



San Bernardino County

Legislation Text

File #: 775, Agenda Item #: 3

REPORT/RECOMMENDATION TO THE BOARD OF GOVERNORS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

August 6, 2019

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Revisions to the Housing Services Administrative Plan Governing the Housing Choice Voucher Program

RECOMMENDATION(S)

Adopt a Resolution approving revisions to the Housing Services Administrative Plan governing the Housing Choice Voucher Subsidized Program.

(Presenter: Maria Razo, Executive Director, 332-6305)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of the item does not impact Discretionary General Funding (Net County Cost). Approval of the proposed revisions to the Housing Services Administrative Plan (Administrative Plan) has no financial impact to the Housing Authority of the County of San Bernardino (HACSB) annual budget.

BACKGROUND INFORMATION

HACSB's Administrative Plan describes adopted policies that govern the various Housing Choice Voucher Programs (HCV), which provide rental subsidy to low-income families leasing units in the private rental market, in accordance with the United States Department of Housing and Urban Development (HUD) requirements. The Administrative Plan is reviewed and updated as needed to maintain compliance with Public and Indian Housing Notices (PIH), Federal Register Notices as issued by HUD, and HACSB Moving to Work (MTW) annual plans. As a result of the recent approval by HUD of HACSB's 2019 Annual MTW Plan, Amendment No. 1 on May 7, 2019, the Administrative Plan requires revisions to chapters 1, 2, 3, 5, 6, 9, 14, 20 and 21 related to the Mainstream 811 Housing Choice Voucher Program preferences, occupancy standards for certain Project-Based Voucher (PBV) developments, No Child Left Unsheltered and the Family Unification Program.

The first policy update is to Chapter 2 Waiting List and Initial Eligibility; subsection 2.8.3.2 Disabled At-Risk Preference which consists of the addition of a waitlist preference as required by the Mainstream 811 Housing Choice Voucher Program. These vouchers are designated for non-elderly persons with disabilities. HACSB is adding a preference for individuals that are transitioning out of institutional or other segregated settings, at serious risk of institutionalization, homeless, or at risk of becoming homeless in its application for these vouchers.

The second policy update is to Chapter 5 Subsidy Standards; subsection 1 Determination of Subsidy Standard and Chapter 20 Project-Based Assistance Program; subsection 12.1 Alternative Occupancy Standards (new subsection) that is related to HACSB's subsidy standards for PBV developments. PBV units are subject to HACSB's traditional occupancy standards, which are currently set at a minimum of two persons per bedroom. However, in certain circumstances, HACSB will permit certain project-based units to be occupied using an alternative occupancy standard of up to two persons per bedroom. This flexibility, as approved by HUD, will allow a family to be over-housed by occupying a larger unit than would normally be permitted under the occupancy standards. (Example: a two-person family may lease a two-bedroom unit.) This plan update will allow certain PBV developments to allow less persons in a unit than the current occupancy standards. This will only be allowable under certain circumstances where the developer can provide evidence to HACSB that it has made a concentrated attempt to house the unit with the appropriate family size but has been unsuccessful. Prior to exercising this flexibility, HACSB and the PBV property owner/manager will enter into a written agreement. The agreement, as defined by HACSB, will specify circumstances under which the alternative occupancy standards may be used, including a requirement for the owner/manager to first undertake and demonstrate a reasonable effort to lease the subject unit to a family using the traditional occupancy standards.

The third policy update is to Chapter 2 Waiting List and Initial Eligibility; subsection 1.3.2 Special Admissions, Chapter 3 Eligibility Factors For Admission; subsection 11.1 Term-Limited Lease Assistance and subsection 11.3 Streamlined Fixed Lease Assistance for Career-Focused Families which modifies the No Child Left Unsheltered Program (NCLU) to automatically transition eligible families to another HACSB housing program after two years of participation in NCLU. Since 2015, HACSB has partnered with Loma Linda University (LLU) for third-party research and evaluation of the NCLU program. The LLU research indicated that, after two years of participation in NCLU, families are ready to begin working toward economic independence. This will apply to new NCLU families only.

The fourth policy update is to Chapter 2 Waiting List and Initial Eligibility; subsection 2 Overview of the Initial Application Process, subsection 2.2 Applying to the Waiting List, and subsection 2.4.2 Eligible for Placement on the Waiting List. These changes are related to the Applicant Portal that specifies that a family must submit an electronic application via the HACSB website for all waiting lists including Project-Based Program waiting lists.

The fifth policy update is to Chapter 6 Annual Income, Adjusted Annual Income and Family Rent Share Calculation; subsection 2.2.8 Traditional, Regulatory Assistance for Special Purpose Programs which is necessary to be in compliance with HUD's Streamlining Administrative Regulations. The regulatory provisions limit to 24 straight months the time period during which a family member is eligible to receive the benefit of the earned income disregard (EID) and streamline the administration of the EID by eliminating the requirement for housing authority's to track family member changes in employment over a four-year period.

The sixth policy update is to Chapter 6 Annual Income, Adjusted Annual Income and Family Rent Share Calculation; subsection 5.1 Streamlined Lease Assistance and Transitional Assistance for MTW Families Programs that defines Minimum Rent requirements and the temporary waiver to be applied automatically to zero income families who are initially moving into a sponsor-based Project-Based Program. HACSB will exempt the family from the minimum rent requirement until the regularly scheduled recertification and the family will not be required to repay minimum rent.

The seventh policy update is to Chapter 1 HACSB Administrative Plan Introduction; subsection 5.2 Housing Services Types, Chapter 2 Waiting List and Initial Eligibility; subsection 1.3.2 Special Admissions, subsection 2.1 Opening of the Waiting List, subsection 2.3 Closing the Waiting List, subsection 2.4 Eligibility for Placement on the Waiting List, subsection 2.5.2 Family Unification Program, Chapter 9 Request for Tenancy Approval & Contract Execution; subsection 6.4 Family Unification Program, Chapter 14 Contract Terminations; subsection 3 Termination of the Contract by the Housing Authority. This update adds the Family Unification

Program to the Housing Services Program types and adds it to the list of programs with special admissions. This program is administered in partnership with San Bernardino County Department of Children and Family Services. Tenant-Based Voucher rental assistance is provided to families for which the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care. This update also describes how the opening and closing of the waiting list applies to the Family Unification Program.

The eighth policy update is to Chapter 21 Homeownership Program; subsection 3 Selection of Families which revises the qualification for participation in the HCV Homeownership Program for former housing services participants who are pulled from the waiting list. They will be subject to a one-year of participation in a housing services program.

Exhibit A to the Resolution contains the required redline revisions to chapters 1, 2, 3, 5, 6, 9, 14, 20 and 21 of the Housing Services Administrative Plan.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on July 16, 2019; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412) on July 22, 2019 and Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-4599) on July 22, 2019.