

## Administrative Plan Updates:

### **Voucher Subsidy Standards**

Page 115

Voucher bedroom size will be determined as follows: one bedroom assigned for the Head of Household and spouse/co-head (if present), and one bedroom for every two persons thereafter, with the following exceptions: family members of different genders; who do not have a spousal relationship, age 6 and over are allocated separate bedrooms; live in aides are allocated a separate bedroom; single pregnant individuals are allocated a two-bedroom Voucher.

### **Verification of Assets**

Page 181

PHA will request three (3) complete bank statements for all assets held by the family annually, with the option to request additional statements if needed to complete an eligibility review or investigation.

### **Additional Local Requirements (Housing Quality Standards)**

Page 206-207

Sliding metal window locks and sticks/dowels are acceptable methods to secure windows, providing that the window is closed tight and cannot be opened, tilted, or lifted in its frame.

### **Conflict of Interest**

Page 296-297

The PHA will not approve a tenancy where an employee has any ownership interest in a property. If a PHA employee acquires a property with an existing Section 8 renter, the HAP contract will be terminated with a minimum 120 days' notice, or 180 days' notice of the unit has any accessibility features and the family includes a member with a disability or medical condition that requires those features.

### **Project-Based Voucher Waiting Lists**

Pages 417-419

#### **Redwood Crossings PBV Waiting List**

Referrals of applicants who are homeless and would benefit from supportive services will be accepted from Coordinated Entry and/or partnering referral agencies with whom the PHA has entered into a Memorandum of Understanding. Referrals will be accepted when the waiting list is closed to general applications. PHA may limit the number of referrals accepted when the number of applicants on the waiting list with the local preference exceeds 50 applicants.

Local preference is verified at the time of screening for any applicant who self-reports eligibility. Local preference is reverified for referred applicants only if 12 or more months have passed since the date of referral.

#### **Southfair Apartments PBV Waiting List**

PHA will accept applications for a time period determined by the PHA of no less than 14 calendar days. Applicants will be placed on the waiting list in order determined by a random lottery following the closing of the application period.

#### **Yaquina Hall**

The Yaquina Hall waiting list will offer a limited local preference to applicants who are 1) disabled, 2) homeless or at risk of homelessness, and 3) would benefit from the services provided who have been referred to the waiting list by Coordinated Entry or partnering service agencies with whom the PHA has entered into a Memorandum of Understanding. The PHA will use the limited preference to house up to twenty families, at any given time. Such referrals will be accepted when the waiting list is closed to general applications. The PHA may, at its discretion, limit the number of referrals accepted when the number of applicants on the waiting list with the limited local preference exceeds 50 applicants.



## 5-II.B. DETERMINING FAMILY UNIT (VOUCHER) SIZE [24 CFR 982.402]

For each family, the PHA determines the appropriate number of bedrooms under the PHA subsidy standards and enters the family unit size on the voucher that is issued to the family. The family unit size does not dictate the size of unit the family must actually lease, nor does it determine who within a household will share a bedroom/sleeping room.

The following requirements apply when the PHA determines family unit size:

- The subsidy standards must provide for the smallest number of bedrooms needed to house a family without overcrowding.
- The subsidy standards must be consistent with space requirements under the housing quality standards.
- The subsidy standards must be applied consistently for all families of like size and composition.
- A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size.
- A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family.
- Any live-in aide (approved by the PHA to reside in the unit to care for a family member who is disabled or is at least 50 years of age) must be counted in determining the family unit size;
- Unless a live-in-aide resides with a family, the family unit size for any family consisting of a single person must be either a zero- or one-bedroom unit, as determined under the PHA subsidy standards.

### PHA Policy

The PHA will assign one bedroom for the head of household and spouse/co-head, and one bedroom for every two persons after that within the family, with the following exceptions:

Family members of different genders, who do not have a spousal relationship, age 6 and over shall be allocated separate bedrooms.

- *For example, a household with a Head of Household, a 6-year-old male, and a 9-year-old female would be assigned a 3-bedroom Voucher.*

Live-in aides will be allocated a separate bedroom; no additional bedroom is allocated for the other members of the live-in aide's family.

A single pregnant individual shall be assigned a two-bedroom Voucher. All other households of single individuals will be allocated a one-bedroom Voucher.

Family members who will be absent most of the time, such as a member who is stationed away due to military service, are not included in the determination of



## **Value of Assets and Asset Income [24 CFR 982.516(a)]**

For families with net assets totaling \$5,000 or less, the PHA may accept the family's declaration of asset value and anticipated asset income. However, the PHA is required to obtain third-party verification of all assets regardless of the amount during the intake process and at least every three years thereafter.

### **PHA Policy**

The PHA will use third-party documentation for assets as part of the intake process, whenever a family member is added to verify the individual's assets, and at least every three years thereafter. The PHA may request third party verification of assets more frequently at its discretion.

The PHA will generally attempt to verify asset value annually by requesting the family to provide no less than three (3) complete statements issued by the financial institution for each asset held by a member of the household, either wholly or jointly. The PHA may request additional complete statements, at the discretion of the PHA, if necessary to complete an eligibility review or investigation.

For families with net assets totaling \$5,000 or less, the PHA may accept the family's self-certification of the value of family assets and anticipated asset income when applicable. The family's declaration must show each asset and the amount of income expected from that asset. All family members 18 years of age and older must sign the family's declaration.

## **7-I.E. SELF-CERTIFICATION**

When HUD requires third-party verification, self-certification or "tenant declaration," is used as a last resort when the PHA is unable to obtain third-party verification.

Self-certification, however, is an acceptable form of verification when:

- A source of income is fully excluded
- Net family assets total \$5,000 or less and the PHA has adopted a policy to accept self-certification at annual recertification, when applicable
- The PHA has adopted a policy to implement streamlined annual recertifications for fixed sources of income (See Chapter 11)

When the PHA was required to obtain third-party verification but instead relies on a tenant declaration for verification of income, assets, or expenses, the family's file must be documented to explain why third-party verification was not available.

### **PHA Policy**

When information cannot be verified by a third party or by review of documents, family members will be required to submit self-certifications attesting to the accuracy of the information they have provided to the PHA.



Modifications to units to provide access for a person with a disability must meet all applicable HQS requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR 35.151(c) and Notice 2003-31] See Chapter 2 of this plan for additional information on reasonable accommodations for persons with disabilities.

### **8-I.B. ADDITIONAL LOCAL REQUIREMENTS**

The PHA may impose variations to the HQS as long as the additional criteria are not likely to adversely affect the health or safety of participant families or severely restrict housing choices for families. HUD approval is required for variations to the HQS. HUD approval is not required if the variations are clarifications of HUD's acceptability criteria or performance standards [24 CFR 982.401(a)(4)].

#### ***Thermal Environment [HCV GB p.10-7]***

The PHA must define a “healthy living environment” for the local climate. This may be done by establishing a temperature that the heating system must be capable of maintaining, that is appropriate for the local climate.

##### PHA Policy

The heating system must be capable of maintaining an interior temperature of 65 degrees Fahrenheit between October 1 and May 1.

#### ***Clarifications of HUD Requirements***

##### PHA Policy

As permitted by HUD, the PHA has adopted the following specific requirements that elaborate on HUD standards.

##### ***Walls***

In areas where plaster or drywall is sagging, severely cracked, or otherwise damaged, it must be repaired or replaced.

##### ***Windows***

Window sashes must be in good condition, solid and intact, and properly fitted to the window frame. Damaged or deteriorated sashes must be replaced.

Windows must be weather-stripped as needed to ensure a weather-tight seal.

Window screens must be in good condition (applies only if screens are present).

Windows may be secured with metal sliding window locks (also referred to as sliding window sash locks or screw-type locked), providing that the lock can be fully secured to the sash and the window cannot be tilted or lifted from its frame when the lock is in place.

Windows may be secured with the use of a dowel, pipe, or other strong rod, providing that: 1) the dowel, pipe, or rod is long enough that the window cannot

be opened with it is in place; 2) the dowel, pipe, or rod must be strong and free from cracks or other flaws that might cause it to break if force is applied; 3) the window must not be able to be tilted or lifted from its frame when the dowel, pipe, or rod is in place.

### ***Doors***

All exterior doors must be weather-tight to avoid any air or water infiltration, be lockable, have no holes, have all trim intact, and have a threshold.

All interior doors must have no holes, have all trim intact, and be openable without the use of a key.

### ***Floors***

All wood floors must be sanded to a smooth surface and sealed. Any loose or warped boards must be resecured and made level. If they cannot be leveled, they must be replaced.

All floors must be in a finished state. Raw wood or unsealed concrete is not permitted.

All floors should have some type of base shoe, trim, or sealing for a "finished look." Vinyl base shoe is permitted.

### ***Sinks***

All sinks and commode water lines must have shut off valves, unless faucets are wall mounted.

All sinks must have functioning stoppers.

### ***Toilets***

All worn or cracked toilet seats and tank lids must be replaced, and toilet tank lid must fit properly.

### ***Security***

If window security bars or security screens are present on emergency exit windows, they must be equipped with a quick release system. The owner is responsible for ensuring that the family is instructed on the use of the quick release system.

### ***Basements and Garages Used for Living Space***

Basements and/or garages that have been converted into spaces used for living must meet Housing Quality Standards. If the space is used for sleeping, it must meet all standards as any other bedroom.

### ***Water Heater***

A water heater must have a discharge line from the temperature/pressure relief valve that is aimed toward the floor (no less than 18 inches from the floor), or



### **13-I.D. OWNER QUALIFICATIONS**

The PHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where the PHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. No owner has a right to participate in the HCV program [24 CFR 982.306(e)].

#### ***Owners Barred from Participation [24 CFR 982.306(a) and (b)]***

The PHA must not approve the assisted tenancy if the PHA has been informed that the owner has been debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24. HUD may direct the PHA not to approve a tenancy request if a court or administrative agency has determined that the owner violated the Fair Housing Act or other federal equal opportunity requirements, or if such an action is pending.

#### ***Leasing to Relatives [24 CFR 982.306(d), HCV GB p. 11-2]***

The PHA must not approve a tenancy if the owner is the parent, child, grandparent, grandchild, sister, or brother of any member of the family. The PHA may make an exception as a reasonable accommodation for a family member with a disability. The owner is required to certify that no such relationship exists. This restriction applies at the time that the family receives assistance under the HCV program for occupancy of a particular unit. Current contracts on behalf of owners and families that are related may continue, but any new leases or contracts for these families may not be approved.

#### ***Conflict of Interest [24 CFR 982.161; HCV GB p. 8-19]***

The PHA must not approve a tenancy in which any of the following classes of persons has any interest, direct or indirect, during tenure or for one year thereafter:

- Any present or former member or officer of the PHA (except a participant commissioner)
- Any employee of the PHA, or any contractor, subcontractor or agent of the PHA, who formulates policy or who influences decisions with respect to the programs
- Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs
- Any member of the Congress of the United States

HUD may waive the conflict of interest requirements, except for members of Congress, for good cause. The PHA must submit a waiver request to the appropriate HUD Field Office for determination.

Any waiver request submitted by the PHA must include the following [HCV Guidebook pp.11-2 and 11-3]:

- Complete statement of the facts of the case;
- Analysis of the specific conflict of interest provision of the HAP contract and justification as to why the provision should be waived;

- Analysis of and statement of consistency with state and local laws. The local HUD office, the PHA, or both parties may conduct this analysis. Where appropriate, an opinion by the state's attorney general should be obtained;
- Opinion by the local HUD office as to whether there would be an appearance of impropriety if the waiver were granted;
- Statement regarding alternative existing housing available for lease under the HCV program or other assisted housing if the waiver is denied;
- If the case involves a hardship for a particular family, statement of the circumstances and discussion of possible alternatives;
- If the case involves a public official or member of the governing body, explanation of his/her duties under state or local law, including reference to any responsibilities involving the HCV program;
- If the case involves employment of a family member by the PHA or assistance under the HCV program for an eligible PHA employee, explanation of the responsibilities and duties of the position, including any related to the HCV program;
- If the case involves an investment on the part of a member, officer, or employee of the PHA, description of the nature of the investment, including disclosure/divestiture plans.

Where the PHA has requested a conflict of interest waiver, the PHA may not execute the HAP contract until HUD has made a decision on the waiver request.

#### PHA Policy

The PHA will not approve a tenancy where an employee has any ownership interest in a property. If a PHA employee acquires a property with an existing Section 8 renter, the HAP contract will be terminated with a minimum 120 days' notice, or 180 days' notice of the unit has any accessibility features and the family includes a member with a disability or medical condition that requires those features.

In considering whether to request a conflict of interest waiver from HUD, the PHA will consider certain factors such as consistency of the waiver with state and local laws, the existence of alternative housing available to families, the individual circumstances of a particular family, the specific duties of individuals whose positions present a possible conflict of interest, the nature of any financial investment in the property and plans for disclosure/divestiture, and the possible appearance of impropriety.

#### ***Owner Actions That May Result in Disapproval of a Tenancy Request [24 CFR 982.306(c)]***

HUD regulations permit the PHA to disapprove a request for tenancy for various actions and inactions of the owner.

If the PHA disapproves a request for tenancy because an owner is not qualified, it may not terminate the HAP contract for any assisted families that are already living in the owner's properties unless the owner has violated the HAP contract for those units [HCV GB p. 11-4].

**Renaissance Place** (*Project-Based VASH Vouchers; applicants are referred directly from the Veterans Administration and there is no waiting list*)

**Southfair Apartments**

**Yaquina Hall**

#### **17-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]**

Applicants who will occupy units with PBV assistance must be selected from the PHA's waiting list. The PHA may establish selection criteria or preferences for occupancy of particular PBV units. The PHA may place families referred by the PBV owner on its PBV waiting list.

##### ***Income Targeting [24 CFR 983.251(c)(6)]***

At least 75 percent of the families admitted to the PHA's tenant-based and project-based voucher programs during the PHA fiscal year from the waiting list must be extremely low-income families. The income targeting requirement applies to the total of admissions to both programs.

##### ***Units with Accessibility Features [24 CFR 983.251(c)(7)]***

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the PHA must first refer families who require such features to the owner.

##### ***Preferences [24 CFR 983.251(d), FR Notice 11/24/08]***

The PHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The PHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

The PHA may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability [FR Notice 1/18/17].

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If the PHA has projects with "excepted units" for elderly families or supportive services, the PHA must give preference to such families when referring families to these units [24 CFR 983.261(b); FR Notice 1/18/17].

##### **PHA Policy**

**Hope Plaza**

Hope Plaza offers studio, 1-, and 2-bedroom units with PBV assistance. The project offers supportive services to families receiving assistance to improve self-sufficiency and housing retention.

The Hope Plaza waiting list offers a local preference for victims of domestic violence, ordered by 1) applicants claiming the local preference in order by date and time of receipt of application and 2) all other applicants in order by date and time of receipt of application. Qualification for the local preference is verified at the time of screening for eligibility.

### **Redwood Crossing**

Redwood Crossing offers Single Room Occupancy (SRO) units and one 1-bedroom ADA-accessible unit with PBV assistance. The project offers on-site supportive services designed to assist formerly homeless individuals retain their housing and increase their self-sufficiency.

The Redwood Crossing waiting list offers a local preference for individuals referred from the community's Coordinated Entry system and/or partnering referral agencies with whom the PHA has entered into a Memorandum of Understanding who are homeless and who would benefit from the services offered. Such referrals are accepted when the Redwood Crossings Waiting List is closed to general applications. The PHA may, at its discretion, limit the number of referrals accepted when the number of applicants on the waiting list with the local preference exceeds 50 applicants.

The Redwood Crossings waiting list shall be ordered by: 1) applicants with a local preference, in date and time order of application or referral and 2) all other applicants in date and time order of receipt of application. Homeless status and benefit of services provided are verified at the time of screening for eligibility for any applicant who applied directly for the waiting list. For applicants that are referred from Coordinated Entry, homeless status and benefit of services is verified at the time of referral and will not be reverified until 12 months or more have passed between the time of referral and the time of eligibility screening.

### **Renaissance Place**

Units at Renaissance Place have Project-Based VASH Vouchers. Applicants are referred directly from the Veterans Administration and there is no waiting list.

### **Southfair Apartments**

Southfair Apartments offers 1-, 2-, and 3-bedroom units with PBV assistance. Supportive services, designed to increase housing retention and family self-sufficiency, are offered to all families receiving assistance.

Applications for PBV units at Southfair Apartments will be accepted for a time period determined by the PHA of no less than 14 calendar days. Applicants will be placed on the waiting list for PBV units at Southfair Apartments in random lottery order, following the closing of the application period.

## **Yaquina Hall**

Yaquina Hall offers 1-bedroom units with PBV assistance. Wrap-around supportive services, designed to address the needs of chronically homeless individuals, will be offered to all residents receiving PBV assistance.

The Yaquina Hall waiting list will offer a limited local preference to applicants who are 1) disabled, 2) homeless or at risk of homelessness, and 3) would benefit from the services provided who have been referred to the waiting list by Coordinated Entry or partnering service agencies with whom the PHA has entered into a Memorandum of Understanding. The PHA will use the limited preference to house up to twenty families, at any given time. Such referrals will be accepted when the waiting list is closed to general applications. The PHA may, at its discretion, limit the number of referrals accepted when the number of applicants on the waiting list with the limited local preference exceeds 50 applicants.

When a set-aside unit is available, families will be selected from the waiting list in the following order: 1) referred applicants with the limited local preference in date and time order of receipt of a completed application following the referral, and 2) all other applicants in date and time order of receipt of a completed application.

When a standard unit that is not part of the set-aside is available, families will be selected from the waiting list in date and time order of receipt of a completed application, including those families who were referred to the waiting list with a limited local preference.

## **17-VI.E. OFFER OF PBV ASSISTANCE**

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

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

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

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

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

### ***Acceptance of Offer [24 CFR 983.252]***

### **Family Briefing**