

Proposed Amendment Number 2 to the Vancouver Housing Authority 2009 Moving to Work Annual Plan

Public Hearing

**Thursday, June 4, 2009 at 6:00 p.m. in the Community Room of the
VHA Administrative Office 2500 Main Street, Vancouver, WA 98660**

The 2009 Annual Plan for the Vancouver Housing Authority (VHA) was effective January 1, 2009. Because VHA is a Moving to Work (MTW) agency, our annual plan also includes all MTW activities. When the VHA makes changes to the plan, these changes are called amendments. Amendments go through the same approval process as the original annual plan, including a 30-day public comment period, a public hearing, and approval by the VHA Board of Commissioners.

The public hearing is scheduled for 6:00 p.m. at the VHA main office, 2500 Main Street, Vancouver on June 4th, 2009. Any member of the public may speak at the public hearing. The VHA will also accept written comments until June 8, 2009. Written comments about the proposed amendments should be addressed to: David Overbay, VHA, 2500 Main Street, Vancouver, WA 98660. Comments may also be emailed to doverbay@vhausa.com. Verbal comments can only be made at the public hearing.

Proposed Amendments:

1. Amend Capital Grant Program for 2009 – Page 2
2. Establishment of a separate waiting list for assisted living units at Van Vista (Requires waiver authority under the Moving to Work agreement) – Page 3
3. Clarification to the local preferences in the waiting lists for the Section 8 Voucher and Public Housing programs. (Requires waiver authority under the Moving to Work agreement) – Page 4
4. Changes the Admissions and Continued Occupancy Policy (ACOP) for Public Housing from offering up to three unit choices to applicants selected from the waiting list to one offer only. – Page 5
5. Changes the Administrative Plan for the Section 8 Voucher program to deny moves for participants when termination is proposed but not finalized by the VHA. – Page 7

1. 2009 Capital Grant Activities - Amended

This table contains capital activities for VHA units.

LOW RENT PUBLIC HOUSING

Community	Planned Activities	Budget
WA 8-1 Skyline	Roof and Gutter Replacement	\$ 400,000.00
Scattered Multi-Family Sites	Weatherization and Interior Upgrades	\$ 200,000.00
Low Rent Public Housing	Development Activities	\$ 200,000.00
Low Rent Public Housing	Needs Assessment	\$ 50,000.00
PHA Wide	Grounds Vehicle	\$ 25,000.00
PHA Wide	Capital Program Administration and Community Center Program	\$ 160,000.00
	Total 2009 Public Housing Capital Budget	\$1,135,000.00

Changes from the 2009 Annual Plan include moving \$100,000 for Van Vista roof replacement to the American Recovery and Reinvestment Act (ARRA) budget, consolidation of weatherization and interior upgrades into a single project, and the addition of \$50,000 for needs assessment and \$200,000 for development activities.

2. Waiting List for Specially Designated Public Housing (Van Vista Assisted Living)

MTW Initiative Description

This initiative is to create a waiting list separate from the general Public Housing list or any site based Public Housing list for specially designated housing. Specifically the proposed waiting list is anticipated to be for an assisted living program within a Public Housing project. As this program is developed additional MTW activities may be identified with approval being sought at a later date. It is anticipated that a full description of the specially designated assisted living program will be included in the 2010 MTW Annual Plan.

MTW Statutory Objective

Increase housing choice for low income families

Anticipated Impacts

Opportunity for subsidized housing will be created for a special needs population not currently being served in the Public Housing program. Eventually some Public Housing tenants will be able age in place even after their need for services would have normally required them to relocate outside of Public Housing.

Baseline and Benchmarks

The baseline will be the number of assisted living clients waiting for or accessing Public Housing (currently zero), and the benchmark will be a functioning waiting list for assisted living and 60 clients being served after one year.

Data Collection Metrics & Protocols

Reports on program participation and numbers on the waiting list will be periodically run by the Property Manager responsible for the program.

Authorization Cited

Amended and Restated Moving to Work Agreement, Attachment C, Statement of Authorizations, Sections C.1. waiving certain provisions of Section 6(r) of the United States Housing Act of 1937 and 24 C.F.R. 903.7

Hardship Policy

Not Applicable

3. Waiting List Local Preference for Self-Sufficiency Program Participation

MTW Initiative Description

Included in the approved 2009 MTW Annual Plan was a local preference for applicants for the Housing Choice Voucher and Public Housing programs who agreed to participate in the Family Self-Sufficiency (FSS), Smart Choices, or other programs developed by the VHA designed to assist residents achieve economic self-sufficiency. Since that time the VHA has been awarded a grant for a Public Housing FSS Service Coordinator and has also become aware that the preference requires authorization under the Moving to Work Agreement.

The Local Preference for the Housing Choice Voucher program will be re-worded as follows:

4. Preference for Families where the head, spouse, co-head, or sole member agree to and are eligible for participation in the Family Self Sufficiency program or other programs developed and offered by the VHA and designed to assist Families in gaining employment and achieving economic self sufficiency. This preference is limited to 25 applicants per calendar year.

The Local Preference for the Public Housing program will be re-worded as follows:

3. Preference for Families where the head, spouse, co-head, or sole member agree to and are eligible for participation in the Smart Choices program, the Family Self-Sufficiency program or other programs developed and offered by the VHA designed to assist Families in gaining employment and achieving economic self sufficiency. This preference is limited to 25 applicants per calendar year.

MTW Statutory Objective

Promote self-sufficiency among assisted families

Anticipated Impacts

Participation in self-sufficiency programs will increase and there will be a corresponding increase in the number of families successfully leaving the programs.

Baseline and Benchmarks

A 25% increase annually in the number of families participating in self-sufficiency programs offered by the VHA. After 3 years, a 10% increase in the number of families successfully exiting the programs.

Data Collection Metrics & Protocols

Reports on program participation and exits will be periodically run by the Self Sufficiency Service Coordinators and compared to 2007 and 2008 baseline data.

Authorization Cited

Amended and Restated Moving to Work Agreement, Attachment C, Statement of Authorizations, Sections C.2. and D.4. waiving certain provisions of Section 3 and Section 8(o)(6) of the United States Housing Act of 1937 and 24 C.F.R. 960.206 and 983 Subpart E. Also Section E. waiving certain provisions of Section 23 of the 1937 Act and 24 C.F.R. 984, specifically 24 C.F.R. 984.201 (d) (10).

Hardship Policy

Not Applicable

4. Change VHA Admission and Continued Occupancy Policy (ACOP) for Public Housing - Proposed change is highlighted

PART II: UNIT OFFERS

24 CFR 1.4(b)(2)(ii); 24 CFR 960.208

5-II.A. OVERVIEW

The VHA must assign eligible applicants to dwelling units in accordance with a plan that is consistent with civil rights and nondiscrimination.

In filling an actual or expected vacancy, the VHA must offer the dwelling unit to an applicant in the appropriate sequence. The VHA will offer the unit until it is accepted. This section describes the VHA's policies with regard to the number of unit offers that will be made to applicants selected from the waiting list. This section also describes the VHA's policies for offering units with accessibility features.

VHA Policy

The VHA will maintain a record of units offered, including location, date and circumstances of each offer, each acceptance or rejection, including the reason for the rejection.

5-II.B. NUMBER OF OFFERS

VHA Policy

The VHA has adopted a "one offer plan" for offering units to applicants. Under this plan the first qualified applicant in sequence on the waiting list will be made one offer of a unit of the appropriate size.

5-II.C. TIME LIMIT FOR UNIT OFFER ACCEPTANCE OR REFUSAL

VHA Policy

Applicants must accept or refuse a unit offer within 3 business days of the date of the unit offer.

Offers made by telephone will be confirmed by letter.

5-II.D. REFUSALS OF UNIT OFFERS

Good Cause for Unit Refusal

An elderly or disabled family may decline an offer for designated housing. Such a refusal must not adversely affect the family's position on or placement on the public housing waiting list [24 CFR 945.303(d)].

VHA Policy

Applicants may refuse to accept a unit offer for "good cause." *Good cause* includes situations in which an applicant is willing to move but is unable to do so at the time of the

unit offer, or the applicant demonstrates that acceptance of the offer would cause undue hardship not related to considerations of the applicant's race, color, national origin, etc. [PH Occ GB, p. 104]. Examples of good cause for refusal of a unit offer include, but are not limited to, the following:

Inaccessibility to source of employment, education, or job training, children's day care, or educational program for children with disabilities, so that accepting the unit offer would require the adult household member to quit a job, drop out of an educational institution or job training program, or take a child out of day care or an educational program for children with disabilities

The family demonstrates to the VHA's satisfaction that accepting the offer will place a family member's life, health or safety in jeopardy. The family should offer specific and compelling documentation such as restraining orders, other court orders, or risk assessments related to witness protection from a law enforcement agency. Reasons offered must be specific to the family. Refusals due to location alone do not qualify for this good cause exemption

A health professional verifies temporary hospitalization or recovery from illness of the principal household member, other household members (as listed on final application) or live-in aide necessary to the care of the principal household member

The unit is inappropriate for the applicant's disabilities, or the family does not need the accessible features in the unit offered and does not want to be subject to a 30-day notice to move

The unit has lead-based paint and the family includes children under the age of six

In the case of a unit refusal for good cause the applicant will not be removed from the waiting list as described later in this section. The applicant will remain at the top of the waiting list until the family receives an offer for which they do not have good cause to refuse.

The PHA will require documentation of good cause for unit refusals.

Unit Refusal Without Good Cause

VHA Policy

When an applicant rejects the final unit offer without good cause, the VHA will remove the applicant's name from the waiting list and send notice to the family of such removal. The notice will inform the family of their right to request an informal hearing and the process for doing so (see Chapter 14).

The applicant may reapply for assistance if the waiting list is open. If the waiting list is not open, the applicant must wait to reapply until the VHA opens the waiting list.

5. Change VHA Administrative Plan for the Housing Choice Voucher Program Proposed change is highlighted

10-1B. RESTRICTIONS ON MOVES

A family's right to move is generally contingent upon the family's compliance with program requirements [24 CFR 982.1(b)(2)]. HUD specifies two conditions under which a PHA may deny a family permission to move and two ways in which a PHA may restrict moves by a family.

Denial of Moves

HUD regulations permit the VHA to deny a family permission to move under the following conditions:

Insufficient Funding

The VHA may deny a family permission to move if the VHA does not have sufficient funding for continued assistance [24 CFR 982.314(e)(1)].

VHA Policy

The VHA will deny a family permission to move on grounds that the VHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or the VHA; (b) the VHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) the VHA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs. This policy applies to moves within the VHA's jurisdiction as well as to moves outside it under portability.

Grounds for Denial or Termination of Assistance

The VHA has grounds for denying or terminating the family's assistance [24 CFR 982.314(e)(2)]. VAWA creates an exception to these restrictions for families who are otherwise in compliance with program obligations, but have moved to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence or stalking, and who reasonably believed he or she was imminently threatened by harm from further violence if they remained in the unit. [Pub.L. 109-162]

VHA Policy

If the VHA has grounds for denying or terminating a family's assistance the VHA will act on those grounds in accordance with the regulations and policies set forth in Chapters 3 and 12, respectively. **The VHA will deny a family permission to move and will not issue a voucher when termination of assistance has been proposed. If the family requests an informal hearing and the proposed termination of assistance is overturned, the VHA will promptly issue a voucher and permit the move.** Refer to sections 3-III.G and 12-II.E for VAWA provisions.

Restrictions on Elective Moves [24 CFR 982.314(c)]

HUD regulations permit the VHA to prohibit any elective move by a participant family during the family's initial lease term. They also permit the VHA to prohibit more than one elective move by a participant family during any 12-month period.

VHA Policy

The VHA will deny a family permission to make an elective move during the family's initial lease term. This policy applies to moves within the VHA's jurisdiction or outside it under portability.

The VHA will also deny a family permission to make more than one elective move during any 12-month period. This policy applies to all assisted families residing in the VHA's jurisdiction.

The VHA will consider exceptions to these policies for the following reasons: to protect the health or safety of a family member (e.g., lead-based paint hazards, domestic violence, witness protection programs), to accommodate a change in family circumstances (e.g., new employment, school attendance in a distant area), or to address an emergency situation over which a family has no control.

In addition, the VHA will allow exceptions to these policies for purposes of reasonable accommodation of a family member who is a person with disabilities (see Chapter 2).