

# BERKELEY HOUSING AUTHORITY MOVE TO WORK PLAN APPLICATION

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## A. MTW Plan

### Introduction: Berkeley, California's Extreme Rental Market

Berkeley, California is in the middle of the San Francisco Bay Area, one of the most diverse communities in the US, geographically, socially, and culturally. However, the Bay Area is also one of the most expensive regions of the country, with extreme rent affordability challenges. Average median rent is \$2,150 for a 1 Bedroom unit; \$2,895 for a 2 Bedroom unit; \$4,200 for a 3 Bedroom unit; and \$5,998 for a 4 Bedroom unit (<https://www.zumper.com/rent-research/berkeley-ca>, 8/4/21)\*.

[Oakland-Fremont Metro]	1 BR	2 BR	3 BR	4 BR
<b>BHA's 2021 Payment Std</b>	\$1,988	\$2,462	\$3,346	\$4,092
<b>Current Av. Market Rents*</b>	\$2,150	\$2,895	\$4,200	\$5,998

It is clear that we are not competitive in comparison to the rents commanded in the open market here. The vast majority of landlords make decisions regarding asking rents based on local market conditions, with a desire to run their business profitably.

Recognizing the negative impacts the skyrocketing market has had on BHA's ability to lease up clients in Berkeley, and thus negatively impacting our Administrative Fee earnings, for over a year BHA's staff and Board have been focused on how to incentivize landlords to partner with us to house our program participants. Being involved in Cohort 4 is a natural progression of the work to prioritize landlords, as we hope to be able to continue to build partnerships with the local landlords and property owners whereby BHA provides that

welcoming opportunity to allow these business owners to make an affirmative decision to partner with BHA.

The Bay Area, and Berkeley, both offer well-paying jobs for those with college degrees, and many service-sector minimum wage jobs for those with little to no higher education; the average annual salary for a high tech worker is \$250,000/year, while the minimum wage in Berkeley for a service job is \$16.32/hour, translating to \$33,945/year.

In a recent Mercury News article (2/23/19) entitled “Bay Area high-earners choice made for them — rent, not own,” appears the following quote: “Between 2007 and 2017, Berkeley, Fairfield and Richmond saw four times as many wealthy renters join their cities.” This is because, in May 2019 the median re-sale price for a Bay Area home hit a record \$935,000. In another Mercury News article (2/22/19) entitled “In some Bay Area cities, making \$200,000 a year means you’re middle class.” This figure seems extraordinary, given that the Area Median Income for an “extremely low income (up to 30% of AMI) family of 4 in Berkeley is \$41,100. That figure increases to \$68,500 for a “very low income” (up to 50% AMI).

A recent report “Out of Reach 2021” by the National Low Income Housing Coalition indicates that in Oakland and Fremont a low-wage worker would need to juggle three jobs to make rent and put food on the table. Berkeley is in the Oakland-Fremont HUD Metropolitan Fair Market Rent Area. Absent voucher subsidy, low wage income earners, the disabled, and elderly, have very little chance to afford a rental unit.

In California overall, a worker would need to earn \$39.03/hour in order to be able to afford a 2 bedroom rental home; or would need to work 112 hours per week at minimum wage to afford the 2 bedroom rent, or 89 hours/week to afford a 1 bedroom FMR rent (<https://reports.nlihc.org/oor/>).

Berkeley, and the Bay Area in general is also experiencing an unfortunate displacement of African American renters in Berkeley, also known as gentrification, with wealthier and often Caucasian residents moving in, with incomes that can cover higher market rents often commanded. From an Oct. 18, 2018 Mercury News article “Here’s how growing income disparity is changing the Bay Area:”

*The rising cost of housing is driving low-income workers out of the Bay Area into cheaper, nearby communities, while higher income workers are migrating in. Researchers say high housing costs have hit minority communities, including black and Hispanic residents, hardest. “It has real implications on how inclusive and diverse the region can be,” said co-author Elizabeth Kneebone, research director at UC Berkeley’s Turner Center for Housing Innovation. “We’re losing lower-income households and lower-income households of color.”*

## **1. Vision for BHA’s MTW Program**

BHA’s vision as a participant in MTW Cohort 4 is, with the opportunity to implement fiscal, and programmatic flexibilities to be able to inspire landlords to give BHA a chance at building a fruitful partnership, allowing those landlords to be comfortable making a business decision to rent their units to BHA’s low income program participants, and being provided with efficient and courteous customer service at all levels of the organization, all ultimately stemming the tide of displacement, homelessness, and ensuring that Berkeley will remain one of the most diverse communities in the nation, culturally and socio-economically, with BHA’s vouchers being utilized to their fullest extent.

## **Challenges and Opportunities**

During the height of BHA’s ability to lease up, prior to the rental market spiraling out of reach for so many low-income households, our lease up rate was 99.96% (1,840 out of a total ACC of 1,841, in 2010). Our current lease up rate is 79%, (1,560 out of a total ACC of 1,975). This is a total attrition rate of units between 2010 (year) and 2020 (year) of 21%. Competing in the open market is our primary challenge, and one that incentivizing landlords,



we believe, will move these figures in the right direction, ultimately our goal as a PHA. We are in business to house low income households; without landlords partnering with us, we cannot be successful.

The prospect of becoming an MTW designated agency brings important opportunities, most crucially to allow our housing authority, located in an extremely high cost area, which includes the extremely difficult rental market, ***to increase our lease up rate***. Through regulatory and budgetary flexibility, ability to test out new ideas, and being able to proactively measure our creative endeavors in incentivizing landlords to partner with BHA, we have the most important opportunity of all before us: improving our current 53% housing location success rate, and 79% voucher lease up rate.

### **Skills and Experience of Primary Staff**

Every member of our 11-person staff is crucially important to the success of our endeavors to incentivize, recruit, and retain landlords, whether we receive MTW status or not. Our staff is comprised of:

- Receptionist
- Housing Choice Voucher Supervisor
- Three Housing Specialists
- In the Finance Department:
  - Finance Manager
  - Accountant
  - Finance Clerk
- Inspections Clerk
- Management Analyst (Acting) – also currently Exec. Assistant/FSS Coordinator
- Acting Executive Director.

Eight out of 11 staff have a long work history with BHA: the average tenure is 13 years for these 8 staffers. With over 13 years with BHA, and an MPA with a Public Policy focus, the Acting Executive Director is leading the MTW application effort including preparing for and presenting at the public meetings, application writing, soliciting input, communicating with

the Board, and potential partners. Additional staff will be liaising with landlords, troubleshooting issues as they arise, and focused on providing a thorough landlord onboarding experience. Staff primarily in the Finance Department will be focused on reviewing applications and issuing funds, where approved, to issue financial incentives.

### **Statement of Fair Housing and Other Civil Rights Goals, Strategies, and Specific Actions**

BHA certifies that it will carry out the MTW Program in conformity with:

- Title VI of the Civil Rights Act of 1964,
- The Fair Housing Act,
- Section 504 of the Rehabilitation Act of 1973,
- Title II of the Americans with Disabilities Act of 1990,
- Affirmatively Furthering Fair Housing (24 CFR 5.151, 903.7(o), and 903.15).

Furthermore, BHA will affirmatively further fair housing by examining our programs and proposed programs, identifying any impediments to fair housing choice within those programs, addressing those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require BHA's involvement and by maintaining records reflecting these analyses and actions.

Additionally, BHA will comply with: the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975; the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped; the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135; acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable; and BHA will take

appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).

## **2. Plan for Future Community/Resident Engagement**

BHA already engages and will continue to engage assisted households in our low income and affordable housing programs, through opportunities to provide input, whether a RAB member or not, on proposed programs and plans. BHA does this through sending out newsletters to our clients, highlighting such opportunities. In regard to this MTW application, the solicitation for our program participants to provide input was sent via newsletter, notifying of the two public Zoom input meetings. Additionally, a special outreach was made specifically to our Resident Advisory Board, by phone call and email which had already been convened for Annual Plan review; many of our RAB members were present at both MTW public meetings.

BHA has already started and will continue to engage the broader community and stakeholders, in the implementation and development of our local MTW program. Specifically, BHA has begun work to identify challenges and barriers to landlords' willingness to participate with BHA in housing our clients. We conducted a survey of the Berkeley Property Owners Association (BPOA) to get a baseline of the challenges cited by landlords (See Appendix). Interestingly the majority of responses included "unsure of where to begin." Part of our plans, whether we achieve MTW status or not, will be to make presentations to rental property owners in Berkeley so that we introduce ourselves, and explain the Section 8 Programs we operate, the benefits, and how to get involved. BHA has also presented at the local Gray Panthers Chapter (See Appendix). Staff continues to seek and welcome opportunities to communicate the important work we are doing in the community, including the impacts BHA makes in Berkeley.

### 3. PHA Operating and Inventory Information

BHA proudly operates the following HUD funded low-income housing programs:

- Housing Choice Voucher Program: 1,935 Vouchers. Currently serving 1,635 households; approximately 2,630 people.
- Project-based Section 8 Program: currently in contract or planning to be in contract for 495 Project-based units in 25 properties throughout Berkeley
- Mainstream Voucher Program: 91 Vouchers
- VASH Program: 40 Vouchers
- Emergency Housing Vouchers: 51 Vouchers
- Moderate Rehab/SRO: 98 units in 2 buildings.

These vouchers and units house those with the following demographics: 69% African American, 22% White, 7 % Hispanic, 2% Asian-Pacific Islander-Native Alaskan. The monthly average HAP subsidy paid on behalf of our participating households: \$1,682. Average client rent portion is \$487. Interestingly, the demographics of Berkeley at-large are very different from the statistics representing BHA's clients: 6% African American; 54% White; 12% Hispanic; 28% Asian-Pacific Islander-Native Alaskan. The Estimated median household income in Berkeley in 2019 was \$95,360 (<https://www.city-data.com/city/Berkeley-California.html>); while the average income of our program participants is \$20,294.

Our clients are formerly homeless, elderly, disabled, working families, youth emancipated from the foster care system, people with HIV/AIDS, and immigrants. Units housing BHA's clients are scattered about the entire 10.5 square miles, with the majority of the units in west and south Berkeley, CA which tends to have fewer single-family homes and more multi-unit buildings. Many units are not accessible for those with physical disabilities.

As mentioned previously, gentrification/displacement is a major negative factor in Berkeley housing (and the wider Bay Area). In Berkeley, from a high of 23.5% in 1970, the African American population has decreased to approximately 7% currently (April 30, 2019 Berkeley City Council Meeting Report Item #22). BHA anticipates that the demographics of

the households served will continue to exceed the total population of African Americans in Berkeley, as is the case currently. We expect that we will serve a wider number of homeless households, given that we have been awarded 91 Mainstream and 51 EHVs, and that several of our upcoming lease ups for Project-based properties have homelessness set asides/requirements. It is likely that the next time we open up the Tenant-based waitlist, a reflection of the immigration patterns to northern California will occur, most recently we saw a trend of people from Central America and the Middle East.

In terms of housing stock, BHA is a Section 8 only housing authority, with a robust Project-based Voucher Program, currently allocated or utilizing 26% of our ACC for PBV units. BHA anticipates using the MTW flexibility to exceed 30% of our ACC for PBV development, including the potential to allocate PBVs to BHA's sister agency, an affordable housing development non-profit, called Affordable Housing Berkeley, Inc.

### **Challenges in Leasing HCV Units**

BHA's biggest challenge in leasing HCV units is the extremely high cost rental market in Berkeley. Being able to implement Payment Standards of 120% FMR will help greatly, should BHA be selected as an agency for MTW Cohort #4. Another MTW flexibility that will assist in increasing our competitiveness will be the ability to allocate PBVs above the 30% current maximum. Given the long-term nature of PBV master HAP contracts, this is an attractive tool for housing authorities to protect against extreme market fluctuations.

### **Examples of BHA's Innovation and Creativity**

BHA has already recognized the importance of focusing on landlords, given that we have seen such drastic fluctuations during turns in the rental market that make it near impossible for us to compete for empty units. Thus, we embarked on a journey to identify what we could

do to inspire landlords to partner with us. One result of our innovative program planning has been supported by the Office of Mayor Jesse Arreguin. With his help, BHA has been allocated \$150,000 to utilize for a unit turnover program. It has been a successful tool in our toolbox for incentivizing landlords.

We also have engaged in collaborations with local homelessness, mental health, women's shelters, and other NGO advocacy organizations as well as the VA, as strong partnerships with these organizations are crucial in our goal of leasing up the Mainstream, VASH, and EHV's. BHA values these partnerships and understands the importance of thorough program planning, maintaining communication including the need to meet regularly with our partners, and troubleshooting challenges together.

#### **4. Plan for Local MTW Program: Cost Effectiveness, Self-sufficiency and Housing Choice**

BHA seeks to implement MTW program activities that incentivize landlords to participate in our program by providing rental units, as well as provide the opportunity to expand on our Project-based program. We will embark on activities to meet these goals because of the extreme challenges our housing authority has to remain competitive in the rental market in Berkeley. The statutory objectives of the MTW program, cost effectiveness, self-sufficiency, and housing choice will be obtained through BHA's participation in the MTW Cohort #4 by incentivizing landlords to participate in our program by providing expanded options for housing our clients:

- We will see an increase in effective use of HAP and administrative funds, in that it will allow maximization of our lease up utilization rates; ultimately the most important objective of any PHA is to house as many low-income households as possible.
- Providing a place to call home for more families, will provide the safety net that so many low-income households need to springboard towards reaching for educational and job training opportunities that lead to self-sufficiency.
- The fewer landlords working with BHA, the fewer households we can serve; more satisfied and incentivized landlords means an increase in number of households served, providing housing choice for voucher holders throughout our community. In

other words, without willing landlords, there is no housing choice. Additionally, an expansion of the Project-based developments will ensure guaranteed housing options for up to 40 years, in units that will be protected from market fluctuations.

## **5. Proposed Use of MTW Funds**

As a Section 8 only housing authority, BHA requests fungibility in the use of its HAP and Administrative Fee allocation. The flexibility in the use of MTW funds for normal HAP expenditures, expenses related to MTW Cohort #4 activities identified in Section 2 of the application, and cost of operating and administering the Section 8 program will greatly support BHA's goal in expanding landlord participation in the Section 8 program and housing more low-income households in Berkeley.

## **6. Evidence of Significant Partnerships**

The most important partnerships in our MTW endeavors will be the Berkeley Property Owners Association (whom we have already surveyed to find out their challenges and knowledge of BHA, as well as solicited ideas for improvement); and our currently participating landlords. Additional partners will be local non-profit housing advocacy organizations that assist our new voucher holders to identify units in which to utilize their newly issued vouchers. They will, in essence, like BHA staff, be ambassadors for BHA, attempting to persuade landlords that our voucher holders, especially those coming out of homelessness, will be supported throughout their tenancy. BHA has already established partnerships with many organizations and agencies throughout our collaborations to lease up EHVs, Mainstream Vouchers, and VASH vouchers, including with:

- Bay Area Community Services
- Berkeley Food and Housing Project
- Abode Services
- US Department of Veterans Affairs
- City of Berkeley, Office of the Mayor
- City of Berkeley Housing and Community Services Department

BHA intends to leverage funding through opportunities to apply for additional sets of special purpose vouchers; and likely by partnering with some of the organizations listed above which might also receive new funding as the State of California issues funding opportunities focused on the homelessness crisis in our community.

## **B. Landlord Incentive Activities Information**

### **1. Landlord Needs Assessment**

When the rental market is strong, which has been the case just prior to and immediately after the Great Recession, we have seen a pattern whereby landlords choose to forego participating with us to rent their vacant units, simply because they can command higher rents than our Payment Standards. Twice, now, over the past decade, BHA has partnered with our local PHA's in our County (Alameda County) and the other County (Contra Costa), which comprise the Oakland-Fremont Metro FMR Area, to conduct a statistical survey on the rental market, to provide data to HUD showing that our FMRs should be increased. During the Covid-19 Pandemic, staff thought that the rental market would drop, making BHA much more competitive, however, landlords were not flocking to us. Rather, we gained only an additional 32 new units since March 2020. Our assumptions were incorrect, as market rents are already starting to increase.

Many of the landlords that participate in our programs are "mom and pop" landlords, owning only one to several units; others are non-profit developers, in the Project-based program; and we have a number of institutional for-profit owners, through the City of Berkeley's Density Bonus/Below Market Rent program. However, without the City's set-aside requirements, our program participants likely would not have the ability to rent units in these newer, luxury buildings.



As mentioned previously, BHA has already expended resources and considerable effort to explore our challenges with landlord participation. In our January 2021 survey of Berkeley Property Owners Association, we asked respondents to cite reasons why they did not participate (respondents could select more than one option). Of the 46 responses received:

- 22 (48%) indicated “Concerns about unit damage”
- 13 (28%) indicated “Payment Standard too low”
- 9 (20%) cited “Dislike inspection requirement”
- 27 (58%) were either “unsure” as to why they have not participated with BHA; or open to the idea but unsure where to begin; or indicated “No voucher holders inquired about renting my unit.”
- 21 (45%) cited “Other” reasons (see attachment in Appendix for more details).

The primary strength of our HCV program is the safety net of a voucher whereby clients’ rent portion is re-calculated when there is income decrease or job loss—this was wholly apparent during the pandemic: since March 2020, 139 interim adjustments were processed, with an average increase of \$581 per household. Another strength is our small staff and the ability to handle tasks efficiently. The primary, glaring weakness, a theme throughout this MTW application, is our inability to be competitive in the open market. The high rents are not only a reflection of the ability of higher income earners to pay rents commanded, but also simply the cost of doing business as a landlord, who must pay for repairs, maintenance, and in many cases who choose to hire property managers.

## **2. MTW Cohort #4 Activities**

If selected, BHA will implement the following two activities from the Cohort #4 MTW

Activities List:

- **2.b. Payment Standards – Fair Market Rents (FMR):** The PHA may establish payment standards at 120% of the FMR.
- **4.c. Other Landlord Incentives:** for landlords without any HCV tenants, the PHA may provide up to one month contract rent (signing bonus).

BHA believes that in exceedingly high rental markets, 2.b. will be extremely successful and we are likely to increase the number of lease ups when vacancies occur. Staff is aware that landlords are operating businesses and deciding to lease a unit to an HCV household often is based on the amount of profit attainable, in order to be able to cover the expenses of maintenance on a unit. We are curious to see how many landlords we can attract who have no voucher holders in any of their other units, providing us with the opportunity to test the signing bonus incentive.

### 3. Other Landlord Incentives and Initiatives

BHA will request the following agency-specific waivers related to attracting landlords:

- **Unit Cleaning Fee—Death of Sole Remaining Resident:** BHA will pay one-month HAP for the month following the month of death of the sole remaining resident for cleaning a unit, or allowing the family members of the deceased, to remove belongings, provided that the landlord leases up another household utilizing a voucher for the unit upon turnover.
- **Disabled Unit Modifications:** BHA will provide grants to landlords, up to \$500 to allow for modifications to a unit to allow physically disabled households to safely live in units. Costs could include lowering countertops, installing grab bars, etc.

BHA will request the following agency-specific waivers to improve the PBV & FSS Programs:

- **Increase PBV Program Cap:** rather than up to 30% of units, increase to a figure above 30% of HAP Budget/Voucher allocation, provided there are supporting HAP funds available in the HAP budget.
- **Acquisition without HUD Approval:** to make more efficient the process by which BHA and/or AHB, our non-profit affiliate, may acquire property.
- **Cap on Number of FSS Program Participants to 27:** because BHA has never been able to qualify for NOFA funding for FSS Coordinator, we will cap the number of FSS participants. We have 24 FSS participants currently enrolled, with 3 graduates.

**ATTACHMENT I**  
**Moving to Work Certifications of Compliance**

**CERTIFICATIONS OF COMPLIANCE**

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
**OFFICE OF PUBLIC AND INDIAN HOUSING**

**Certifications of Compliance with HUD and Federal Requirements and Regulations:  
Board Resolution to Accompany Application to the Moving to Work Demonstration Program**

Acting on behalf of the Board of Commissioners of the applicant public housing agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the application to the Moving to Work (MTW) Demonstration Program for the PHA and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the application and implementation thereof:

- (1) The PHA will adhere to the MTW Operations Notice or successor notice and all requirements therein.
- (2) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to ensure at least 75% of families assisted are very low-income as defined in Section 3(b)(2) of the 1937 Act throughout the PHA's participation in the MTW Demonstration Program.
- (3) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in establishing a reasonable rent policy that is designed to encourage employment and self-sufficiency.
- (4) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to assist substantially the same total number of eligible low-income families as would have been served absent MTW throughout the PHA's participation in the MTW Demonstration Program.
- (5) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to maintain a comparable mix of families (by family size) as would have been provided had the funds not been used under the MTW Demonstration Program throughout the PHA's participation in the MTW Demonstration Program.
- (6) The PHA will adhere to HUD guidance in the MTW Operations Notice or successor notice in continuing to ensure housing assisted under the MTW Demonstration Program meets housing quality standards established or approved by the Secretary throughout the PHA's participation in the MTW Demonstration Program.
- (7) The PHA published a notice that a hearing would be held, that the application and all information relevant to the public hearing was available for public inspection for at least 30 days, that there were no less than 15 days between the public hearing and the approval of the application by the Board of Commissioners, and that the PHA conducted a public hearing to discuss the application and invited public comment.

- (8) The PHA took into consideration public and resident comments (including those of its Resident Advisory Board or Boards) before approval of the application by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the application.
- (9) The PHA certifies that the Board of Commissioners has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1 (or successor form as required by HUD).
- (10) The PHA certifies that it will carry out its application in conformity with: Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-4); the Fair Housing Act (42 USC 3601-19); Section 504 of the Rehabilitation Act of 1973 (29 USC 794); Title II of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.); all regulations implementing these authorities; other applicable Federal, State, and local civil rights laws; and that it will affirmatively further fair housing by fulfilling the requirements set out in HUD regulations found at Title 24 of the Code of Federal Regulations, including regulations in place at the time of this certification, and any subsequently promulgated regulations governing the obligation to affirmatively further fair housing. The MTW PHA is always responsible for understanding and implementing the requirements of HUD regulations and policies and has a continuing obligation to affirmatively further fair housing in compliance with the 1968 Fair Housing Act, the Housing and Community Development Act of 1974, The Cranston-Gonzalez National Affordable Housing Act, and the Quality Housing and Work Responsibility Act of 1998. (42 U.S.C. 3608, 5304(b)(2), 5306(d)(7)(B), 12705(b)(15), and 1437C-1(d)(16)).
- (11) The PHA will carry out its plan in conformity with HUD's Equal Access Rule at 24 CFR 5.105(a)(2) and will not make a determination of eligibility for housing based on sexual orientation, gender identity, or marital status.
- (12) The application is consistent with the applicable Comprehensive Plan (or any plan incorporating such provisions of the Comprehensive Plan) for the jurisdiction in which the PHA is located.
- (13) The application certifies that according to the appropriate State or local officials that the application is consistent with the applicable Consolidated Plan.
- (14) The PHA complies with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 and HUD's implementing regulations at 24 C.F.R. Part 146.
- (15) The PHA complies with the Violence Against Women Act and its implementing regulations at 24 C.F.R. Part 5, Subpart L and Parts 960 and 966.
- (16) The PHA complies with the Architectural Barriers Act of 1968 and its implementing regulations at 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
- (17) The PHA complies with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 75.
- (18) The PHA complies with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
- (19) The PHA complies with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment and implementing regulations at 49 CFR Part 24.

- (20) The PHA complies with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
- (21) The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- (22) The PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
- (23) With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
- (24) The PHA will keep records in accordance with 2 CFR 200.333-200.337 and facilitate an effective audit to determine compliance with program requirements.
- (25) The PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- (26) The PHA will comply with the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Rewards at 2 CFR Part 200.
- (27) The application and all attachments are available at the primary business office of the PHA and at all other times and locations identified by the PHA in its Plan and will continue to be made available at least at the primary business office of the PHA.

Berkeley Housing Authority

**PHA NAME**

CA058

**PHA NUMBER/HA CODE**


*I certify that the information provided on this form and in any accompanying documentation is true and accurate. I acknowledge that making, presenting, or submitting a false, fictitious, or fraudulent statement, representation, or certification may result in criminal, civil, and/or administrative sanctions, including fines, penalties, and imprisonment.*

Rachel Gonzales-Levine

**NAME OF AUTHORIZED OFFICIAL\***

Acting Executive Director

**TITLE**



**SIGNATURE**

10/14/21

**DATE**

**\* Must be signed by either the Chairman or Secretary of the Board of the PHA's legislative body. This certification cannot be signed by an employee unless authorized by the PHA Board to do so. If this document is not signed by the Chairman or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.**

**ATTACHMENT II**  
**Commitment to Participate in the HUD-Sponsored Evaluation of the**  
**Fourth Cohort of the MTW Expansion**

**COMMITMENT TO PARTICIPATE**

**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
**OFFICE OF PUBLIC AND INDIAN HOUSING**

**Commitment to Participate in the HUD-Sponsored Evaluation of the Fourth Cohort of the MTW Expansion**

In addition to the elements described in PIH Notice 2021-03, HUD will provide additional scope and information about the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion and any additional requirements that the PHA must adhere to.

Acting on behalf of the Board of Commissioners of the applicant public housing agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I agree to ensure participation of the PHA in the HUD-sponsored evaluation of the first cohort of the MTW Expansion as described in PIH Notice 2021-03 understanding the following considerations:

- (1) The PHA must participate in the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion whether or not it receives an MTW designation through the lottery process described in PIH Notice 2021-03.
- (2) The PHA must follow PIH Notice 2011-65 or its successor notice whether or not it receives an MTW designation through the lottery process described in PIH Notice 2021-03. Adherence to PIH Notice 2011-65 regarding "Timely Reporting Requirements of the Family Report (form HUD-50058 and form HUD- 50058 MTW) into the Public and Indian Housing Information Center" is important to HUD's ability to evaluate the fourth cohort of the MTW Expansion.
- (3) In event the PHA is not selected to be in the treatment group, the PHA may apply to future cohorts of the MTW Expansion to which the PHA is eligible. Despite a potential designation under a future cohort, the PHA may continue to have obligations under the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion as well. Despite a potential designation under a future cohort, the PHA may not implement MTW activities in the Cohort #4 MTW Activities List in PIH Notice 2021-03 for the duration of the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion.
- (4) The PHA will cooperate fully with HUD and its contractors for the duration of the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion. Failure to comply with the HUD-sponsored evaluation of the fourth cohort of the MTW Expansion may affect the PHA's ability to apply to future cohorts of the MTW Expansion.

Berkeley Housing Authority  
**PHA NAME**

CA058  
**PHA NUMBER/HA CODE**

*I certify that the information provided on this form and in any accompanying documentation is true and accurate. I acknowledge that making, presenting, or submitting a false, fictitious, or fraudulent statement, representation, or certification may result in criminal, civil, and/or administrative sanctions, including fines, penalties, and imprisonment.*

Rachel Gonzales-Levine  
**NAME OF AUTHORIZED OFFICIAL\***

Acting Executive Director  
**TITLE**

SIGNATURE



DATE

10/19/21

*\* Must be signed by either the Chairman or Secretary of the Board of the PHA's legislative body. This certification cannot be signed by an employee unless authorized by the PHA Board to do so. If this document is not signed by the Chairman or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.*



## BHA Client Newsletter Spring 2021



### Dear BHA Program Participants,

Every Californian 16 and older is now eligible to get vaccinated. The vaccine is free of charge and you do not need to have health insurance to get it. Many health care providers are offering the vaccine, as are many pharmacies. Check [myturn.ca.gov](https://myturn.ca.gov) to view your eligibility and schedule appointments, or call 1-833-422-4255. If you wish to receive updates from the City of Berkeley Public Health Department regarding availability of the Covid 19 vaccine, you can sign up for alerts through this weblink: <https://public.govdelivery.com/accounts/CABERKE/signup/22371>.

**New Document Dropbox!** Located just outside the front door of our new office at 1947 Center Street, we now have a document drop box for BHA clients and landlords. The drop box is checked regularly Mondays through Thursdays. Please use the box when you are not able to email or fax documents to staff. Emails are listed on page 2 of this newsletter; our fax number is 510-981-5480.

**Please remember your obligation to provide true and complete information to BHA**, such as notifying your Housing Specialist when someone in your household gets a new job, loses a job, has a decrease in income, or is receiving unemployment. **You must also inform your Housing Specialist before you wish to move, or add or remove someone to or from your assisted household.** Please see our website for many of our forms you can use to report these changes: [https://www.cityofberkeley.info/BHA/Home/Forms\\_for\\_Owners\\_and\\_Tenants.aspx](https://www.cityofberkeley.info/BHA/Home/Forms_for_Owners_and_Tenants.aspx).

**Although we remain closed to the public, you must continue to pay your rent portion to your landlord.** An eviction moratorium remains in effect in the State of California through the end of June. If you experience a decrease in income or job loss it is important to let BHA know immediately so your rent portion can be readjusted (see below).

### Annual Inspections to Re-start This Summer

As you know BHA placed annual inspections on hold during the pandemic, to keep one another safe in an attempt to contain virus spread. (We have continued to conduct Special Inspections and "RTA" Move in Inspections.) Starting in July, we will return to conducting Annual Inspections. It has been a long time, in some cases, over 2 years since BHA has inspected many units. Those with the most length of time since the last inspection are being prioritized for the "catching up" process. Letters will be mailed 15-20 days in advance of the scheduled inspections dates. Thank you for your cooperation.

### Move To Work Program

BHA will be submitting an application in August for a HUD designation called "Move to Work" (MTW). This designation provides flexibilities for housing authorities, to study various aspects of the Section 8 program. BHA will be applying to the MTW focus area of *Landlord Incentives*—looking at various ways to increase the number of landlords in our program, thereby increasing the number of available units for our Program Participants to live in here in the City of Berkeley. HUD requires applicants for MTW designation to reach out to our Program Participants to obtain input on the MTW application before it is submitted.



There will be two Program Participant Hearings on the MTW plan, via Zoom: **Tues. May 18, and Tues. June 1, both at 10 am.** If you are unable to participate in either of these hearings, feel free to submit comments on the MTW plan to [bha@cityofberkeley.info](mailto:bha@cityofberkeley.info). All proposed plans will be posted on our website.

**Both meetings will be held using the following link/call in number** (note: you can join by just phone, or video, it is up to you):

<https://uso2web.zoom.us/j/3044140707?pwd=M2VWYotUUFUySDVzMVFYY2FzVXcwdzo9>

Meeting ID: 304 414 0707

Passcode: 403702

888 475 4499 US Toll-free

877 853 5257 US Toll-free

### Utility/Rental Assistance & Fiber (Internet) Program for BUSD Families

Enclosed with this newsletter are two important flyers, regarding: (1) Information about financial support from the County for back owed utility bills and rent, in situations where Covid has impacted ability to pay either (note: if you have already received State of California assistance please double check with the agency taking your County application). (2) Free fiber (internet) connection program for families with students enrolled in Berkeley Public Schools. As we all discovered during this pandemic, internet is a must have for kids to be able to connect with their teachers and classes while remote schooling.

### Contacting BHA Staff

Staff	Position/Client Last Name Begins with:	Phone: 510-981-	Email: @cityofberkeley.info
Lynda DeShazier	Housing Specialist A, B, C, D, K, L, O	5482	ldeshazier
Tracy Jackson	Housing Specialist E, F, G, H, I, J, M, N	5486	tjackson
Althea Maybon	Housing Specialist Mc, P, Q, R, S, T, U, V, W, X, Y, Z	5478	amaybon
Tilda Barnes	Supervisor/New Contracts/ Ports/Mod Rehab.	5484	tbarnes
Tyra Pumphrey	Office Assistant I (Reception)	5470	tpumphrey
Celinda Aguilar-Vasquez	Exec. Assistant/FSS Coordinator	5483	caguilar-vasquez
Jesy Yturralde	Finance Manager	5488	jyturralde
Jayla Fuentesilla	Office Asst. II/Accounting	5474	bfuentesilla
Maggie Wang	Accountant	5477	ywang
Rachel Gonzales-Levine	Acting Executive Director/ Management Analyst	5485	rgonzales-levine

### Upcoming Office Closures

- Thurs., May 20 – Malcolm X's Birthday
- Mon., May 31 – Memorial Day
- Mon., July 5 – Independence Day
- Closed every Friday.



## Programa de Colaboración para Recibir Internet de Fibra Gratuito

El internet que usted necesita para el aprendizaje  
a distancia (distance learning).

### Como funciona.

La elegibilidad para servicio gigabit fiber (hasta 1000Mbps) se basa en los siguientes criterios. Estamos seguros que esto mejorará la experiencia del distance learning con menos problemas de conexión para los estudiantes.



Hogares con por lo menos un  
estudiante (Pre K-12) en Berkeley  
Unified School District



Nuevos clientes de  
Sonic Fiber



El domicilio debe  
calificar para el servicio  
de Sonic Fiber

### El inscribirse es fácil.

**1**

Visite **sonic.com/gobusd**  
o comuníquese al  
510-858-7848.

**2**

Ingrese los detalles  
de la escuela, domicilio  
y nombre.

**3**

**¡Comience a usar**  
el internet más rápido  
de California!

¡Visite **sonic.com/gobusd** para inscribirse hoy!





## **Free Fiber Internet Partnership Program**

The internet you need for distance learning.

### **How it works.**

Eligibility for gigabit fiber service (up to 1000Mbps) is based on the following criteria.  
We're confident this will allow for an improved distance learning experience with fewer connection issues for students.



Households with at least one Berkeley Unified School District student (Pre K-12)



New Sonic Fiber Customers



Home address must qualify for Sonic Fiber service

### **Signing up is easy.**

**1** Visit **sonic.com/gobusd** or call 510-858-7848.

**2** Input school details, address, and name.

**3** Start using California's fastest internet!

Visit **sonic.com/gobusd** to sign up today!

# COVID-19 RENT RELIEF



ALAMEDA COUNTY  
HOUSING SECURE

Are you behind on rent or utilities because of COVID-19?

Are you a landlord who has experienced a loss in income because of unpaid rent?

You may be eligible for financial assistance through the Alameda County Housing Secure Emergency Rental Assistance Program.

**ACHS ERAP** will help renters pay past due rent or future rent + help renters get caught up on utility bills.

How do I apply?



call 211

Visit:

[ac-housingsecure.org](https://ac-housingsecure.org)

## Who can apply?

- Tenants in Alameda County, excluding Oakland and Fremont
- Renters with household incomes not more than 80% AMI
- Renter qualifies for unemployment benefits or experienced a reduction in household income, incurred significant costs, or experienced other financial hardship due to COVID-19
- Renter demonstrates a risk of experiencing homelessness or housing instability





# COVID-19 ALIVIO PARA INQUILINOS



ALAMEDA COUNTY  
HOUSING SECURE

➤ ¿Esta atrasado en sus pagos de renta o facturas de servicio debido a COVID-19?

➤ ¿Es usted un propietario con pérdidas de ingreso debido a la falta de pagos de renta de sus inquilinos?

**Usted puede ser elegible para recibir asistencia financiera a través del programa de emergencia de vivienda para los inquilinos del condado de Alameda ("ACHS ERAP")**

**ACHS ERAP** ayudará a inquilinos pagar la renta adeudada o por adelantado, y ayudará pagar sus facturas de servicio.

**¿Como puedo aplicar?**



**llama al 211**

**Visite:**

**[ac-housingsecure.org](https://ac-housingsecure.org)**

**¿Quién puede aplicar?**

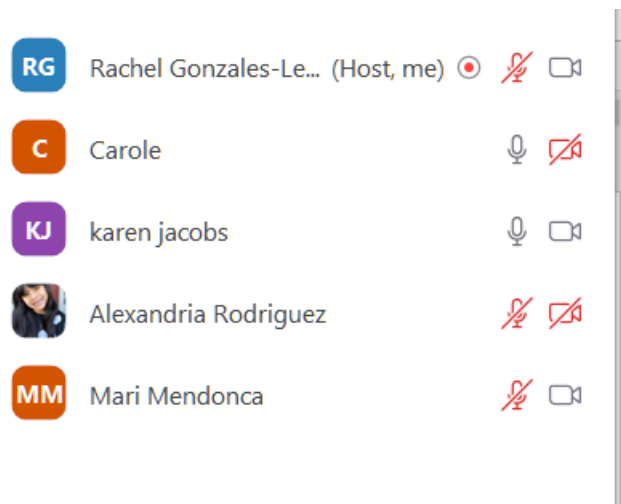
- Inquilinos del condado de Alameda, excepto Oakland y Fremont.
- Inquilinos que no superan el 80% del promedio de ingreso del área.
- Inquilinos que han calificado para desempleo o han tenido pérdidas de ingresos, incurrió costos significativos, o sufrió otras dificultades financieras debido a COVID-19.
- Inquilinos que demuestran el riesgo de perder o tener inestabilidad de su hogar.



Inquilinos en las ciudades de Fremont y Oakland visite:

[www.fremont.gov/KeepFremontHoused](https://www.fremont.gov/KeepFremontHoused)

[www.oaklandca.gov/resources/housing-resources-erap-emergency-rental-assistance](https://www.oaklandca.gov/resources/housing-resources-erap-emergency-rental-assistance)



Beverly Dove

# **BHA MTW Application to HUD Cohort #4: Landlord Incentives Resident/RAB Meeting #1 May 18, 2021, 10 am**

Via Zoom:

<https://us02web.zoom.us/j/3044140707?pwd=M2VWY0tUUFUySDVzMVFYY2FzVXcwdz09>

Meeting ID: 304 414 0707

Passcode: 403702

888 475 4499 US Toll-free

877 853 5257 US Toll-free



Berkeley Housing Authority

# Agenda

1. Welcome & Introductions
2. HUD's Move To Work (MTW) Program – Explanation/What are LL Incentives; What are Regulatory Waivers?
3. Application Process – Requirements/Selection
4. What happens if BHA's Application is selected? What happens if not selected?
5. Landlord Incentives
  - Options for incentives
  - Input from RAB/Residents on incentive options
6. Next steps & save the date! Next meeting: June 1, 10 am



# HUD MTW Program - Explanation

- HUD's Move To Work (MTW) program allows housing authorities regulatory and fiscal flexibilities including Regulatory Waivers\* to implement innovative strategies to house families.
- The MTW program incorporates a research component with every new cohort of MTW agencies; BHA is applying for Cohort #4:Landlord Incentives. Currently there are 80 MTW agencies nation-wide, focusing on a variety of topics such as work requirements, and tiered rents.
- MTW moves away from a “one-size-fits-all” approach to affordable housing by allowing communities to effectively address distinct issues they face.
- Locally tailored policies adopted by current and future MTW agencies will be a part of solving the challenges faced by all housing authorities, by helping inform HUD about “what works” in housing.
- BHA's Board has requested that staff apply for MTW designation.

# HUD MTW Program – Landlord Incentives

- The goal of HUDs MTW Landlord Incentives cohort is to evaluate whether incentives impact landlord participation in the Housing Choice Voucher program.
- PHAs in this cohort must implement at least two MTW landlord incentive activities from a HUD provided list.
- HUD anticipates selecting 30 PHAs through the fourth cohort in Fall 2021 – very competitive.
- PHAs must submit: MTW Plan & Application Package; Board resolution; ensure public requirements are met – THANK YOU AGAIN FOR PARTICIPATING TODAY!
- HUD aims for geographic diversity and will conduct a lottery where more applications are received than can be awarded.
- BHA realizes the importance of landlord participation in our program and recently has focused resources to attract and retain landlords.

# Recent Focus on Landlords

## BHA's Goal: Attract Units to House More Voucher Holder Households & Families

- BHA's Section 8 Voucher & Other Subsidy Programs mean the difference between an affordable home or homelessness for 2,800 Berkeley residents.
- However, without landlords willing to rent to our subsidized clients and families, there will be no chance for success of the Section 8 Voucher Program in Berkeley
- BHA has worked hard, and continues to strive, to improve landlord relations:
  - **Surveyed** Berkeley Property Owners Association; future "BHA 101" session with BPOA
  - **Considering an increase in Payment Standard** to 110% of the Fair Market Rents (maximum allowable by HUD)
  - **Customer service training** for all staff & soon to hire a staff person who will have partial responsibility as **landlord customer service rep.**
  - **Landlord incentive program** – *thanks to COB* for \$50K to use towards Unit Turnover grants at \$1,500 per unit with confirmed move in of BHA client household – though funds to be depleted shortly; BHA is requesting additional funds for continuation of this crucial program.

# What are Regulatory Waivers?

- HUD housing programs are regulated by the Code of Federal Regulations (CFRs)
- MTW allows housing authorities to try creative endeavors “waiving” the regulations and instead attempting to try something new
- Examples of Regulatory Waivers in the context of landlord incentives include:
  - Payment Standards of between 80% - 120% of the Fair Market Rent (as opposed to 90% - 110% of the FMRs)
  - Vacancy Loss Payments: paying 1 month HAP for landlords in between voucher tenancies
  - Damage Claims/One month rent to new landlords to join the program
  - Pre-qualifying inspection

# **Application Process:**

## **What happens if selected/not selected?**

- If selected as MTW designee, BHA will be considered the “treatment group” for purposes of evaluation
- If not selected as MTW designee, BHA might be considered a part of the “control group” and will not have access to the flexibilities associated with MTW.
- The evaluation is expected to be 4 years
- Goal of Evaluation: Are the LL Incentives impactful? Study landlord receptiveness to the HCV program; numbers appearing on the unit listing; lease up success rate of voucher holders; number of LLs participating and location of the units within the jurisdiction.

# Landlord Incentives: Why Incentivize? What are the options? & RAB/Resident Input

- Staff believes that the following Incentives would be most impactful in Berkeley:
  - ❖ Payment Standard of between 110% - 120% of the FMR where the market is trending high
  - ❖ Vacancy loss of up to 1 month in between voucher tenancies
  - ❖ Damage claims of up to 2 months contract rent (accounting for security deposit)
  - ❖ One month rent to landlords who are new to the program and joining for the 1<sup>st</sup> time

Questions: What are your thoughts? Any other ideas to incentivize landlords?  
How would you rank these in order of importance to least important?

# Next Steps

## 1. Next Steps:

- Staff will incorporate comments from today's meeting into Draft MTW Plan
- And will reach out to community partners for support in this endeavor
  - Berkeley Property Owners Association
  - City Departments
  - Local housing advocacy orgs.
  - RAB/Community members – please share suggestions

## 2. Save the Dates!

- June 1, 10 am: Resident/RAB Participation Meeting #2
- July 8, 5 pm: BHA Board Meeting/MTW Public Hearing
- July 29, 4:30 pm: Special BHA Bd. Mtg for Approval of MTW Plan
- Application Due to HUD August. 6, 2021



## Oakland Tribune Public Notice

**NOTICE** The Berkeley Housing Authority (BHA) will apply for HUD's Moving To Work (MTW) Demonstration Program, Cohort 4 "Landlord Incentives." On August 10, the draft MTW application will appear on BHA's website, [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha), in order to allow for public review and to receive public comment. For comment submission, please send to [bha@cityofberkeley.info](mailto:bha@cityofberkeley.info), on or before 5 pm on September 8, 2021. Please indicate "MTW Comment" in the Subject Line of your email.

There will be a Public Hearing via Zoom regarding the MTW application/plan during the September 9, 2021 BHA Board meeting, at 5:30 pm. There will also be a Special Board meeting via Zoom, on Tues. Sept. 28, at 4:00 pm for Board approval of the MTW application/plan. For details on logging into the Public Hearing and Special Board Zoom meeting, please visit BHA's website, [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha).

The Berkeley Housing Authority is a fair housing provider, and does not discriminate against any person because of race, color, religion, sex, handicap, familial status, marital status, sexual orientation, or national origin.



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Noticia Publica

La Autoridad de Vivienda (BHA) aplicara para el Programa de Demostracion, Movriendose a Trabajar ,Grupo de Demostracion, “Incentivo para Propietarios de HUD.” El 10 de Agosto la propuesta aplicacion de MTW estara en la pajina de web de BHA, [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha), para poder permitir revision del publico y recibir comentarios del publico. Para someter comentarios, porfavor mande un correo electronico a [bha@cityofberkeley.info](mailto:bha@cityofberkeley.info) el 8 de Septiembre, 2021 a las 5 pm o antes. Porfavor indice “MTW Comment “ en la linea de asunto.

Habra una audiencia publica por medio de Zoom sobre la aplicacion/plan de MTW durante la reunion de la junta directiva el 9 de Septiembre, 2021 a las 5:30 p.m. Tambien habra una reunion de la junta directiva especial por medio de Zoom, el Martes 28 de Septiembre, 2021 a las 4 p.m. para obtener aprobacion de la junta directiva de la aplicacion/plan de MTW. Para detalles en como iniciar la sesion a la Audiencia Publica y la Reunion Especial de la Junta Directiva, porfavor visite la pajina de web de BHA, [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha).

Si necesita asistencia con la traduccion o interpretacion durante las juntas del 9 y 28 de Septiembre, por favor, llame a Celinda Aguilar-Vasquez al (510) 981-5483 o mande un email a: [caguilar-vasquez@cityofberkeley.info](mailto:caguilar-vasquez@cityofberkeley.info).

La Autoridad de Vivienda de Berkeley es un proveedor de viviendas que no discrimina y no hace preferencias ni limitaciones por raza, color, religion, sexo, discapacidad, estatus familiar o origen de nacionalidad.



El Mensajero Public Notice  
Sunday, August 8, 2021  
Noticia Publica

La Autoridad de Vivienda (BHA) aplicara para el Programa de Demostracion, Movriendose a Trabajar ,Grupo de Demostracion, “Incentivo para Propietarios de HUD.” El 10 de Agosto la propuesta aplicacion de MTW estara en la pajina de web de BHA. [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha), para poder permitir revision del publico y recibir comentarios del publico. Para someter comentarios, porfavor mande un correo electronico a [bha@cityofberkeley.info](mailto:bha@cityofberkeley.info) el 8 de Septiembre, 2021 a las 5 pm o antes. Porfavor indice “MTW Comment “ en la linea de asunto.

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**BHA MTW Resident/RAB Mtg #2**  
**June 1, 2021, 10 am**  
**Agenda**

1. **Introductions**
2. **Review Goals**
3. **Plan for identified Activities**
4. **Next Steps**

**Today's Meeting goals:**

- Review & discussion of MTW program/application process/activities
- Discussion and refining the list of MTW activities BHA will focus on if selected
- Brainstorming which community partner entities BHA will reach out to for support letters and partnerships
- Next steps

**MTW Program/Application Overview – a Review**

- HUD is undertaking an expansion of its MTW Program, through a competitive process, allowing an additional 100 housing authorities MTW designation, over 10 years.
- Their strategy is to invite applications for MTW status through various cohorts that will focus on areas HUD wishes to study in terms of flexibilities in operations.
- Cohort #4 will focus on landlord incentives.
- Thirty housing authorities from around the country will be selected in this landlord incentive cohort, thus it will be extremely competitive, and a lottery will be implemented.

**What happens if selected? Or not?**

- Applicants will either be selected for MTW status; or not be selected but required to participate in the evaluation as an agency in the control group.
- Note: staff has posed a question to HUD as to whether participating in the control group would negate us from being able to receive funding from the City of Berkeley for our Unit Turnover Program, as it is one of BHA's current strategies to attract and retain landlords, and await a response. *Response from HUD received: we are cleared to continue receiving such funding.*
- Additional concern posed to HUD was whether BHA would be excluded from receiving any additional HUD funds that would focus specifically on landlord incentives, such as that posed in the "Choice in Affordable Housing Act" sponsored by Sens. Coons and Cramer.

### **MTW Activities**

MTW applicants in the landlord incentive cohort are required to select two “activities” from a prescribed list, the ones staff is most interested in implementing:

- Payment Standards – Fair Market Rents (FMR): The PHA may establish payment standards between 80% and 120% of the FMR.
- Vacancy Loss: The PHA may pay a landlord up to one-month contract rent as reimbursement for time the unit spent vacant in between HCV participants.

In addition to being required to implement two of these prescribed activities, HUD allows PHA’s to implement additional flexibilities. Staff is interested in the following MTW flexibilities, related to landlord incentives:

- Disabled Unit Modifications: BHA will provide grants to landlords, up to \$1,500 to allow for modifications to a unit to allow those in wheelchairs to safely live in units that are not set up for wheelchair access. Costs could include installing ramps, removing carpet, and lowering countertops.
- Hoarding Cleanup Grants: BHA will provide grants of up to \$500, to landlords and/or community groups to assist in cleaning up unsafe, unsanitary hoarding situations.

Staff is interested in the following MTW flexibilities, related to other programmatic areas, outside of landlord incentives:

- Ability to increase the amount of PBVs BHA can allocate – rather than up to 30% of units, increase to 35% or 40%, should we have supporting HAP funds available in the HAP budget.
- Acquisition of property without HUD approval. This will speed up the process by which AHB and/or BHA may purchase a property for acquisition/rehab.
- Cap on the number of required FSS program participants to the current figure, as staff has encountered difficulty with recruiting clients interested in participating in the FSS program. Note: HUD has indicated 37 is the required number of FSS participants; we have approx. 27 currently enrolled, with 2 “graduates.”

### **Public Process**

- HUD requires that applicants conduct Resident/RAB meetings in order to obtain input from our program participants on the MTW proposals.
- All clients were invited to participate in both of these meetings, as notified via our April newsletter, and staff reached out to RAB members specifically to encourage attendance.
- The first Resident/RAB meeting occurred on May 18; the second one today. Attachment 1 includes the Powerpoint slide from the May 18 meeting.

### **Next Steps**

- In addition to the public meetings, a hearing must occur which had been planned for the July 8 Board meeting, as well as a Special Meeting to adopt the MTW plan on July 28, in preparation for an application submission due date of August 6.
- *However*, HUD recently notified housing authorities that there will be an extension for submission deadline to a yet-to-be-identified date in September for Cohort #4 (in addition HUD rescinded the application option for Cohort #3 which was to be focused on work requirements).

We will be taking advantage of this extension for submission deadline, and will have the public hearing on the MTW Plan during the September 9 Board meeting, and will hold the Special meeting to adopt the MTW Plan on Sept. 24, unless we hear from HUD that the application is due prior to Sept. 24. If this is the case, staff will make plans to move the public hearing to a date in August and hold the Special meeting to adopt the MTW plan at least 15 days later (a HUD requirement), perhaps during the Sept. 9 Board meeting.



## Berkeley Housing Authority

1947 Center St., 5<sup>th</sup> Floor, Berkeley, CA 94704  
Telephone: (510) 981 5470 Fax: (510) 981 5480

Item 6C  
NEW BUSINESS  
September 9, 2021

*Office of the Executive Director*

To: Honorable Chair and Members of the Berkeley Housing Authority Board

From: Rachel Gonzales-Levine, Acting Executive Director

Subject: Public Hearing: Move To Work (MTW) Application and Plan (Proposed)

### **Background**

As part of the public process for submitting the MTW application to HUD, we are required to hold a public hearing on the proposed MTW plan/application (Attachment 1). Staff will take into consideration all public comments provided this evening in terms of whether or not to alter the current draft.

### **Public Process**

BHA has met the HUD requirement to conduct two Resident/RAB meetings in order to obtain input from our program participants on the MTW proposal. The first Resident/RAB meeting occurred on May 18; the second on June 1. The Board was provided with PowerPoint slides and handouts from these input meetings at the June Board meeting. All RAB members received an email from staff informing of the posting of the final draft of the MTW plan/application on the website, their ability to comment, and were reminded of this evening's public hearing, should they wish to participate.

In addition to the public meetings, and this evening's public hearing, there will also be a Special meeting on Tues. Sept. 28 at 4:30 pm for the Board to adopt the MTW Plan and Application. Timeline of dates listed below provides further details on the application process, and milestones BHA must meet in order to properly apply for MTW designation.

### **Timeline**

- August 6 & 8: Public notices posted in Oakland Tribune and La Opinion, also BHA website, indicating that on Aug. 11 the application package available for review for 30 days & MTW Public Hearing will be during Sept. 9 Board meeting
- Aug. 11: Application package available for public review, posted on BHA's website
- Sept. 9: Board Meeting: Hold Public Hearing
- Sept. 28: Special Meeting for Board to approve and adopt MTW Plan and Application Package (must be at least 15 days after Public Hearing)
- No later than Oct. 15: Finalize and submit MTW Plan and Application Package to HUD.

### **MTW Activities**

Below are the MTW activities (regulatory flexibilities) BHA plans to include in our MTW Plan/Application; this list includes two activities from the required HUD landlord incentive list; two flexibilities staff has identified to address landlord and client challenges; and three from a HUD MTW list of other

programmatic flexibilities not necessarily related to landlord incentives, but are available to all MTW-designated agencies. These proposals have been as vetted and commented upon by our RAB/residents who participated in our Resident/RAB meetings:

- **Payment Standards – Fair Market Rents (FMR):** The PHA may establish payment standards at 120% of the FMR.
- **Other Landlord Incentives:** for landlords without any HCV tenants, the PHA may provide up to one-month contract rent (signing bonus).
- **Unit Cleaning Fee—Death of Sole Remaining Resident:** BHA will pay one-month HAP for the month following the month of death of the sole remaining resident for cleaning a unit, or allowing the family members of the deceased, to remove belongings, provided that the landlord leases up another household utilizing a voucher for the unit upon turnover.
- **Disabled Unit Modifications:** BHA will provide grants to landlords, up to \$500 to allow for modifications to a unit to allow physically disabled households to safely live in units. Costs could include lowering countertops, installing grab bars, etc.
- **Increase PBV Program Cap:** rather than up to 30% of units, increase to a figure above 30%, such as perhaps 35 or 40% of HAP Budget/Voucher allocation, provided there are supporting HAP funds available in the HAP budget.
- **Acquisition without HUD Approval:** to make more efficient the process by which BHA and/or AHB, our non-profit affiliate, may purchase a property for acquisition/ rehab. or land for new construction.
- **Cap on Number of FSS Program Participants to 27:** because BHA has never been able to qualify for HUD funding for FSS Coordinator position, we will cap the number of FSS participants. We have 24 FSS participants currently enrolled, with 3 graduates.

**Attachment:**

MTW Application (Final Draft) for Posting to BHA Website Aug. 10, 2021



**Berkeley Housing Authority**

1947 Center St., 5<sup>th</sup> Floor, Berkeley, CA 94704  
Telephone: (510) 981 5470 Fax: (510) 981 5480

**Public Hearing:  
Move To Work (MTW) Application and Plan  
September 9, 2021**

The Public Hearing on the MTW Application/Plan occurred during the September 9, 2021 Berkeley Housing Authority Board Meeting.

Board Chair, Chris Schildt, opened the public hearing, and asked whether any members of the public were present, in order to provide public comment. No members of the public were present.

Acting Executive Director reviewed the Staff Report including:

- Background on MTW application/Cohort #4 Landlord Incentives
- Public Process and Timeline – dates on which public notices and draft application were posted; RAB-Resident meetings; Special Meeting to adopt the application/plan
- Proposed MTW activities.

Dan Rossi, Board member, indicated that he would like to have the Project-based Voucher program cap language to be written more generally: rather than indicating BHA will increase the PBV cap to 35% - 40% of HAP budget/voucher allocation, simply indicate that BHA will increase to a figure above 30%.

The Board Chair, Chris Schildt, closed the public hearing.

BERKELEY HOUSING AUTHORITY  
RESOLUTION NO. 21-05

APPROVING THE MTW APPLICATION AND PACKAGE FOR SUBMISSION TO HUD, AND AFFIRMING BHA'S DESIRE TO OBTAIN MTW DESIGNATION UNDER THE FOURTH COHORT OF THE MTW EXPANSION AND INTENT TO COMPLY WITH THE MTW OBJECTIVES, STATUTORY REQUIREMENTS, AND OPERATIONS NOTICE, AS WELL AS BHA'S COMMITMENT TO IMPLEMENT THE LANDLORD INCENTIVE ACTIVITIES DISCUSSED IN THE MTW PLAN AND APPLICATION PACKAGE.

WHEREAS Berkeley, California, has unaffordable housing costs (both rental and homeownership) for low and extremely low-income households; and

WHEREAS without voucher subsidy, rental housing in Berkeley, California is generally unattainable for low and extremely low-income households; and

WHEREAS BHA recognizes the crucial impact landlords have on our ability to house low and extremely low-income households in Berkeley through our voucher programs; and

WHEREAS BHA has begun to focus resources on landlords to incentivize and retain their business, and has a commitment to continuing to focus such resources on landlords in order to increase our ability to lease up voucher holders in Berkeley; and

WHEREAS BHA complied with all of the public processes as required by HUD prior to submitting the MTW application/package, including:

- The PHA must notify public housing residents and/or HCV participants (as applicable to the PHA's inventory) of its intention to participate in the MTW Demonstration Program. This notification must be in advance of developing the MTW Plan (as described in Section 5(C)(ii)(a) of this Notice). [*Completed:* BHA Newsletter Spring 2021 (April 2021)]
- The PHA must hold at least two resident/participant meetings (separate from, and before, the required public hearing). [*Completed:* May 18, 2021 and June 1, 2021]
- After the two resident/participant meetings, the PHA must publish a notice that a hearing will be held on the full MTW Plan and application package. [*Completed:* August 6 (East Bay Times) and August 8 (La Opinion)]
- The draft MTW Plan and Landlord Incentive Activities Information must be available for public inspection for at least 30 days before submission of the MTW Plan and application package to HUD. [*Completed:* Plan/Activities Information posted on BHA's website August 11]
- Public Hearing [*Completed:* September 9]
- Special Meeting to Adopt MTW Application Plan and Package. [*Completed:* Special Board meeting September 28].

NOW THEREFORE BE IT RESOLVED that the BHA Board approves and authorizes staff to apply for MTW designation under the fourth cohort of the MTW Expansion; and affirms that BHA will comply with the MTW objectives, MTW statutory requirements and HUD Operations Notice;



FURTHER RESOLVED that BHA has met the public process requirements in Section 5(C)(i)(c) of HUD Notice 2021-03; and has a commitment to implement the landlord incentive activities discussed in the MTW Plan and application package.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on September 28, 2021 by the following vote:


Ayes: Rossi, Schildt, Kashani, Moody and Thomas-Rodriguez

Noes: None

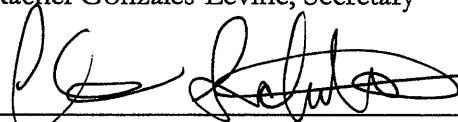
Abstain: None

Absent: Levine

Attest:

  
\_\_\_\_\_  
Rachel Gonzales-Levine, Secretary

Attest:

  
\_\_\_\_\_  
Christ Schildt, Board Chair

**Certification of Consistency  
with the Consolidated Plan**U.S. Department of Housing  
and Urban Development

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's current, approved Consolidated Plan.  
(Type or clearly print the following information:)

Applicant Name: Berkeley Housing Authority (CA058)Project Name: MTW Expansion - Cohort 4 (Landlord Incentives)Location of the Project: Berkeley, CAName of the Federal  
Program to which the  
applicant is applying: MTW Expansion - Cohort 4 (Landlord Incentives)Name of  
Certifying Jurisdiction: City of BerkeleyCertifying Official  
of the Jurisdiction  
Name: Lisa WarhuusTitle: Director, Health, Housing & Community ServicesSignature: Date: 10/01/2021

# Certification of Payments to Influence Federal Transactions

Appendix 3

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

OMB Approval No. 2577-0157 (Exp. 01/31/2017)

Berkeley Housing Authority (CA058)

Applicant Name

Move to Work (MTW) Applicatoin (Landlord Incentives Cohert)

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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

Name of Authorized Official **Racel Gonzales-Levine**

Title **Acting Executive Director**

Signature



Date (mm/dd/yyyy)

10/12/2021


**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		<b>3. Report Type:</b> <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____	
<b>4. Name and Address of Reporting Entity:</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known:  Berkeley Housing Authority 1947 Center Street, Fifth Floor Berkeley, CA 94704  Congressional District, if known: 4c			<b>5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime:</b>   Congressional District, if known:		
<b>6. Federal Department/Agency:</b>  HUD			<b>7. Federal Program Name/Description:</b>  Move to Work CFDA Number, if applicable: _____		
<b>8. Federal Action Number, if known:</b>			<b>9. Award Amount, if known:</b> \$		
<b>10. a. Name and Address of Lobbying Registrant</b> (if individual, last name, first name, MI):  N/A			<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):  N/A		
<b>11.</b> Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: <u></u> Print Name: <u>Rachel Gonzalez-Levine</u> Title: <u>Acting Executive Director</u> Telephone No.: <u>510-981-5485</u> Date: <u>10/12/21</u>		
<b>Federal Use Only:</b>					Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.



## Berkeley Housing Authority

1947 Center St., 5<sup>th</sup> Floor, Berkeley, CA 94704  
Telephone: (510) 981-5470 Fax: (510) 981-5480

*Office of the Executive Director*

Item 5C  
NEW BUSINESS  
January 14, 2021

To: Honorable Chairperson and  
Members of the Berkeley Housing Authority Board

From: Rachel Gonzales-Levine, Acting Executive Director/Management Analyst

Subject: Landlord Recruitment & Retention, Customer Service

### BACKGROUND

The Payment Standard/FMR ad hoc Subcommittee met in October to discuss the 2021 FMRs and setting the Payment Standards. During the discussion, which partly centered around ensuring the payment standards are set high enough to attract and retain landlords, the subcommittee also brought up the notion of customer service provided to tenants and landlords. Landlords are more likely to participate if they are provided with helpful customer service.

The following action items have been taken or are planned in this regard:

- a) NAHRO "Excellence in Customer Service" training – all staff attended webinar as of 1/7/2021 (Attachment 1)
- b) Anonymous survey of Berkeley Property Owners Association (BPOA) membership so that results of survey can be utilized for growing potential landlord base (Attachment 2). Survey closes 1/18/2021, results to be shared with the Board in Feb.
- c) Provide a "BHA 101" workshop for BPOA membership once results of survey are analyzed, date to be determined.
- d) Management team receive to receive refresher training/overview on re-implementation of annual performance reviews, date to be determined.

### CONTACT PERSON

Rachel Gonzales-Levine, Acting Deputy Executive Director/Management Analyst, 981-5485

### Attachments:

1. Description of NAHRO's Customer Service Training
2. BHA's Survey of BPOA Membership

## NAHRO Excellence in Customer Service (e-Learning)

### **Description**

Customer service is the deciding factor in whether or not an agency meets its bottom line every month. Effective communication not only improves relationships and results externally with agency clients, but internally with agency staff. This one-day training program will focus on the new wave of customer service and how perfecting the details of communication can make your agency's customer service excellent. Public Housing is no longer the housing of last resort. Through efficient customer service, you can help make that idea a reality. Filled with continuous classroom interaction, this is one session you do not want to miss!

### **Who Should Attend**

Every staff member of the agency is recommended to take this course. Excellent customer service should happen at every level.

### **Objectives**

- Recognize elements of communication that you must improve for yourself;
- Understand how effective customer services affects the fiscal health of an agency



## Berkeley Housing Authority Rental Property Owner Survey

Dear BPOA members,

The Berkeley Housing Authority (BHA) is interested in hearing from rental property owners in Berkeley, in an effort to recruit new landlords to our programs, and to better work with our landlords currently partnering with us to house low income families in the City of Berkeley. The survey is anonymous.

OK

1. Have you ever rented a unit in Berkeley to a household using a Section 8 Housing Choice Voucher?



☐ Yes

☐ No

2. If Yes

☐ Currently participating landlord

☐ Previously participated and willing to again

☐ Previously participated and unwilling to do so again

3. If you have participated with BHA or currently are participating, how would you rate your experience in working with BHA?

☐ 3 = Stellar, happy with my experience

☐ 2 = Satisfactory, encountered some challenges that were resolved

☐ 1 = Less than satisfactory, many difficulties encountered with few challenges resolved

4. [for those who selected "2" or "1" above] What challenges, if any, did you encounter?



5. If you have not participated in the Housing Choice Voucher Program, why not? (Check all that apply)



- ☐ Payment Standard (rent maximum) too low
- ☐ Concerns about unit damage
- ☐ Dislike the inspection requirement
- ☐ Unsure
- ☐ No voucher holders ever inquired about renting my unit
- ☐ Open to the idea, but do not know where to begin
- ☐ Other (please specify)

6. Is there anything else you would like BHA to know or any questions you may have for us?



## Berkeley Housing Authority

1947 Center St., 5<sup>th</sup> Floor, Berkeley, CA 94704  
Telephone: (510) 981 5470 Fax: (510) 981 5480

Item 5C

NEW BUSINESS

February 18, 2021

*Office of the Executive Director*

To: Honorable Chair and Members of the Berkeley Housing Authority Board

From: Rachel Gonzales-Levine, Acting Executive Director/Management Analyst

Subject: Landlord Outreach/Berkeley Property Owners Association (BPOA) Survey

### **Background**

A copy of the anonymous BPOA survey was provided to the Board at the January Board meeting. The survey was purposefully kept succinct, to encourage more responses, and provided for open ended answers, allowing for candid input. A total of 55 responses were received, which is approximately 10% of the BPOA membership, a figure that the Director of BPOA cited as a decent response rate in the larger context of other online surveys she has conducted.

### **Status**

Of the total 55 responses, 16 were either currently or previously participating landlords; of the 16, 4 are currently participating; 2 were prior participating landlords and willing to do so again; while 10 were previous participants and unwilling to participate again (more below).

Of the 18 respondents who answered the question asking them to rate their experience, 2 were happy with “stellar” experience; 6 were “satisfied” and encountered some challenges that were resolved; while 10 had a “less than satisfactory” experience with many challenges and little resolution.

46 responses were received in the question asking for reasons why landlords did not participate (note: respondents could select more than one option):

- 22 (48%) indicated “Concerns about unit damage”
- 13 (28%) indicated “Payment Standard too low”
- 9 (20%) cited “Dislike inspection requirement”
- 27 (58%) were either “unsure” as to why they have not participated with BHA; or open to the idea but unsure where to begin; or indicated “No voucher holders inquired about renting my unit.”
- 21 (45%) cited “Other” reasons such as:
  - The same reasons I don’t consider high return property in bad neighborhoods but probably should
  - My rental is very close to my home and do not want any tenant drama
  - Tenants tardy in paying their portion of rent and no help from BHA other than “Enforce your lease, start eviction process.”
  - I want no more government involvement in my property due to the Berkeley Rent Board and a terrible experience with Rental Safety Program.

- Concern may have problematic tenants.
- Difficulty getting rent increases we were entitled to. The bureaucracy is too rigid. We sent rent increases early once only to be told that they had to be resubmitted in proper time.
- Constant inspections without notice. Tenant was not obligated to upkeep the apartment and continually damaged which we were required to repair after the next inspection.
- Concern about additional bureaucracy and restrictions/impairment on property value.
- Fear that if I ever start, I will never be able to get out. Do not want to encumber my property with this liability. Owner is not allowed to leave program if dissatisfied.

The last question was the most open ended, and asked if there is “anything you would like BHA to know or any questions you may have.” Responses included:

- Property taxes make it difficult for a landlord to consider Section 8 tenants. Insurance costs are also a factor.
- I don’t have knowledge about how the Section 8 Program works.
- Thank you to BHA staff trying to be helpful where they can.
- Start with the market rate rent with up to 5% rent increases annually.
- Inspections should be initiated by the tenant. What is the need for inspections? Means testing should be done similar to BMR program.
- Why do other localities away from the Bay Area always have more available people with vouchers? Is it a budgeting/management problem in the Bay Area?
- I’d consider Sec 8 if it was easier on the landlord.
- A good start would be to treat landlords with a modicum of respect rather than making us feel like untrusted partners.
- BHA should indemnify owners for the outrageous cost of eviction of bad section 8 tenants. Owners should be allowed to reject applicants who have a criminal record.
- If a section 8 tenancy causes problems for my neighbors are there any repercussions?
- Experience varied. Since was exempt from local rent control sometimes rent was higher than city allowances and sometimes lower. The agency was helpful when tenant developed dementia and almost set building on fire. However now with all additional Rent Board regulations I would hesitate.
- Overall it is a good program and I would be happy to have additional renters with vouchers if the Payment Standard was closer to market rent.
- If the job of property owner in Berkeley were simpler, and if information about BHA were readily available, it would be a good starting point.

### **Next Steps**

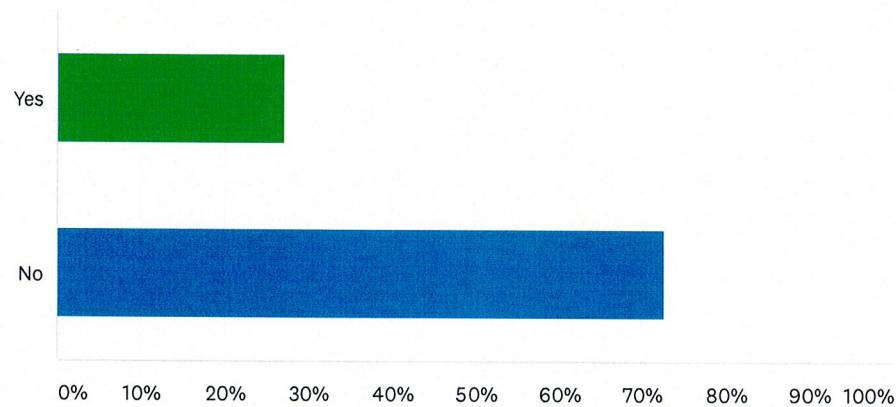
Clearly, there is a need for BHA to educate potential landlords and improve upon our customer service to existing landlords. The fact that 27 respondents (58%) were “open to the idea but unsure where to begin” is a good starting point for Staff to develop a “BHA 101” presentation to provide at an upcoming BPOA membership meeting. Staff will share with Berkeley landlords the benefits of participation, including guaranteed rent regardless of tenant income fluctuations, direct deposit, why a landlord may consider inspections a plus, all while detailing the realities of our program, with in the legal and regulatory parameters in which our programs are required to operate (Payment Standards, City of Berkeley eviction law, federal regulations).

### **Attachment:**

1. BPOA Survey Summary (SurveyMonkey)

Q1 Have you ever rented a unit in Berkeley to a household using a Section 8 Housing Choice Voucher?

Answered: 55 Skipped: 0

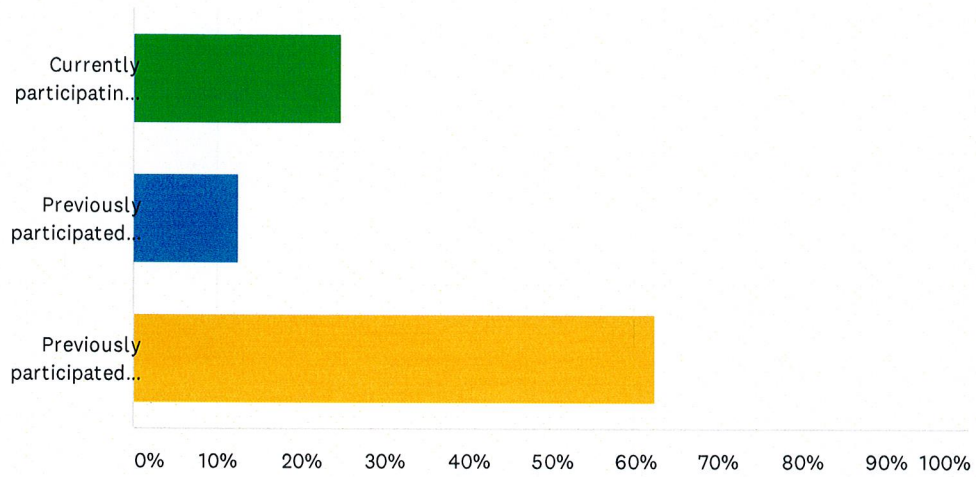


ANSWER CHOICES		RESPONSES	
Yes		27.27%	15
No		72.73%	40
TOTAL			55



## Q2 If Yes

Answered: 16 Skipped: 39



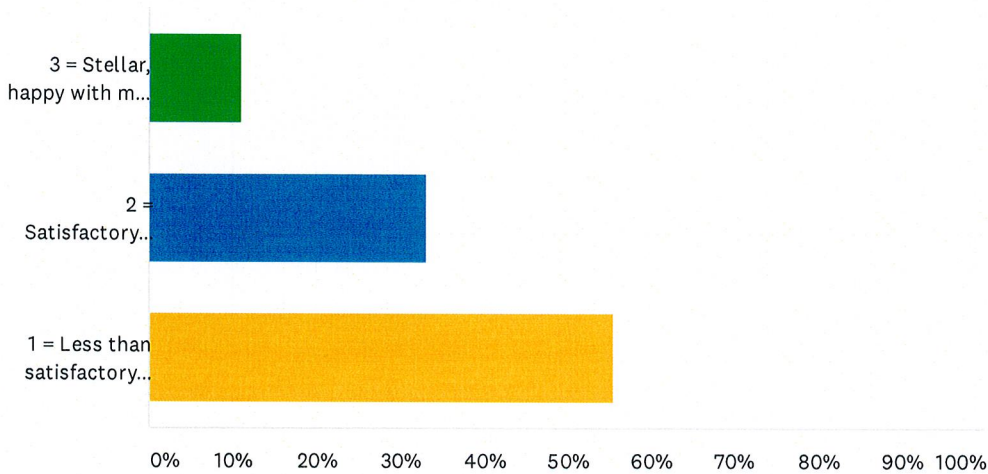
### ANSWER CHOICES

### RESPONSES

Currently participating landlord	25.00%	4
Previously participated and willing to again	12.50%	2
Previously participated and unwilling to do so again	62.50%	10
TOTAL		16

Q3 If you have participated with BHA or currently are participating, how would you rate your experience in working with BHA?

Answered: 18 Skipped: 37



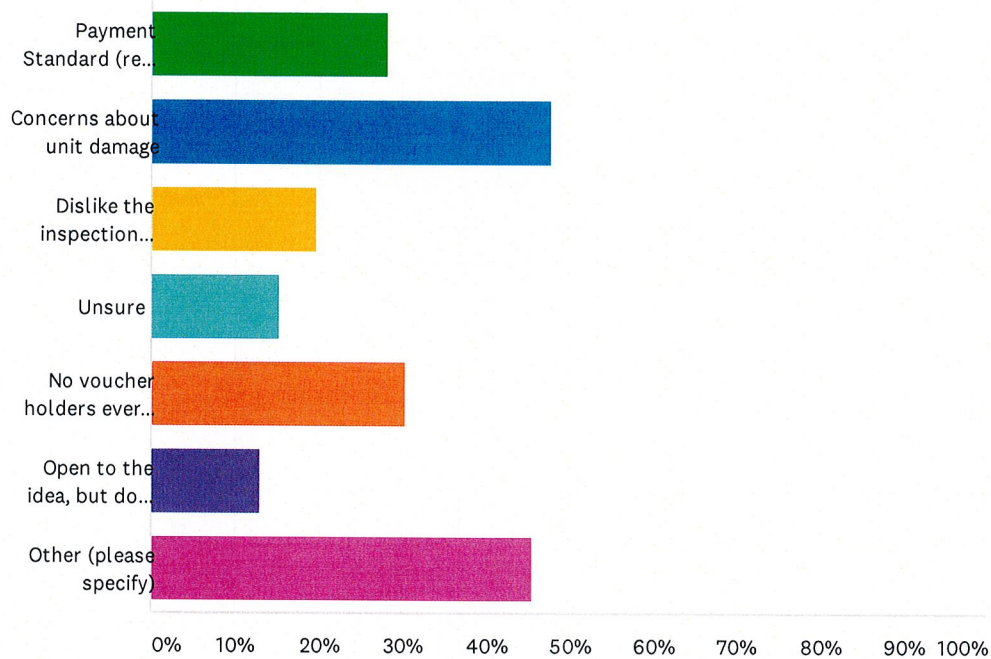
ANSWER CHOICES

RESPONSES

3 = Stellar, happy with my experience	11.11%	2
2 = Satisfactory, encountered some challenges that were resolved	33.33%	6
1 = Less than satisfactory, many difficulties encountered with few challenges resolved	55.56%	10
TOTAL		18

## Q5 If you have not participated in the Housing Choice Voucher Program, why not? (Check all that apply)

Answered: 46 Skipped: 9



### ANSWER CHOICES

### RESPONSES

Payment Standard (rent maximum) too low	28.26%	13
Concerns about unit damage	47.83%	22
Dislike the inspection requirement	19.57%	9
Unsure	15.22%	7
No voucher holders ever inquired about renting my unit	30.43%	14
Open to the idea, but do not know where to begin	13.04%	6
Other (please specify)	45.65%	21
Total Respondents: 46		

# BHA “101”

## Agenda

- ✓ Introductions
- ✓ Benefits of Partnering with BHA
- ✓ Overview of the Housing Choice Voucher Program
  - Money Matters
  - Inspections
  - Lease up/Contracting
  - Myth Busters
  - How to Get involved



# Introductions

**Welcome! BHA is grateful for this opportunity to present to BPOA Membership.**

- ✓ Opening Remarks: Max Levine – BHA Board member, also a landlord in Oakland's Voucher Program
- ✓ Rachel Gonzales-Levine, Acting Executive Director
- ✓ Jesy Yturralde, Finance Manager
- ✓ Tilda Barnes, Housing Choice Voucher Supervisor
- ✓ Celinda Aguilar-Vasquez, Inspections Unit Supervisor

## **Benefits of Participating in BHA's Voucher Program**

- ✓ **Guaranteed Rent regardless of Tenant Income Fluctuations**
- ✓ **Exemption from Rent Control Registration**
- ✓ **Unit Turnover Program: up to \$1,500 for readying a vacant unit**
- ✓ **Free Unit Listings**
- ✓ **Direct Deposit/Year-end 1099 for tax purposes**
- ✓ **Inspections: a Landlord's snapshot into the unit**
- ✓ **Communication with Tenants when issues arise**
- ✓ **Ability to receive annual Rent Increases when Payment Standard increases**

# Overview of the Voucher Program

## ✓ What is the Voucher Program? Some Basics:

- HUD provides rental support funding subsidy to over 3,000 housing authorities across the country. The subsidy is called **Housing Assistance Payment (HAP)**, enough to support 1,936 low income households in Berkeley to be able to afford living here, one of the highest cost areas in the nation.
- Landlords agree to rent to a household with a voucher; the household pays 30% of their income to the Landlord and BHA pays the remaining rent portion to the Landlord. BHA and the Landlord enter into a **HAP contract**. The Landlord and Tenant sign a **lease**.
- HUD informs housing authorities how much the maximum rent can be in a given year, based on the Fair Market Rents, called **Payment Standards** which can be between 90% - 110% of FMRs; if a tenant pays utilities then the total contract amount (client rent portion + BHA rental subsidy) will be slightly lower due to a **Utility Allowance**.

# Overview of the Voucher Program (Cont.)

## ✓ Who are BHA's Program Participants?

- The play yard supervisor at your kids' school
- The barista at your favorite coffee shop
- Your uber driver
- Senior citizens living on Social Security
- The homeless Veteran returned from war
- Your wheelchair bound neighbor

## ✓ What makes an ideal Landlord?

- **Stays on top of notifications** from the housing authority
- **Communicates with staff** when there are questions/concerns so staff can provide support
- **Treats the voucher tenancy in the same manner as *all other tenancies*:** screens in usual and customary manner; charges no more for application fee than other applicants without a voucher; can only evict for good cause; sends late rent payment notices – and a copy to BHA; makes repairs as identified on an inspection report; and enforces lease.

# Inspections

- ✓ Inspections occur:
  - Prior to Move in (Request for Tenancy Approval)
  - The year following Move in (1<sup>st</sup> Annual Inspection)
  - If that Inspection Passes, skip a year; If that Inspection Fails, again the following year (Biennial Inspections)
- ✓ Both Landlords and Tenants have the right to request a Special Inspection at any time. We ask Tenants to provide Landlords opportunity to remedy issues before scheduling a Special.
- ✓ Letters mailed to Landlords indicating the results
- ✓ Inspections Unit is always open to extension requests from Landlords needing more time to repair Fail items
- ✓ HUD requires housing authorities to withhold HAP the 1<sup>st</sup> of the month following a 2<sup>nd</sup> Fail – but with opportunities to appeal Abatements
- ✓ The Inspections Unit processes Unit Turnover Program applications, after the Tenant moves into the unit—Keep your receipts!

# Lease up/Contracting with BHA

- ✓ After the unit passes inspection, Landlord will sign lease with Tenant and provide copy of the Lease to BHA
- ✓ HAP contract will be drawn up and sent to Landlord (DocuSign capability)
- ✓ Once HAP contract is signed and New Landlord packet is received with all required documentation including direct deposit account, BHA will pay HAP retroactive to the date the Tenant moved in (which cannot be prior to the date the unit passed inspection)

# \$\$ Matters

- New Landlord Packet: providing proof of ownership of property (Grant Deed), Direct Deposit info; W-9/Tax ID; Property Management Agreement (if hiring a management firm)
- Payment to Owner: happens at the beginning of each month
- Payment Standards: figures below at 110% of the HUD FMRs (maximum)

	SRO*	Studio	1 BR	2 BR	3 BR	4 BR
2022 PS	\$1,268	\$1,691	\$2,039	\$2,501	\$3,306	\$3,935
2021 PS	\$1,227	\$1,636	\$1,988	\$2,462	\$3,346	\$4,092

- Note: **Emergency Housing Voucher Program** for homeless households allows for higher PS at 120% of the FMR:  
 Studio: \$1,845    1 BR: \$2,224    2 BR: \$2,728
- Future online Landlord Portal



# Myth Busting

- Myth: Non-payment of Rent happens more frequently in the Voucher Program
  - Reality: Rent remains affordable to the Tenant including in situations where 100% of income is lost because BHA will increase HAP subsidy, honoring contract rent
- Myth: Renting to a family with a voucher means the family cannot be evicted
  - Reality: Voucher tenancy is subject to Good Cause for Eviction in Berkeley, just like all other tenancies. BHA can provide documentation at Landlord's request during eviction proceedings. Staff will try to encourage the family to consider moving with their voucher rather than being evicted.

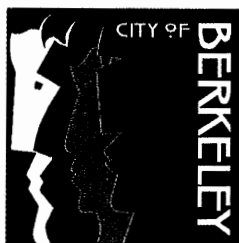
# How to Get Involved

- ✓ List your unit on our available unit listing (updated each Thursday). The unit listing form is available on our website: [www.cityofberkeley.info/bha](http://www.cityofberkeley.info/bha) (in need of 1-BR & 2-BR units)
- ✓ Families will contact you to apply/view the unit
- ✓ Once you select a household, complete the Request for Tenancy Approval form (RTA) and return to BHA in order for inspection to be scheduled
- ✓ Complete and submit new Landlord packet (to Finance)
- ✓ After inspection passes, sign a lease and submit to BHA; a HAP contract will be drawn up for your signature
- ✓ Subsidy will begin, retroactive to date of move in!

# Thank you!

- Questions
- Contact Info:
  - ✓ Email: [bha@cityofberkeley.info](mailto:bha@cityofberkeley.info)
  - ✓ Rachel Gonzales-Levine (Acting Exec. Dir): 510-981-5485
  - ✓ Jesy Yturalde (Finance/New Landlord Packet/HAP Payments): 510-981-5488
  - ✓ Tilda Barnes (HAP Contracts/Lease): 510-981-5484
  - ✓ Celinda Aguilar-Vasquez (Inspections): 510-981-5483
  - ✓ Krystal Coleman (Inspections & Unit Turnover Program): 510-981-5490

Office of the Mayor



Appendix 4

Jesse Arreguín  
Mayor

October 1, 2021

Ms. Marianne Nazzaro, M.S.W.  
Director, Moving to Work Demonstration Program  
U.S. Department of Housing and Urban Development  
451 Seventh Street, S.W.  
Washington, DC 20410

Re: Letter of Support: Berkeley Housing Authority's MTW Application for Cohort #4, Landlord Incentives

Dear Ms. Nazzaro:


As Mayor of the City of Berkeley, CA, I enthusiastically support the Berkeley Housing Authority's (BHA's) application for Move to Work (MTW) designation, in their desire to participate in the Landlord Incentive Cohort #4.

The City and the Housing Authority have been working towards increasing the number of landlords willing to rent to voucher holders. Given high market rents in Berkeley, and the limited supply of housing, voucher recipients have had difficulty finding landlords willing to participate in the Section 8 program. That is why the City and BHA have worked to increase owner participation through regulatory incentives, outreach and also enforcement of our local ordinance prohibiting discrimination for source of income. In addition, based on a request from BHA, I was able to provide funding in the city budget to incentivize owners through BHA's "Unit Turnover Program", funding up to \$1,500 to landlords who provide receipts for expenses to ready a unit for a new voucher tenancy.

With MTW designation, BHA could implement Payment Standards at 120% of the Fair Market Rents, likely hugely beneficial in attracting landlords in our very high cost rental market. Additionally, BHA intends to provide funds to landlords to make units accessible to disabled households; and will increase the percentage of allowable project-based units above the current cap, among other creative endeavors.

I am hopeful that with the MTW Cohort #4 flexibilities allowed, BHA's capacity to make the dream of calling Berkeley *home*, come true for low- and extremely-low income households, by increasing partnerships with additional landlords.

Best regards,

  
Jesse Arreguín  
Mayor, City of Berkeley

Marianne Nazzaro, M.S.W.  
 Director, Moving to Work Demonstration Program  
 U.S. Department of Housing & Urban Development  
 451 Seventh Street, S.W.  
 Washington, D.C. 20410



OCTOBER 8, 2021

DEAR MS. NAZZARO,

It is with enthusiasm that the Berkeley Property Owners Association (BPOA) submits this letter of support on behalf of the Berkeley Housing Authority's (BHA's) application for MTW status for Cohort #4, Landlord Incentives. BPOA is a membership organization, comprised of over 600 rental housing providers with rental units in the City of Berkeley, CA. BPOA's mission is to provide owners with the tools to accomplish objectives meeting the unique demands of the Berkeley housing market by: supporting quality, safe, affordable housing at all economic levels; encouraging supply-side solutions to rental housing challenges rather than restrictive over-regulation; opposing discriminatory practices; preserving the safety and economic vitality of our neighborhoods; and promoting habitable living standards and conditions.

Last year, BHA staff reached out to BPOA to begin discussions on their desire to survey our membership regarding the level of knowledge and opinion on BHA's programs and operations to help staff make improvements at BHA. The results of this survey can be found in BHA's MTW application packet.

BPOA seeks to increase our members' understanding of the programs BHA operates and is interested in the flexibilities that the MTW designation would allow BHA to embark upon. We feel this could help incentivize our members to participate in BHA's programs. Of particular interest is the opportunity for BHA to implement Payment Standards at 120% of the Fair Market Rents. Given the high cost of living in the San Francisco Bay Area, including the extremely expensive nature of owning, maintaining, and upkeep of rental properties, this is of particular significance to our members.

We support BHA's application for MTW designation and are hopeful that with the flexibilities allowed, BHA and BPOA can continue a fruitful and mutually beneficial partnership. We want to help positively impact those who otherwise would not be able to afford living in Berkeley.

Sincerely,

Krista Gulbransen  
 Executive Director