

ITEM # HGB 2
DATE 03/25/08

GOVERNING BOARD ACTION FORM

SUBJECT: UPDATES/CLARIFICATIONS TO THE CITY'S SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

BACKGROUND:

As part of the administration of the Section 8 Rental Housing Subsidy Programs, all Public Housing Authorities (PHA's) are required from time to time to revise and/or update its discretionary policies and procedures in their Administrative Plan to conform to HUD's regulations of the Section 8 Housing Choice Voucher Subsidy Program.

Staff, as part of the updated 08-09 PHA Annual Plan, and in consultation with the Resident Advisory Board, reviewed the policies and procedures and found that several of the policies needed to be updated to be in compliance with HUD regulations, and to revise/clarify some discretionary policies to be able to implement the programs more efficiently and effectively.

In order to implement these changes in a timely manner, City Council authorized the Housing Coordinator, after consultation when required with the Resident Advisory Board, to make changes, clarifications, and/or additions to the City's Section 8 Rental Housing Subsidy Program Administrative Plan, as needed. At least once a year the Housing Coordinator will bring the updates and/or clarifications made to the Program Administrative Plan to the Governing Board for adoption.

The PHA's Board must adopt the Administrative Plan and any revisions and forward a copy to HUD. Attached for the Board's review and approval are several **updates and/or clarifications made** to the Plan (see Attachment A). A full copy of the Administrative Plan is available for review in the Department of Planning & Housing.

ALTERNATIVES:

1. The Governing Board can approve the updates/clarifications to the Section 8 Housing Choice Voucher Program Administrative Plan. Approval of this will allow staff to continue to administer the program in an efficient and effective manner and in compliance with HUD guidelines.
2. The Governing Board can deny approval of the updates/clarifications to the Section 8 Housing Choice Voucher Program Administrative Plan if it finds that the updates to the Plan do not meet HUD guidelines and/or the Board's goals.

MANAGER'S RECOMMENDED ACTION:

It is the recommendation of the City Manager that the Governing Board adopt Alternative #1. This action will approve the updates/clarifications to the Section 8 Housing Choice Voucher Program Administrative Plan.

ATTACHMENT A

Updates/Clarifications to the Administrative Plan

1. **Fair Housing, Equal Opportunity and Privacy Policies**

This section was updated to add and clarify how the Housing Authority would implement policies and procedures in the following areas:

- Non-discrimination-added protection for a sexual orientation classification.
- Discrimination Complaints-added that assistance would be provided in helping clients file housing complaints against persons when seeking housing units.
- Reasonable accommodations for Persons with Disabilities-added a definition and how staff will notify applicants and/or participants on how to request an accommodation.
- Improving access to Services for Persons with Limited English Proficiency- explain how the program will service persons who do not speak English in their quest to seek housing assistance.

2. **Terminations covered under the Violence Against Women Acts (VAWA):**

This section was updated due to regulation changes required by HUD under the Violence Against Women Act (VAWA). VAWA prohibits the eviction of, and removal of assistance from certain persons living in public or Section 8-assisted housing if the asserted grounds for such action is an instance of domestic violence, dating violence, sexual assault, or stalking. HUD added new definitions for Dating Violence, Domestic Violence and Stalking.

3. **Waiting List:**

This section was updated to add and clarify how the Housing Authority would implement policies and procedures in the following areas:

- Closing and Opening of the Waiting Lists-explain the process for how staff will advertise the opening of the waiting list and the process for closing the waiting when the wait time exceeds 24 months.
- Purging/Updating of the Waiting Lists-explain the process for contacting persons on the waiting list to determine their continued interest and to maintain an updated waiting list of the most current interested applicants.
- Procedures for withdrawal of applicants from the Waiting List-explains how applications will be withdrawn when applications do not respond to a staff request and how long those withdrawn files will be kept.

4. **Other Program Clarifications:**

- Clarified the definition of a Federally Subsidized Housing Program to include only those housing programs funded by HUD.
- Allow for denial of applicants who have caused a financial loss to other City Housing Programs.
- Will re-verify a person's disability status at each annual reexamination.
- Will process rental housing payments on a mid-month basis, as needed.
- Added to Property Owner's Certification form specific language on their responsibility to collect rental payments from participants.
- Added to the definition of Family, individuals living in a stable family relationship and persons who have custody of non-biological children.