



Berkeley Housing Authority

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Office of the Executive Director

Item 7A

NEW BUSINESS

June 8, 2023

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

From: James E. Williams, Executive Director

Subject: PUBLIC HEARING FOR THE 2022-23 MTW SUPPLEMENTAL PLAN AND ADMIN PLAN

ATTACHMENTS:

1. FY 2023 MTW Supplement
2. ADMINISTRATIVE PLAN CHAPTERS WITH PROPOSED REVISIONS:
 - a. Chapter 1 Overview
 - b. Chapter 4 Waitlist
 - c. Chapter 6 Income Subsidy
 - d. Chapter 8 HQS
 - e. Chapter 11 Reexamination
 - f. Chapter 13 Owners
 - g. Chapter 17 S8 Project Based
 - h. Chapter 18 SRO Mod Rehab

APRIL 2023



FY23

**MOVING TO WORK
SUPPLEMENT**

BERKELEY HOUSING AUTHORITY

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A.	PHA Information.
A.1	<p>PHA Name: Berkeley Housing Authority PHA Code: CA058 MTW Supplement for PHA Fiscal Year Beginning: (MM/DD/YYYY): 07/01/2022 PHA Program Type: Public Housing (PH) only <input checked="" type="checkbox"/> Housing Choice Voucher (HCV) only Combined MTW Cohort Number: 1 MTW Supplement Submission Type: <input checked="" type="checkbox"/> Annual Submission</p>
B.	Narrative.
B.1	<p>MTW Supplement Narrative.</p> <p>Established in 1966, the Berkeley Housing Authority provides rental assistance to approximately 2,050 low-income household units through the Housing Choice Voucher (HCV), Project-Based Voucher (PBV), Project Move-Up via Moderate Rehabilitation (Mod-Rehab), Emergency Housing Voucher (EHV), Single Room Occupancy (SRO), Mainstream Voucher, and Veterans Affairs Supportive Housing (VASH) programs without regard to race, ethnicity, religion, family status, national origin, gender, sexual orientation or disability status. It is the mission of the Berkeley Housing Authority to (1) enable our clients to become self-sufficient and economically independent through delivery of housing assistance and other related services; (2) enable elderly and disabled individuals to achieve economic independence and self-sufficiency and to live independently within their economic resources; (3) encourage short-term reliance on housing assistance for able-bodied family members by promoting economic independence and self-sufficiency participation in education, training or job development activities designed to lead to self-sufficiency in return for the housing assistance, and (4) require personal responsibility for the economic consequences of family decisions. Our Core Values are to be responsible stewards of the resources available to the Authority; seek ways to respond to the unique needs of our clients, within the constraints of all applicable program rules and regulations, and to value the talents and gifts of our customers, prospective customers, and our staff within our respective roles.</p>

BHA ACTIVITY 1
Alternative Utility Allowance (HCV)

Core Question/Comment	Answer
Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.	The BHA will streamline its recertifications by employing a standard utility allowance for its HCV households. This act will reduce staff hours, allowing staff to focus on other matters. Additionally, it will allow the household rent/portion to increase helping households to realize a more market rate rent.
MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?	Cost effectiveness
Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.	Increased revenue Decreased expenditures
Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?	The MTW activity applies to all assisted households
Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?	New admissions and currently assisted households
Family Types. Does the MTW activity apply to all family types or only to selected family types?	The MTW activity applies to all family types
Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.	For HCV activities: 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?	No
Does this MTW activity require a hardship policy?	No
Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)	No
Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?	No
How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?	N/A
Does the MTW activity require an impact analysis?	No
Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)	No
Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.	N/A
Please provide an explanation as to why the activity was discontinued or will be discontinued.	N/A

1.i., 1.j. - Alternative Utility Allowance (PH & HCV)	Input options and instructions
<p>Please describe the alternative method of calculating the utility allowances. Please explain how the method of calculating utility allowances is different from the standard method and what objective the MTW agency aims to achieve by using this alternative method.</p>	<p>Utility allowances, using the standard method, are the deduction of individual utilities based on bedroom size and dwelling type from a household's Total Tenant Payment (TTP). The BHA will make a standardized utility allowance by averaging every utility type and then adding those averages together based on bedroom size and dwelling type:</p> <ol style="list-style-type: none"> 1. Row House/Townhouse, Semi-Detached/Duplex, Triplex, and Fourplex 2. Detached House - Single Family Residence 3. Apartments - 5 or more units <p>This will result in a single utility allowance amount, based on bedroom size and dwelling type, that will be deducted from a household's TTP. The BHA will have three standard utility allowance schedules based on bedroom size and dwelling type for HCV. This new practice will reduce the administrative burden on the BHA's staff during recertifications.</p>

BHA ACTIVITY 2

Elimination of Utility Reimbursement (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency's goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>The BHA will eliminate the utility reimbursements. The goal is to increase revenue for the authority while making households more self-reliant.</p> <p>The BHA disburses \$3,945 in monthly utility reimbursements to approximately 68 HCV households, which equates to an average monthly utility reimbursement of \$58 per household. The yearly average reimbursement is \$696 per household. There are approximately 68 households that pay \$0 in rent due to their utility reimbursement. Once this activity takes effect, these households must pay at least the minimum rent of \$50 regardless of their utility allowance. The BHA will realize a minimum of \$3,945 in monthly cost savings and \$3,400 in monthly decreased Housing Assistance Payments. The BHA anticipates at least a \$88,140 cost savings during the first year in which this activity is implemented.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Cost effectiveness</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Increased revenue Decreased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies to all assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies to all family types</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>No</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>No</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>No</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>No</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>No</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

BHA ACTIVITY 3

Eliminate Earned Income Disregard (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>The BHA will eliminate the Earned Income Disregard. This will increase operational efficiencies by reducing the time it takes to administratively process the EID.</p> <p>Currently, the EID allows individuals who go from not working in the previous 12 months, to working, to gradually phase in the income counted toward their rental calculation over a period of 2 years. The EID is an opportunity for clients that gain earned income, that did not previously have earned income, to experience the benefit of increased income without that income increase being utilized for rent immediately; however, due to cumbersome regulations, the cost to continue offering this exclusion far outweigh the benefits. Families will benefit from an increase in income without an immediate increase in rent.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Cost effectiveness Self-sufficiency</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Decreased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies only to a subset or subsets of assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies only to selected family types Disabled families (to the extent those families are not exempt via a reasonable accommodation)</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>No</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>No</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>No</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>No</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>No</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

1.v., 1.w. - Alternative Income Inclusions/Exclusions (PH & HCV)	Input options and instructions
What inclusions or exclusions will be eliminated, modified, or added?	The BHA will eliminate the Earned Income Disregard.

BHA ACTIVITY 4

Payment Standards - Fair Market Rents (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency's goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>The BHA will raise the payment standard to 120% of the Fair Market Rents (FMR) for Project-Based Vouchers (PBV) and to 150% for Tenant-Based Vouchers (TBV). Housing choices are dwindling due to growing local market rents, and this limits where BHA households can live. This activity is a remedy to this concern.</p> <p>The current BHA payment standard for PBV is 110% of the FMR. A payment standard of 120% of FMR will increase the payment standard by an average of \$236 for all bedroom sizes.</p> <p>The current BHA payment standard for TBV is 120% of the FMR. A payment standard of 150% of FMR will increase the payment standard by an average of \$707 for all bedroom sizes.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Housing choice</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Increased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies to all assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies to all family types</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>Yes</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>Yes</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>Yes, Alternative Reexamination Schedule for Households</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>N/A</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>Yes</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

2.b. – Payment Standards – Fair Market Rents (HCV)

Please explain the payment standards by FMR.

Input options and instructions

The current BHA PBV payment standard is 110% of the FMR. A payment standard of 120% of FMR will increase the payment standard by an average of \$236 for all bedroom sizes.

Bedroom Size	Current FMR	Current PS	120% FMR-PS
SRO	\$1,243	\$1,367	\$1491
0	\$1,658	\$1,823	\$1,989
1	\$1,969	\$2,165	\$2,362
2	\$2,405	\$2,645	\$2,886
3	\$3,144	\$3,458	\$3,772
4	\$3,706	\$4,076	\$4,447

The current BHA TBV payment standard is 120% of the FMR. A payment standard of 150% of FMR will increase the payment standard by an average of \$707 for all bedroom sizes.

Bedroom Size	Current FMR	Current PS	150% FMR-PS
SRO	\$1,243	\$1491	\$1,865
0	\$1,658	\$1,989	\$2,487
1	\$1,969	\$2,362	\$2,954
2	\$2,405	\$2,886	\$3,608
3	\$3,144	\$3,772	\$4,716
4	\$3,706	\$4,447	\$5,559

FY23 BHA Impact Analysis Activity
Payment Standard – Fair Market Rents

1. Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)

The BHA will raise the payment standard to 120% of the Fair Market Rents (FMR) for Project-Based Vouchers (PBV), and the BHA will raise the payment standard to 150% of the Fair Market Rents (FMR) for Tenant-Based Vouchers (TBV). It is anticipated that this activity will increase the BHA's federal expenditures in terms of housing assistance payments (HAP). The average HAP is projected to increase by \$236 per family, per month for PBV, and the average HAP is projected to increase by \$707 per family, per month for TBV. Augmenting the payment standard for FMR will expand housing choices for families and deconcentrate poverty.

2. Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)

Families will, similarly, see an increase in their tenant rent portion. Due to increases in local market rents, all families will see an increase in rent regardless of their income status.

3. Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)

This activity will not affect the waiting list.

4. Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)

This activity will not affect the termination rate of families.

5. Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program

Due to an increase in HAP, this activity may affect the agency's current utilization rate in the HCV program. It is the expectation that this activity will have a neutral effect on the HCV utilization rate when combined and implemented with the other BHA MTW activities.

6. Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice

MTW Statutory Objective – Housing Choice

This activity will enlarge the pool of available and affordable housing choices from which a family can choose.

7. Impact on the agency's ability to meet the MTW statutory requirements

The BHA will be able to meet the statutory objective of Housing Choice.

8. Impact on the rate of hardship requests and the number granted and denied as a result of this activity

The BHA does not expect to see an increase in hardship requests as a result of this activity.

9. Across the other factors above, the impact on protected classes (and any associated disparate impact)

This activity is based on income reviews, in which protected class is not a factor, and there is no anticipated impact on protected classes. Elderly and disabled participants are a protected class; however, this activity will not have a negative impact on them.

BHA ACTIVITY 5

Alternative Recertification Schedule For Households (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency's goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>The BHA will decrease the frequency of tenant reexaminations from annual to triennial for all HCV households. This restructuring will allow families to have a more consistent rent portion over a longer period of time, and it will create more time for the BHA staff to attend to other business affairs. On the off years, when tenants are not required to complete a full reexamination, tenants will be required to complete a brief check-in with the BHA.</p> <p>Interim recertifications will be limited to one interim per year at the request of the household. If the interim is for a decrease in income, only income decreases of 10% or more will be processed. Interim decreases will be limited to one during a calendar year and no interim decreases during the first six months after initial occupancy. Required interim recertifications for household composition changes, landlord rent increases, and Family Self-Sufficiency will not count against the limit on voluntary interim recertifications.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Cost effectiveness Self-sufficiency</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Decreased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies to all assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies to all family types</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>No</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>Yes</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>Yes, Payment Standards - Fair Market Rents</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>No</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>Yes</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

3.a., 3.b. - Alternative Reexamination Schedule for Households (PH & HCV)	Answer
What is the recertification schedule?	Once every three years for able-bodied, elderly and/or disabled, households.
How many interim recertifications per year may a household request?	1
Please describe briefly how the MTW agency plans to address changes in family/household circumstances under the alternative reexamination schedule.	Required interim recertifications for household composition changes will not count against the limit on voluntary interim recertifications.

FY23 BHA Impact Analysis Activity 5
Alternative Recertification Schedule

- 1. Impact on the agency's finances (e.g., how much will the activity cost, any change in the agency's per family contribution)**
The BHA will decrease the frequency of tenant reexaminations from annual to triennial for all of its HCV households. The BHA predicts that this activity will produce operational cost savings, as staff are freed to manage other administrative affairs.
- 2. Impact on affordability of housing costs for affected families (e.g., any change in how much affected families will pay towards their housing costs)**
This activity will allow the BHA's households to have a more consistent tenant rent portion over a longer period of time, which will consequently make the HCV programs more affordable for families.
- 3. Impact on the agency's waitlist(s) (e.g., any change in the amount of time families are on the waitlist)**
This activity will not affect the waiting list.
- 4. Impact on the agency's termination rate of families (e.g., any change in the rate at which families non-voluntarily lose assistance from the agency)**
This activity will not affect the termination rate of families.
- 5. Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program**
This activity will not affect the agency's current utilization rate in the HCV program.
- 6. Impact on meeting the MTW statutory goals of cost effectiveness, self-sufficiency, and/or housing choice**
MTW Statutory Objective - Cost Effectiveness
This activity will decrease the administrative costs associated with processing annual and interim recertifications.

MTW Statutory Objective – Self-Sufficiency
This activity will incentivize participants to increase their income, knowing they may do so without the penalty of an increased tenant rent portion, thus propelling them towards a more self-sustained state.
- 7. Impact on the agency's ability to meet the MTW statutory requirements**
The BHA will be able to meet the statutory objective of Cost Effectiveness.
- 8. Impact on the rate of hardship requests and the number granted and denied as a result of this activity**
The BHA does not expect to see an increase in hardship requests as a result of this activity.
- 9. Across the other factors above, the impact on protected classes (and any associated disparate impact)**
This activity is based on income reviews, in which protected class is not a factor, and there is no anticipated impact on protected classes.

BHA ACTIVITY 6
Self-Certification of Assets (HCV)

Core Question/Comment	Answer
Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.	The asset self-certification ceiling will be increased from \$5,000 to \$50,000. This will lessen the regulatory responsibilities of the BHA.
MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?	Cost effectiveness
Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.	Decreased expenditures
Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?	The MTW activity applies to all assisted households
Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?	New admissions and currently assisted households
Family Types. Does the MTW activity apply to all family types or only to selected family types?	The MTW activity applies to all family types
Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.	For HCV activities: 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?	No
Does this MTW activity require a hardship policy?	No
Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)	No
Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?	No
How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?	N/A
Does the MTW activity require an impact analysis?	No
Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)	No
Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.	N/A
Please provide an explanation as to why the activity was discontinued or will be discontinued.	N/A

3.c., 3.d. - Self-Certification of Assets (PH & HCV)	Input options and instructions
Please state the dollar threshold for the self-certification of assets.	\$50,000

BHA ACTIVITY 7
Vacancy Loss (HCV)

Core Question/Comment	Answer
Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.	To retain qualified landlords, the BHA will offer an incentive to landlords when a current tenant dies, while occupying the unit, of one (1) month of rent, as long as the landlord agrees to rent the unit to another HCV participant. The landlord will receive the incentive upon leasing to another HCV tenant and executing the HAP contract and Tenancy Addendum with the BHA.
MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?	Housing Choice
Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.	Increased expenditures
Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?	The MTW activity applies to all assisted households
Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?	New admissions and currently assisted households
Family Types. Does the MTW activity apply to all family types or only to selected family types?	The MTW activity applies to all family types
Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.	For HCV activities: 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?	No
Does this MTW activity require a hardship policy?	No
Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)	No
Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?	N/A
How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?	N/A
Does the MTW activity require an impact analysis?	No
Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)	No
Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.	N/A
Please provide an explanation as to why the activity was discontinued or will be discontinued.	N/A

4.a., 4.b., 4.c. - Vacancy Loss, Damage Claims, and Other Landlord Incentives (HCV)	Input options and instructions (The same custom questions are asked for each of these activities.)
Does this policy apply to certain types of units or to all units all HCV units or only certain types of units (for example, accessible units, units in a low-poverty neighborhood, or units/landlords new to the HCV program)?	<p><input checked="" type="checkbox"/> To all units [No follow-up questions] <input type="checkbox"/> Certain types of units only [if checked, there are follow up questions]:</p> <p>What types of units does this policy apply to? <input type="checkbox"/> Accessible units <input type="checkbox"/> Units in particular types of areas or neighborhoods [if checked]: Please describe these areas briefly: [Text box] <input type="checkbox"/> Units/landlords new to the HCV program <input type="checkbox"/> Other [if checked]: Please describe briefly [Text box]</p>
What is the maximum payment that can be made to a landlord under this policy?	One (1) month of rent
How many payments were issued under this policy in the most recently completed PHA fiscal year?	N/A
What is the total dollar value of payments issued under this policy in the most recently completed PHA fiscal year?	N/A

BHA ACTIVITY 8
Other Landlord Incentives (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>To attract and retain qualified landlords, the BHA has already implemented a landlord incentive of up to \$1,500 in Unit Turnover Program funds to cover expenses to ready a vacant unit for lease up in the Housing Choice Voucher Program. Project-based, Moderate Rehab, Below Market Rate properties, and new luxury developments landlords are not eligible to apply for the incentive. Landlords will receive the incentive upon leasing to another HCV tenant (after an approved Request for Tenancy Approval and initial inspection).</p> <p>As a member of the Landlord Incentives cohort, the BHA desires to document incentives already undertaken prior to acceptance into the MTW program for research purposes.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Housing Choices</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Increased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies to all assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies to all family types</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>No</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>No</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>No</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>N/A</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>No</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

4.a., 4.b., 4.c. - Vacancy Loss, Damage Claims, and Other Landlord Incentives (HCV)	Input options and instructions (The same custom questions are asked for each of these activities.)
Does this policy apply to certain types of units or to all units all HCV units or only certain types of units (for example, accessible units, units in a low-poverty neighborhood, or units/landlords new to the HCV program)?	<p><input checked="" type="checkbox"/> To all units [No follow-up questions] <input type="checkbox"/> Certain types of units only [if checked, there are follow up questions]:</p> <p>What types of units does this policy apply to? <input type="checkbox"/> Accessible units <input type="checkbox"/> Units in particular types of areas or neighborhoods [if checked]: Please describe these areas briefly: [Text box] <input type="checkbox"/> Units/landlords new to the HCV program <input type="checkbox"/> Other [if checked]: Please describe briefly [Text box]</p>
What is the maximum payment that can be made to a landlord under this policy?	\$1,500
How many payments were issued under this policy in the most recently completed PHA fiscal year?	N/A
What is the total dollar value of payments issued under this policy in the most recently completed PHA fiscal year?	N/A

BHA ACTIVITY 9
Pre-Qualifying Unit Inspections (HCV)

Core Question/Comment	Answer
Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.	To attract and incentivize qualified landlords to participate in the HCV program, the BHA will allow vacant units to be pre-inspected prior to occupancy. The pre-inspection will be conducted within 90 days of a participant occupying the unit, HQS inspection standards, as found at 24 CFR 982.401, will not be altered, and all participants will be able to request an interim inspection.
MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?	Housing Choices
Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.	Neutral
Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?	The MTW activity applies to all assisted households
Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?	New admissions and currently assisted households
Family Types. Does the MTW activity apply to all family types or only to selected family types?	The MTW activity applies to all family types
Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.	For HCV activities: 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?	No
Does this MTW activity require a hardship policy?	No
Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)	No
Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?	No
How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?	N/A
Does the MTW activity require an impact analysis?	No
Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)	No
Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.	N/A
Please provide an explanation as to why the activity was discontinued or will be discontinued.	N/A

5.a. -Pre-Qualifying Unit Inspections (HCV)	Input options and instructions
How long is the pre-inspection valid for?	90 days

BHA ACTIVITY 10
Alternative Inspection Schedule (HCV)

Core Question/Comment	Answer
<p>Narrative. Describe the MTW activity, the MTW agency’s goal(s) for the MTW activity, and, if applicable, how the MTW activity contributes to a larger initiative.</p>	<p>Under Notice PIH 2016-05, the BHA has already instituted qualified biennial inspections, meaning annual inspections that pass on their first attempt will skip a year before the next annual HQS inspection, and annual inspections that fail on their first attempt will have an annual HQS inspection the following year. Landlords and program participants will continue to be able to request a Special Inspection at any time, whether the unit passes or fails the first attempt of the most recent HQS inspection. BHA reserves the right to accept inspections performed by another entity (city, housing developers in conformity with HOME or LIHTC rules) in lieu of conducting an annual inspection, but at this time will continue to schedule annual inspections to be conducted by BHA’s contract inspector.</p> <p>As a member of the Landlord Incentives cohort, the BHA desires to document incentives already undertaken prior to acceptance into the MTW program for research purposes.</p>
<p>MTW Statutory Objectives. Which of the MTW statutory objectives does this MTW activity serve?</p>	<p>Cost-effectiveness</p>
<p>Cost implications. What are the cost implications of this MTW activity? Pick the best description of the cost implications based on what you know today.</p>	<p>Increased revenue Decreased expenditures</p>
<p>Different policy by household status/family types/sites? Does the MTW activity under this waiver apply to all assisted households or only to a subset or subsets of assisted households?</p>	<p>The MTW activity applies to all assisted households</p>
<p>Household Status. Does the MTW activity apply only to new admissions, only to currently assisted households, or to both new admissions and currently assisted households?</p>	<p>New admissions and currently assisted households</p>
<p>Family Types. Does the MTW activity apply to all family types or only to selected family types?</p>	<p>The MTW activity applies to all family types</p>
<p>Location. Depending on if responses are being provided for a public housing (PH) or HCV activity, the agency will either see questions applicable to PH or HCV.</p>	<p>For HCV activities:</p> <ol style="list-style-type: none"> 1. The MTW activity applies to all tenant-based units 2. The MTW activity applies to all properties with project-based vouchers
<p>Does the MTW agency need a Safe Harbor Waiver to implement this MTW activity as described?</p>	<p>No</p>
<p>Does this MTW activity require a hardship policy?</p>	<p>No</p>
<p>Does the hardship policy apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload hardship policy once when said policy applies to multiple MTW activities.)</p>	<p>No</p>
<p>Has the MTW agency modified the hardship policy since the last submission of the MTW Supplement?</p>	<p>N/A</p>
<p>How many hardship requests have been received associated with this activity in the most recently completed PHA fiscal year?</p>	<p>N/A</p>
<p>Does the MTW activity require an impact analysis?</p>	<p>No</p>
<p>Does the impact analysis apply to more than this MTW activity? If yes, then please list all of the applicable MTW activities. (Only upload impact analysis once when said impact analysis applies to multiple MTW activities.)</p>	<p>No</p>
<p>Based on the Fiscal Year goals listed in the activity’s previous Fiscal Year’s narrative, provide a description about what has been accomplished or changed during the implementation.</p>	<p>N/A</p>
<p>Please provide an explanation as to why the activity was discontinued or will be discontinued.</p>	<p>N/A</p>

D.	Safe Harbor Waivers.
D.1	<p>Safe Harbor Waivers seeking HUD Approval: The MTW Operations Notice describes a simplified process for MTW agencies to implement MTW activities outside of the safe harbors described in Appendix I. For each Safe Harbor Waiver request, a document that includes the following information must be provided: (a) the name and number of the MTW Waiver and associated activity for which the MTW agency is seeking to expand the safe harbor, (b) the specific safe harbor and its implementing regulation, (c) the proposed MTW activity the MTW agency wishes to implement via this Safe Harbor Waiver, (d) a description of the local issue and why such an expansion is needed to implement the MTW activity, (e) an impact analysis, (f) a description of the hardship policy for the MTW activity, if applicable, and (g) a copy of all comments received at the public hearing along with the MTW agency's description of how the comments were considered, as a required attachment to the MTW Supplement.</p> <p>Will the MTW agency submit request for approval of a Safe Harbor Waiver this year?</p> <p><input checked="" type="checkbox"/> Yes</p>
E.	Agency-Specific Waivers.
E.1	<p>Agency-Specific Waivers for HUD Approval: The MTW demonstration program is intended to foster innovation and HUD encourages MTW agencies, in consultation with their residents and stakeholders, to be creative in their approach to solving affordable housing issues facing their local communities. For this reason, flexibilities beyond those provided for in Appendix I may be needed. Agency-Specific Waivers may be requested if an MTW agency wishes to implement additional activities, or waive a statutory and/or regulatory requirement not included in Appendix I.</p> <p>In order to pursue an Agency-Specific Waiver, an MTW agency must include an Agency-Specific Waiver request, an impact analysis, and a hardship policy (as applicable), and respond to all of the mandatory core questions as applicable.</p> <p>For each Agency-Specific Waiver(s) request, please upload supporting documentation, that includes: a) a full description of the activity, including what the agency is proposing to waive (i.e., statute, regulation, and/or Operations Notice), b) how the initiative achieves one or more of the 3 MTW statutory objectives, c) a description of which population groups and household types that will be impacted by this activity, d) any cost implications associated with the activity, e) an implementation timeline for the initiative, f) an impact analysis, g) a description of the hardship policy for the initiative, and h) a copy of all comments received at the public hearing along with the MTW agency's description of how the comments were considered, as a required attachment to the MTW Supplement.</p> <p>Will the MTW agency submit a request for approval of an Agency-Specific Waiver this year?</p> <p><input checked="" type="checkbox"/> No</p>
E.2	<p>Agency-Specific Waiver(s) for which HUD Approval has been Received: For each previously approved Agency-Specific Waiver(s), a set of questions will populate.</p> <p>Does the MTW agency have any approved Agency-Specific Waivers?</p> <p><input checked="" type="checkbox"/> No</p>

F.	Public Housing Operating Subsidy Grant Reporting.
F.1	Please provide the public housing Operating Subsidy grant information in the table below for Operating Subsidy grants appropriated in each Federal Fiscal Year the PHA is designated an MTW PHA.

Federal Fiscal Year (FFY)	Total Operating Subsidy Authorized Amount	How Much PHA Disbursed by the 9/30 Reporting Period	Remaining Not Yet Disbursed	Deadline
2022	N/A	N/A	N/A	9/30/2030
2023	N/A	N/A	N/A	9/30/2031

Income Level	Number of Local, Non-Traditional Households Admitted in the Fiscal Year*
80%-50% Area Median Income	0
49%-30% Area Median Income	0
Below 30% Area Median Income	0
Total Local, Non-Traditional Households	0

*Local, non-traditional income data must be provided in the MTW Supplement form until such time that it can be submitted in IMS-PIC or other HUD system.

G.	MTW Statutory Requirements.
G.1	<p>75% Very Low Income – Local, Non-Traditional.</p> <p>HUD will verify compliance with the statutory requirement that at least 75% of the households assisted by the MTW agency are very low-income for MTW public housing units and MTW HCVs through HUD systems. The MTW PHA must provide data for the actual families housed upon admission during the PHA’s most recently completed Fiscal Year for its Local, Non-Traditional program households.</p>

G.2	Establishing Reasonable Rent Policy.
Question	Input options and instructions
Has the MTW agency established a rent reform policy to encourage employment and self-sufficiency?	Yes. The BHA will eliminate the Earned Income Disallowance (EID) and utility reimbursements and implement a standard utility allowance. All waivers will be implemented immediately once the FY23 MTW Supplement has been approved by HUD.

G.3	Substantially the Same (STS) – Local, Non-Traditional.	
Questions	Input options and instructions	
Please provide the total number of unit months that families were housed in a local, non-traditional rental subsidy for the prior full calendar year.	0 unit months	
Please provide the total number of unit months that families were housed in a local, non-traditional housing development program for the prior full calendar year.	0 unit months	
How many units, developed under the local, non-traditional housing development activity, were available for occupancy during the prior full calendar year (by bedroom size)?	Please include only those units that serve households at or below 80% of AMI in the table provided. 0	

PROPERTY NAME/ADDRESS	0/1 BR	2 BR	3 BR	4 BR	5 BR	6+ BR	TOTAL UNITS	POPULATION TYPE*	# of Section 504 Accessible (Mobility)**	# of Section 504 Accessible (Hearing/Vision)	Was this Property Made Available for Initial Occupancy during the Prior Full Calendar Year?	What was the Total Amount of MTW Funds Invested into the Property?
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A
	0	0	0	0	0	0	0	General	0	0	No	N/A

G.4 Comparable Mix (by Family Size) – Local, Non-Traditional.

In order to demonstrate that the MTW statutory requirement of “maintaining a comparable mix of families (by family size) are served, as would have been provided had the amounts not been used under the demonstration” is being achieved, the MTW agency will provide information for its most recently completed Fiscal Year in the following table.

Local, non-traditional family size data must be provided in the MTW Supplement form until such time that it can be submitted in IMS-PIC or other HUD system.

Family Size:	Occupied Number of Local, Non-Traditional units by Household Size
1 Person	0
2 Person	0
3 Person	0
4 Person	0
5 Person	0
6+ Person	0
Totals	0

G.5	Housing Quality Standards.
	Certification is included in MTW Certifications of Compliance for HCV and local, non-traditional program. The public housing program is monitored through physical inspections performed by the Real Estate Assessment Center (REAC).

H.	Public Comments.	
H.1		Input options and instructions
	Please provide copy of all comments received by the public, Resident Advisory Board, and tenant associations.	
	Please attach a narrative describing the MTW agency's analysis of the comments and any decisions made based on these comments.	
	If applicable, was an additional public hearing held for an Agency-Specific Waiver and/or Safe Harbor waiver?	
	If yes, please attach the comments received along with the MTW agency's description of how comments were considered.	

I	Evaluations.	
I.1	Please list any ongoing and completed evaluations of the MTW agency's MTW policies, that the PHA is aware of, including the information requested in the table below. In the box "title and short description," please write the title of the evaluation and a brief description of the focus of the evaluation.	

Question	Input options and instructions
Does the PHA have an agency-sponsored evaluation?	No

Table I.1 - Evaluations of MTW Policies			
Title and short description	Evaluator name and contact information	Time period	Reports available

J	MTW Certifications of Compliance.	
J.1	The MTW agency must execute the MTW Certifications of Compliance form and submit as part of the MTW Supplement submission to HUD. Certification is provided below.	

APPENDIX A – MTW Activity Organizer

BHA FY23 MTW Supplement Activity Organizer

BHA Activity #	MTW Waiver	Core Questions	Custom Questions	Safe Harbor	Impact Analysis	Hardship Policy
1. Tenant Rent Policies						
1	j. Alternative Utility Allowance (HCV)	X	X	X		
2	n. Utility Reimbursements (HCV)	X				
3	w. Alternative Income Inclusions / Exclusions (HCV) (Eliminate EID)	X	X			
2. Payment Standards and Rent Reasonableness						
4	b. Payment Standards - Fair Market Rents (HCV) 120% for PBV	X	X	X	X	X
3. Reexaminations						
5	b. Alternative Reexamination Schedule for Households (HCV)	X	X	X	X	X
6	d. Self-Certification of Assets (HCV)	X	X	X		
4. Landlord Leasing Incentives (HQS)						
7	a. Vacancy Loss (HCV)	X	X	X		
8	c. Other Landlord Incentives (HCV)	X	X	X		
5. Housing Quality Standards (HQS)						
9	a. Pre-Qualifying Unit Inspections (HCV)	X	X	X		
10	d. Alternative Inspection Schedule (HCV)	X		X		
BHA Activity #	Safe Harbor Waiver	Core Questions	Custom Questions	Safe Harbor	Impact Analysis	Hardship Policy
2. Payment Standards and Rent Reasonableness						
4	b. Payment Standards - Fair Market Rents (HCV) 150% for TBV	X	X	X	X	X

APPENDIX B – Hardship Policy

BERKELEY HOUSING AUTHORITY HARDSHIP POLICY

The BHA has established a hardship policy to evaluate individual circumstances to address hardship exemption requests.

Applicable Family Situations

Qualifying hardships include the following:

1. The family has experienced a decrease in income because of changed circumstances including,
 - a. Involuntary loss or reduction of employment
 - b. Death in the family
 - c. Involuntary reduction in or loss of earnings or other assistance
2. The family has experienced an increase in expenses because of changed circumstances, for
 - a. Medical costs that exceed 25% or more of the family's current expense
 - b. Childcare costs that exceed 25% or more of the family's current expense
 - c. Involuntary loss of transportation, such as a serious car accident
 - d. Education
 - e. Similar items
 - f. Such other situations and factors determined by the BHA to be appropriate.

Process for Agency Review and Determination

When a client requests a hardship exemption from an MTW activity, the BHA will take the following actions:

1. Suspend the MTW activity beginning the next month after the request until the agency has determined if the request is warranted.
2. Determine whether a hardship exists within a reasonable time after the family request and whether it is temporary or long term.
3. The BHA will not evict the family during the 90-day period beginning the month following the family's request for a hardship exemption.
4. If it is determined that a financial or other hardship exists and is **TEMPORARY**, the BHA will continue providing an exemption from the MTW activity at a reasonable level for up to 90 days. After that time, the BHA will reinstate the MTW activity from the beginning of the suspension. The BHA will offer the family a reasonable repayment agreement, on terms and conditions established by the BHA for the amount of back rent owed by the family.
5. If it is determined that a financial or other hardship exists and is **LONG-TERM**, the BHA will continue providing an exemption from the MTW activity at a reasonable level for a specified duration determined by the BHA. After that time, the BHA will reinstate the MTW activity from the beginning of the suspension. The BHA will offer the family a reasonable repayment agreement on terms and conditions established by the BHA for the amount of back rent owed by the family.
6. If it is determined that a financial or other hardship request did not meet hardship standards, the client must resume the MTW activity and collect any retroactive rent, if applicable, through a reasonable repayment agreement.

Resident and Participant Notification

The BHA will notify families of its Hardship Policy through its Administrative Plan, at intake, at recertification, and when a family is to be terminated due to an MTW activity.

Grievance Procedure

If a family's hardship request is denied, the family is permitted to go before the Hearing Officer for a second review.

Reasonable Accommodations

The BHA will address persons with handicaps requesting a reasonable accommodation under 24 CFR part 8 through the BHA's Reasonable Accommodations Policy and procedures.

Record Keeping

The BHA will keep clear records for hardship requests and determinations for three (3) years. These records are available for public review and inspection at the BHA's principal office during normal business hours and supplied to HUD if requested.

Chapter 1

OVERVIEW OF THE PROGRAM AND PLAN

INTRODUCTION

The Berkeley Housing Authority (BHA) receives its funding for the Housing Choice Voucher (HCV) program from the Department of Housing and Urban Development. The BHA is not a federal department or agency. A public housing agency (PHA) is a governmental or public body, created and authorized by state law to develop and operate housing and housing programs for low-income families. BHA, a Public Housing Authority, enters into an Annual Contributions Contract with HUD to administer the program requirements on behalf of HUD. BHA ensures compliance with federal laws, regulations and notices and must establish policy and procedures to clarify federal requirements and to ensure consistency in program operation.

This chapter contains information about BHA and its programs with emphasis on the HCV program. It also contains information about the purpose, intent and use of the plan. There are three parts to this chapter:

Part I: The Berkeley Housing Authority (BHA). This part includes a description of BHA, its jurisdiction, its programs, and its mission and intent.

Part II: The HCV Program. This part contains information about the Housing Choice Voucher program operation, roles and responsibilities, and partnerships.

Part III: The HCV Administrative Plan. This part discusses the purpose and organization of the plan and its revision requirements.

MOVING TO WORK (MTW) DEMONSTRATION PROGRAM

Moving to Work (MTW) is a United States Department of Housing and Urban Development (HUD) sponsored demonstration program for public housing authorities (PHAs) that provides them the opportunity to design and test innovative, locally designed strategies that use federal dollars more efficiently, help residents and participants find employment and become self-sufficient, and increase housing choices for low-income families. MTW gives PHAs exemptions from many existing public housing and voucher rules (Sections 8 and 9 of the Housing Act of 1937, as amended, 42 U.S.C. § 1437 et seq) and more flexibility with how they use their federal funds. MTW PHAs are expected to use the opportunities presented by MTW to inform HUD about ways to better address local community needs.

BHA'S PARTICIPATION IN THE MTW DEMONSTRATION PROGRAM

The BHA became an MTW agency in April 2022 as a member of the Landlord Incentives Cohort (Cohort 4) and will remain an MTW agency until 2042. With this designation, the BHA is able to modify its policies and procedures to achieve the objectives of the MTW program. Through "waivers" or activities, the BHA has made internal and external programmatic changes to its Housing Choice Voucher Program. The Plan reflects these changes as they are proposed and approved by HUD. Policies that have been replaced with a MTW activity are listed below the original rule or within the chapter itself, making the original rule null and void.

ORIGINAL:

The Single Room Occupancy, Moderate Rehabilitation program “Interest Lists” are managed by The Coordinated Entry System (CES) operated by Bay Area Community Services (BACS and referred to Home Stretch, the Alameda County Health Care Services agency’s program).

CHANGE

Identifying applicants and providing referrals for the Single Room Occupancy, Moderate Rehabilitation programs is managed by the Coordinated Entry System (CES). Alameda County’s Office of Homeless Care and Coordination is currently the management entity for Coordinated Entry in the Continuum of Care (CoC) that includes the City of Berkeley.

4-IL.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

BHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, BHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

BHA Policy

Except as set forth in the following paragraphs, BHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 60 months for the most current applicants; this is an approximated length of time for processing 1,500 applicants.

Where BHA has particular preferences or funding criteria that require a specific category of family (i.e. HOPWA), BHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until BHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

BHA Policy

BHA will announce the reopening of the waiting list at least 5 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

BHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

- 1) On the BHA website, www.cityofberkeley.info/BHA
- 2) Through public notices and advertisement in Berkeleyside, and/or the legal or public notice section of the East Bay Times, Oakland Post, and La Opinion.
- 3) Through written notice to:

- Veteran Preference (as required by State law). Granted to households with one or more active member(s) of the military, or a veteran discharged or released under conditions other than dishonorable, or a surviving spouse (as defined by the Department of Veteran Affairs) (50 points)

- Elderly (62 or older), and/or disabled, based on head of household (10 points)

- Family status (any 2- or more person household) (10 points)

- Date and time of application (tie breaker).

Section 8, Single Room Occupancy, Moderate Rehabilitation Program (Mod Rehab)

ORIGINAL

The Single Room Occupancy, Moderate Rehabilitation program “Interest Lists” are managed by The Coordinated Entry System (CES) , operated by Bay Area Community Services (BACS) and referred to Home Stretch, the Alameda County Health Care Services agency’s program. (See Chapter 18 for details.)

CHANGE

Identifying applicants and providing referrals for the Single Room Occupancy, Moderate Rehabilitation programs is managed by the Coordinated Entry System (CES). Alameda County’s Office of Homeless Care and Coordination is currently the management entity for Coordinated Entry in the Continuum of Care (CoC) that includes the City of Berkeley. (See Chapter 18 for details.)

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during BHA’s fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, BHA may skip non-ELI families on the waiting list in order to select an ELI family. This means that 75% of BHA’s admissions must be at or below 30% of AMI; therefore 25% of BHA’s admissions may be at 31 – 50% AMI.

Low income families admitted to the program that are “continuously assisted” under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

BHA Policy

BHA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families (up to 30% AMI) will be selected ahead of other eligible low-income (50% AMI) families on an as-needed basis to ensure the income

BHA Policy

To qualify as a training program, the program must meet the definition of *training program* provided above for state and local employment training programs.

Earned Income Tax Credit

Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32(j)), are excluded from annual income [24 CFR 5.609(c)(17)]. Although many families receive the EITC annually when they file taxes, an EITC can also be received throughout the year. The prorated share of the annual EITC is included in the employee's payroll check.

Earned Income Disallowance

The earned income disallowance for persons with disabilities is discussed in section 6-I.E below.

6-I.E. EARNED INCOME DISALLOWANCE FOR PERSONS WITH DISABILITIES [24 CFR 5.617; Streamlining Final Rule (SFR) Federal Register 3/8/16]

The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.

BHA MTW Activity 3 – Eliminate Earned Income Disregard

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will eliminate the Earned Income Disregard. This activity is applicable only to newly admitted and currently assisted disabled families.

Eligibility

This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:

- Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. *Previously unemployed* includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.
- Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].
- New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form

BHA Policy

Reasonable costs that would be incurred when disposing of an asset include, but are not limited to, penalties for premature withdrawal, broker and legal fees, and settlement costs incurred in real estate transactions [HCV GB, p. 5-28].

Lump-Sum Receipts

Payments that are received in a single lump sum, such as inheritances, capital gains, lottery winnings, insurance settlements, and proceeds from the sale of property, are generally considered assets, not income. However, such lump-sum receipts are counted as assets only if they are retained by a family in a form recognizable as an asset (e.g., deposited in a savings or checking account) [RHIP FAQs]. (For a discussion of lump-sum payments that represent the delayed start of a periodic payment, most of which are counted as income, see sections 6-I.H and 6-I.I.)

Imputing Income from Assets [24 CFR 5.609(b)(3)]

When net family assets are \$5,000 or less, the PHA will include in annual income the actual income anticipated to be derived from the assets. When the family has net family assets in excess of \$5,000, BHA will include in annual income the greater of (1) the actual income derived from the assets or (2) the imputed income. Imputed income from assets is calculated by multiplying the total cash value of all family assets by the current HUD-established passbook savings rate.

BHA MTW Activity 6 – Self-Certification of Assets

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will increase the asset self-certification ceiling from \$5,000 to \$50,000. This activity is applicable to newly admitted and currently assisted non-elderly/non-disabled, elderly, and disabled families.

Determining Actual Anticipated Income from Assets

It may or may not be necessary for BHA to use the value of an asset to compute the actual anticipated income from the asset. When the value is required to compute the anticipated income from an asset, the market value of the asset is used. For example, if the asset is a property for which a family receives rental income, the anticipated income is determined by annualizing the actual monthly rental amount received for the property; it is not based on the property's market value. However, if the asset is a savings account, the anticipated income is determined by multiplying the market value of the account by the interest rate on the account.

Withdrawal of Cash or Liquidation of Investments

Any withdrawal of cash or assets from an investment will be included in income except to the extent that the withdrawal reimburses amounts invested by the family. For example, when a family member retires, the amount received by the family from a retirement plan is not counted as income until the family has received payments equal to the amount the family member deposited into the retirement fund.

Jointly Owned Assets

The regulation at 24 CFR 5.609(a)(4) specifies that annual income includes “amounts derived

Family Share [24 CFR 982.305(a)(5)]

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds BHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy BHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The income used for this determination must have been verified no earlier than 60 days before the family's voucher was issued. (For a discussion of the application of payment standards, see section 6-III.C.)

BHA Subsidy [24 CFR 982.505(b)]

BHA will pay a monthly housing assistance payment (HAP) for a family that is equal to the lower of (1) the applicable payment standard for the family minus the family's TTP or (2) the gross rent for the family's unit minus the TTP. (For a discussion of the application of payment standards, see section 6-III.C.)

Utility Reimbursement [24 CFR 982.514(b)]

When the BHA subsidy for a family exceeds the rent to owner, the family is due a utility reimbursement. HUD permits BHA to pay the reimbursement to the family or directly to the utility provider.

BHA Policy

BHA reserves the option either to make the utility reimbursements directly to the family, or to Pacific Gas and Electric (PG&E) on behalf of the family. The family must establish and maintain service in the name of the head of household or spouse/partner.

BHA MTW Activity 2 – Eliminate Utility Reimbursement

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will eliminate utility reimbursements. This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled). Once this activity takes effect, all households must pay at least the minimum rent of \$50 regardless of their utility allowance.

6-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]

Overview

If BHA establishes a minimum rent greater than zero, BHA must grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If BHA determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated TTP.

HUD-Defined Financial Hardship

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who

BHA MTW Activity 4 – Payment Standards - Fair Market Rents

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will raise the payment standard to 150% of the Fair Market Rents (FMR) for Tenant-Based Vouchers. The BHA will also raise the payment standard to 120% of the Fair Market Rents (FMR) for Project-Based Vouchers. This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled).

Changes in Payment Standards

When BHA revises its payment standards during the term of the HAP contract for a family's unit, it will apply the new payment standards in accordance with HUD regulations.

Annual Adjustment

BHA payment standards for all bedroom sizes will be reviewed at least annually, and updated December 1st as appropriate, and at other times as appropriate, to an appropriate level between 90 and 110% of FMR, unless an exception is granted from HUD.

Decreases

If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. BHA will determine the payment standard for the family as follows:

Step 1: At the first regular reexamination following the decrease in the payment standard, BHA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.

Step 2: BHA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by BHA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. BHA will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.

Step 3: At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless BHA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.

Increases

If the payment standard is increased during the term of the HAP contract, the increased payment standard will be used to calculate the monthly housing assistance payment for the family beginning on the effective date of the family's first regular reexamination on or after the effective date of the increase in the payment standard.

Families requiring or requesting interim reexaminations will not have their HAP payments calculated using the higher payment standard until their next annual reexamination [HCV GB, p. 7-8].

Changes in Family Unit Size

Irrespective of any increase or decrease in the payment standard, if the family unit size increases or decreases during the HAP contract term, the new family unit size must be used to determine the payment standard for the family beginning at the family's first regular reexamination following the change in family unit size.

Reasonable Accommodation

BHA will use higher payment standards (either within the acceptable range or with HUD approval of a payment standard outside BHA range) if BHA determines this is necessary to enable a person with disabilities to obtain a suitable housing unit.

6-III.D. APPLYING UTILITY ALLOWANCES [24 CFR 982.517]

Overview

A BHA-established utility allowance schedule is used in determining family share and BHA subsidy. BHA must use the appropriate utility allowance for the size of dwelling unit actually leased by a family rather than the voucher unit size for which the family qualifies using BHA subsidy standards. See Chapter 5 for information on BHA's subsidy standards.

For policies on establishing and updating utility allowances, see Chapter 16.

BHA MTW Activity 1 – Alternative Utility Allowance

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will employ a standard utility allowance based on dwelling type and bedroom size. This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled).

Reasonable Accommodation

HCV program regulations require BHA to approve a utility allowance amount higher than shown on BHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. For example, if a family member with a disability requires such an accommodation, BHA will approve an allowance for air-conditioning, even if BHA has determined that an allowance for air-conditioning generally is not needed.

The family must request the higher allowance and provide BHA with an explanation of the need for the reasonable accommodation and information about the amount of additional allowance required [HCV GB, p. 18-8].

Utility Allowance Revisions

At reexamination, BHA must use the BHA current utility allowance schedule [24 CFR 982.517(d)(2)].

BHA Policy

Revised utility allowances will be applied to a family's rent and subsidy calculations at the first annual reexamination that is effective after the allowance is adopted.

Depending on the need of the disabled person, BHA will authorize an additional 20% for "heating", and/or an additional 20% for "other electric", as a reasonable accommodation

PHAs with 1,250 or more budgeted units, to the extent practicable such inspection and determination must be completed within 15 days. The 15-day period is suspended for any period during which the unit is not available for inspection [982.305(b)(2)].

BHA Policy

BHA will complete the initial inspection, determine whether the unit satisfies HQS, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA).

BHA MTW Activity 9 – Pre-Qualifying Unit Inspections

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will allow vacant units to be pre-inspected prior to occupancy. The pre-inspection will be conducted within 90 days of a participant occupying the unit, HQS inspection standards, as found at 24 CFR 982.401, will not be altered, and all participants will be able to request an interim inspection. This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled).

Inspection Results and Reinspections

BHA Policy

If any HQS violations are identified, the owner will be notified of the deficiencies and be given a time frame to correct them. If requested by the owner, the time frame for correcting the deficiencies may be extended by the BHA for good cause. BHA will reinspect the unit within 5 business days of the date the owner notifies BHA that the required corrections have been made.

If the time period for correcting the deficiencies (or any BHA-approved extension) has elapsed, or the unit fails HQS at the time of the reinspection, BHA will notify the owner and the family that the unit has been rejected and that the family must search for another unit. BHA may agree to conduct a second reinspection, for good cause, at the request of the family and owner.

Following a failed reinspection, the family may submit a new Request for Tenancy Approval for the unit if the family has not found another unit by the time the owner completes all repairs and the family continues to wish to live in the unit.

A “passed” inspection can be utilized for a new Housing Assistance Payment Contract for a maximum of 60-days, provided the owner certifies in writing that the unit (a) has not been occupied, and (b) there is no change in any of the conditions since the date of the inspection.

Utilities

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

BHA Policy

All utilities must be placed in service at the time of initial inspection.

Appliances

BHA Policy

If the family is responsible for supplying the stove and/or refrigerator, BHA will allow the stove and refrigerator to be placed in the unit after the unit has met all other HQS requirements. The required appliances must be in place before the HAP contract is executed by BHA. BHA will execute the HAP contract based upon a certification from the family that the appliances have been installed and are working. A confirmatory inspection will be scheduled within 30 days of HAP contract approval.

8-II.C. ANNUAL AND BIENNIAL HQS INSPECTIONS [24 CFR 982.405(a)]

Biennial inspections and the use of alternative inspection methods and inspection timeframes (PIH Notice 2016-05)

This HUD provision offers PHAs the discretion to conduct unit inspections biennially rather than annually, for both the HCV and PBV programs. It also authorizes the use of alternative inspection methods for periodic inspections, such as inspections performed by HUD or conducted pursuant to the HOME Investment Partnerships (HOME) program or housing financed using Low-Income Housing Tax Credits (LIHTCs). PHAs have the discretion to adopt either or both of these flexibilities.

BHA Policy

BHA will conduct qualified biennial inspections, meaning annual inspections that pass on their first attempt will skip a year before the next annual HQS inspection; and annual inspections that fail on their first attempt will have an annual HQS inspection the following year.

Landlords and program participants will continue to be able to request a Special Inspection at any time, whether the unit passed or failed the first attempt of the most recent HQS inspection.

BHA reserves the right to accept inspections performed by another entity (city, housing developers in conformity with HOME or LIHTC rules) in lieu of conducting an annual inspection, but at this time will continue to schedule annual inspections to be conducted by BHA's contract inspector.

BHA MTW Activity 10 – Alternative Inspection Schedule

Fiscal Year Introduced: Prior to MTW program participation

Fiscal Year Approved by HUD: N/A

This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled). As a member of the Landlord Incentives cohort, the BHA desires to document incentives already undertaken prior to acceptance into the MTW program for research purposes.

At that point, BHA will recalculate family incomes by applying any published cost of living adjustments to the previously verified income amount.

The term ‘fixed income’ includes income from:

1. Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
2. Federal, State, local, and private pension plans; and
3. Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic receipts that are of substantially the same amounts from year to year.

BHA MTW Activity 5 – Alternative Recertification Schedule For Households

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will decrease the frequency of tenant reexaminations from annual to triennial for all households. This restructuring will allow families to have a more consistent rent portion over a longer period of time. On the off years, when tenants are not required to complete a full reexamination, tenants will be required to complete a brief check-in with the BHA.

Interim recertifications will be limited to one interim per year at the request of the household. If the interim is for a decrease in income, only income decreases of 10% or more will be processed. Interim decreases will be limited to one during a calendar year and no interim decreases during the first six months after initial occupancy. Required interim recertifications for household composition changes, landlord rent increases, and Family Self-Sufficiency will not count against the limit on voluntary interim recertifications. This activity applies to all newly admitted and currently assisted families (able-bodied, elderly, and disabled).

Per HUD Notice 2016-05 “Streamlining Administrative Regulations for Programs Administered by Public Housing Agencies:

For the second income determination involving a family member whose income was adjusted previously using a streamlined income determination, the adjustment would be made to the previously determined income amount (i.e., in year two, the COLA is applied to the year one income amount, as previously adjusted by a COLA).

For any family member whose income is determined pursuant to a streamlined income determination, *third-party verification of all income amounts for all family members must be performed at least every three years*. This means that, for the third income determination involving a family member whose income had been adjusted twice using a streamlined income determination, the PHA would need to obtain third-party verification of *all* income amounts.

This also means that if a family member with a fixed-income source is added to the family during year two, for example, then the PHA must obtain third-party verification of all income amounts for that family member at the next reexamination if the PHA wishes to have all

Retention

In addition to recruiting owners to participate in the HCV program, BHA must also provide the kind of customer service that will encourage participating owners to remain active in the program.

BHA Policy

All BHA activities that may affect an owner's ability to lease a unit will be processed as rapidly as possible, in order to minimize vacancy losses for owners.

BHA will use its website to provide owners with information that explains the HCV program, including HUD and BHA policies and procedures, in easy-to-understand language.

Working with owners to address improper behavior by a member of the household, or unsafe conditions present in the assisted unit.

BHA will give special attention to helping new owners succeed through activities such as:

- Providing the owner with a designated BHA contact person.

- Coordinating inspection and leasing activities between BHA, the owner, and the family.

- Initiating telephone contact with the owner to explain the inspection process, and providing an inspection booklet and other resource materials about HUD housing quality standards.

- Providing other written information about how the program operates, including answers to frequently asked questions.

Additional services may be undertaken on an as-needed basis, and as resources permit.

BHA MTW Activity 7 – Vacancy Loss

Fiscal Year Introduced: 2023

Fiscal Year Approved by HUD: Pending

The BHA will offer an incentive to landlords when a current tenant dies, while occupying the unit, of one (1) month of rent, as long as the landlord agrees to rent the unit to another HCV participant. The landlord will receive the incentive upon leasing to another HCV tenant and executing the HAP contract and Tenancy Addendum with the BHA. This activity applies to all HCV landlords.

BHA MTW Activity 8 – Landlord Incentives

Fiscal Year Introduced: Prior to MTW program participation

Fiscal Year Approved by HUD: N/A

To attract and retain qualified landlords, the BHA has already implemented a landlord incentive of up to \$1,500 in Unit Turnover Program funds to cover expenses to ready a vacant unit for lease up in the Housing Choice Voucher Program. Project-based, Moderate Rehab, Below Market Rate properties, and new luxury developments landlords are not eligible to apply for the incentive. Landlords will receive the incentive upon leasing to another HCV tenant (after an approved Request for Tenancy Approval and initial inspection). This activity applies to all HCV landlords.

As a member of the Landlord Incentives cohort, the BHA desires to document incentives already undertaken prior to acceptance into the MTW program for research purposes.

13-I.B. BASIC HCV PROGRAM REQUIREMENTS

HUD requires the PHA to aid families in their housing search by providing the family with a list of landlords or other parties known to the PHA who may be willing to lease a unit to the family, or to help the family find a unit. Although the PHA cannot maintain a list of owners that are pre-qualified to participate in the program, owners may indicate to the PHA their willingness to lease a unit to an eligible HCV family, or to help the HCV family find a unit [24 CFR 982.301(b)(11)].

BHA Policy

BHA will maintain a rental listing service of available units whose owners are willing to lease a unit to an eligible HCV family. This listing will be posted on the BHA website, in the BHA office, and posted in a manner that it can be viewed from the courtyard adjacent to the BHA office.

BHA will maintain a listing of such owners and provide this listing to the HCV family as part of the informational briefing packet

When a family approaches an owner to apply for tenancy, the owner is responsible for screening the family and deciding whether to lease to the family, just as the owner would with any potential tenant. BHA has no liability or responsibility to the owner or other persons for the family's behavior or suitability for tenancy. See chapters 3 and 9 for more detail on tenant family screening policies and process.

If the owner is willing, the family and the owner must jointly complete a Request for Tenancy Approval (RTA, Form HUD 52517), which constitutes the family's request for assistance in the specified unit, and which documents the owner's willingness to lease to the family and to follow the program's requirements. When submitted to BHA, this document is the first step in the process of obtaining approval for the family to receive the financial assistance it will need in order to occupy the unit. Also submitted with the RTA is a copy of the owner's proposed dwelling lease, including the HUD-required Tenancy Addendum (Form HUD-52641-A). See Chapter 9 for more detail on request for tenancy approval policies and process.

HUD regulations stipulate that an assisted tenancy can be approved only under certain conditions.

The owner must be qualified to participate in the program [24 CFR 982.306]. Some owners are precluded from participating in the program, or from renting to a particular family, either because of their past history with this or another federal housing program, or because of certain conflicts of interest. Owner qualifications are discussed later in this chapter.

The selected unit must be of a type that is eligible for the program [24 CFR 982.305(a)]. Certain types of dwelling units cannot be assisted under the HCV program. Other types may be assisted under certain conditions. In addition, the owner must document legal ownership of the specified unit. See chapter 9 for more detail on unit eligibility policies and process.

The selected unit must meet HUD's Housing Quality Standards (HQS) and/or equivalent state or local standards approved by HUD [24 CFR 982.305(a)]. BHA will inspect the owner's dwelling unit at various stages of HCV program participation, to ensure that the unit continues to meet HQS requirements. See chapter 8 for a discussion of the HQS standards, as well as the process for HQS inspections at initial lease-up and throughout the family's tenancy.

If an in-place family is not eligible to participate in the program, at the time of HAP signing, their unit will not be added as an assisted contract unit in the master HAP. If the owner cannot find an in-place family in an appropriately sized (by bedroom size) unit to replace the one occupied by a non-qualified family, the approved allocation will be reduced to reflect the number of units where in-place families do qualify for Section 8 assistance.

17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]

BHA may establish a separate waiting list for PBV units or it may use the same waiting list for both HCV/tenant-based and PBV assistance. BHA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by BHA. If BHA chooses to offer a separate waiting list for PBV assistance, BHA must offer to place applicants who are listed on the HCV/tenant-based waiting list on the waiting list for PBV assistance.

If BHA decides to establish a separate PBV waiting list, BHA may use a single waiting list for BHA's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

BHA Policy

BHA will use (a) one waiting list for the HCV/tenant-based voucher program and, (b) one waiting list for the project-based voucher programs subdivided by (i) senior, over 62-years of age (ii) emancipated youth, (iii) HOPWA and (iv) one waiting list created from applications received from a restricted waiting list opening for families qualifying for 3 or 4 bedroom units; as well as a general Project-based waitlist for all household types. BHA will give applicants from the tenant based waiting list and existing tenant based voucher holders who are not appropriately housed an opportunity to be considered for PB units after exhausting the PBV waiting lists. If all of these options are exhausted, BHA either will open up the Project-based waitlist; or allow, after written request, properties to self-refer qualified applicants for vacant project based units.

ORIGINAL: In cases where PBV units are set aside for homeless individuals referred by the North County Coordinated Entry System (CES) in Berkeley, BHA accepts referrals for those PBS8 qualified households; **CHANGE:** In cases where PBV units are set aside for homeless individuals in Berkeley, BHA will notify the Coordinated Entry System (CES) Management Entity of openings who will provide referrals for PBS8 qualified households; additionally the BHA PB Emancipated Youth waitlist is exhausted, so PBV units housing this population are self-referred by properties to BHA for filling those vacancies.

VAWA victims in the HCV/Tenant-based Section 8 program, and families needing accessibility features who are not able to obtain specialized units, on a case-by case basis, may bypass the PBV waiting list, and be offered a vacant PBV unit.

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

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

**MODERATE REHABILITATION PROGRAM FOR
SINGLE ROOM OCCUPANCY (SRO) DWELLINGS FOR
HOMELESS INDIVIDUALS**

18-1 Introduction

The Section 8 Moderate Rehabilitation Single Room Occupancy (SRO) Program (Moderate Rehabilitation Program) was funded under the McKinney Act. The BHA Moderate Rehabilitation Program is a joint effort between BHA and local, not-for-profit agencies that own property that is in need of rehabilitation in order to restore the dwelling to meet local building codes.

The purpose of the Moderate Rehabilitation Program is to provide Section 8 rental assistance for homeless individuals in rehabilitated single room occupancy housing. The Moderate Rehabilitation Program rental subsidy **is not** transferable, and the participant will only receive the rental assistance if residing in the Mod Rehab unit.

The Alameda County Homeless Continuum of Care, in accordance with guidance from HUD's Office of Community Planning and Development (see Notices CPD-14-012 and CPD-16-11) has established prioritization criteria for access to permanent supportive housing opportunities within Alameda County. The BHA Moderate Rehabilitation Program operates as permanent supportive housing and therefore will select applicants in accordance with these HUD guidelines, which prioritize the most intensive housing resources for people with long histories of homelessness, a high level of vulnerability, and multiple barriers to housing.

ORIGINAL: Currently, the Alameda County Health Care Services Agency operates a program called Home Stretch, which maintains a pool of applicants for all permanent supportive housing in Alameda County. Homeless individuals and families are assessed and qualified by the Alameda County homeless Coordinated Entry System, in Berkeley and operated by Bay Area Community Services (BACS), and referred to Home Stretch. It is from this registry of eligible homeless and disabled individuals that applicants for the BHA Moderate Rehabilitation Program are selected.

CHANGE: Currently, the Alameda County Office of Homeless Care and Coordination operates a program called Home Stretch, which maintains a pool of applicants for all permanent supportive housing in Alameda County. Homeless individuals and families can access the Coordinated Entry System (CES) at Housing Resource Centers/Access Points across the County. If eligible for permanent supportive housing resources, they can be added to a housing queue. It is from this queue of eligible homeless and disabled individuals that applicants for the BHA Moderate Rehabilitation Program are identified and referred.

The BHA, on behalf of HUD, enters into a Moderate Rehabilitation Program Housing Assistance Payment (HAP) Contract with a housing provider for a specific building.

The contract for any unit rehabilitated in accordance with the program guarantees the rental subsidy for a minimum of 10 years initially, and is renewed annually thereafter.

- The minimum tenant portion of rent for the program is \$50 (see Section **Total Tenant Payment** for the minimum rent hardship provisions)
- At present the BHA is providing rental subsidies for two projects:
 - University Avenue Homes (1040 University Avenue); and
 - Erna P. Harris (1330 University Avenue)

18-2 Applicant Qualifications

ORIGINAL: Staff at The Hub conduct outreach and identify potential applicants for intensive housing search support and permanent supportive housing. The Hub screens clients for literal homelessness and disability, according to the HUD definitions below. After assessment and verification of eligibility for Home Stretch, Hub staff send information on homeless individuals to Home Stretch staff, who verify that they have appropriate documentation and place eligible clients into the registry. Home Stretch staff prioritize and match eligible individuals to specific units when they become available. Home Stretch staff will provide the property management agent referrals of three to five qualified persons per vacant unit.

CHANGE: Staff at Housing Resource Centers/Access Points across the county complete a Coordinated Entry workflow, which may include completion of a Housing Needs Assessment (HNA) that identifies households who may be eligible for permanent supportive housing. These staff screen clients for literal homelessness and disability, according to the HUD definitions below. Home Stretch staff prioritize and match eligible individuals to specific units when they become available. Households that are identified as being eligible for permanent supportive housing will be matched and referred to available resources by the Home Stretch in accordance with Coordinated Entry policies and prioritizations.

Literally homeless. An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

1. Has a primary nighttime residence that is a public or private place not meant for human habitation.
2. Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state and local government programs); or
3. Is exiting an institution where (s)he has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution.

Disability.

1. A disability as defined in Section 223 of the Social Security Act;
2. A physical, mental, or emotional impairment which is expected to be of long-continued and indefinite duration, substantially impedes an individual's ability to live independently, and of such a nature that the disability could be improved by more suitable conditions;

3. A developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act;
4. The disease of acquired immune deficiency syndrome or any condition arising from the etiological agent for acquired immune deficiency syndrome; or
5. A diagnosable substance abuse disorder.

Individuals may not have income above 50% of area median income as defined by HUD.

18-3 Family Participation

BHA is responsible for receipt and review of applications, and determination of eligibility for participation in accordance with HUD regulations. The Owner must lease all assisted units under HAP contract with the Moderate Rehabilitation Program to eligible individuals.

The Owner is responsible for managing the property, and advising BHA when a unit is no longer occupied by the assisted individual. This includes providing notice to BHA as soon as the Owner knows, or should know, that the individual is not actively occupying the unit.

18-4 Outreach to Homeless Individuals

ORIGINAL:

To ensure that homeless individuals are aware of this housing opportunity, the North County Housing Resource Center (The Hub, serving Berkeley, Albany, and Emeryville) and Home Stretch staff shall provide notice to interested individuals and groups advising:

- The availability of the housing resources at U.A. Homes and Erna P. Harris;
- The method for applying; and
- Eligibility criteria.

Interested individuals will be instructed to contact The Hub to receive screening and assessment for consideration for current and/or future vacancies.

CHANGE:

Properties are required to notify Home Stretch of open units when they become available. Home Stretch will notify eligible households in accordance with Coordinated Entry policies and priorities, including advising households about:

- ♣ The availability of the housing resources at U.A. Homes and/or Erna P. Harris;
- ♣ The method for applying; and
- ♣ Eligibility criteria.

Interested individuals will be instructed to contact a Housing Resource Center/Access Point to begin the Coordinated Entry workflow to see if they are eligible to be considered for current and/or future vacancies.

18-5 Interest List Management

ORIGINAL:

Home Stretch/Coordinated Entry System (CES) shall maintain an active registry of eligible individuals for these units. Home Stretch shall update the registry at least every twelve months to ensure the list is kept up-to-date. The process for updating the list shall include contacting the interested individual and their designated representative as it appears on their Home Stretch coordinated entry assessment and supporting documents.

CHANGE:

Coordinated Entry System (CES) shall maintain an active housing queue of eligible individuals for permanent supportive housing resources. Households will be automatically removed from the queue after a period of inactivity as outlined in Alameda County's Coordinated Entry Policies.

18-6 Selection of Applicants

Home Stretch is responsible for maintaining reasonable records to insure that all individuals expressing interest are afforded an opportunity to complete an application for a unit. Individuals submitting applications are referred to as Applicants. Home Stretch is responsible for identifying and referring potentially eligible Applicants to the Owner for a final determination of eligibility.

ORIGINAL: Home Stretch or the Applicant's representative may assist the Applicant to ensure a complete "eligibility packet" that includes valid CA identification; birth certificate or verification of birth date, city and state from Social Security administration, current proof of income and current asset verification (bank statements). **CHANGE:** Home Stretch or the Applicant's representative may assist the Applicant to ensure a complete "eligibility packet" that includes valid CA identification, social security card/verification, verification of disability, verification of homelessness, and current proof of income. BHA and/or the property may request additional verification documents, if needed, to establish eligibility.

ORIGINAL: Home Stretch may serve interested individuals from the Interest List out of order if it is unable to reach the individual after utilizing reasonable efforts (i.e. mail or telephone).

CHANGE: In accordance with Coordinated Entry policies, Home Stretch may continue to expand the scope of who is offered available resources until an eligible applicant is identified.

ORIGINAL: The Owner notifies Home Stretch of an opening and provides all required paperwork to Home Stretch. Home Stretch has three working days to find the top three candidates and provide them with the required paperwork for applying for the unit. After receiving notification of unit availability, Applicants or their representatives have seven calendar days to respond to Home Stretch staff regarding the available apartment. If there is no response, the offer will be deemed to have been declined by the Applicant, and the ten day window to find eligible applicants and have them submit required paperwork begins again. If there are verifiable mitigating reasons beyond the Applicant's control that prevent an Applicant from moving at the time of offer, the Applicant will receive another unit offer. Home Stretch staff work with the Owner and Applicant's Representative to ensure all appropriate documentation is collected and submitted, including any BHA paperwork and building-specific application.

CHANGE: The Owner notifies Home Stretch of an opening and provides all required application materials/eligibility criteria to Home Stretch. In accordance with Coordinated Entry policies and timelines, Home Stretch will begin notifying batches of eligible households about the resource, including information about the required documents and process for applying to the unit. After receiving a notification of unit availability, Applicants and their representatives must respond to Home Stretch staff regarding the available unit. If there is no response by the stated deadline, the offer will be deemed to have been declined and additional households will be notified about the resource. Late applications can be considered in alignment with Coordinated Entry prioritization and policy. Home Stretch staff work with the Owner and Applicant's Representative to ensure all appropriate documentation is collected and submitted, including any BHA paperwork and building-specific application.

18-7 Leasing Vacancies

- The Owner will:
 - Notify the Berkeley Housing Authority of a vacancy and that they are requesting referrals from Home Stretch;
 - Accept all documentation that supports eligibility (including homeless and disability verification) and work with the Applicant or his/her Representative to obtain other documentation needed to complete the application.
 - Keep on site, and provide to all Applicants, tenants and outreach agencies, a copy of the grounds for non-acceptance of the rental application; and
 - Advise the BHA in writing of the Applicant selected for tenancy in order to initiate rental subsidy payments. Said notice shall be accompanied by all the documentation required to establish eligibility including but not limited to:
 - A completed BHA Personal Declaration;
 - Current (within 30-days) income verification; and
 - Proof that the individual is currently homeless, or was homeless during the 12 month period prior to the determination of eligibility (dated within 60-calendar days)
- BHA will promptly:
 - Contact the Applicant and the Applicant's representative to obtain any additional documents required to determine program eligible
 - Inspect the unit designated for the Applicant within 10 business days of a request for inspection from the Owner
 - Review the program rules, including the Owner's, BHA's and the family obligations with the family
 - Provide the client (and the Owner) written notice of the tenant rent portion, and
 - Review and obtain the individuals signature on the "Section 8 Moderate Rehabilitation Program Statement of Family Responsibility" (HUD Form 52578A).

18-8 Transfer List

The Owner shall maintain a transfer list for existing clients wishing to move for one unit to another within the property. The list shall include, at minimum:

- The name of the resident;