a one-bedroom unit. Assuming no other changes in family composition, after the child reaches the age of 1 year, the family will be eligible for a transfer to a 2-bedroom unit.

Children in the process of being adopted will be considered when determining unit size.

Children who will live in the unit less than 50 percent of the time will not be considered when determining unit size

## **Attachment B.1.**

### **Summary of December, 2021 Administrative Plan Changes**

In addition to numerous grammatical changes, edits were made to the standard HUD language in the plan that introduces the subject matter. These are not policy changes but regulatory edits from the Code of Federal Regulations. The following substantial changes were made to the Housing Choice Voucher Program Administrative Plan as it pertains to HACCC Policy:

- In our homeownership program, language was added to clarify that as a participant in the Homeownership subsidy program, you may not refinance the mortgage with the intent to use the proceeds to purchase investment property or a second home.
- In April of 2020, HUD issued a slate of COVID-19-related regulatory waivers in order for PHAs to operate in a pandemic environment. These waivers were slated to expire on June 30, 2021. However, HUD extended the period to December 31, 2021. All waivers were updated with the new expiration date and required inspection protocols for self-certification inspections during the previous 18 months.
- Removing the preference for people who live in the city where a Project-Based Voucher property is located for waiting list purposes.
- HACCC was awarded 201 Emergency Housing Vouchers (EHV) in May of 2021. A new temporary chapter was added to the Administrative Plan to outline how HACCC, in collaboration with the County's Coordinated Entry System, would be administering the EHV program.



### **Annual Recertification**

The family must complete Annual Reexaminations in accordance with Chapter 11 Part 1, of this Administrative Policy (Chapter 11 Part 1, Annual Reexaminations [24 CFR 982.516]) During each annual re-certification, the family is required to document that it is current on mortgage, insurance and utility payments.

### **Notice of Move-Out and Mortgage Default**

The family must notify HACCC of its intent to move out of the home by supplying HACCC with an advanced written thirty-day notice.

The family will notify HACCC in advance if any family member who owns, in whole or in part, any ownership interest in the home moves out.

### **Changes in Family Income or Household Composition**

The Family must inform HACCC of any changes in the sources and amounts of family income and notify HACCC of any changes in the family composition in accordance with Chapter 11, Part II of this Administrative Policy (Chapter 11 Part 2, Interim Reexaminations [24 CFR 982.516])

### **Refinancing**

The family must obtain written approval from the HACCC before securing any refinance or equity loan.

During the time the family receives homeownership assistance, no family member may have any ownership interest in any other residential property.

### **Other Continued Family Obligations**

The family must:

1. Sign a release allowing HACCC, counselors, realtors, and participating lenders to exchange information on the borrower.
2. Agree to maintain the condition of the home to comply with minimum HUD Housing Quality Standards (HQS).
3. Acknowledge that the termination of assistance shall be in accordance with program requirements and the Administrative Plan.
4. Acknowledge that the family is obligated for the whole mortgage payment in the event of termination of assistance.

5. Not sublease or assign the property.

~~5-6. Refinancing a mortgage to cash out equity that will be used to purchase a second home is prohibited for participants of the Homeownership Program.~~

## **15-VII.J. MAXIMUM TERM OF HOMEOWNER ASSISTANCE [24 CFR 982.634]**

Except in the case of a family that qualifies as an elderly or disabled family, other family members (described below) shall not receive homeownership assistance for more than:

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

### **HOUSING CHOICE VOUCHER PROGRAM TEMPORARY CHANGES TO 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 & 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  
Extended to 12/31/2021<sup>0</sup>

#### **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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2024~~

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

HUD is waiving mandatory EIV monitoring requirements found in PHH 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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2024~~

**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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2024~~

**5. HQS - 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 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.

**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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2021~~

#### **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 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 (HAP) 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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2021~~

#### **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

~~Extended to 6/30/2021~~ and all self-certification HQS must be inspected ~~by 12/31/2021~~ within one year of its original due date.

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**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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**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

~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~ and all self-certification HQS must be inspected within one year of its original due date, by 12/31/2021

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

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.

**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.

~~Extended to 12/31/2021 and all self-certification HQS must be inspected within one year of its original due date. Extended to 6/30/2021 and all self-certification HQS must be inspected by 12/31/2021~~

#### 11. HQS - 9: HQS 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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

#### 12. HQS - 10: HQS 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: ~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~ remains in effect 1 year from lease term or date of PHA Notice 20210-1422 (05/14/2021), whichever is longer

#### 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

~~Extended to 6/30/2021~~  
~~Extended to 6/30/2021~~

#### **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.

Expires 3/31/2021 and policies must be presented to the Board by June 30, 2021

~~Expires 9/30/2021 and policies must be presented to the Board by December 31, 2021.~~

#### **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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

#### **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

~~Extended to 12/31/2021~~ ~~Extended to 6/30/2021~~

**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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**21. HCV – 14: Mandatory Removal of Unit from PBV HAP Contract**

Under the PBV program, a PHA is required to remove a unit from a PBV HAP contract after 180 days of zero housing assistance payments to the unit owner on behalf of the family residing in the unit. This situation arises when the family increases its income to such an extent that it no longer requires housing assistance. In recognition that the COVID-19 pandemic is creating uncertainty for owners and families, HUD is waiving this requirement. As an alternative requirement, HUD is authorizing a PHA at its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond June 30, 2021.

**HACCC Policy:**

HACCC shall not remove a unit from the HAP Contract if the family is at zero subsidy for a period of more than 180 days but no later than June 30, 2021 if they remain in occupancy of the PBV unit. HACCC shall resume housing assistance payments on behalf of a family residing in such a unit should the family's income change at any point during the period of time covered by the extension.

Expires: June 30, 2021.  
~~Extended to 12/31/2021~~

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**22. 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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2021~~

**23. 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  
~~Extended to 12/31/2021~~  
~~Extended to 6/30/2021~~

**24. 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

~~Extended to 12/31/2021~~

~~Extended to 6/30/2021~~

**25. MS – 03: Mainstream Age Eligibility to Enter HAP Contract Statutory Authority**

As an alternative requirement, the PHA may choose to expand the definition of an eligible non-elderly family member to include those who were issued a voucher prior to turning 62 and were not yet 63 on the effective date of the HAP Contract.

**HACCC Policy:**

HACCC shall permit to lease into a unit any Mainstream participant who is less than 62 years of age when the voucher is issued and may be 62 but not 63 years of ~~age prior~~ age prior to the effective date of the HAP Contract.

Expires: June 30, 2021

~~Extended to 12/31/2021~~

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HUD McKinney-Vento Homeless Assistance Act as amended by the HEARTH Act and contained in the Continuum of Care at 24 CFR § 578.3. (50 Points)

Eligible in-place families as described as described in Section 17-VI.B. (200 Points);

Eligible households from the Housing Choice Voucher Wait List. (150 Points);

Current or former members of the U.S. Armed Forces, veterans, or surviving spouses of veterans (as required by state law) (1 Point);

~~Applicants who live, work or have been hired to work in the City wherein the housing units are located. (22 Points);~~

Applicants who live, work or have been hired to work in HACCC's jurisdiction (all of Contra Costa County) The use of a residency preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family;

- Eligibility for this preference must be demonstrated by having a permanent physical residence within the jurisdictional area. Physical residence shall be defined as a domicile with a mailing address, other than a P.O. Box, for which the applicant can produce one or more of the following: a lease or purchase agreement, utility bills in their name showing the stated address, two pieces of ~~first-class~~first-class mail addressed to the applicant or a member of their household at the stated address. In certain circumstances of homelessness, third party verification from service agencies, clergy, merchants or other reliable source can be substituted subject to the approval of HACCC. (10 Points)

Applicants who have been involuntarily displaced from housing due to a federal or state declared disaster, government action (e.g., code enforcement, public improvement or development, Government action will also include participants in a witness protection program) or action by a housing owner that is beyond an applicant's ability to control and which occurs despite the applicant's having met all previous conditions of occupancy, and is other than a rent increase (e.g. conversion of a unit to non-rental or residential use, owner wants the property for personal use, foreclosure). If the owner is an immediate family relative and there has been no previous rental agreement and the applicant has been part of the owner's family immediately prior to application, the applicant will not be considered involuntarily displaced. To receive this preference, applicants must not be living in standard, permanent replacement housing. (~~state~~State law requires a preference in cases of displacement by public or private action) (20 Points);

Formerly homeless families who have graduated from a Contra Costa County Continuum of Care (COC) funded permanent supportive housing program, or another homeless housing program participating in the COC Coordinated Entry system, that partners with

## Temporary Policy Supplement

### EMERGENCY HOUSING VOUCHERS (EHVs)

#### INTRODUCTION

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 (ARP) (P.L. 117-2). Section 3202 of the ARP appropriated \$5 billion for the creation, administration, and renewal of new incremental emergency housing vouchers (EHVs) and other eligible expenses related to COVID-19.

On May 5, 2021, HUD issued Notice PIH 2021-15, which described HUD's process for allocating approximately 70,000 EHVs to eligible PHAs and set forth the operating requirements for PHAs who administer them. Based on criteria outlined in the notice, HUD notified eligible PHAs of the number of EHVs allocated to their agency, and PHAs were able to accept or decline the invitation to participate in the program.

PHAs may not project-base EHVs. EHVs are exclusively tenant-based assistance.

All applicable nondiscrimination and equal opportunity requirements apply to the EHV program, including requirements that the PHA grant reasonable accommodations to persons with disabilities, effectively communicate with persons with disabilities, and ensure meaningful access for persons with limited English proficiency (LEP).

This chapter describes HUD regulations and PHA policies for administering EHVs. The policies outlined in this chapter are organized into seven sections, as follows:

Part I: Funding

Part II: Partnering Agencies

Part III: Waiting List Management

Part IV: Family Eligibility

Part V: Housing Search and Leasing

Part VI: Use of Funds, Reporting, and Financial Records

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs.

## PART I: FUNDING

### TPS-1A. FUNDING OVERVIEW

The American Rescue Plan Act of 2021 (ARP) provides administrative fees and funding for the costs of administering emergency housing vouchers (EHVs) and other eligible expenses defined in Notice PHH 2021-15. These fees may only be used for EHV administration and other eligible expenses and must not be used for or applied to other PHA programs or vouchers. The PHA must maintain separate financial records from its regular HCV funding for all EHV funding.

#### Housing Assistance Payments (HAP) Funding

ARP funding obligated to the PHA as housing assistance payments (HAP) funding may only be used for eligible EHV HAP expenses (i.e., rental assistance payments). EHV HAP funding may not be used for EHV administrative expenses or for the eligible uses under the EHV services fee.

The initial funding term will expire December 31, 2022. HUD will provide renewal funding to the PHA for the EHVs on a calendar year (CY) basis commencing with CY 2023. The renewal funding allocation will be based on the PHA's actual EHV HAP costs in leasing, similar to the renewal process for the regular HCV program. EHV renewal funding is not part of the annual HCV renewal funding formula; EHVs are renewed separately from the regular HCV program. All renewal funding for the duration of the EHV program has been appropriated as part of the ARP funding.

#### Administrative Fee and Funding

The following four types of fees and funding are allocated as part of the EHV program:

- Preliminary fees support immediate start-up costs that the PHA will incur in implementing alternative requirements under EHV, such as outreach and coordination with partnering agencies:
  - \$400 per EHV allocated to the PHA, once the consolidated annual contributions contract (CACC) is amended.
  - This fee may be used for any eligible administrative expenses related to EHVs.
  - The fee may also be used to pay for any eligible activities under EHV service fees (TPS-1B).
- Placement fees/expedited issuance reporting fees will support initial lease-up costs and the added cost and effort required to expedite leasing of EHVs:
  - \$100 for each EHV initially leased, if the PHA reports the voucher issuance date in Public Housing Information Center-Next Generation (PIC-NG) system within 14 days of voucher issuance or the date the system becomes available for reporting.
  - Placement fees:
    - o \$500 for each EHV family placed under a HAP contract effective within four months of the effective date of the ACC funding increment; or
    - o \$250 for each EHV family placed under a HAP contract effective after four months but less than six months after the effective date of the ACC funding increment.

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o HUD will determine placement fees in the event of multiple EHV allocations and funding increment effective dates.

- Placement/expedited issuance fees only apply to the initial leasing of the voucher; they are not paid for family moves or to turnover vouchers.

• Ongoing administrative fees, which are calculated in the same way as the standard HCV program:

- PHAs are allocated administrative fees using the full column A administrative fee amount for each EHV under contract as of the first day of each month.

- Ongoing EHV administrative fees may be subject to proration in future years, based on available EHV funding.

• Services fees, which are a one-time fee to support PHAs' efforts to implement and operate an effective EHV services program in its jurisdiction (TPS-LB):

- The fee is allocated once the PHA's CACC is amended to reflect EHV funding.

- The amount allocated is \$3,500 for each EHV allocated.

#### TPS-LB. SERVICE FEES

Services fee funding must be initially used for defined eligible uses and not for other administrative expenses of operating the EHV program. Service fees fall into four categories:

• Housing search assistance

• Security deposit/utility deposit/rental application/holding fee uses

• Owner-related uses

• Other eligible uses such as moving expenses or tenant-readiness services

The PHA must establish the eligible uses and the parameters and requirements for service fees in the PHA's administrative plan.

#### HACCC Policy

The eligible uses for service fees include:

Housing search assistance, which may include activities such as, but not limited to, helping a family identify and visit potentially available units during their housing search, helping to find a unit that meets the household's disability-related needs, providing transportation and directions, assisting with the completion of rental applications and HACCC forms, and helping to expedite the EHV leasing process for the family.

Application fees/non-refundable administrative or processing fees/refundable application deposit assistance. HACCC may choose to assist the family with some or all these expenses.

Security deposit assistance. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum security deposit allowed under applicable state and/or local law, the actual security deposit required by the owner or the per-household \$3,500 service fee. HACCC reserves the right to pay the security

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deposit assistance directly to the owner or may pay the assistance to the family. If paid to the family, the PHA will require documentation that the family paid the security deposit.

**Utility deposit assistance/utility arrears.** HACCC may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. HACCC may pay the utility deposit assistance directly to the utility company or may pay the assistance to the family. If paid to the family, HACCC will require documentation the family paid the utility deposit. HACCC will require the utility supplier to return the utility deposit assistance to the family at such time the deposit is returned by the utility supplier (less any amounts retained by the utility supplier). In addition, some families may have large balances with gas, electric, water, sewer, or trash companies that will make it difficult if not impossible to establish services for tenant-supplied utilities. HACCC may also provide the family with assistance to help address these utility arrears to facilitate leasing. Utility deposit assistance returned to HACCC will be used for either services fee eligible uses or other FHV administrative costs, as required by HUD.

**Moving expenses (including move-in fees and deposits).** HACCC may provide assistance for some or all of the family's reasonable moving expenses when they initially lease a unit with the FHV. HACCC will not provide moving expenses assistance for subsequent moves unless the family is required to move for reasons other than something the family did or failed to do (e.g., HACCC is terminating the HAP contract because the owner did not fulfill the owner responsibilities under the HAP contract or the owner is refusing to offer the family the opportunity to enter a new lease after the initial lease term, as opposed to the family choosing to terminate the tenancy in order to move to another unit), or a family has to move due to domestic violence, dating violence, sexual assault, or stalking.

**Tenant-readiness services.** HACCC may use fees to help mitigate barriers that individual families may face in renting a unit with an FHV, such as negative credit, lack of credit, negative rental or utility history, or to connect the family to other community resources (including COVID-related resources) that can assist with rental arrears.

**Essential household items.** HACCC may use services fee funding to assist the family with some or all of the costs of acquiring essential household items such as tableware, cooking equipment, beds or bedding, and essential sanitary products such as soap and toiletries.

Any services fee assistance that is returned to HACCC after its initial or subsequent use may only be applied to the eligible services fee uses defined in Notice PHH 2021-15 (or subsequent notice) or other FHV administrative costs. Any amounts not expended for these eligible uses when the HACCC's FHV program ends must be remitted to HUD.

## PART II: PARTNERING AGENCIES

### TPS-II.A. CONTINUUM OF CARE (CoC)

PIAs that accept an allocation of EHV are required to enter into a Memorandum of Understanding (MOU) with the Continuum of Care (CoC) to establish a partnership for the administration of EHV.

#### PIA Policy

The PIA has entered into an MOU with the Department of Health, Housing and Homeless Services as custodian of the Continuum of Care of Contra Costa County to assist and provide services on behalf of EHV participating households. See Exhibit TPS-1 for a copy of the MOU.

### TPS-II.B. OTHER PARTNERING ORGANIZATIONS

The PIA may, but is not required to, partner with other organizations trusted by persons experiencing homelessness, such as victim services providers (VSPs) and other community partners. If the PIA chooses to partner with such agencies, the PIA must either enter into an MOU with the partnering agency or the partnering agency may be added to the MOU between the PIA and CoC.

#### HACCC Policy

HACCC has not added any third-party service providers to the MOU between the HACCC and CoC as contributing partners to assist and provide services on behalf of EHV participating households at this time. See Exhibit TPS-1 for a copy of the MOU.

### TPS-II.C. REFERRALS

#### CoC and Partnering Agency Referrals

The primary responsibility of the CoC under the MOU with the PIA is to make direct referrals of qualifying individuals and families to the PIA. The PIA must generally refer a family that is seeking EHV assistance directly from the PIA to the CoC or other referring agency for initial intake, assessment, and possible referral for EHV assistance. Partner CoCs are responsible for determining whether the family qualifies under one of the four eligibility categories for EHV. The CoC or other direct referral partner must provide supporting documentation to the PIA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance.

#### HACCC Policy

The CoC or partnering agency must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the HACCC. The CoC or other partnering agency must certify that the EHV applicants they refer to HACCC meet at least one of the four EHV eligibility criteria. HACCC will maintain a copy of the referral or certification from the CoC or other partnering agency in the participant's file along with other eligibility paperwork. Homeless service providers shall use the certification form found in Exhibit TPS-2 of this chapter. Victim services

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providers shall use the certification form found in Exhibit TPS-3 of this chapter when identifying eligible families who qualify as victims of human trafficking.

As part of the MOU, HACCC and CoC or other partnering agency will identify staff positions to serve as EHV liaisons. These positions will be responsible for transmission and acceptance of referrals. The CoC or partnering agency must commit sufficient staff and resources to ensure eligible individuals and families are identified and determined eligible in a timely manner.

HACCC liaison responsible for acceptance of referrals will contact the CoC or partnering agency liaison via email indicating the number of vouchers available and requesting an appropriate number of referrals. No more than five business days from the date the CoC or partnering agency receives this notification, the CoC or partnering agency liaison will provide HACCC with a list of eligible referrals including the name, address, and contact phone number for each adult individual who is being referred; a completed release form for each adult family member; and a written certification for each referral indicating they are EHV-eligible.

HACCC and CoC have determined that the best approach to utilize the EHV is to create better flow and mobility within the supportive housing and sheltered community. Households who were initially directed to Permanent Supportive Housing (PSH) through the Coordinated Entry System or are eligible for Moving On prioritization would best be served ahead of all other categories. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option using the EHV would be prioritized to move out of the PSH/RRH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH/RRH slots for those who need the level of services and subsidy that come with PSH/RRH. In addition, as a third priority category, HACCC and the CoC will direct EHV to eligible homeless families pursuant to the HUD definition of homelessness indicated above.

#### A. Moving On

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Moving On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Moving On strategies challenge a community to create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Moving On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Moving On is always voluntary and driven by the tenant.

#### B. Permanent Supportive Housing

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Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

### C. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for past 180 days are considered long term stayers and have significant challenges exiting to permanent housing.

### Prioritization

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

#### Category 1 – PSH Moving On

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Qualifies under EHV Eligibility Category 4 Recently Homeless; Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in PSH.

1. PSH/Moving On + DV criteria (Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking)
2. PSH/Moving On

#### Category 2 – Homeless/Sheltered Long Stayers

Qualifies under EHV Eligibility Category 1: Homeless.

3. Homeless - DV criteria AND highest length of time at shelter, basic income, needs few to no services (Long Term Stayer)
4. Homeless - AND highest length of time at shelter, basic income, needs few to no services (Long Term Stayer)

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**TPS-II.D. REFERRAL PROCESS**

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HACCC shall notify the CoC's Coordinated Entry System Administrator when EHV's become available. Within five (5) business days of being notified of the availability of EHV's, the CoC shall make every effort to make a referral to HACCC's point of contact.

For PSH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client's case history to discuss the key indicators of the client's capacity for the Moving On program. Among the indicators to be considered are as follows:

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- Housing History
- Financial Stability
- Service Needs and Supports (includes connections to health, mainstream resources, and family or other natural supports)
- Household Composition

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC's written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the HACCC Administrative Plan for the Housing Choice Voucher Program.

CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.

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**Offers of Assistance with CoC Referral**

HACCC may make an EHV available without a referral from the CoC or other partnering organization in order to facilitate an emergency transfer under VAWA in accordance with the HACCC's Emergency Transfer Plan (ETP) in Chapter 16.

HACCC must also take direct referrals from outside the CoC if:

- The CoC does not have a sufficient number of eligible families to refer to HACCC; or
- The CoC does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time HACCC is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC or other partner referral agencies (or HACCC and CoC cannot identify any such alternative referral partner agencies), HUD may permit HACCC on a temporary or permanent basis to take EHV applications directly from applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

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**VAWA Direct Referral**

Pursuant to guidance in PIH 2021-15, HACCC will also accept direct referrals for VAWA-eligible households who may be fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

HACCC shall execute separate MOUs with these entities to ensure proper HUD compliance. In addition, HACCC shall inform the CoC, through CES, in the event that an EHV household is assisted directly so that proper tracking and services are made available to the household.

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## PART III: WAITING LIST MANAGEMENT

### TPS-III.A. HCV WAITING LIST

The regulation that requires the PHA to admit applicants as waiting list admissions or special admissions in accordance with admission policies in Chapter 4 does not apply to PHAs operating the EHV program. Direct referrals are not added to the PHA's HCV waiting list.

The PHA must inform families on the HCV waiting list of the availability of EHV's by, at a minimum, either by posting the information to their website or providing public notice in their respective communities in accordance with the requirements listed in Notice PIH 2021-15.

#### HACCC Policy

HACCC will give public notice by publishing, on its website, a description of the eligible populations to which EHV's are limited;

- Clearly state that the availability of these EHV's is managed through a direct referral process;
- Advise the family to contact the CoC (or any other HACCC referral partner, if applicable) if the family believes they may be eligible for EHV assistance.

HACCC will ensure effective communication with persons with disabilities, including those with vision, hearing, and other communication-related disabilities in accordance with Chapter 2. HACCC will also take reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP) in accordance with Chapter 2.

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### TPS-III.B. EHV WAITING LIST

The HCV regulations requiring the PHA to operate a single waiting list for admission to the HCV program do not apply to PHAs operating the EHV program. Instead, when the number of applicants referred by the CoC or partnering agency exceeds the EHV's available, the PHA must maintain a separate waiting list for EHV referrals, both at initial leasing and for any turnover vouchers that may be issued prior to September 30, 2023.

Further, the EHV waiting list is not subject to PHA policies in Chapter 4 regarding opening and closing the HCV waiting list. The PHA will work directly with its CoC and other referral agency partners to manage the number of referrals and the size of the EHV waiting list.

#### HACCC Policy

HACCC shall not establish and operate a separate waiting list for EHV eligible families for whom a voucher is not readily available. The CoC through CES will only refer applicants for available vouchers.

### TPS-III.C. PREFERENCES

#### HCV Waiting List Preferences

If local preferences are established by the PHA for HCV, they do not apply to EHV's. However, if the PHA has a homeless preference or a VAWA preference for the HCV waiting list, the PHA must adopt additional policies related to EHV's in accordance with Notice PIH 2021-15.

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HACCC Policy

HACCC does not offer either a homeless or a VAWA preference for the HCV waiting list.

**EHV Waiting List Preferences**

With the exception of a residency preference, the PHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHV's. The PHA may, however, choose to not establish any local preferences for the EHV waiting list.

HACCC Policy

HACCC has not adopted any preferences for the EHV waiting list because it is choosing not to maintain an EHV wait list. CES will provide priority for households fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

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## PART IV: FAMILY ELIGIBILITY

### TPS-IV.A. OVERVIEW

The CoC or referring agency determines whether the individual or family meets any one of the four eligibility criteria described in Notice PIH 2021-15 and then refers the family to the PHA. The PHA determines that the family meets other eligibility criteria for the HCV program, as modified for the EHV program and outlined below.

### TPS-IV.B. REFERRING AGENCY DETERMINATION OF ELIGIBILITY

In order to be eligible for an EHV, an individual or family must meet one of four eligibility criteria:

- Homeless as defined in 24 CFR 578.3;
- At risk of homelessness as defined in 24 CFR 578.3;
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking (as defined in Notice PIH 2021-15), or human trafficking (as defined in the 22 U.S.C. Section 7102); or
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability as determined by the CoC or its designee in accordance with the definition in Notice PIH 2021-15.

As applicable, the CoC or referring agency must provide documentation to the PHA of the referring agency's verification that the family meets one of the four eligible categories for EHV assistance. The PHA must retain this documentation as part of the family's file.

Detailed definitions of the four eligibility criteria can be found in the authorizing HUD Notice PIH 2021-15.

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### TPS-IV.C. PHA SCREENING

#### Overview

HUD waived 24 CFR 982.552 and 982.553 in part for the EHV applicants and established alternative requirement for mandatory and permissive prohibitions of admissions. Except where applicable, PHA policies regarding denials in Chapter 3 of this policy do not apply to screening individuals and families for eligibility for an EHV. Instead, the EHV alternative requirement listed in this section will apply to all EHV applicants.

The mandatory and permissive prohibitions listed in Notice PIH 2021-15 and in this chapter, however, apply only when screening the individual or family for eligibility for an EHV. When adding a family member after the family has been placed under a HAP contract with EHV assistance, the regulations at 24 CFR 982.551(h)(2) apply. Other than the birth, adoption, or court-awarded custody of a child, the PHA must approve additional family members and may apply its regular HCV screening criteria in Chapter 3 in doing so.

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### Mandatory Denials

Under alternative requirements for the EHV program, mandatory denials for EHV applicants include:

- 24 CFR 982.553(a)(1)(ii)(C), which prohibits admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
- 24 CFR 982.553(a)(2)(i), which prohibits admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program.

The PHA must deny admission to the program if any member of the family fails to sign and submit consent forms for obtaining information as required by 24 CFR 982.552(b)(3) but should notify the family of the limited EHV grounds for denial of admission first.

#### HACCC Policy

While HACCC will deny admission to the program if any adult member (or head of household or spouse, regardless of age) fails to sign and submit consent forms, HACCC will first notify the family of the limited EHV grounds for denial of admission as part of the notice of denial that will be mailed to the family.

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### Permissive Denial

Notice PIH 2021-15 lists permissive prohibitions for which the PHA may, but is not required to, deny admission to EHV families. The notice also lists prohibitions that, while allowable under the HCV program, may not be used to deny assistance for EHV families.

If the PHA intends to establish permissive prohibition policies for EHV applicants, the PHA must first consult with its CoC partner to understand the impact that the proposed prohibitions may have on referrals and must take the CoC's recommendations into consideration.

#### HACCC Policy

In consultation with the CoC, HACCC will apply permissive prohibitions to the screening of EHV applicants. Determinations using permissive prohibitions will be made based on an individualized assessment of relevant mitigating information in accordance with policies in Section 3-III.E.

HACCC will establish the following permissive prohibitions:

If HACCC determines that any household member is currently engaged in, or has engaged in within the previous 12 months:

- Violent criminal activity
- Other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity

If the family engaged in or threatened abusive or violent behavior toward HACCC personnel within the previous 12 months.

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HACCC will also deny assistance to household members already receiving assistance from another program in accordance with Section 9.h. of Notice PHH 2021-15.

Prohibitions based on criminal activity for the eligible EHV populations regarding drug possession will be considered apart from criminal activity against persons (i.e., violent criminal activity).

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In compliance with PHH 2021-15, HACCC will not deny an EHV applicant admission regardless of whether:

Any member of the family has been evicted from federally assisted housing in the last five years;

A PHA has ever terminated assistance under the program for any member of the family;

The family currently owes rent or other amounts to HACCC or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act;

The family has not reimbursed any PHA for amounts paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;

The family breached an agreement with HACCC to pay amounts owed to a PHA, or amounts paid to an owner by a PHA;

The family would otherwise be prohibited admission under alcohol abuse standards established by HACCC in accordance with 24 CFR 982.553(a)(3);

HACCC determines that any household member is currently engaged in or has engaged in during a reasonable time before the admission, drug-related criminal activity.

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#### TPS-IV.D. INCOME VERIFICATION AT ADMISSION

##### Self-Certification at Admission

The requirement to obtain third-party verification of income in accordance with Notice PHH 2018-18 does not apply to the EHV program applicants at admission, and alternatively, PHAs may consider self-certification the highest form of income verification at admission. As such, PHA policies related to the verification of income in Section 7-I.B. do not apply to EHV families at admission. Instead, applicants must submit an affidavit attesting to their reported income, assets, expenses, and other factors that would affect an income eligibility determination.

Additionally, applicants may provide third-party documentation that represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the PHA's request.

##### HACCC Policy

Any documents used for verification must be the original (not photocopies) and dated within the 60-day period prior to admission. The documents must not be damaged, altered, or in any way illegible.

Printouts from webpages are considered original documents.

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Any family self-certifications must be made in a format acceptable to HACCC and must be signed by the family member whose information or status is being verified.

HACCC will incorporate additional procedures to remind families of the obligation to provide true and complete information in accordance with Chapter 14. HACCC will address any material discrepancies (i.e., unreported income or a substantial difference in reported income) that may arise later. HACCC shall offer the family a repayment agreement in accordance with Chapter 16. If the family fails to repay the excess subsidy, HACCC will terminate the family's assistance in accordance with the policies in Chapter 12.

Any applicable exceptions made under the CARIS Act for the "regular" voucher program, will be applied to EIV participants.

### **Recently Conducted Income Determinations**

PHAs may accept income calculations and verifications from third-party providers or from an examination that the PHA conducted on behalf of the family for another subsidized housing program in lieu of conducting an initial examination of income as long as:

- The income was calculated in accordance with rules outlined at 24 CFR Part 5 and within the last six months; and
- The family certifies there has been no change in income or family composition in the interim.

#### HACCC Policy

HACCC will accept income calculations and verifications from third-party providers provided they meet the criteria outlined above.

The family certification must be made in a format acceptable to HACCC and must be signed by all adult family members whose information or status is being verified.

At the time of the family's annual reexamination HACCC shall conduct the annual reexamination of income as outlined at 24 CFR 982.516 and HACCC's policies in Chapter 11.

### **EIV Income Validation**

Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the PHA must:

- Review the EIV Income and Income Validation Tool (IVT) reports to confirm and validate family-reported income within 90 days of the PIC submission date;
- Print and maintain copies of the EIV Income and IVT Reports in the tenant file; and
- Resolve any income discrepancy with the family within 60 days of the EIV Income or IVT Report dates.

Prior to admission, PHAs must continue to use HUD's EIV system to search for all household members using the Existing Tenant Search in accordance with PHA policies in Chapter 3.

If a PHA later determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program in accordance with Chapter 12.

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**TPS-IV.E. SOCIAL SECURITY NUMBER AND CITIZENSHIP STATUS VERIFICATION**

For the EHV program, the PHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, PHAs may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the PHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACCC Policy

HACCC will not admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. HACCC will follow existing policies regarding the disclosure and documentation of these two factors of eligibility.

HACCC may provide an additional 60-day extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

If HACCC determines that an ineligible family received assistance, HACCC will take steps to terminate that family from the program in accordance with policies in Chapter 12.

Any applicable exceptions made under the CARES Act for the "regular" voucher program, will be applied to EHV participants.

**TPS-IV.F. AGE AND DISABILITY VERIFICATION**

PHAs may accept self-certification of date of birth and disability status if a higher level of verification is not immediately available. If self-certification is used, the PHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

If a PHA determines that an ineligible family received assistance, the PHA must take steps to terminate that family from the program.

HACCC Policy

HACCC will follow existing policies regarding the disclosure and documentation of birth or disability status. Any applicable exceptions made under the CARES Act for the "regular" voucher program, will be applied to EHV participants.

If the PHA determines that an ineligible family received assistance, the PHA will take steps to terminate that family from the program in accordance with policies in Chapter 12.

**TPS-IV.G. INCOME TARGETING**

The PHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and PHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. The PHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

**HACCC Policy**

HACCC will not include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

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**PART V: HOUSING SEARCH AND LEASING**

**TPS-V.A. INITIAL VOUCHER TERM**

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial search term of at least 120 days. PHA policies on extensions as outlined in Section 5-11.F. will apply.

HACCC Policy

All EHV's will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the PHA grants an extension.

An extension of the search period will be determined on a case-by-case basis. All households will be asked to document their housing search to confirm that they made efforts to locate housing before any extension will be considered or granted.

**TPS-V.B. HOUSING SEARCH ASSISTANCE**

The PHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the PHA or through the CoC or another partnering agency or entity.

At a minimum, housing search assistance must:

- Help individual families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods;
- Provide transportation assistance and directions to potential units;
- Conduct owner outreach;
- Assist with the completion of rental applications and PHA forms; and
- Help expedite the EHV leasing process for the family.

HACCC Policy

As identified in the MOU between HACCC and CoC, the following housing search assistance will be provided to each EHV family either directly or through a third party contracted by HACCC:

HACCC's Housing Search Assistance shall include the following:

- Conduct owner outreach in accordance with policies in Chapter 13
- Provide directions to potential units as part of the EHV briefing packet
- Expedite the EHV leasing process for the family to the extent practicable and in accordance with policies in this chapter

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- At least every 30 days, conduct proactive check-ins via email and telephone with families who are searching with an EHV and remind them of their voucher expiration date
- Assign a dedicated landlord liaison for EHV voucher families

The CoC shall further assist with the following:

- Help families identify potentially available units during their housing search, including physically accessible units with features for family members with disabilities, as well as units in low-poverty neighborhoods
- Provide transportation assistance to potential units when available
- Assist the family with the completion of rental applications and PHA forms

### **TPS-V.C. HOS PRE-INSPECTIONS**

To expedite the leasing process, PHAs may pre-inspect available units that EHV families may be interested in leasing in order to maintain a pool of eligible units.

#### **HACCC Policy**

HACCC will not conduct any pre-inspections of available units. HACCC will make every effort to fast-track the inspection process, including adjusting the normal inspection schedule for any required re-inspections.

### **TPS-V.D. INITIAL LEASE TERM**

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months, regardless of the PHA policy in Section 9-1.E., Term of Assisted Tenancy.

### **TPS-V.E. PORTABILITY**

The normal HCV portability procedures and requirements outlined in Chapter 10 generally apply to EHV's. Exceptions are addressed below.

#### **Nonresident Applicants**

Under EHV, applicant families may move under portability even if the family did not have legal residency in the jurisdiction of the initial PHA when they applied, regardless of PHA policy in Section 10-11.B.

#### **Billing and Absorption**

A receiving PHA cannot refuse to assist an incoming EHV family, regardless of whether the PHA administers EHV's under its own ACC.

- If the EHV family moves under portability to another PHA that administers EHV's under its own ACC:
  - The receiving PHA may only absorb the incoming EHV family with an EHV (assuming it has an EHV voucher available to do so).

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- If the PHA does not have an EHV available to absorb the family, it must bill the initial PHA. The receiving PHA must allow the family to lease the unit with EHV assistance and may not absorb the family with a regular HCV when the family leases the unit.
- Regardless of whether the receiving PHA absorbs or bills the initial PHA for the family's EHV assistance, the EHV administration of the voucher is in accordance with the receiving PHA's EHV policies.
- If the EHV family moves under portability to another PHA that does not administer EHV under its own ACC, the receiving PHA may absorb the family into its regular HCV program or may bill the initial PHA.

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### Family Briefing

In addition to the applicable family briefing requirements at 24 CFR 982.301(a)(2) as to how portability works and how portability may affect the family's assistance, the initial PHA must inform the family how portability may impact the special EHV services and assistance that may be available to the family.

The initial PHA is required to help facilitate the family's portability move to the receiving PHA and inform the family of this requirement in writing, taking reasonable steps to ensure meaningful access for persons with limited English proficiency (LEP).

#### HACCC Policy

In addition to following HACCC's policy on briefings in Chapter 5, as part of the briefing packet for EHV families, the PHA will include a written notice that the PHA will assist the family with moves under portability.

For limited English proficient (LEP) applicants, HACCC provides interpretation services in accordance with the LEP plan (See Chapter 2).

### Coordination of Services

If the portability move is in connection with the EHV family's initial lease-up, the receiving PHA and the initial PHA must consult and coordinate on the EHV services and assistance that will be made available to the family.

#### HACCC Policy

For EHV families who are exercising portability, when HACCC contacts the receiving PHA in accordance with Section 10-II.B, Preapproval Contact with Receiving PHA, HACCC will consult and coordinate with the receiving PHA to ensure there is no duplication of EHV services and assistance and ensure the receiving PHA is aware of the maximum amount of services fee funding that HACCC may provide to the receiving PHA on behalf of the family.

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### Services Fee

Standard portability billing arrangements apply for HAP and ongoing administrative fees for EHV families.

For service fees funding, the amount of the service fee provided by the initial PHA may not exceed the lesser of the actual cost of the services and assistance provided to the family by the

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receiving PHA or \$1,750, unless the initial PHA and receiving PHA mutually agree to change the \$1,750 cap. Service fees are paid as follows:

- If the receiving PHA, in consultation and coordination with the initial PHA, will provide eligible services or assistance to the incoming EHV family, the receiving PHA may be compensated for those costs by the initial PHA, regardless of whether the receiving PHA bills or absorbs.
- If the receiving PHA administers EHV, the receiving PHA may use its own services fee and may be reimbursed by the initial PHA, or the initial PHA may provide the services funding upfront to the receiving PHA for those fees and assistance.
- If the receiving PHA does not administer EHV, the initial PHA must provide the services funding upfront to the receiving PHA. Any amounts provided to the receiving PHA that are not used for services or assistance on behalf of the EHV family must promptly be returned by the receiving PHA to the initial PHA.

#### **Placement Fee/Issuance Reporting Fee**

If the portability lease-up qualifies for the placement fee/issuance reporting fee, the receiving PHA receives the full amount of the placement component of the placement fee/issuance reporting fee. The receiving PHA is eligible for the placement fee regardless of whether the receiving PHA bills the initial PHA or absorbs the family into its own program at initial lease-up. The initial PHA qualifies for the issuance reporting component of the placement fee/issuance reporting fee, as applicable.

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#### **TPS-V.F. PAYMENT STANDARDS**

##### **Payment Standard Schedule**

For the EHV program, HUD has waived the regulation requiring a single payment standard for each unit size. Instead, the PHA may, but is not required to, establish separate higher payment standards for EHV. Lower EHV payment standards are not permitted. If the PHA is increasing the regular HCV payment standard, the PHA must also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard. The separate EHV payment standard must comply with all other HCV requirements with the exception of the alternative requirements discussed below.

Further, if the PHA chooses to establish higher payments standards for EHV, HUD has provided other regulatory waivers:

- Defining the "basic range" for payment standards as between 90 and 120 percent of the published Fair Market Rent (FMR) for the unit size (rather than 90 to 110 percent).
- Allowing a PHA that is not in a designated Small Area FMR (SAFMR) area or has not opted to voluntarily implement SAFMRs to establish exception payment standards for a ZIP code area above the basic range for the metropolitan FMR based on the HUD published SAFMRs. The PHA may establish an exception payment standard up to 120 percent (as opposed to 110 percent) of the HUD published Small Area FMR for that ZIP code area. The exception payment standard must apply to the entire ZIP code area.

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- The PHA must notify HUD if it establishes an EHV exception payment standard based on the SAFMR.

#### HACCC Policy

HACCC will implement higher payment standards for EHV's. The EHV payment standards will be set at 110% of the HUD-published Fair Market Rent (FMR).

At no time will the EHV payment standards fall below the HCV payment standards. If HACCC increases the HCV payment standard, HACCC will also increase the EHV payment standard if it would be otherwise lower than the new regular HCV payment standard.

#### Rent Reasonableness

All rent reasonableness requirements apply to EHV units, regardless of whether the PHA has established an alternative or exception EHV payment standard.

#### Increases in Payment Standards

The requirement that the PHA apply increased payment standards at the family's first regular recertification on or after the effective date of the increase does not apply to EHV. The PHA may, but is not required to, establish an alternative policy on when to apply the increased payment standard, provided the increased payment standard is used to calculate the HAP no later than the effective date of the family's first regular reexamination following the change.

#### HACCC Policy

HACCC will not establish an alternative policy for increases in the payment standard. HACCC policy in Section 11-III.B, governing increases in payment standards will apply to EHV.

#### TPS-V.G. TERMINATION OF VOUCHERS

After September 30, 2023, a PHA may not reissue EHV's when assistance for an EHV-assisted family ends. This means that when an EHV participant (a family that is receiving rental assistance under a HAP contract) leaves the program for any reason, the PHA may not reissue that EHV to another family unless it does so no later than September 30, 2023.

If an applicant family that was issued the EHV is unsuccessful in finding a unit and the EHV expires after September 30, 2023, the EHV may not be reissued to another family.

All EHV's under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

An EHV that has never been issued to a family may be initially issued and leased after September 30, 2023, since this prohibition only applies to EHV's that are being reissued upon turnover after assistance to a family has ended. However, HUD may direct PHAs administering EHV's to cease leasing any unleased EHV's if such action is determined necessary by HUD to ensure there will be sufficient funding available to continue to cover the HAP needs of currently assisted EHV families.

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**PART VI: USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS**

EHV funds allocated to HACCC for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to HACCC may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to HACCC are to be used for those purposes and must not be used for HAP.

The appropriated funds for EHV are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHV and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.

HACCC must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.

HACCC must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent to the administration of the EHV in accordance with the HCV program requirements at 24 CFR 982.158.

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**Exhibit TPS-1: MEMORANDUM OF UNDERSTANDING (MOU)**

**Memorandum of Understanding**

**Emergency Housing Vouchers (EHV)  
Rental Assistance Program**

This Memorandum of Understanding (MOU) has been created and entered into on July 15, 2021 between the Housing Authority of the County of Contra Costa (HACCC) and the Contra Costa County Department of Health, Housing and Homeless Services (H3) in their capacity as administrators for the County Continuum of Care.

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**I. Introduction and Goals:**

a. HACCC and CoC's commitment to administering the EHV's in accordance with all program requirements.

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b. HACCC goals and standards of success in administering the program.

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1. Increase the flow of households in and out of homeless shelters, Moving On, Rapid Rehousing and Permanent Supportive Housing situations by making permanent assisted housing options available to households ready to live independently.
2. Streamline solutions to victims who are fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking.
3. Increase the number of households placed in permanent housing from shelters, RRH, PSH or DV situations.
4. Full Utilization of allocated vouchers.

c. Identification of staff position at the HACCC and CoC who will serve as the lead EHV liaisons.

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Lead HCV Liaison:

Ingrid Layne, Director of Assisted Housing Programs

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The Lead HCV Liaison shall ensure that all program requirements are being met including referral and intake of eligible households; issuance of Emergency Housing Vouchers; providing housing search assistance to certified households; inspection of all dwelling units at initial and annual certifications; processing payments to landlords and providing on-going monitoring of participants for program compliance.

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Name and title of CoC staff position:

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Shelby Ferguson, Coordinated Entry Manager – Department of Health, Housing and Homeless Services

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The CoC EHV Liaison shall certify that all EHV referrals from the CoC to HACCC meet Coordinated Entry eligibility criteria specific to the identified and agreed upon priority categories identified in this MOU. All referrals will be tracked and monitored for quality assurance and compliance.

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## II. Define the populations eligible for EHV assistance to be referred by CoC,

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In order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

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- Homeless
- At risk of homelessness
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

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A detailed description of each category can be accessed in HUD Notice PIH 2021-15.

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### Prioritization of Eligible EHV Families

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HACCC and CoC have determined that the best approach to utilize the EHV's is to create better flow and mobility within the supportive housing and sheltered community. Households who were initially directed to Permanent Supportive Housing (PSH) or Rapid ReHousing (RRH) options through the Coordinated Entry System or are eligible for Moving On prioritization would best be served ahead of all other categories. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option using the EHV would be prioritized to move out of the PSH/RRH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH/RRH slots for those who need the level of services and subsidy that come with PSH/RRH. In addition, as a third priority category, HACCC and the CoC will direct EHV to eligible homeless families pursuant to the HUD definition of homelessness indicated above.

#### D. Moving On

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Moving On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Moving On strategies challenge a community to

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create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Moving On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Moving On is always voluntary and driven by the tenant.

#### E. Rapid Rehousing

Rapid rehousing helps individuals and families to quickly exit homelessness by getting them housed. Rapid rehousing has three main components: Housing Identification, Rent and Move-In Assistance (financial assistance) and Case Management and services. Rapid rehousing programs help households to find appropriate rental housing. They also help the households to solve some of the common hurdles faced in finding housing. In addition, rapid rehousing programs help individuals and families pay for housing for a short period of time that enables them to move quickly out of homelessness and stabilize in permanent housing. Rapid re-housing (RRH) emphasizes housing search and relocation services and short- and medium-term rental assistance to move homeless persons and families (with or without a disability) as rapidly as possible into permanent housing.

Rapid Rehousing programs also connect people to services like employment counseling and job trainings that help them retain their housing in the long term. It is not necessary that a household use all the three components of rapid rehousing – they can use the ones that are most relevant to them.

#### F. Permanent Supportive Housing

Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability.

#### G. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for past 180 days are considered long term stayers and have significant challenges exiting to permanent housing.

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## Prioritization

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

### Category 1 – PSH/RRH Moving On

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Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in Rapid ReHousing or PSH.

1. RRH/Moving On + DV criteria (Fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking) + 62
2. RRH/Moving On + DV criteria
3. PSH/Moving On + DV criteria + 62
4. PSH/Moving On + DV criteria
5. RRH/Moving On + 62+
6. RRH/Moving On
7. PSH/Moving On + 62+
8. PSH/Moving On

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### Category 2 – PSH/RRH Transfers

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Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in Rapid ReHousing or PSH.

9. RRH participant meeting DV criteria and 62+ and requests a transfer and does not otherwise meet Moving On criteria. \* EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
10. RRH participant meeting DV criteria and requests a transfer and does not otherwise meet Moving On criteria. \* EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
11. PSH participant meeting DV criteria and 62+ and requests a transfer and does not otherwise meet Moving On criteria. \* EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)
12. PSH participant meeting DV criteria and requests a transfer and does not otherwise meet Moving On criteria. \* EHV's may also be used to facilitate an emergency transfer plan in accordance with the Violence Against Women Act (VAWA)

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13. RRH participant 62 + who has been housed for a minimum of 1 year and requests a transfer due to special circumstances, and/or household change, etc but does not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
14. PSH participant 62 + who has been housed for a minimum of 1 year and requests a transfer due to special circumstances, and/or household change, etc but does not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
15. RRH participant who has been housed for a minimum of 1 year and request a transfer due to special circumstances, and/or household change, etc but do not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.
16. PSH participant who has been housed for a minimum of 1 year and request a transfer due to special circumstances, and/or household change, etc but do not otherwise qualify for Moving On based on length of time in program. Client meets all other Moving On eligibility around basic income, rent payment.

### Category 3 – Homeless/Sheltered Long Stayers

Qualifies under EHV Eligibility Category 1: Homeless.

17. Homeless - DV criteria + 62 AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)
18. Homeless - DV criteria AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)
19. Homeless - 62+ AND highest length of time at shelter, basic income, needs few to no services (Long Stayer)

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### Referral Process

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HACCC shall notify the CoC's Coordinated Entry System Administrator when EHV's become available. Within five (5) business days of being notified of the availability of EHV's, the CoC shall make every effort to make a referral to HACCC's point of contact.

For PSH/RRH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client's case history to discuss the key indicators of the client's capacity for the Moving On program. Among the indicators to be considered are as follows:

- Emotional independence
- Financial Capacity
- Housing history and length of time in program
- Intensity of service use
- Health/behavioral health
- Connection to mainstream resources
- Connection to family or other natural supports

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- Community living skills
- Activities of daily living skills

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC's written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the HACCC Administrative Plan for the Housing Choice Voucher Program.

CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.

#### Transfer Process

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The Transfer Process will be implemented as directed in the CoC written standards. The written standards are being amended to reflect permissions and variations to the CoC written standards invoked by the EHV program.

#### Shelter Long-term stayer process

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The Shelter Referral Process for long-term stayers will be implemented as directed in the CoC written standards. The referral process for long-term shelter stayers is being amended to reflect permissions and variations to the CoC written standards invoked by the EHV program.

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### III. Services to be provided to eligible EHV families

List the services to be provided to assist individuals and families have success in the program and who will provide them.

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1. Partnering service providers will support individuals and families in completing applications and obtaining necessary supporting documentation to support referrals and applications for assistance, while aiding households in addressing barriers.

2. Partnering service providers will support HACCC in ensuring appointment notifications to eligible individuals and families and will assist eligible households in getting to meetings with the HACCC.

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3. HACCC will establish windows of time for EHV applicants to complete intake interviews for EHV.

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4. Partnering service providers will provide housing search assistance for eligible individuals and families.

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5. Partnering service providers will provide counseling on compliance with rental lease requirements.

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6. Partnering service providers will assess individuals and families who may require referrals for assistance on security deposits, utility hook-up fees, and utility deposits.

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7. Partnering service providers will assess and refer individuals and families to benefits and supportive services, where applicable.

#### IV. HACCC Roles and Responsibilities

1. Coordinate and consult with the CoC in developing the services and assistance to be offered under the EHV services fee.

2. Accept direct referrals for eligible individuals and families through the CoC Coordinated Entry System.

3. Provide the necessary training to CoC staff necessary to assist in completing eligibility determination packages for all referrals;

4. Commit a sufficient number of staff and necessary resources to ensure that the application, certification, and voucher issuance processes are completed in a timely manner.

5. Ensure families and individuals meet all EHV Program requirements as described in the Notice.

6. Commit a sufficient number of staff and resources to ensure that inspections of units are completed in a timely manner.

7. Perform initial, annual and Interim income certifications as needed.

8. Conduct initial, annual and special Housing Quality Standards inspections as needed.

9. Provide assistance with unit search.

10. Negotiate contract rents with landlords to ensure that rents are reasonable.

11. Execute Housing Assistance Payments (HAP) and Tenancy Addendums for all participants.

12. Process rent payments to landlords.

13. Provide participants who request one with security deposit grant of up to one month's rent. If a security deposit is provided, the participant shall be entitled to keep any proceeds returned by the owner after the tenancy ends.

14. Communicate problems with the application or client participation to the CES representative.

15. Provide a list, each month, of all clients leased under this program and a status report on the EHV wait list.

16. Perform any financial or program reporting required by HUD, except where provided by CoC's CES.

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17. HACCC will reimburse CES for all allowable activities under supportive services and administrative budget line items that are outside normal CES activities subject to funding limitations.
18. Meet regularly, but no less than quarterly, with CES staff to discuss program issues related to policy and procedures, funding levels, leasing goals, and any other issues related to the program.
19. Participate in periodic updates to the CoH by CES on the status of services offered by the CoC program, to discuss new program policies and to evaluate existing EHV policies. HACCC will also utilize CoH to become aware of new funding and service opportunities for the EHV program and clients.
20. Designate a staff to serve as the lead EHV liaison.
21. Comply with the provisions of this MOU.
22. Apply all Administrative Plan criteria as applicable.

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#### V. CoC Roles and Responsibilities

HACCC is partnering with the Contra Costa Continuum of Care to establish an EHV Program that takes referrals directly from the Contra Costa Coordinated Entry System. To identify potential participants, homeless service providers operating one or more HUD Continuum of Care Permanent Supportive Housing (PSH) programs or Rapid Rehousing (RRH) programs in Contra Costa County, will identify and assess as many eligible clients as possible who may be ready to "graduate" from PSH and RRH (i.e., are still in need of housing supports, but no longer in need of intensive services).

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1. Designate and maintain a lead EHV liaison to communicate with the HACCC.
2. Refer eligible individuals and families to HACCC using the community's coordinated entry system.
3. Refer at least (1) family for every EHV opening within 5 days of the referral request by the HACCC.  
Referrals will be submitted using the authorized referral form.
4. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the HACCC (i.e. self-certifications, birth certificate, social security card, etc.).
5. Attend EHV participant briefings when needed.
6. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
7. Identify and provide supportive services to EHV families. (While EHV participants are not required to participate in services, the CoC should assure that services are available and accessible.)
8. Keep accurate records of the referrals made and make them available as necessary to the PHA, auditors etc. Make staff available to respond to questions from auditors, HUD etc. necessary to ensure HACCC's compliance with the EHV regulations
9. Provide HACCC with regular monthly reports of services provided to EHV families including demographics of families referred.

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10. Comply with the provisions of this MOU.

Continuum of Care Processes:

CES Policy is being amended to conform with EHV referral process.

CoC Policy is being amended to conform with EHV referral process.

VI. Third Party Entity Roles Responsibilities

Service Providers or CoC recipients it designates will fulfill each of the following responsibilities:

1. Attend initial meetings regarding the startup of the EHV's in the CoC's coverage area.
2. Designate and maintain a lead EHV liaison to communicate with HACCC and CoC.
3. Commit a sufficient number of staff and necessary resources to ensure that the application is completed in a timely manner.
4. Refer eligible individuals and families to the CoC using the Coordinated Entry System.
5. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to HACCC.
6. Secure other eligible funds for security deposit costs, as needed (i.e., I.S.G. ESG-CV)
7. Attend EHV participant briefings when needed.
8. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
9. Conduct owner outreach and recruitment to ensure an adequate pool of rental units are available for individuals and families. This includes contacting current owners to inquire about availability of current units.
10. Identify and provide supportive services to EHV individuals and families throughout the first year of tenancy. (While EHV participants are not required to participate in services, the Service Provider should assure that services are available and accessible.)
11. Comply with the provisions of this MOU.

VII. Disputes

In the event of any controversy or dispute related to or arising out of this MOU, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to attempt to resolve the controversy or dispute without an adversarial proceeding. If the controversy or dispute is not resolved to the mutual satisfaction of the Parties at the initial meeting, the Parties will agree to meet and confer at least one (1) additional meeting prior to taking any additional action against any Party. If a controversy, claim, or dispute cannot be resolved by said process, a party may pursue its claims as allowed by law, and the prevailing party will be entitled to recover from the non-prevailing party or parties all of its reasonable

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expenses, including but not limited to reasonable attorneys' fees, accountants' fees, expert witness fees and court.

**VIII. No Personal Liability**

No officer, director, shareholder, employee, agent, or other person authorized to act on behalf of either party shall be personally liable for any obligation, expressed or implied, hereunder.

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**IX. Non-Discrimination**

In the performance of this MOU, the parties agree that they will not discriminate against any person because of race, color, religion, sex, national origin, age, or disabilities as defined in the Americans with Disabilities Act.

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**X. No Third-Party Beneficiaries**

This MOU is made and entered into for the sole protection and benefit of the Parties hereto and shall not create any rights in any third parties, including, but not limited to eligible HIV program participants or applicants. No other person or entity shall have any right of action based upon the provisions of this MOU.

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**XI. Indemnification**

Neither HACCC, the CoC nor third party agencies or any of their respective Board of Supervisors members, Board of Commissioners members, officers, directors, employees, or agents thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party arising out of or related to any work, authority or jurisdiction delegated to a Party under this MOU. It is further agreed that pursuant to Government Code Section 895.4, each Party shall fully indemnify and hold the other Parties harmless from any liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such Party arising out of or related to any work, authority or jurisdiction delegated to the Party under this MOU.

**XII. Compliance with Laws and Regulations**

By executing this MOU, County, and each Housing Authority agrees to comply with all applicable federal, state and local laws, regulations and ordinances, and Notice PIH 2021-15(HA), including any amendments, modifications or additions thereto.

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**XIII. Independent Contractor**

Each participating agency is not an employee of the other participating agencies. Nothing contained in this MOU will be deemed or construed to create an employee/employer relationship between the participating agencies. Each agency will have no authority to create any obligation or make representation or warranties binding on the other agencies. All personnel supplied or used by a named participating agency alone will not be considered employees, agents, or subcontractors of the other agencies for any purpose whatsoever. Each participating agency alone is responsible for its work, direction, compensation, and personal conduct. Nothing included in any provision of this MOU shall impose any liability or duty upon any participating agency in any capacity whatsoever, or make any participating agency

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liable for the acts, omissions, liabilities, or obligations, in whatsoever nature, of another participating agency or its personnel.

#### **XIV. Amendments**

In the event of any Party to the MOU desiring to amend the terms, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to discuss the desired amendment. If there is agreement, the Parties will draft an Amendment to be signed by all Parties and the Amendment will be attached to the original MOU.

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#### **XV. Assignment**

No Party shall delegate or assign its interest in this MOU, and shall not transfer any interest in the same, whether by operation of law or otherwise, without the prior written consent of the other Parties.

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#### **XVI. Notices**

Any notices, bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing to the addresses set forth below and shall be deemed to have been received on (a) the day of delivery, if delivered by hand during regular business hours or by confirmed facsimile during regular business hours; or (b) on the third business day following deposit in the United States mail, postage prepaid:

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If to HACCC:

Ingrid Layne  
Housing Authority of the County of Contra Costa  
2870 Howe Rd.  
Martinez, CA 94553

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If to CoC:

Lavonna Martin  
Contra Costa County Department of Health, Housing and Homeless Services  
2400 Bisso Lane, Suite D, 2nd Floor  
Concord, CA 94520

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#### **XVII. Entire Agreement**

This MOU is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous MOU's and understandings, oral or written, in connection therewith. Any amendments to or clarification of this MOU shall be in writing and acknowledged by all Parties to the MOU.

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#### **XVIII. Program Evaluation**

The HACCC, and CoC or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program

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evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.

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Exhibit TPS-2: HOMELESS PROVIDER'S CERTIFICATION

HOUSING AUTHORITY  
OF THE  
COUNTY OF CONTRA COSTA



Emergency Housing Voucher (EHV)

HOMELESS CERTIFICATION

EHV Applicant Name \_\_\_\_\_

- Household without dependent children (complete one form for each adult in the household)
- Household with dependent children (complete one form for household)

Number of persons in the household \_\_\_\_\_

This is to certify that the above named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation:

Check only one box and complete only that section

Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or campground.

Description of current living situation.

\_\_\_\_\_

\_\_\_\_\_

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Homeless Street Outreach Program

Name \_\_\_\_\_

*This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.*

Authorized Agency Representative Signature \_\_\_\_\_

Date \_\_\_\_\_

Living Situation: Emergency Shelter

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately operated shelter as follows.

Emergency Shelter Program Name

*This emergency shelter must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory (e.g., newly established Emergency Shelter).*

Authorized Agency Representative Signature \_\_\_\_\_

Date \_\_\_\_\_

Living Situation: Recently Homeless

- The person(s) named above is/are currently receiving financial and supportive services for persons who are homeless. Loss of such assistance would result in a return to homelessness (ex. Households in Rapid Rehousing Programs, residents of Permanent Supportive Housing Programs participating in Moving On, etc.)

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Authorized Agency Representative Signature.

\_\_\_\_\_

*This referring agency must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.*

Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in:

emergency shelter OR  a place unfit for human habitation

Authorized Agency Representative Signature.

Date

\_\_\_\_\_

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**Exhibit TPS-3: VICTIM SERVICES PROVIDER'S CERTIFICATION**

**HOUSING AUTHORITY**  
**OF THE**  
**COUNTY OF CONTRA COSTA**



**Emergency Housing Voucher (EHV)**

**HUMAN TRAFFICKING CERTIFICATION**

**Purpose of Form:**

The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other Federally-funded social service programs available to assist victims in rebuilding their lives.

**Use of This Optional Form:**

In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for EHV assistance.

Confidentiality: All information provided to the service provider concerning the incident(s) of human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is (i) consented to by you in writing in a time-limited release, (ii) required for use in an eviction proceeding or hearing regarding termination of assistance, or (iii) otherwise required by applicable law.

**TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR**

EHV Applicant Name \_\_\_\_\_

This is to certify that the above named individual or household meets the definition for persons who are fleeing or attempting to flee human trafficking under section 107(b) of the Trafficking Victims Protection Act of 2000.

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Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in.

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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Authorized Agency Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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**First Amendment of the  
Memorandum of Understanding**

**Emergency Housing Vouchers (EHV)  
Rental Assistance Program**

This first amendment of the Memorandum of Understanding (MOU) for the Emergency Housing Voucher Program has been created and entered into on November 28, 2021 between the *Housing Authority of the County of Contra Costa (HACCC)* and the *Contra Costa County Department of Health, Housing and Homeless Services (H3)* in their capacity as administrators for the County Continuum of Care.

**I. Introduction and Goals:**

- a. HACCC and CoC's commitment to administering the EHV's in accordance with all program requirements.
- b. HACCC goals and standards of success in administering the program.
  - 1. All 201 vouchers are fully utilized by September 2023
  - 2. 75-80% of Coordinated Entry referrals accepted by HACCC
  - 3. Average length of time of 120 days from program enrollment to housing move in
  - 4. 95% of households referred from a permanent supportive housing program maintain their housing through September 2023
  - 5. 80% of households referred from emergency shelter maintain their housing through September 2023
- c. Identification of staff position at the HACCC and CoC who will serve as the lead EHV liaisons.

Lead HCV Liaison:

Ingrid Layne, Director of Assisted Housing Programs

The Lead HCV Liaison shall ensure that all program requirements are being met including referral and intake of eligible households; issuance of Emergency Housing Vouchers; Providing housing search assistance to certified households; inspection of all dwelling units at initial and annual certifications; processing payments to landlords and providing on-going monitoring of participants for program compliance.

Name and title of CoC staff position:

Shelby Ferguson, Coordinated Entry Manager – Department of Health, Housing and Homeless Services

The CoC EHV Liaison shall certify that all EHV referrals from the CoC to HACCC meet Coordinated Entry eligibility criteria specific to the identified and agreed upon priority categories identified in this MOU. All referrals will be tracked and monitored for quality assurance and compliance.

## **II. Define the populations eligible for EHV assistance to be referred by CoC.**

In order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

- Homeless
- At risk of homelessness
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
- Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

A detailed description of each category can be accessed in HUD Notice PIH 2021-15.

### **Prioritization of Eligible EHV Families**

HACCC and CoC have determined that the best approach to utilize the EHV's is to create better flow and mobility within the supportive housing and sheltered community. Households that are identified as no longer needing a higher level of care or services and ready to transition to a permanent assisted housing option ("Move On") would be prioritized to move out of the PSH units and make them available for other families who need those service-enriched housing options. This would increase the flow of housing opportunities within the CoC and would also open up PSH slots for those who need the level of services and subsidy that come with PSH. Households that are long stayers in shelter programs will also be prioritized for EHV to make shelter available to other households needing that support.

#### **A. Move On**

As part of its strategic priority to end homelessness, the Continuum of Care (CoC) has adopted Move On strategies in the community for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing. Move On strategies challenge a community to create partnerships between the CoC and mainstream housing programs such as the Housing Choice Voucher (HCV) program, and HUD-funded multifamily housing providers.

Move On enables tenants to move on from supportive housing by offering affordable housing and connections to other resources. This may include a physical move to a new home, or a 'transition in place' arrangement where the services move on to another tenant. The decision to pursue Move On is always voluntary and driven by the tenant.

#### **B. Permanent Supportive Housing (PSH)**

Permanent supportive housing is an intervention that combines affordable housing assistance with voluntary support services to address the needs of chronically homeless people. The services are designed to build independent living and tenancy skills and connect people with community-based health care, treatment and employment services.

Permanent supportive housing is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist homeless persons with a disability or families with an adult or child member with a disability achieve housing stability. Those who remain in permanent supportive housing for more than 3 years are considered long stayers and ready to consider moving on.

### C. Shelters

Shelters serve households who are literally homeless and offer an array of housing and case management services depending on the shelter provider. Many participants of shelter programs have income and have reached stability but need deeply affordable and subsidized housing. The lack of affordable housing options presents significant barriers for those in shelter to rapidly exit, and thereby reduces the number of beds available for new clients. Those who remain in the shelter for 180 consecutive days or more are considered long term stayers and have significant challenges exiting to permanent housing.

### **Prioritization**

As a result of defining the criteria of eligible households, the following prioritization system has been developed to memorialize the order in which households will be considered for an EHV.

### **Category 1 – Permanent Supportive Housing (PSH) Moving On**

Qualifies under EHV Eligibility Category 4 Recently Homeless: Section 8 defines this as individuals and families who have previously been classified by the COC as homeless, but are not currently homeless as a result of homelessness assistance (financial or services), temporary rental assistance, etc. and where the COC or its designee determines that the loss of such assistance would result in a return to homelessness. Examples of such households may include (but are not limited to) participants in PSH.

- PSH/Moving On + Length of most recent consecutive enrollment in HMIS-participating permanent supportive housing program (3 years or more)
  - o For individuals and families with identical lengths of stays in PSH:
    - PSH/Moving On + Current or previous experience of domestic violence (including dating violence, sexual assault, stalking, and/or human trafficking).
    - PSH/Moving On + Previous experience of eviction and/or involuntary displacement from applicant’s primary place of residence.
    - PSH/Moving On + Poor (below 600) or no credit.



- PSH/Moving On + Previous experience with the criminal legal system (e.g., detention by law enforcement, arrest, prosecution, incarceration, community supervision).

## **Category 2 – Homeless/Sheltered Long Stayers**

Qualifies under EHV Eligibility Category 1: Homeless.

- Sheltered Long Stayer + Length of most recent consecutive enrollment in HMIS-participating emergency shelter program or local domestic violence shelter (180 days or more)
- For individuals or families with identical lengths of stay:
  - Sheltered Long Stayer + Current or previous experience of domestic violence (including dating violence, sexual assault, stalking, and/or human trafficking).
  - Sheltered Long Stayer + Previous experience of eviction and/or involuntary displacement from applicant’s primary place of residence.
  - Shelter Long Stayer + Poor (below 600) or no credit.
  - Shelter Long Stayer + Previous experience with the criminal legal system (e.g., detention by law enforcement, arrest, prosecution, incarceration, community supervision).

## **Referral Process**

HACCC shall notify the CoC’s Coordinated Entry System Administrator when EHV’s become available. Within five (5) business days of being notified of the availability of EHV’s, the CoC shall make every effort to make a referral to HACCC’s point of contact.

For PSH clients that are interested in and eligible for Emergency Housing Vouchers through the Moving On Program, CE will convene the Housing Placement Committee to review the client’s case history to discuss the key indicators of the client’s capacity for the Moving On program. Among the indicators to be considered are as follows:

- Housing History
- Financial Stability
- Service Needs and Supports (includes connections to health, mainstream resources, and family or other natural supports)
- Household Composition

Weighing these indicators, the Housing Placement Committee will make a determination as to whether the client should be recommended for an Emergency Housing Voucher. Recommended clients will be referred to the Housing Authority of Contra Costa County by CE once all eligibility documentation has been received.

Any and all grievances regarding the CoC process will be handled within the grievance procedures outlined in the CoC’s written standards while any grievances regarding denial to participate or termination of assistance in the EHV Program shall be addressed through the

HACCC Administrative Plan for the Housing Choice Voucher Program. The CoC Complaint Policy and Form are publicly available on the CoC website.

*CE will only send HACCC referrals for the number of spaces that are open and will not send more than one referral per opening, unless requested by HACCC.*

### **Coordinated Entry Referral Process**

The Coordinated Entry Referral Process for long-stayers in emergency shelter and permanent supportive housing will be implemented as directed in the addendum to the CoC Coordinated Entry Policies and Procedures entitled “EHV Coordinated Entry Policies.” The referral process was developed in alignment with local community processes and includes variations invoked by the EHV program.

### **VAWA Direct Referral**

Pursuant to guidance in PIH 2021-15, HACCC will also accept direct referrals for VAWA-eligible households who may be fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

HACCC shall execute separate MOUs with these entities to ensure proper HUD compliance. In addition, HACCC shall inform the CoC, through CES, in the event that an EHV household is assisted directly so that proper tracking and services are made available to the household.

## **III. Services to be provided to eligible EHV families**

List the services to be provided to assist individuals and families have success in the program and who will provide them.

1. Referring agencies will explain the EHV Program to eligible clients and the risks and benefits associated with client participation using communication materials provided by H3 and HACCC.
2. Referring agencies will work with the eligible and interested client to complete the EHV Screening Tool, PSH or ES Certification Form, and Candidate Interest Form in HMIS.
3. Referring agencies will attend the Housing Placement Committee to determine if the client will be recommended for EHV referral through Coordinated Entry.
4. Referring agencies will complete any other necessary documentation to complete the referral process to HACCC.
5. Referring agencies will complete an Individualized Transition Plan with each client
6. Referring agencies will connect clients to new or existing Community Supports that are not dependent on the client’s housing status (e.g., behavioral health, physical health, veterans’ affairs, IHSS, support groups, recovery groups, family, friends, faith community).
7. Referring agencies will assist clients with practicing and mastering activities of daily living.
8. Referring agencies will check-in with clients after they have moved into an EHV unit and continue to work on the goals outlined in the Individualized Transition Plan.
9. Partnering agencies (EHV Navigators) will provide housing navigation or location assistance to EHV program participants.

10. Partnering agencies (EHV Navigators) will provide 30 days of light-touch post-move in support to program participants. This support will primarily focus on relationships with the landlord, resolving issues with the financial components of the EHV, and accessing flexible housing funds as needed and appropriate.
11. Partnering agencies (EHV Navigators) will cultivate relationships with landlords and provide housing search support for EHV clients.
12. Partnering agencies (EHV Navigators) will support lease negotiation, signing, and move in logistics.
13. Partnering agencies (EHV Navigators) will provide expedited access to flexible housing funds to support move-in (i.e., funds may be used for security deposits, application fees, credit checks, etc.).
14. HACCC will establish windows of time for EHV applicants to complete intake interviews for EHV.

#### **IV. HACCC Roles and Responsibilities**

1. Coordinate and consult with the CoC in developing the services and assistance to be offered under the EHV services fee.
2. Accept direct referrals for eligible individuals and families through the CoC Coordinated Entry System.
3. Provide the necessary training to CoC staff necessary to assist in completing eligibility determination packages for all referrals;
4. Commit a sufficient number of staff and necessary resources to ensure that the application, certification, and voucher issuance processes are completed in a timely manner.
5. Ensure families and individuals meet all EHV Program requirements as described in the Notice.
6. Commit a sufficient number of staff and resources to ensure that inspections of units are completed in a timely manner.
7. Perform initial, annual and Interim income certifications as needed.
8. Conduct initial, annual and special Housing Quality Standards inspections as needed.
9. Provide assistance with unit search.
10. Negotiate contract rents with landlords to ensure that rents are reasonable.
11. Execute Housing Assistance Payments (HAP) and Tenancy Addendums for all participants.
12. Process rent payments to landlords.
13. Provide participants who request one with security deposit grant of up to one month's rent. If a security deposit is provided, the participant shall be entitled to keep any proceeds returned by the owner after the tenancy ends.
14. Communicate problems with the application or client participation to the CES representative.
15. Provide a list, each month, of all clients leased under this program and a status report on the EHV wait list.
16. Perform any financial or program reporting required by HUD, except where provided by CoC's CES.
17. HACCC will reimburse CES for all allowable activities under supportive services and administrative budget line items that are outside normal CES activities subject to funding limitations.

18. Meet regularly, but no less than quarterly, with CES staff to discuss program issues related to policy and procedures, funding levels, leasing goals, and any other issues related to the program.
19. Participate in periodic updates to the CoH by CES on the status of services offered by the CoC program, to discuss new program policies and to evaluate existing EHV policies. HACCC will also utilize CoH to become aware of new funding and service opportunities for the EHV program and clients.
20. Designate a staff to serve as the lead EHV liaison.
21. Comply with the provisions of this MOU.
22. Apply all Administrative Plan criteria as applicable.

## **V. CoC Roles and Responsibilities**

HACCC is partnering with the Contra Costa Continuum of Care to establish an EHV Program that takes referrals directly from the Contra Costa Coordinated Entry System. To identify potential participants, homeless service providers operating one or more HUD Continuum of Care Permanent Supportive Housing (PSH) programs in Contra Costa County, will identify and assess as many eligible clients as possible who may be ready to “move on” from PSH (i.e., are still in need of housing supports, but no longer in need of intensive services) or transition out of shelter after a long stay.

1. Designate and maintain a lead EHV liaison to communicate with the HACCC.
2. Refer eligible individuals and families to HACCC using the community’s coordinated entry system.
3. Refer at least (1) household for every EHV opening within 5 days of the referral request by the HACCC.  
Referrals will be submitted using the authorized referral form.
4. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to the HACCC (i.e. self-certifications, birth certificate, social security card, etc.).
5. Attend EHV participant briefings when needed.
6. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
7. Identify and provide supportive services to EHV families. (While EHV participants are not required to participate in services, the CoC should assure that services are available and accessible.)
8. Keep accurate records of the referrals made and make them available as necessary to the PHA, auditors etc. Make staff available to respond to questions from auditors, HUD etc. necessary to ensure HACCC’s compliance with the EHV regulations
9. Provide HACCC with regular monthly reports of services provided to EHV families including demographics of families referred.
10. Comply with the provisions of this MOU.

## **Continuum of Care Processes:**

CES Policy has been amended to conform with EHV referral process.  
CoC Policy has been amended to conform with EHV referral process.

## **VI. Third Party Entity Roles Responsibilities**

Service Providers or CoC recipients it designates will fulfill each of the following responsibilities:

1. Attend initial meetings regarding the startup of the EHV's in the CoC's coverage area.
2. Designate and maintain a lead EHV liaison to communicate with HACCC and CoC.
3. Commit a sufficient number of staff and necessary resources to ensure that the application is completed in a timely manner.
4. Refer eligible individuals and families to the CoC using the Coordinated Entry System.
5. Support eligible individuals and households in completing and applying for supportive documentation to accompany admissions application to HACCC.
6. Secure other eligible funds for security deposit costs, as needed (i.e., ESG, ESG-CV)
7. Attend EHV participant briefings when needed.
8. Assess all households referred for EHV for mainstream benefits and supportive services available to support eligible individuals and families through their transition.
9. Conduct owner outreach and recruitment to ensure an adequate pool of rental units are available for individuals and families. This includes contacting current owners to inquire about availability of current units.
10. Identify and provide supportive services to EHV individuals and families throughout the first year of tenancy. (While EHV participants are not required to participate in services, the Service Provider should assure that services are available and accessible.)
11. Comply with the provisions of this MOU.
12. Comply with CES and CoC Policy regarding the EHV program.

## **VII. Disputes**

In the event of any controversy or dispute related to or arising out of this MOU, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer in good faith to attempt to resolve the controversy or dispute without an adversarial proceeding. If the controversy or dispute is not resolved to the mutual satisfaction of the Parties at the initial meeting, the Parties will agree to meet and confer at least one (1) additional meeting prior to taking any additional action against any Party. If a controversy, claim, or dispute cannot be resolved by said process, a party may pursue its claims as allowed by law, and the prevailing party will be entitled to recover from the non-prevailing party or parties all of its reasonable expenses, including but not limited to reasonable attorneys' fees, accountants' fees, expert witness fees and court.

## **VIII. No Personal Liability**

No officer, director, shareholder, employee, agent, or other person authorized to act on behalf of either party shall be personally liable for any obligation, expressed or implied, hereunder.

## **IX. Non-Discrimination**

In the performance of this MOU, the parties agree that they will not discriminate against any person because of race, color, religion, sex, national origin, age, or disabilities as defined in the Americans with Disabilities Act.

**X. No Third-Party Beneficiaries.**

This MOU is made and entered into for the sole protection and benefit of the Parties hereto and shall not create any rights in any third parties, including, but not limited to eligible EHV program participants or applicants. No other person or entity shall have any right of action based upon the provisions of this MOU.

**XI. Indemnification**

Neither HACCC, the CoC nor third party agencies or any of their respective Board of Supervisors members, Board of Commissioners members, officers, directors, employees, or agents thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by any other Party arising out of or related to any work, authority or jurisdiction delegated to a Party under this MOU. It is further agreed that pursuant to Government Code Section 895.4, each Party shall fully indemnify and hold the other Parties harmless from any liability imposed for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by such Party arising out of or related to any work, authority or jurisdiction delegated to the Party under this MOU.

**XII. Compliance with Laws and Regulations.**

By executing this MOU, County, and each Housing Authority agrees to comply with all applicable federal, state and local laws, regulations and ordinances, and Notice PIH 2021-15(HA), including any amendments, modifications or additions thereto.

**XIII. Independent Contractor**

Each participating agency is not an employee of the other participating agencies. Nothing contained in this MOU will be deemed or construed to create an employee/employer relationship between the participating agencies. Each agency will have no authority to create any obligation or make representation or warranties binding on the other agencies. All personnel supplied or used by a named participating agency alone will not be considered employees, agents, or subcontractors of the other agencies for any purpose whatsoever. Each participating agency alone is responsible for its work, direction, compensation, and personal conduct. Nothing included in any provision of this MOU shall impose any liability or duty upon any participating agency in any capacity whatsoever, or make any participating agency liable for the acts, omissions, liabilities, or obligations, in whatsoever nature, of another participating agency or its personnel.

**XIV. Amendments**

In the event of any Party to the MOU desiring to amend the terms, a Party shall notify the other Parties in writing. Within fifteen business (15) days of such notice, the Parties shall meet and confer

in good faith to discuss the desired amendment. If there is agreement, the Parties will draft an Amendment to be signed by all Parties and the Amendment will be attached to the original MOU.

**XIV. Assignment.**

No Party shall delegate or assign its interest in this MOU, and shall not transfer any interest in the same, whether by operation of law or otherwise, without the prior written consent of the other Parties.

**XVI. Notices**

Any notices, bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing to the addresses set forth below and shall be deemed to have been received on (a) the day of delivery, if delivered by hand during regular business hours or by confirmed facsimile during regular business hours; or (b) on the third business day following deposit in the United States mail, postage prepaid:

If to HACCC:

Ingrid Layne  
Housing Authority of the County of Contra Costa  
2870 Howe Rd.  
Martinez, CA 94553

If to CoC:

Christine Saxton  
Contra Costa County Department of Health, Housing and Homeless Services  
2400 Bisso Lane, Suite D, 2nd Floor  
Concord, CA 94520

**XVII. Entire Agreement.**

This MOU is intended by the Parties hereto as a final expression of their understanding with respect to the subject matter hereof and as a complete and exclusive statement of the terms and conditions thereof and supersedes any and all prior and contemporaneous MOU's and understandings, oral or written, in connection therewith. Any amendments to or clarification of this MOU shall be in writing and acknowledged by all Parties to the MOU.

**XVIII. Program Evaluation**

The HACCC, and CoC or designated CoC recipient agree to cooperate with HUD, provide requested data to HUD or HUD-approved contractor delegated the responsibility of program evaluation protocols established by HUD or HUD-approved contractor, including possible random assignment procedures.



SIGNATURES ON FOLLOWING PAGES

Signed and dated by the official representatives of the HACCC, CoC, CoC Contractor organization (if applicable), and third-party entities (if applicable).

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Joseph Villarreal, Executive Director

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Date

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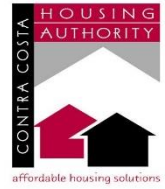
Christine Saxton, Interim Director  
Health, Housing and Homeless Services

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Date

**Attachment 3 - Homeless Provider's Certification**

**HOUSING AUTHORITY  
OF THE  
COUNTY OF CONTRA COSTA**



**Emergency Housing Voucher (EHV)**

**HOMELESS CERTIFICATION**

EHV Applicant Name: \_\_\_\_\_

- Household without dependent children (complete one form for each adult in the household)
- Household with dependent children (complete one form for household)

Number of persons in the household: \_\_\_\_

**This is to certify that the above named individual or household meets the following criteria based on the check mark, other indicated information, and signature indicating their current living situation-**

***Check only one box and complete only that section***

**Living Situation: place not meant for human habitation (e.g., cars, parks, abandoned buildings, streets/sidewalks)**

- The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus station, airport, or camp ground.

Description of current living situation:

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Homeless Street Outreach Program

Name: \_\_\_\_\_

*This certifying agency must be recognized by the local Continuum of Care (CoC) as an agency that has a program designed to serve persons living on the street or other places not meant for human habitation. Examples may be street outreach workers, day shelters, soup kitchens, Health Care for the Homeless sites, etc.*

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

---

**Living Situation: Emergency Shelter**

The person(s) named above is/are currently living in (or, if currently in hospital or other institution, was living in immediately prior to hospital/institution admission) a supervised publicly or privately operated shelter as follows:

Emergency Shelter Program Name:

\_\_\_\_\_

*This emergency shelter must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory (e.g., newly established Emergency Shelter).*

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Living Situation: Recently Homeless**

The person(s) named above is/are currently receiving financial and supportive services for persons who are homeless. Loss of such assistance would result in a return to homelessness (ex. Households in Rapid Rehousing Programs, residents of Permanent Supportive Housing Programs participating in Moving On, etc.)

Authorized Agency Representative Signature:

\_\_\_\_\_

*This referring agency must appear on the CoC's Housing Inventory Chart submitted as part of the most recent CoC Homeless Assistance application to HUD or otherwise be recognized by the CoC as part of the CoC inventory.*

Immediately prior to entering the household's current living situation, the person(s) named above was/were residing in:

emergency shelter OR  a place unfit for human habitation

Authorized Agency Representative Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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**Attachment #4 Victim Services Provider’s Certification**

**HOUSING AUTHORITY  
OF THE  
COUNTY OF CONTRA COSTA**



**Emergency Housing Voucher (EHV)**

**HUMAN TRAFFICKING CERTIFICATION**

**Purpose of Form:**

The Victims of Trafficking and Violence Protection Act of 2000 provides assistance to victims of trafficking making housing, educational health care, job training and other Federally-funded social service programs available to assist victims in rebuilding their lives.

**Use of This Optional Form:**

In response to this request, the service provider may complete this form and submit it to the Public Housing Agency (PHA) to certify eligibility for EHV assistance.

**Confidentiality:** All information provided to the service provider concerning the incident(s) of human trafficking shall be kept confidential and such details shall not be entered into any shared database. Employees of the PHA will not have access to these details, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

---

**TO BE COMPLETED ON BEHALF OF HUMAN TRAFFICKING SURVIVOR**

EHV Applicant Name: \_\_\_\_\_

**This is to certify that the above-named individual or household meets the definition for persons who are fleeing or attempting to flee human trafficking under section 107(b) of the Trafficking Victims Protection Act of 2000.**

Immediately prior to entering the household’s current living situation, the person(s) named above was/were residing in:

\_\_\_\_\_  
\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual(s) named above is/has been a victim of human

trafficking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

**Authorized Agency Representative Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## GLOSSARY

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### A. ACRONYMS USED IN THE HOUSING CHOICE VOUCHER (HCV) PROGRAM

<b>AAF</b>	Annual adjustment factor (published by HUD in the <i>Federal Register</i> and used to compute annual rent adjustments)
<b>ACC</b>	Annual contributions contract
<b>ADA</b>	Americans with Disabilities Act of 1990
<b>AIDS</b>	Acquired immune deficiency syndrome
<b>BR</b>	Bedroom
<b>CDBG</b>	Community Development Block Grant (Program)
<b>CES</b>	<u>Coordinated Entry System</u>
<b>CFR</b>	Code of Federal Regulations (published federal rules that define and implement laws; commonly referred to as “the regulations”)
<b>CoC</b>	<u>Continuum of Care</u>
<b>CPI</b>	Consumer price index (published monthly by the Department of Labor as an inflation indicator)
<b>RAD</b>	Rental Assistance Demonstration Program
<b>EHV</b>	<u>Emergency Housing Vouchers</u>
<b>EID</b>	Earned income disallowance
<b>EIV</b>	Enterprise Income Verification
<b>FDIC</b>	Federal Deposit Insurance Corporation
<b>FHA</b>	Federal Housing Administration (HUD Office of Housing)
<b>FHEO</b>	Fair Housing and Equal Opportunity (HUD Office of)
<b>FICA</b>	Federal Insurance Contributions Act (established Social Security taxes)
<b>FMR</b>	Fair market rent
<b>FR</b>	Federal Register
<b>FSS</b>	Family Self-Sufficiency (Program)
<b>FY</b>	Fiscal year
<b>FYE</b>	Fiscal year end
<b>GAO</b>	Government Accountability Office
<b>GR</b>	Gross rent

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## **B.1 (a) Housing Needs**

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

High housing costs reduce economic opportunities, limit access to jobs and services, and restrict the ability of lower-income households, including the elderly and persons with disabilities, to live in the communities and neighborhoods of their choice. The gap between what lower income households can afford, and the median price of homes or rents (an affordability gap) results in households paying more than 30 percent of their income for housing, and in overcrowding.

Based on the most recent Consolidated Plan for the County (2020-2025), of 384,644 households in the HOME Consortia area, there are 184,698 households or 48 percent of all households that are at 100 percent of Area Median Income (AMI) or below. Of these households, nearly 70 percent experience at least one or more housing problems as defined by HUD. Renters make up 50 percent of those experiencing one or more housing problems.

The area of greatest need is among renters in the extremely low-income category: 30,485 households, or 45 percent, experience substandard housing, overcrowding, or cost burden. Of those, 69 percent suffer from a cost burden of greater than 50 percent of income.

Cost burden is a significant issue for homeowners earning less than 100 percent of AMI. Of those with a housing problem, 85 percent are cost burdened; 41 percent are paying more than 50 percent of their incomes in housing costs.

Small family households make up the largest proportion of extremely-low (34%), and low-income (33.9%) households. Households with at least one person between the ages of 62 and 74 have the next highest proportion of extremely-low (20%) and low-income (23%) households.

There are 86,275 single-person households in the Contra Costa HOME Consortium. There are households with at least one member 65 years or older. Of these households, 57 percent are low-income. Because many elderly live alone, it is probable that many one person households are elderly. In addition, most of the elderly homeowners live in older homes with deferred maintenance and in need of rehabilitation.

According to HUD, disproportionate need refers to any need that is more than ten percentage points above the need demonstrated for the total households. The Contra Costa Consortium has 384,593 households, 184,698 of which have incomes below AMI. The number of households below AMI with a housing problem is 123,595, which represents about 67 percent of below-AMI households. While all racial/ethnic groups at particular income levels experience housing problems, there are three groups experiencing disproportionate housing need throughout the income spectrum. At the extremely low-income range (0-30 percent AMI) 85 percent of all extremely low-income households have a housing need, while 99 percent of American Indian/Alaska Natives experience a disproportionate need. At the low-income range

(30-50 percent AMI), 75 percent of all low-income households experience a housing need, while 94 percent of Pacific Islander and 86 percent of Black/African American households experience a disproportionate housing need. At the moderate-income range (50- 80 percent AMI), 60 percent of all moderate-income households have a housing need; however, there is no particular group experiencing a disproportionate need compared to the total moderate-income households. At median income (80-100 percent AMI), 45 percent of all households have a housing need, while both American Indians/Alaska Natives (56 percent) and Pacific Islanders (75 percent) experience a disproportionate housing need.

The number of Contra Costa HOME Consortium households with a severe housing problem is 74,722, which represents about 40 percent of all households below 100 percent AMI. While all racial/ethnic groups experience housing problems at particular income levels, there are three groups experiencing disproportionate housing need throughout the income spectrum. At the extremely low-income range (0- 30 percent AMI), 72.2 percent of all households have a severe housing need, and 79 percent of Hispanics experience a disproportionate need. At the very-low income range (30-50 percent AMI), 44.9 percent of all households experience a housing need, while 89 percent of Pacific Islanders experience a disproportionate severe housing need. At the low-income range (50-80 percent AMI), 23.9 percent of all households experience a housing need, while 32 percent of Pacific Islanders experience a disproportionate housing need. At the median income range (80-100 percent AMI), 13.7 percent of all households have a housing need, while 20.3 percent of Pacific Islanders experience a disproportionate severe housing need.

Per HUD definitions, a “disproportionate need” exists when any group has a housing need that is 10% or higher than the jurisdiction as a whole. A household is considered cost burdened when they are paying more than 30% of their income towards housing costs, including utilities. A household is considered severely cost burdened when they are paying more than 50% of their income towards housing costs, including utilities. In Contra Costa, 39% of all households are either cost burdened, or severely cost burdened. Both Black/African Americans (9,628 households, 28.6%) and Pacific Islanders (1,371 households, 29.1%) experience disproportionate severe cost burden.

There are 44,763 households with incomes at or less than 30 percent of the AMI with a housing problem. American Indians, Alaska Natives (335 households, 96 percent) have a disproportionate need. There are 34,062 households with incomes between 30 and 50 percent of the AMI with a housing problem. Black/African American (4,242 households, 86 percent) and Pacific Islanders (175 households, 95 percent) have a disproportionate need in this income category. There are 28,744 households with incomes between 50 and 80 percent of the AMI with a housing problem. There are no racial or ethnic groups that have a disproportionate need within this income category.

There are 37,878 households with incomes at or less than 30 percent of the AMI with a severe housing problem. Hispanics (10,728 households, 78 percent) have a disproportionate need. There are 20,372 households with incomes between 30 and 50 percent of the AMI with a housing problem. Pacific Islanders (165 households, 89 percent) have a disproportionate need. There are 11,574 households with incomes between 50 and 80 percent of the AMI with a housing problem. There are no racial or ethnic groups that have a disproportionate need.

46.2% of the County's renter households live in overcrowded housing. Among racial and ethnic groups reported in the Census, Latino/Hispanic households are most likely to live in crowded conditions in the County with 12.8% in such conditions.

According to 2010 U.S. Census Data, the population of seniors 65 and older from 2000 to 2010 increased from 107,272 to 130,432 in Contra Costa County, an increase of 21.5 percent. According to the American Community Survey (2013-17), 24 percent of households were headed by seniors. Three jurisdictions with the largest share of senior households are Walnut Creek (40.9 percent), Moraga (35.3 percent), and Orinda (35.2 percent) (ACS Data 2013-2017). Of the total County's senior population, nearly 34 percent have a disability limitation. Of all the jurisdictions in the County, San Pablo (44.1 percent), Pittsburg (43.1 percent), and Oakley (41.5 percent) have the highest share of senior populations living with disabilities.

There are only approximately 10,200 assisted rental units affordable to lower-income households, of which, over 950 are at risk of converting to market rate housing. Over 7,000 beds in 473 residential care facilities are available for individuals with special needs, (such as frail elderly and persons with disabilities) who cannot live independently in conventional housing. However, this is significantly less than the population of frail elderly, disabled, and others who may need a supportive housing environment.

Due to the ongoing gap in the availability of affordable housing, the County Consortium has assigned a high priority to new housing construction, homeownership assistance, and housing rehabilitation, particularly for households earning less than 50 percent of the area median income.

Two final measures of need are seen in HACCC's most recent housing choice voucher and public housing wait list openings. In November 2008 the voucher wait list opening attracted nearly 40,000 families who applied for 6,000 positions on the wait list. In addition, over 45,000 households are waiting for Project-Based Voucher units. In March 2017, nearly 17,000 families applied for the wait list for HACCC's 963-unit public housing program.

## Attachment B.1

### New Flat Rent Proposed Housing Authority of the County of Contra Costa

#### Proposed New Flat Rent based on 85% of the Fair Market Rent(FMR) – eff 4/1/2022

<b>BDRM SIZE</b>	<b>NEW FMR AMOUNT 10/01/2021</b>	<b>PROPOSED AMOUNT</b>
0-Studio	FMR \$1,538	Proposed amount 85% = \$1307.00
1 BDRM	FMR \$1,854	Proposed amount 85% = \$1576.00
2 BDRM	FMR \$2,274	Proposed amount 85% = \$1933.00
3 BDRM	FMR \$3,006	Proposed amount 85% = \$2555.00
4 BDRM	FMR \$3,578	Proposed amount 85% = \$3041.00
5 BDRM	FMR \$4,114	Proposed amount 85% = \$3497.00

## B.2 New Activities:

- a) **HOPE VI or Mixed Finance Modernization or Development.** HACCC is working to identify funding mechanisms to rehabilitate or redevelop all of its public housing properties. HACCC's goal is to preserve or increase the number of housing units affordable to public housing eligible families (regardless of whether they remain public housing specifically) and to provide adequate funding for these units over the long term. HACCC continues to evaluate and consider its options for development and preservation of its public housing portfolio. Addressing its needs may include applying for additional RAD, Choice Neighborhoods, a Phase II Energy Performance Contract or any other appropriate HUD programs. HACCC has already been awarded RAD funding for 214 units at Las Deltas in North Richmond (CA011-006, CA011-009A, CA011-009B). HACCC may also seek state and local funding through bonds, tax credits or any other available programs.

The HACCC has completed a demolition action for 134 units at the Las Deltas (CA006 and CA009A) property in North Richmond and approved for a disposition application for the remaining of the 107 units at Las Deltas (CA009b) in North Richmond. 107 units are being disposed through the RAD Conversion process and a separate application process was approved for demolition and disposition of those 107 units and corresponding release of the DOT.

**Timeline:** An application for demo/dispo of the RAD units was approved through HUD's Special Applications Center in October of 2019. Demolition of the units in properties 006 and 009A for the non-RAD units commenced during December of 2019. HACCC shall be issuing a Request For Proposals from developers to submit suggestions for the development of the contiguous site of the property with an expectation to enter into an Exclusive Negotiating Agreement with the submitter with the best proposal after getting community input on the proposed development plans. 81 occupied units were assisted with relocation services and all units are now vacant.

- b) **Conversion of Public Housing.** HACCC continues work to identify funding mechanisms to rehabilitate or redevelop all of its public housing properties. If existing analyses show that a viable plan does not exist to adequately fund rehabilitation and ongoing maintenance at any of HACCC's public housing properties, HACCC may submit voucher conversion applications for any of its public housing properties. HACCC also may submit applications to HUD for any other conversion funding programs that become available. It is expected that the next projects for consideration to convert to Project Based assistance will be El Pueblo in Pittsburg and Bayo Vista in Rodeo, CA.
- c) **Homeownership.** HACCC currently offers a homeownership voucher program.
- d) **Project-based Vouchers.** HACCC has already committed 1297 project-based vouchers (PBV). In addition, HACCC has approved 288 RAD PBV units for thirteen projects, including one under the RAD 2 component for conversion of a Mod Rehab Single Room Occupancy property and two from the City of Richmond. The RAD PBVs are replacement housing for units removed from the public housing inventory at Las Deltas and the Richmond Housing Authority's Public Housing disposition. The use of PBVs is consistent with HACCC's PHA Plan. Among HACCC's goals are to expand the supply of assisted housing and to increase assisted housing choices. By utilizing PBVs from HACCC, developers are able to leverage funding and produce additional units of new or modernized affordable housing. HACCC plans to award PBV funding throughout its jurisdiction in order to provide affordable housing options for clients in as broad a geographic area as possible. HACCC may also utilize PBVs in any other public housing redevelopment/repositioning projects it may undertake.
- e) Moreover, it is anticipated that over the course of the next five years, four other sites from Richmond Public Housing, will be converted under RAD or Section 18 Demolition and Disposition that will allocate another 409 PBVs for HACCC to administer.

# HOUSING AUTHORITY OF THE COUNTY OF CONTRA COSTA

## PROGRESS IN MEETING GOALS

### *Goal: Expand the Supply of Assisted Housing*

#### Progress Report:

- Received 4 RAD awards for Las Deltas property in order to convert the 214 units to project-based vouchers that can be leveraged to develop a greater number of new units;
- Awarded 185 units of project-based vouchers (PBV) and 119 units of Rental Assistance Demonstration (RAD) PBV to 11 projects throughout Contra Costa County. These vouchers (including the project-based vouchers) helped fund 591 units of new affordable housing;
- Continue to partner with County to maximize utilization of Shelter-Plus Care program. Now serve over 325 households;
- Housed nearly 263 veteran households through the VASH program;
- Transitioned a 11-unit HUD Multi-Family housing development to Enhanced Vouchers;
- Successfully placed 5 households into the HCV Homeownership Program;
- Maintained average occupancy at most properties to 98% or better.
- Housed 172 households in the Mainstream program for non-elderly disabled households.
- Received 201 Emergency Housing Vouchers to assist households in Permanent Supportive Housing and County Shelters transition to permanent housing and thus making slots available for unsheltered families to move to shelters and sheltered households to move to Permanent Supportive Housing.

### *Goal: Improve the Quality of Assisted Housing*

#### Progress Report:

- Utilized over \$7 million in capital funds to maintain properties including extensive interior modernization at Bayo Vista and exterior modernizations at several large sites. Properties were reroofed, repainted, or repaved. New windows, flooring, and cabinetry replaced old components and security features (new site lighting and door locks for example);
- New styles of interior finishes are being utilized in public housing units to upgrade the appearance of units so that they more closely emulate market-rate units;
- As part of an ongoing rehabilitation process, HACCC has now rehabilitated almost all offline units (with the exception of Las Deltas in North Richmond). Apart from Las Deltas, every public housing property now has an average occupancy rate that is at or above 97-98%;
- Work order turnaround times continue to improve through the implementation of new processes;
- Landscape and hardscape improvements are ongoing at four sites, with other to come as budgeted.
- Continue to operate medical office in the Bayo Vista development, operated in collaboration with Life Long Medical services.
- PASS scores for public housing unit inspections continue to meet expectations

- HACCC continues to identify funding mechanisms to rehabilitate or redevelop all of its public housing properties. HACCC now has a plan in place to update and preserve existing public housing where it makes financial sense to do so and to provide adequate funding for these units over the long term.
- Secured a Breakthrough Grant to facilitate the development of affordable housing in North Richmond and specifically on the former Las Deltas public housing site.

***Goal: Provide an Improved Living Environment***

Progress Report:

- Provided funding for additional police/Sheriff patrols at three public housing communities;
- Continue to work with several County and local agencies, to coordinated funding to increase programs at public housing properties.
- Continue to coordinate communication between management staff and sheriff and local law enforcement officers at public housing properties;
- Surveillance cameras installation continues to benefit properties;
- Continue to increase the number of RAB members
- Continue to coordinate youth activities in El Pueblo Housing Development. The Center provides a variety of activities including recreational, afterschool program and library programs;
- Expanded RAB meetings to be held virtually
- Partnered with the County to offer Head Start facilities at four public housing properties;
- Continued operation of a variety of social, nutrition and service programs at our properties.
- Providing medical services to public housing and low-income residents of the Rodeo area, through a new medical office operated by Lifelong Medical at the Bayo Vista Development.

***Goal: Promote Self-sufficiency and Asset Development of Assisted Households***

Progress Report:

- Since January of 2016, HACCC had 32 participants graduate from its FSS Program with over \$537,972 in escrow;
- Employed Section 3 hires through construction contracts, employment training and jobs programs, or direct hires in a variety of contracts;
- Partnered with the Workforce Development Board and Habitat for Humanity to sign MOUs that aligns common goals for self-sufficiency for low income families in Contra Costa County;
- Continue to partner with Public Housing tenants to hire Section 3 employees to help maintain landscaping services to HACCC's property in North Richmond.



***Goal: Ensure Equal Opportunity in Housing***

Progress Report:

- Established a Reasonable Accommodation protocols for both Public Housing and HCV Managers
- Continue to train on the Violence Against Women Act for all HCV and public housing managers.
- Conducted Reasonable Accommodation training to all HCV and public housing staff;  
Continue to train on Limited English Proficiency requirements for all HCV and public housing managers.
- Continue to use other external and internal legal providers to conduct Fair Housing training for staff.

<b>Part I: Summary</b>		
<b>PHA Name:</b> Housing Authority of the County Contra Costa	<b>Grant Type and Number</b> Capital Fund Program Grant No. CA01P01150122 Replacement Housing Factor Grant No. Date of CFFP:	<b>FFY of Grant: 2022</b> <b>FFY of Grant Approval:</b>

**Type of Grant**

- Original Annual Statement**
                 
  **Reserve for Disasters/Emergencies**
                 
  **Revised Annual Statement (Revision No:            )**  
 **Performance and Evaluation Report for Period Ending:**
                 
  **Final Performance and Evaluation Report**

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations	\$636,000.00			
3	1408 Management Improvement	\$318,000.00			
4	1410 Administration	\$318,000.00			
5	1480 General Capital Activity	\$1,827,617.00			
6	1492 MovingToWorkDemonstration				
7	1501 CollaterExp/Debt Srvc				
8	1503 RAD-CFP	\$86,000.00			
9	1504 Rad Investment Activity				
10	1505 RAD-CPT				
11	1509 Preparing for, Preventing and Responding to Coronavirus (1509)				

(1) To be completed for the Performance and Evaluation Report  
 (2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 (3) PHAs with under 250 units in management may use 100% of CFP Grants for operations  
 (4) RHF funds shall be include here

<b>Part I: Summary</b>		
<b>PHA Name:</b> Housing Authority of the County Contra Costa	<b>Grant Type and Number</b> Capital Fund Program Grant No. CA01P01150122 Replacement Housing Factor Grant No. Date of CFFP:	<b>FFY of Grant: 2022</b> <b>FFY of Grant Approval:</b>

**Type of Grant**

- Original Annual Statement**
                         
  **Reserve for Disasters/Emergencies**
                         
  **Revised Annual Statement (Revision No:            )**  
 **Performance and Evaluation Report for Period Ending:**
                         
  **Final Performance and Evaluation Report**

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
12	9000 Debt Reserves				
13	9001 Bond Debt Obligation				
14	9002 Loan Debt Obligation				
15	RESERVED				
16	RESERVED				
17	RESERVED				
18a	RESERVED				
18ba	RESERVED				
19	RESERVED				
20	RESERVED				
21	Amount of Annual Grant: (sum of lines 2-20)	\$3,185,617.00			

(1) To be completed for the Performance and Evaluation Report  
 (2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 (3) PHAs with under 250 units in management may use 100% of CFP Grants for operations  
 (4) RHF funds shall be include here

<b>Part I: Summary</b>		
<b>PHA Name:</b> Housing Authority of the County Contra Costa	<b>Grant Type and Number</b> Capital Fund Program Grant No. CA01P01150122 Replacement Housing Factor Grant No. Date of CFFP:	<b>FFY of Grant: 2022</b> <b>FFY of Grant Approval:</b>

**Type of Grant**

- Original Annual Statement**
                         
  **Reserve for Disasters/Emergencies**
                         
  **Revised Annual Statement (Revision No:            )**  
 **Performance and Evaluation Report for Period Ending:**
                         
  **Final Performance and Evaluation Report**

Line	Summary by Development Account	Total Estimated Cost		Total Actual Cost <sup>(1)</sup>	
		Original	Revised <sup>(2)</sup>	Obligated	Expended
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 Activities				
24	Amount of line 21 Related to Security - Soft Costs				
25	Amount of line 21 Related to Security - Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				

<b>Signature of Executive Director</b> /S/ MF2240	<b>Date</b> 05/29/2022	<b>Signature of Public Housing Director</b>	<b>Date</b>
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(1) To be completed for the Performance and Evaluation Report  
 (2) To be completed for the Performance and Evaluation Report or a Revised Annual Statement  
 (3) PHAs with under 250 units in management may use 100% of CFP Grants for operations  
 (4) RHF funds shall be include here

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa		<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):				<b>Federal FFY of Grant: 2022</b>		
<b>Development Number Name/PHA-Wide Activities</b>	<b>General Description of Major Work Categories</b>	<b>Development Account No.</b>	<b>Quantity</b>	<b>Total Estimated Cost</b>		<b>Total Actual Cost <sup>(2)</sup></b>		<b>Status of Work</b>
				<b>Original</b>	<b>Revised <sup>(1)</sup></b>	<b>Funds Obligated</b>	<b>Funds Expended</b>	
CA011200000 - VISTA DEL CAMINO	Vista del Camino Remodel Select Units (Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480),Dwelling Unit-Exterior (1480)) Description : Interior and exterior multiphased modernization	1480		\$80,000.00				
CA011800000 - CASA DE SERENA	Casa de Serena Remodel Select Units (Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480),Dwelling Unit-Exterior (1480)) Description : Interior and exterior multiphased modernization	1480		\$85,231.00				
CA011100000 - ALHAMBRA TERRACE	Hacienda Comprehensive Modernization (Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480)) Description : interior and exterior multiphased modernization	1480		\$50,000.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa		<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):				<b>Federal FFY of Grant: 2022</b>		
<b>Development Number Name/PHA-Wide Activities</b>	<b>General Description of Major Work Categories</b>	<b>Development Account No.</b>	<b>Quantity</b>	<b>Total Estimated Cost</b>		<b>Total Actual Cost <sup>(2)</sup></b>		<b>Status of Work</b>
				<b>Original</b>	<b>Revised <sup>(1)</sup></b>	<b>Funds Obligated</b>	<b>Funds Expended</b>	
CA011900000 - ELDER WINDS	Elder Winds Comprehensive Modernization (Dwelling Unit-Site Work (1480),Dwelling Unit-Exterior(1480),Dwelling Unit-Interior (1480)) Description : Interior and exterior multiphased modernization	1480		\$70,000.00				
CA011200000 - VISTA DEL CAMINO	Kidd Manor Comprehensive Modernization (Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480)) Description : Interior and exterior multiphased modernization	1480		\$50,000.00				
CA011100000 - ALHAMBRA TERRACE	Alhambra Terrace Modernization (Dwelling Unit-Site Work (1480),Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480)) Description : Interior and exterior multiphased modernization	1480		\$504,974.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa			<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):			<b>Federal FFY of Grant: 2022</b>		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost <sup>(2)</sup>		Status of Work
				Original	Revised <sup>(1)</sup>	Funds Obligated	Funds Expended	
CA011300000 - LOSNOGALES	Casa de Manana Comprehensive Modernization (Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480)) Description : Interior and exterior multiphased modernization	1480		\$50,000.00				
CA011700000 - LASDELTAS	Unit Window & Door Covers (Dwelling Unit-Exterior (1480)) Description : Install metal covers at windows and doors of select units.	1480		\$79,380.00				
Not associated with any specific development	Operations (Operations (1406)) Description : Operations	1406		\$726,000.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report



<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa		<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):				<b>Federal FFY of Grant: 2022</b>		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost <sup>(2)</sup>		Status of Work
				Original	Revised <sup>(1)</sup>	Funds Obligated	Funds Expended	
Not associated with any specific development	Management Improvements (Management Improvement (1408)) Description : Management Improvements	1408		\$290,000.00				
Not associated with any specific development	Fees & Costs, Audit (Contract Administration (1480)) Description : Fees & Costs, Audit	1480		\$230,047.00				
Not associated with any specific development	Administration (Administration (1410)) Description : Administration	1410		\$290,000.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa		<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):				<b>Federal FFY of Grant: 2022</b>		
<b>Development Number Name/PHA-Wide Activities</b>	<b>General Description of Major Work Categories</b>	<b>Development Account No.</b>	<b>Quantity</b>	<b>Total Estimated Cost</b>		<b>Total Actual Cost <sup>(2)</sup></b>		<b>Status of Work</b>
				<b>Original</b>	<b>Revised <sup>(1)</sup></b>	<b>Funds Obligated</b>	<b>Funds Expended</b>	
CA011700000 - LASDELTAS	Las Deltas Demolition (Dwelling Unit - Demolition (1480)) Description : Demolish Select buildings.	1480		\$31,131.00				
CA011900000 - ELDER WINDS	Bridgemont Comprehensive Modernization (Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480)) Description : Select unit interior and exterior modernization.	1480		\$50,000.00				
CA011300000 - LOSNOGALES	Los Nogales Comprehensive Modemization (Dwelling Unit-Exterior (1480),Dwelling Unit-Interior (1480),Dwelling Unit-Site Work (1480)) Description : Select unit comprehensive exterior and interior modemization.	1480		\$50,000.00				

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(2) To be completed for the Performance and Evaluation Report

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa		<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):				<b>Federal FFY of Grant: 2022</b>		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost <sup>(2)</sup>		Status of Work
				Original	Revised <sup>(1)</sup>	Funds Obligated	Funds Expended	
CA011500000 - EL PUEBLO	El Pueblo Comprehensive Modernization (Dwelling Unit-Exterior (1480), Dwelling Unit-Interior (1480), Dwelling Unit-Site Work (1480)) Description : Select unit comprehensive interior and exterior modernization.	1480		\$50,000.00				
CA011400000 - BAYO VISTA	Bayo Vista Remodel Select Units (Dwelling Unit-Exterior (1480), Dwelling Unit-Interior (1480), Dwelling Unit-Site Work (1480), Non-Dwelling Exterior (1480), Non-Dwelling Site Work (1480)) Description : Interior and exterior multiphased modernization	1480		\$420,911.00				
Not associated with any specific development	RAD Activities 1503 (RAD (1503)) Description : RAD Activities	1503		\$27,516.00				

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(2) To be completed for the Performance and Evaluation Report

<b>Part II: Supporting Pages</b>								
<b>PHA Name:</b> Housing Authority of the County Contra Costa			<b>Grant Type and Number</b> Capital Fund Program Grant No. Replacement Housing Factor Grant No. CFFP(Yes/No):			<b>Federal FFY of Grant: 2022</b>		
Development Number Name/PHA-Wide Activities	General Description of Major Work Categories	Development Account No.	Quantity	Total Estimated Cost		Total Actual Cost <sup>(2)</sup>		Status of Work
				Original	Revised <sup>(1)</sup>	Funds Obligated	Funds Expended	
CA011300000 - LOSNOGALES	Los Arboles Comprehensive Modernization (Dwelling Unit - Exterior (1480), Dwelling Unit - Interior (1480), Dwelling Unit - Site Work (1480)) Description : Select unit comprehensive interior and exterior modernization.	1480		\$50,427.00				
	Total:			\$3,185,617.00				

(1) To be completed for the Performance and Evaluation Report or a Revised Annual Statement

(2) To be completed for the Performance and Evaluation Report

<b>Part III: Implementation Schedule for Capital Fund Financing Program</b>					
<b>PHA Name:</b> Housing Authority of the County Contra Costa				<b>Federal FFY of Grant:</b>	
<b>Development Number Name/PHA-Wide Activities</b>	<b>All Fund Obligated (Quarter Ending Date)</b>		<b>All Funds Expended (Quarter Ending Date)</b>		<b>Reasons for Revised Target Dates <sup>(1)</sup></b>
	<b>Original Obligation End Date</b>	<b>Actual Obligation End Date</b>	<b>Original Expenditure End Date</b>	<b>Actual Expenditure End Date</b>	

(1) Obligation and expenditure end dated can only be revised with HUD approval pursuant to Section 9j of the U.S. Housing Act of 1937, as amended.

**Certifications of Compliance with  
PHA Plans and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 02/29/2016

**PHA Certifications of Compliance with the PHA Plan and Related Regulations including  
Required Civil Rights Certifications**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning 2022, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
5. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.
7. For PHA Plans that includes a policy for site based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2010-25);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
10. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
11. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
14. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
17. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
18. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

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Housing Authority of the County of Contra Costa

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CA011

X Annual PHA Plan for Fiscal Year 2022

\_\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_\_ - 20\_\_\_\_\_

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I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

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Name of Authorized Official	Title
Signature	Date



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PHA Plans and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

U.S. Department of Housing and Urban Development  
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\_\_\_\_\_  
Housing Authority of the County of Contra Costa

\_\_\_\_\_  
CA011

X Annual PHA Plan for Fiscal Year 2022

\_\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_\_

\_\_\_\_\_  
I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).  
\_\_\_\_\_

Name of Authorized Official  Diane Burgis	Title  Chair, Board of Supervisors
Signature 	Date  12-07-2021

To: Contra Costa County Housing Authority Board of Commissioners  
 From: Joseph Villarreal, Housing Authority  
 Date: December 7, 2021



Contra  
 Costa  
 County

Subject: INVESTMENT REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2021

---

### **RECOMMENDATIONS**

RECEIVE the Housing Authority of the County of Contra Costa's investment report for the quarter ending September 30th, 2021.

### **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: **12/07/2021**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

### **VOTE OF COMMISSIONERS**

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: December 7, 2021

Joseph Villarreal, Executive Director

Contact: 9259578028

By: , Deputy

cc:

BACKGROUND (CONT'D)

In summary, HACCC had \$22,943.76 in interest earnings for the quarter ending Sept 30th, 2021. 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 September 30th, 2021 is shown below. A more detailed report is attached.

Public Housing	Housing Choice Voucher Fund		Central Office	State & Local
Unrestricted Interest Earned	Restricted Interest Earned	Unrestricted Interest Earned	Unrestricted Interest Earned	Unrestricted Interest Earned
\$12,665.98		\$7,397.26	\$264.81	\$2,615.71

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).

ATTACHMENTS

Investment Report

**HOUSING AUTHORITY OF CONTRA COSTA COUNTY  
INVESTMENT REPORT : PORTFOLIO HOLDINGS BY TYPE**

For Period Ending: 9/30/2021

Issuer	Investment Type	Amount Invested	Yield	Investment Date	Maturity Date	Estimated Value@ Maturity Date
<b>Cantella &amp; Company</b>						
Fidelity Market Reserves	Money Market	20,770.07	0.01%	ongoing	ongoing	20,770.07
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
Citi Bank NA	Certificate of Deposit	145,000.00	3.000%	2/15/19	2/15/24	166,761.92
Morgan Stanley Private Bank	Certificate of Deposit	160,000.00	2.200%	7/25/19	7/25/24	177,619.29
State Bank of India	Certificate of Deposit	140,000.00	1.100%	5/28/20	5/28/25	147,704.22
Texas Exchange Bank	Certificate of Deposit	105,000.00	1.000%	6/19/20	6/19/25	110,252.88
State Bank of India	Certificate of Deposit	105,000.00	1.000%	4/27/21	4/27/26	110,252.88
Sally Mae Bank	Certificate of Deposit	75,000.00	1.050%	9/23/21	9/22/26	78,937.50
Synchrony Bank	Certificate of Deposit	100,000.00	0.950%	9/24/21	9/24/26	104,752.60
<b>GRAND TOTALS</b>		<b>2,916,770.07</b>				<b>3,238,898.79</b>

L.A.I.F. (Acct # 25-07-003)	Liquid Account	107,595.62	0.24%	ongoing	ongoing	107,595.62
De Anza Gardens, LP	Loan	1,000,000.00	3.00%			1,000,000.00
<b>GRAND TOTALS</b>		<b>4,024,365.69</b>				<b>4,346,494.41</b>



# HOUSING AUTHORITY OF CONTRA COSTA COUNTY

## INVESTMENT REPORT BY FUND

For Period Ending 9/30/2021

Issuer	Amount Invested	Amount Invested by Fund:				
		Public Housing	Management	Central Office	Housing Choice Voucher	Rental Rehabilitation
<b>Cantella &amp; Company</b>						
Fidelity Market Reserves	20,770.07	3,255.47	17,456.62	57.98		
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				
Citi Bank NA	145,000.00	145,000.00				
Morgan Stanley Private Bank	160,000.00	108,311.38	2,873.60	48,815.02		
State Bank of India	140,000.00		140,000.00			
Texas Exchange Bank	105,000.00		105,000.00			
State Bank of India	105,000.00	105,000.00				
Sally Mae Bank	75,000.00	75,000.00				
Synchrony Bank	100,000.00	95,000.00	5,000.00			
<b>GRAND TOTALS</b>	<b>2,916,770.07</b>	<b>2,324,566.85</b>	<b>543,330.22</b>	<b>48,873.00</b>	<b>-</b>	<b>-</b>

L.A.I.F. (Acct # 25-07-003)	107,595.62	-	-	-		107,595.62
De Anza Gardens, LP	1,000,000.00				1,000,000.00	
<b>GRAND TOTALS</b>	<b>4,024,365.69</b>	<b>2,324,566.85</b>	<b>543,330.22</b>	<b>48,873.00</b>	<b>1,000,000.00</b>	<b>107,595.62</b>

# HOUSING AUTHORITY OF CONTRA COSTA COUNTY

## Report per CGC 53646 CURRENT MARKET VALUE

For Period Ending 9/30/2021

Issuer	Investment Type	Maturity Date	Amount Invested	Current Market Value (at 9/30/21)	Yield
<b>Cantella &amp; Company</b>					
Fidelity Market Reserves	Money Market	ongoing	20,770.07	20,770.07	0.01%
Discover Bank	Certificate of Deposit	1/11/2022	105,000.00	105,645.75	2.25%
Federal Farm Credit Bank	Govt Agency	2/03/2022	105,000.00	105,690.90	2.03%
Everbank	Certificate of Deposit	4/28/2022	247,000.00	249,939.30	2.15%
Capital One , NA	Certificate of Deposit	5/10/2022	100,000.00	101,359.00	2.30%
Capital One , NA	Certificate of Deposit	5/10/2022	110,000.00	111,494.90	2.30%
Goldman Sachs	Certificate of Deposit	6/07/2022	149,000.00	151,384.00	2.40%
Capital One Bank, USA	Certificate of Deposit	9/20/2022	220,000.00	224,602.40	2.25%
Barclays Bank Delaware	Certificate of Deposit	9/27/2022	247,000.00	252,263.57	2.25%
Discover Bank	Certificate of Deposit	12/28/2022	140,000.00	144,149.60	2.55%
Morgan Stanley Bank	Certificate of Deposit	1/11/2023	150,000.00	154,758.00	2.65%
Sally Mae Bank	Certificate of Deposit	2/08/2023	173,000.00	178,711.28	2.65%
Citi Bank NA	Certificate of Deposit	5/04/2023	100,000.00	104,525.00	3.10%
Goldman Sacs	Certificate of Deposit	7/25/2023	100,000.00	105,424.00	3.30%
Commenty Capital Bank	Certificate of Deposit	8/14/2023	120,000.00	126,537.60	3.25%
Citi Bank NA	Certificate of Deposit	2/15/2024	145,000.00	153,676.80	3.00%
Morgan Stanley Private Bank	Certificate of Deposit	7/25/2024	160,000.00	167,171.20	2.20%
State Bank of India	Certificate of Deposit	5/28/2025	140,000.00	141,941.80	1.10%
Texas Exchange Bank	Certificate of Deposit	6/19/2025	105,000.00	105,050.40	1.00%
State Bank of India	Certificate of Deposit	4/27/2026	105,000.00	105,512.40	1.00%
Sally Mae Bank	Certificate of Deposit	9/22/2026	75,000.00	75,216.00	1.05%
Synchrony Bank	Certificate of Deposit	9/24/2026	100,000.00	99,796.00	0.95%
			<b>2,916,770.07</b>	<b>2,985,619.97</b>	
L.A.I.F. (Acct # 25-07-003)	Liquid Account	ongoing	107,595.62	107,595.62	0.24%
De Anza Gardens, LP	Loan		1,000,000.00	1,000,000.00	3.00%
<b>GRAND TOTALS</b>			<b>4,024,365.69</b>	<b>4,093,215.59</b>	



# HOUSING AUTHORITY OF CONTRA COSTA COUNTY

## Investment Interest Earnings Report

For Period Ending 9/30/2021

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	
<b>Cantella &amp; Company</b>								
Fidelity Market Reserves	20,770.07	0.51	0.08	0.43	-	-	-	-
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	-	-	-	-	-
Citi Bank NA	145,000.00	1,072.60	1,072.60	-	-	-	-	-
Morgan Stanley Private Bank	160,000.00	867.95	587.56	15.59	264.81	-	-	-
State Bank of India	140,000.00	379.73	-	379.73	-	-	-	-
Texas Exchange Bank	105,000.00	258.90	-	258.90	-	-	-	-
State Bank of India	105,000.00	258.90	258.90	-	-	-	-	-
Sally Mae Bank	75,000.00	15.10	15.10	-	-	-	-	-
Synchrony Bank	100,000.00	15.62	14.84	0.78	-	-	-	-
-	<b>2,916,770.07</b>	<b>15,481.01</b>	<b>12,665.98</b>	<b>2,550.23</b>	<b>264.81</b>	-	-	-

L.A.I.F. (Acct # 25-07-003)	107,595.62					65.48	
De Anza Gardens, LP	1,000,000.00	7,397.26					7,397.26
<b>GRAND TOTALS</b>	<b>4,024,365.69</b>	<b>22,943.76</b>	<b>12,665.98</b>	<b>2,550.23</b>	<b>264.81</b>	<b>65.48</b>	<b>7,397.26</b>