

PHA 5-Year and Annual Plan

**U.S. Department of Housing and Urban Development
Office of Public and Indian Housing**

**OMB No. 2577-0226
Expires 4/30/2011**

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|------------|---|----------|--|-------------------------------|------------------------------|
| 1.0 | PHA Information PHA Name: _____ Housing Authority of Danville _____ PHA Code: <u> </u> KY014 <u> </u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u> </u> 04/01/2015 <u> </u> | | | | |
| 2.0 | Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u> </u> 394 <u> </u> | | Number of HCV units: <u> </u> 0 <u> </u> | | |
| 3.0 | Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only | | | | |
| 4.0 | PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.) | | | | |
| | Participating PHAs | PHA Code | Program(s) Included in the Consortia | Programs Not in the Consortia | No. of Units in Each Program |
| | | | | | PH |
| | PHA 1: | | | | |
| | PHA 2: | | | | |
| | PHA 3: | | | | |
| 5.0 | 5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update. | | | | |
| 5.1 | Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: The Housing Authority of Danville's mission is to provide safe, decent and sanitary housing conditions for very low-income families and to manage resources efficiently. The Housing Authority of Danville is to promote personal, economic, and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing. | | | | |

5.2 **Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

Goals and Objectives for 2015 to 2019

| Goal | Objective |
|--|---|
| Streamline office procedures through migration of current TenMast software from WinTen to WinTen 2+ by December 2015 | Upgrade system software to reduce errors and increase service to the housing community. |
| Lower ordinary operating expenses and increase rental revenues by 1% each year | Reduce dependency on Operating Subsidy through increase income and lower utility expenses |
| All board members will attend training at national housing conferences. | Increase the awareness of the Board of future program options based on regulatory changes. Make an informed decision on addressing Rental Assistance Demonstration program. |
| Reduce turn-over and increase the number of working families at all sites by 5% (4 vacancies) each year | Stabilize vacancy costs by providing affordable housing to low income working families. |

2014 Goals and Objects met

| Goal | Status of meeting the goals |
|--|--|
| Promote the rights of the frail elderly to remain in their own homes. | Elderly continue to stay in their homes through joint efforts with Senior Citizens and Senior Companions. |
| Continue to develop accessible units and group homes for adults with mental and physical disabilities. | Funding constraints through Capital Funds has prevented additional unit conversions. |
| Reduce vacancies to 3% or less | Vacancies have successfully been reduced to 2.7% for FYE 2013 & 2014 |
| Build an Administrative Office Building that is energy efficient, environmentally friendly, accessible and welcoming to the clients and community. | The new energy efficient Craftsman style building is occupied. The design allows access of all offices to all persons, regardless of disability. |
| Provide avenues for family self-sufficiency for working families. | Efforts to assist working families have been sabotaged by the regulation that Flat Rents be set at 80% of local Fair Market Rents. |
| Renovate units to provide a healthier and more affordable housing | The number of "non-smoking" apartments available to families have been increase. This work has been performed through routine unit turn-over. |
| Maintain the housing authority's physical assets in a manner that is both efficient and more cost effective. | Staff training is ongoing in an effort find methods to better facility management. Overall costs for maintenance has not increased significantly. |
| Obtain high performer status. | High performer status has been achieved for FYE March 31, 2013 and 2014. |
| Promote environmental and energy conservation education for adults and children | A very successful community garden flourished at Bate-Wood homes. Efforts to reduce energy consumption in the apartments has not been very successful using educational information provided to the residents. |
| Continue to maintain safe and decent housing. | The housing sites continue to have a low incident rate of crime. Information by the local PD on illegal activity allows staff to monitor and react to unacceptable behavior. |
| Continue to work with domestic violence victims. | Contact with the domestic violence organization Greenhouse 17 has resulted in a verbal agreement to establish a local office on housing authority property. |

PHA Plan Update

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

CHANGES TO THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY 2014

The following changes have been made to the ACOP. Residents have 30 days to make comment on the changes. Please submit your comments to the office no later than October 31, 2014. A copy of the entire document can be found on the Housing of Danville's web site at www.danvillehousingagency.com or at the office.

Chapter 2: 2-III.B. ORAL INTERPRETATION

In a courtroom, a hearing, or situations in which health, safety, or access to important benefits and services are at stake, the housing authority will generally offer, or ensure that the family is offered through other sources, competent interpretation services free of charge to the LEP person.

Housing Authority of Danville Policy

Where feasible, the Housing Authority of Danville will utilize a language line for telephone interpreter service, train and hire bilingual staff to be available to act as interpreters and translators, will pool resources with other housing authorities, and will standardize documents.

The Housing Authority of Danville will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken.

Where feasible and possible, according to its language assistance plan (LAP), the Housing Authority of Danville will train and hire bilingual staff to be available to act as interpreters and translators, will pool resources with other housing authorities, and will standardize documents.

Chapter 3: 3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.403 and HUD-50058 IB, p. 13]

The terms *family* and *household* have different meanings in the public housing program.

Family

To be eligible for admission, an applicant must qualify as a family. *Family* as defined by HUD, includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, disabled person, near-elderly person, or any other single person; or a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a near-elderly family, a disabled family, a displaced family, or the remaining member of a tenant family.

3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY

Family Break-up

Housing Authority of Danville Policy

In the absence of a judicial decision or an agreement among the original family members, the PHA will determine which family will retain their placement on the waiting list or continue in occupancy. In making its determination, the Housing Authority of Danville will take into consideration the following factors: (1) the interest of any minor children, including custody arrangements; (2) the interest of any ill, elderly, or disabled family members; (3) the interest of any family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking and provides documentation in accordance with section 16-VII.D of this ACOP; (4) any possible risks to family members as a result of criminal activity, and (5) the recommendations of social service professionals.

3-IM. LIVE-IN AIDE

Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

Housing Authority of Danville Policy

The Housing Authority of Danville will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 966.4(d)(3)(i)]:

The person has a social history that is considered detrimental to the peaceful enjoyment of the property by other residents or Housing Authority of Danville staff;

3-III.D. SCREENING

Screening for Eligibility

Housing Authority of Danville Policy

The Housing Authority of Danville will use the Dru Sjodin National Sex Offender database to screen applicants for admission. <http://www.nsopw.gov/>

Additionally, the Housing Authority of Danville must ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state [Notice PIH 2012-28].

Removal of a Family Member's Name from the Application [24 CFR 960.203(c)(3)(i)]

Should the screening process reveal that an applicant's household includes an individual subject to state lifetime registered sex offender registration, the Housing Authority of Danville must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the PHA must deny admission to the family [Notice PIH 2012-28].

For other criminal activity, the Housing Authority of Danville may permit the family to exclude the culpable family members as a condition of eligibility. [24 CFR 960.203(c)(3)(i)].

Housing Authority of Danville Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit. After admission to the program, the family must present evidence of the former family member's current address upon request.

Chapter 4: TENANT SELECTION

4-III.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES

Housing Authority of Danville Policy

While the family is on the waiting list, the family must inform the Housing Authority of Danville, within 10 business days, of changes in family size or composition, income or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

Income Targeting Requirement [24 CFR 960.202(b)]

HUD requires that extremely low-income (ELI) families make up at least 40% of the families admitted to public housing during the Housing Authority of Danville's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30% of the area median income, whichever number is higher [Federal Register notice 6/25/14]. To ensure this requirement is met, the Housing Authority of Danville may skip non-ELI families on the waiting list in order to select an ELI family.

Chapter 6: Amounts specifically excluded by any other federal statute [24 CFR 5.609(c)(17), FR Notice 12/14/125/20/14]. HUD publishes an updated list of these exclusions periodically. It includes:

- (s) Benefits under Section 1780 of the School Lunch Act and Child Nutrition Act of 1966, including WIC
- (t) Deferred disability benefits from the Department of Veterans Affairs, whether received as a lump sum or in monthly prospective amounts
- (u) Payments, funds, or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990 (25 U.S.C. 1774f(b))
- (v) A lump sum or periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the United States District Court case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, for a period of one year from the time of receipt of that payment as provided in the Claims Resolution Act of 2010
- (w) Benefits under the Indian Veterans Housing Opportunity Act of 2010 (only applies to Native American housing programs)
- (x) Any amounts in an "individual development account" as provided by the Assets for Independence Act, as amended in 2002
- (y) Payments made from the proceeds of Indian tribal trust cases as described in Notice PIH 2013-30, "Exclusion from Income of Payments under Recent Tribal Trust Settlements" (25 U.S.C. 117b(a))
- (z) Major disaster and emergency assistance received under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and comparable disaster assistance provided by states, local governments, and disaster assistance organizations

Change Phasing in Flat Rents [Notice PIH 2014-12]

For current residents whose rent would increase as a result of new flat rent requirements, the Housing Authority must restrict the increases to no more than 35 percent of the current tenant rent per year. This would necessitate a phase-in of the rent increase.

Flat Rent Impact Analysis Calculation

In order to conduct a flat rent impact analysis, the PHA must multiply the family's current rent amount by 1.35 and compare the result to the flat rent under the PHA's policies.

Housing Authority of Danville Policy

Changes to flat rents, up or down, will not affect families paying flat rent until their next annual flat rent offer, at which time the family will be given the choice of switching back to income-based rent or of remaining on flat rent at the current (most recently adjusted) flat rent for their unit [PH Occ GB, pp. 137-138]. The Housing Authority of Danville will conduct a flat rent impact analysis to determine the percentage increase in the family's rent amount. If the increase is greater than 35 percent, the Housing Authority will phase in the rent increase at the maximum amount annually over a three-year period so that it does not exceed 35 percent in any year until the flat rent is fully phased in. If the increase is 35 percent or less, there will be no phase-in. [Notice PIH 2014-12].

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[Section 504; Fair Housing Act (42 U.S.C.); 24 CFR 5.303]

10-I.A. OVERVIEW

This part discusses situations under which permission for a service animal or an assistance animal may be denied, and also establishes standards for the care of service and assistance animals.

Notice FHEO 2013-01 was published April 25, 2013. The notice explains the difference between service animals and assistance animals. While the ADA applies to the premises of public housing agencies and to "public accommodations" such as stores and movie theaters, it does not apply to private-market rental housing. Therefore, in public housing the Housing Authority must evaluate a request for a service animal under both the ADA and the Fair Housing Act. Service animals are limited to trained dogs.

Assistance animals are animals that assist, support, or provide service to a person with a disability, or that provide emotional support that alleviates one or more identified symptoms or effects of a person's disability. Assistance animals—often referred to as "service animals," "assistive animals," "support animals," or "therapy animals"—perform many disability-related functions, including but not limited to the following:

10-I.B. APPROVAL OF ASSISTANCE ANIMALS

Notice FHEO 2013-01 states that the Housing Authority should first evaluate the request as a service animal under the ADA. The Housing Authority may only ask whether the dog is a service animal required due to a disability, and what tasks the animal has been trained to perform.

The Housing Authority cannot require proof of training or certification for a service animal, even if the disability and/or tasks performed are not readily apparent. If the disability and/or tasks performed are not readily apparent, no further inquiries may be made.

PHAs may only deny a request for a service animal in limited circumstances:

- The animal is out of control and the handler does not take effective action to control it
- The animal is not housebroken, or
- The animal poses a direct threat to health or safety that cannot be eliminated or reduced by a reasonable modification of other policies

A service animal must be permitted in all areas of the facility where members of the public are allowed.

If the animal does not qualify as a service animal under the ADA, the Housing Authority must next determine whether the animal would qualify as an assistance animal under the reasonable accommodation provisions of the Fair Housing Act. Such assistance animals may include animals other than dogs.

Chapter 12: Transfers **12-III.E. COST OF TRANSFER**

The Housing Authority must pay moving expenses to transfer a resident with a disability to an accessible unit as an accommodation for the resident's disability [Notice PIH 2006-432010-26].

Housing Authority of Danville Policy

The resident will bear all of the costs of transfer s/he requests. However, the Housing Authority of Danville will bear the transfer costs when the transfer is done as a reasonable accommodation.

Chapter 13: Lease Termination: Housing Authority of Danville Policy

The Housing Authority of Danville will consider the following factors before deciding whether to terminate the lease for any of the HUD required lease provisions or for any other reasons:

In the case of program abuse, the dollar amount of the underpaid rent and whether or not a false certification was signed by the family

Notice of Nonrenewal Due to Community Service Noncompliance [24 CFR 966.4(i)(2)(ii)(D), 24 CFR 960.603(b) and 24 CFR 960.607(b)]

When the Housing Authority finds that a family is in noncompliance with the community service requirement, the tenant and any other noncompliant resident must be notified in writing of this determination. Notices of noncompliance will be issued in accordance with the requirements and policies in Section 11-I.E.

Housing Authority of Danville Policy

Upon vacating, all community hours owing will be converted into a monetary amount based on minimum wage and applied to move-out charges. Restitution can be made by either providing community service for hours owed or cash payment. Any funds received for the community hours will be paid to a local non-profit.

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**Chapter 16: Program Administration 16-ILB. FLAT RENTS [24 CFR 960.253(b)]
Establishing Flat Rents**

Notice PIH 2014-12 specifies that after the PHA has determined flat rent amounts using HUD's rent reasonableness methodology, the PHA must then compare this amount to 80 percent of the FMR and must set the flat rent at no less than 80 percent of the FMR, subject to utility adjustments.
PHAs are now required to apply a utility allowance to flat rents. Flat rents set at 80 percent of the FMR must be reduced by the amount of the unit's utility allowance, if any.

Review of Flat Rents

The Housing Authority must ensure that flat rents continue to mirror market rent values [24 CFR 960.253(b) and Notice PIH 2014-12]. No later than 90 days after HUD publishes new annual FMRs, PHAs must revise flat rents as necessary based on the rent reasonableness analysis and changes to the FMR. The Housing Authority must offer changes to the flat rent to all new admissions and to existing families at the next annual rent option.
If the FMR falls from year to year, the Housing Authority may, but is not required to, lower the flat rent to 80 percent of the current FMR.

Housing Authority of Danville Policy

The Housing Authority of Danville will review flat rents on an annual basis, and adjust them as necessary to ensure that flat rents continue to mirror market rent values. If the FMR is lower than the previous year, the Housing Authority of Danville will reduce flat rents to 80 percent of the current FMR.

Housing Authorities that determine that reasonable rents would be less than 60 percent of the applicable FMR may choose to complete a rent reasonableness study once every three years, rather than annually. [Notice PIH 2014-12]

Housing Authority of Danville Policy

If the Housing Authority of Danville determines that reasonable rents would be less than 60 percent of the applicable FMR, the Housing Authority of Danville will conduct a rent reasonableness study once every three years.

Chapter 16: Program Administration

EXHIBIT 16-1: NOTICE TO PUBLIC HOUSING APPLICANTS AND RESIDENTS REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)

For Additional Information If you have any questions regarding VAWA, please contact Green House 17, 859-233-0657.

(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

For a complete version of the Admissions and Continued Occupancy subject to approval by the Board of Commissions at the November 18, 2014 meeting, visit our web site at www.danvillehousingagency.com or view the hard copy located in the Housing Authority of Danville central office 1014 Rosemont Avenue, Danville, KY 40422

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| 7.0 | Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i> The Housing Authority of Danville Board of Commissioners will entertain possible program changes in the future. |
| 8.0 | Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable. |
| 8.1 | Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> , form HUD-50075.1, for each current and open CFP grant and CFFP financing. See latest approved Annual Statement submitted with the CFP 501-14 submission to HUD and approved on 05/13/2014. |
| 8.2 | Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i> , form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan. See latest approved Annual Statement submitted with the CFP 501-14 submission to HUD and approved on 05/13/2014. |
| 8.3 | Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements. |

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| 9.0 | 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. |
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| 9.1 | <p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>The Housing Authority of Danville will work with local social service agencies and non-profits advocating for low income families.</p> |
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| 10.0 | <p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5- Year Plan.</p> | |
| | Goal | Status of meeting the goals |
| | Promote the rights of the frail elderly to remain in their own homes. | Elderly continue to stay in their homes through joint efforts with Senior Citizens and Senior Companions. |
| | Continue to develop accessible units and group homes for adults with mental and physical disabilities. | Funding constraints through Capital Funds has prevented additional unit conversions. |
| | Reduce vacancies to 3% or less | Vacancies have successfully been reduced to 2.7% for FYE 2013 & 2014 |
| | Build an Administrative Office Building that is energy efficient, environmentally friendly, accessible and welcoming to the clients and community. | The new energy efficient Craftsman style building is occupied. The design allows access of all offices to all persons, regardless of disability. |
| | Provide avenues for family self-sufficiency for working families. | Efforts to assist working families have been sabotaged by the regulation that Flat Rents be set at 80% of local Fair Market Rents. |
| | Renovate units to provide a healthier and more affordable housing | The number of "non-smoking" apartments available to families have increased. This work has been performed through routine unit turn-over. |
| | Maintain the housing authority's physical assets in a manner that is both efficient and more cost effective. | Staff training is ongoing in an effort find methods to better facility management. Overall costs for maintenance has not increased significantly. |
| | Obtain high performer status. | High performer status has been achieved for FYE March 31, 2013 and 2014. |
| | Promote environmental and energy conservation education for adults and children | A very successful community garden flourished at Bate-Wood homes. Efforts to reduce energy consumption in the apartments has not been very successful using educational information provided to the residents. |
| | Continue to maintain safe and decent housing. | The housing sites continue to have a low incident rate of crime. Information by the local PD on illegal activity allows staff to monitor and react to unacceptable behavior. |
| | Continue to work with domestic violence victims. | Contact with the domestic violence organization Greenhouse 17 has resulted in a verbal agreement to establish a local office on housing authority property. |

(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"

"Substantial deviation" from the Agency's Five Year Plan will include: Any change to a goal or objective that is included in the Housing Authority of Danville's Five Year Plan that would have an effect on the public housing residents.

"Significant Amendment or Modification" to the Agency's Five Year or Annual Plan is defined as follows:

- Changes to rent, admissions policies and to the organization of the waiting list;
- Additions of new activities under a component (e.g., plan to dispose of public housing units not previously included in the Annual Plan or conversion activities);
- Changes to the current Grievance or Informal Hearing Procedures;

Any regulatory changes will be made to any Public Housing Authority policies or procedures as a matter of ongoing administration and will not be considered to constitute a significant amendment or modifications for purposes of the Housing Authority of Danville's Agency Plan.

- 11.0 Required Submission for HUD Field Office Review.** In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.
- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
 - (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
 - (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
 - (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
 - (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
 - (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
 - (g) Challenged Elements
 - (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
 - (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

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 5-Year and Annual PHA Plans. 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, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 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.

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained 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 its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **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.

3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.

4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance 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.

5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall 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, and; **5)** the number of units affected.

7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**

8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (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.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.

10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any 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.

11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.

12. **Asset Management.** A statement of 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.

13. **Violence Against Women Act (VAWA).** 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.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

(a) **Hope VI or 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 HOPE VI or Mixed Finance Modernization or Development; and **2)** A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>

(b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: **(1)** A description of any housing (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; and **(2)** A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm

Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.

(c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: **1)** A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; **2)** An analysis of the projects or buildings required to be converted; and **3)** A statement of the amount of assistance received under this chapter 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>

(d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.

(e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 **Capital Improvements.** This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 **Capital Fund Program Annual Statement/Performance and Evaluation Report.** PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 **Capital Fund Financing Program (CFFP).** Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/capfund/cfp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.