



INVESTING IN COMMUNITIES

NOTICE OF SPECIAL MEETING
**Sacramento Housing and Redevelopment
Commission**

Wednesday, May 17, 2017 – 5:45 pm
801 12th Street, 2nd Floor
Procurement Conference Room,
Sacramento CA

Roll Call

Closed Session Public Comment

Closed Session Item

Pursuant to Government Code section 54956.9(c) to initiate litigation against California Department of Finance. The purpose is to confer with the Executive Director of Sacramento Housing and Redevelopment Agency La Shelle Dozier, Agency Counsel Asa Marie Standfeldt, and Director of Administration James Shields.

Adjourn to Regular meeting

to be convened at 6:00 p.m.

801 12th Street 2nd Floor Commission Room
Sacramento CA

REPORTS: Copies of documents relating to agenda items are available for review in the Agency Clerk's office located at 801 12th Street, Sacramento CA 95814. Agendas and reports are also posted online at www.shra.org. Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Agency Clerk's office during normal business hours and will also be available at the meeting.

AMERICANS WITH DISABILITIES ACT: Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Agency Clerk at (916) 440-1363 at least 48 hours prior to the meeting.



INVESTING IN COMMUNITIES

NOTICE OF REGULAR MEETING
**Sacramento Housing and Redevelopment
Commission**

Wednesday, May 17, 2017 – 6:00 pm
801 12th Street, 2nd Floor Commission Room, Sacramento CA

ROLL CALL

APPROVAL OF AGENDA

CITIZENS COMMENTS

While the Commission welcomes and encourages participation in the Commission meetings, please limit your comments to three minutes, so that everyone may be heard. If you wish to speak under Citizens Comments or on a posted agenda item, please fill out a speaker card and present it to the Agency Clerk. SHRA provides opportunities for the public to address the Commission at this time in order to listen to opinions regarding non-agendized matters within the subject matter jurisdiction of SHRA. Consistent with the Brown Act, the public comment periods on the agenda are not intended to be "question and answer" periods or conversations with Commission members. Members of the public with questions are encouraged to contact staff before or after the meeting. Commission attendees are requested to silence any electronic devices that they have in their possession during the meeting.

CLOSED SESSION REPORT

APPROVAL OF MINUTES - May 3, 2017

CONSENT ITEMS

1. Authorization to Apply and Administer the State of California's Emergency Solutions Grant (ESG) Program
2. Update on Submission of the 2017 Public Housing Agency (PHA) Annual Plan Mid-Year Revision for the Housing Authority of the City of Sacramento to the United States Department of Housing and Urban Development (HUD)
3. Update On Submission Of The 2017 Annual Plan Mid-Year Revision For The Housing Authority Of The County Of Sacramento To The United States Department Of Housing And Urban Development (HUD)

PUBLIC HEARING

4. Approval Of The Substantial Amendment To The 2017 One-Year Action Plan And Previous Years' One Year Action Plans; Execution Of Related Documents And Amendment Of The Sacramento Housing And Redevelopment Agency Budget; Authorization To Amend Agreements With County Of Sacramento; Authorization to Enter Into Cooperation or HOME Consortium Agreements with Jurisdictions Located Within Sacramento County; Other Related Activities And Findings

SPECIAL PRESENTATION

5. Greenbriar Mixed-Income Housing Strategy

PUBLIC HEARING

6. 2017 Annual Plan - Mid-Year Revision for the Housing Authority of the City of Sacramento and the Housing Authority of the County of Sacramento; Submission of the 2017 Annual Plan Mid-Year Revision to the Department of Housing and Urban Development (HUD)

EXECUTIVE DIRECTOR REPORT

COMMISSION CHAIR REPORT

ENGAGEMENT SUBCOMMITTEE REPORT

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

ADJOURNMENT

REPORTS: Copies of documents relating to agenda items are available for review in the Agency Clerk's office located at 801 12th Street, Sacramento CA 95814. Agendas and reports are also posted online at www.shra.org. Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public inspection in the Agency Clerk's office during normal business hours and will also be available at the meeting.

AMERICANS WITH DISABILITIES ACT: Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Agency Clerk at (916) 440-1363 at least 48 hours prior to the meeting.



INVESTING IN COMMUNITIES

MINUTES

Sacramento Housing and Redevelopment Commission (SHRC) Meeting of May 3, 2017 Meeting noticed on April 28, 2017

ROLL CALL

The Sacramento Housing and Redevelopment Commission meeting was called to order at 6:02 p.m. by Chair Creswell. A quorum of members was present.

MEMBERS PRESENT: Alcalay, Creswell, Johnson, Griffin, Morgan, Painter, Raab, Staajabu

MEMBERS ABSENT: Macedo, Simas, Rios

STAFF PRESENT: La Shelle Dozier, Tyrone Williams, David Levin, Christine Weichert, Mark Hamilton, Sarah Thomas, MaryLiz Paulson, LaTanna Jones, Susan Veazey, Anne Nicholls.

APPROVAL OF AGENDA – Agenda approved as submitted.

CITIZENS COMMENTS

Jefferey Tardaguilla provided comment.

1. APPROVAL OF MINUTES - The minutes of April 19, 2017 meeting were approved with an amendment to the second item.

DISCUSSION/BUSINESS ITEMS

2. 800 Block of K Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing, and Approval of Loan Commitment and Tax Exempt Bonds

Susan Veazey presented the item. Ali Youssefi of CFY Development presented a presentation illustrating the project.

Commissioner Creswell requested an informational/discussion session regarding the bond issuance fee, as well as to be kept apprised of the balance of successor funds and other funds used for projects.

On a motion by Commissioner Alcalay, seconded by Commissioner Morgan, the Commission considered the staff recommendation for the item listed above. The votes were as follows:

AYES: Alcalay, Morgan, Staajabu, Creswell, Raab Griffin, Johnson

NOES: None

ABSENT: Rios, Simas, Macedo

ABSTAIN: None

RECUSE: Painter

3. Housing Trust Fund And Affordable Housing Ordinance Annual Report

Susan Veazey presented the item.

4. Housing Trust Fund Ordinance and Mixed Income Housing Ordinance Annual Report

Ann Nicholls presented the item.

5. Annual Report on Residential Hotels

Ann Nicholls presented the item.

Jefferey Tardaguila provided comments.

Commissioner Creswell requested to be informed if residential hotels initiate changes in their target residents. Christine Weichert indicated that she would keep the Commission informed in the event of such a change.

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

None

EXECUTIVE DIRECTOR REPORT

La Shelle Dozier reviewed the following:

1. The Zipcar Pilot Program
2. The Elica Heath Care at Alder Grove
3. That the SHRA Joint Powers Authority structure question will be addressed on May 23, 2017 at a County Board of Supervisors meeting. The Executive Director

noted that any relevant information will be sent to Commissioners as it becomes available.

Upcoming events:

4. Two resident youths will be honored at the City Council Meeting on May 9th.
5. The Promise Zone 2nd Birthday Celebration on May 11th.

COMMISSION CHAIR REPORT

Chair Creswell:

- Asked for volunteers for the Engagement and Executive Committees. Commissioners Johnson and Griffin indicated interest in the Engagement Committee and Commissioners Griffin, Alcalay, and Morgan indicated interest in the Executive Committee.
- Asked for an update on the Department of Finance memos. General Counsel David Levin responded. There will be an update at the next meeting.
- Asked for an update on the Homeless Initiatives. Executive Director Dozier responded that this would be addressed as part of the Annual Plan update item at the next meeting.

Chair Creswell announced that on May 9th there will be an episode of the television program *Frontline*, the subject of which is the Low Income Tax Credit Program.

ITEMS AND QUESTIONS OF COMMISSION MEMBERS

Commissioner Morgan asked if we can expand the Zipcar pilot so that adjacent properties may also use the cars.

ADJOURNMENT

As there was no further business to be conducted, Chair Creswell adjourned at 7:00 pm.

Clerk



May 17, 2017

Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT

Authorization to Apply and Administer the State of California's Emergency Solutions Grant (ESG) Program

RECOMMENDATION

Staff recommends adoption of the attached resolution, which authorizes the Executive Director or her designee to: Receive an ESG grant from the State of California Housing and Community Development Department (Department), in an amount not to exceed \$902,428 and to amend the Sacramento Housing and Redevelopment Agency (SHRA) budget accordingly. If the award is less or greater than anticipated to the extent necessary to implement and ensure the timely completion of the activities set out in the 2017 One-Year Action Plan, SHRA is authorized to amend its budget accordingly. 2) SHRA represents and certifies that it will use ESG funds in a manner consistent and in compliance with all applicable state, federal, and other statutes, rules, regulations, guidelines and laws ("rules and laws"), including without limitation all rules and laws regarding the ESG Program, as well as any and all contracts SHRA may have with the Department. 3) SHRA hereby agrees to use the ESG funds for eligible activities as approved by the Department and in accordance with all Program requirements, and other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between State ESG Administrative Entity and the Department. 4) SHRA's Executive Director, or designee, is authorized to execute the Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the ESG grant awarded to State ESG Administrative Entity, as the Department may deem appropriate.

CONTACT PERSONS

La Shelle Dozier, Executive Director, 440-1319
Geoffrey M. Ross, Assistant Director, 440-1357

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and
Redevelopment Commission
May 17, 2017
Page 2

SUMMARY

In March 2016, SHRA was designated by the Department as an Administrative Entity (AE) for State ESG funds allocated to the Sacramento Unincorporated County, and cities of Elk Grove, Citrus Heights and Rancho Cordova and the Vallejo/Solano Continuum of Care Service Areas. The SHRA Commission (Commission) and Board of Supervisors of Sacramento County (Board) subsequently authorized and approved SHRA to receive grant funds and administer the State ESG program. (Commission Resolution No. 2016-04, and Board Resolution No. 2016-0233). As part of this action, the Board also authorized the Commission to approve future applications, program administration, and amendments to SHRA's budget.

BACKGROUND

Annually, the Department issues a Notice of Funding Availability (NOFA) for the ESG Program. As a designated AE, SHRA is required to submit a Resolution along with the response to the 2017 NOFA in order to qualify for funding. Each funding cycle covers a two-year period. The Grant Agreement between the Department and AEs are typically executed in November or December, and service provider contracts are executed in January.

State ESG Program Update

Sacramento's service provider for both the federal entitlement and State ESG funds is Volunteers of America (VOA). The State funded rapid re-housing program began January 2017, and to date, 20 households have been enrolled and four housed.

For Solano County, SHRA undertook a competitive bid process and Community Action North Bay (CAN-B) was selected to provide their rapid re-housing program. The program began in January 2017, and to date, eight households have been enrolled and six housed.

Procurement

The Department is continuing to allow SHRA to utilize its previous competitive selection of VOA for the Sacramento's ESG Rapid Re-Housing Program, and for Solano County, CAN-B.

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and
Redevelopment Commission

May 17, 2017

Page 3

Following SHRA's Procurement Policy, a request for proposals (RFP) for Sacramento will be issued in late 2017 or early 2018 for the next funding cycle. The previous RFP was issued in January 2014.

FINANCIAL CONSIDERATIONS

The Department has tentatively allocated \$902,428 to SHRA for the non-entitlement jurisdictions within Sacramento and Solano Counties. The Department will issue the final grant amount with the 2017 NOFA. The Resolution and NOFA application are due June 1, 2017.

The 2017 NOFA anticipated allocation for Sacramento is \$479,858. It is anticipated the State ESG funds will rapidly re-house approximately 70 households residing in the Unincorporated County, and the cities of Elk Grove, Citrus Heights and Rancho Cordova. Approximately \$393,000 will be available for the County of Solano and its incorporated cities, to rapidly re-house approximately 50 households. The remaining \$29,570 in grant funds is available to SHRA for administering the program.

POLICY CONSIDERATIONS

The actions recommended in this report are consistent with previously approved policies and federal requirements.

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): The recommended activity is considered an administrative activity and therefore is determined not to be a project subject to provisions of CEQA per 14 California Code of Regulations (CCR) § 15378(b). Additional environmental review will be completed prior to approval of or commitment to any specific activities or projects under the ESG program.

National Environmental Policy Act (NEPA): The recommended activity is considered an administrative and management activity and therefore is determined to be Exempt from NEPA per 24 CFR § 58.34(a)(3), "administrative and management activities". Additional environmental review will be completed prior to approval of or commitment to any specific activities or projects under the ESG program.

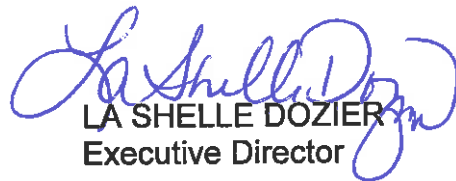
SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and
Redevelopment Commission
May 17, 2017
Page 4

M/WBE AND SECTION 3 CONSIDERATIONS

The activities recommended in this staff report do not involve federal funding; therefore, there are no M/WBE or Section 3 requirements.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachments

Resolution – Page 5

RESOLUTION NO. SHRC-_____

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF

May 17, 2017

AUTHORIZATION FOR THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY TO APPLY FOR AND ADMINISTER THE STATE OF CALIFORNIA'S EMERGENCY SOLUTIONS GRANT PROGRAM WITHIN THE STATE'S CONTINUUM OF CARE ALLOCATION SERVICE AREAS; EXECUTE DOCUMENTS FOR THE ADMINISTRATION OF THE STATE ESG PROGRAMS AND OTHER ENVIRONMENTAL AND RELATED FINDINGS

WHEREAS, the State of California (the State), Department of Housing and Community Development (Department) issued a Notice of Funding Availability (NOFA) projected to be released in May or June 2017, under the Emergency Solutions Grants (ESG) Program (Program); and

WHEREAS, the Sacramento Housing and Redevelopment Agency (SHRA) is an approved ESG Administrative Entity, and is authorized to apply annually, accept, execute State agreements, amend its budget to administer the State Emergency Solutions Grant Program within designated Continuum of Care Allocation Service Areas by Sacramento County Board of Supervisor Resolution 2016-0233; and

WHEREAS, the Department may approve funding allocations for the ESG Program, subject to the terms and conditions of the NOFA, Program guidelines and requirements, and the Standard Agreement and other contracts between Department and ESG grant recipients; and

WHEREAS, the recommended activity is not a project under the California Environmental Quality Act (CEQA) per 14 California Code of Regulations (CCR) §15378(b)(5) and no environmental review is required; and

WHEREAS, the recommended action is an exempt activity under the National Environmental Policy Act (NEPA) per 24 Code of Federal Regulations (CFR) §58.34(a)(3).

ALL, OR A NECESSARY QUORUM AND MAJORITY OF THE COMMISSIONERS OF THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION, A CORPORATE BODY, CORPORATE AND POLITIC (“STATE ESG ADMINISTRATIVE ENTITY”) HEREBY CONSENT TO, ADOPT AND RATIFY THE FOLLOWING:

1. The above recitals, including the environmental recitals, are found to be true and correct.
2. If SHRA receives grant funds from the Department, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state, federal, and other statutes, rules, regulations, guidelines and laws (“rules and laws”), including without limitation all rules and laws regarding the ESG Program, as well as any and all contracts SHRA may have with the Department.
3. SHRA is hereby authorized and directed to receive an ESG grant, in an amount not to exceed \$902,428 in accordance with all rules and laws. The Executive Director, or designee, is further authorized to amend SHRA’s budget accordingly. If the award is less or greater than anticipated to the extent necessary to implement and ensure the timely completion of the activities set out in the 2017 One-Year Action Plan, SHRA is authorized to amend its budget accordingly.
4. SHRA hereby agrees to use the ESG funds for eligible activities as approved by the Department and in accordance with all Program requirements, and other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the State ESG Administrative Entity and the Department.
5. SHRA’s Executive Director, or designee, is authorized to execute the Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the ESG grant awarded to the State ESG Administrative Entity, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the Sacramento Housing and Redevelopment Commission this 17th day of May, 2017 by the following vote.

AYES: Commissioners,

NOES: Commissioners,

ABSENT: Commissioners,

ABSTAIN: Commissioners,

RECUSAL: Commissioners,
(PER POLITICAL REFORM ACT (§ 18702.5.))

CHAIR

ATTEST:

CLERK



May 12, 2017

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Update on Submission of the 2017 Public Housing Agency (PHA) Annual Plan Mid-Year Revision for the Housing Authority of the City of Sacramento to the United States Department of Housing and Urban Development (HUD)

SUMMARY

The attached report is submitted to you for review prior to submission to the City of Sacramento.

RECOMMENDATION

Staff recommends approval of the recommendations outlined in this report.

Respectfully submitted,


LASHELLE DOZIER
Executive Director

Attachment



REPORT TO HOUSING AUTHORITY
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

Informational
June 27, 2017

Honorable Chair and Members of the Housing Authority of the City of Sacramento

Title: Update on Submission of the 2017 Public Housing Agency (PHA) Annual Plan Mid-Year Revision for the Housing Authority of the City of Sacramento to the United States Department of Housing and Urban Development (HUD)

Location/Council District: Citywide

Recommendation: Receive and File

Contact: Sarah Thomas, Assistant Director, Housing Choice Voucher Program, 916-440-1397; LaTanna Jones, Assistant Director, Conventional Housing Program, 916-440-1334

Presenters: Sarah Thomas, Assistant Director, Housing Choice Voucher Program, 916-440-1397

Department: Sacramento Housing and Redevelopment Agency (Agency)

Description/Analysis

Issue Detail: On March 21, 2017, Sacramento Housing and Redevelopment Agency (Agency) staff presented a report to the City Housing Authority Board to initiate a three-year initiative to serve homeless individuals and families with Housing Authority resources. In order to finalize this new initiative, significant changes are required to Housing Authority policy documents. Since the March meeting, staff have reviewed Housing Authority policies and are recommending proposed revisions to the PHA Annual Plan and to the Admissions and Continued Occupancy Policy (ACOP) to support this endeavor.

The PHA Plan provides detail about Housing Authority programs, services, and general policies. In addition, the Plan focuses on implementation strategies designed to address resident needs and issues. The Admissions and Continued Occupancy Policy (ACOP), specifically addresses policies related to tenant admission and occupancy for the Conventional Public Housing Program. Applicable Federal Law and HUD regulations allow Housing Authorities to amend or modify their PHA Plans after submitting their Annual Plans to HUD.

Proposed changes to the Plan will be submitted to HUD for review and approval in early August. HUD has 75 days after the Plan is submitted to issue notification of approval or denial of the revised Plan. If the Plan is approved, staff can begin implementing changes immediately. As part of the required public outreach process related to these changes, notices announcing a 45-day public comment period and the location of the draft documents available for review were published in local English language and non-English language newspapers. In addition, notices and documents were posted on the Agency's website for review.

In order to more directly and effectively serve homeless families, Staff is proposing that the following priorities be added to the City's Public Housing ACOP:

- Homeless families (including individuals) receiving homeless services receive highest priority to receive a vacant unit. These families are linked to services from a public agency or consortia of agencies providing wraparound services to homeless families. It is anticipated that these services will include paying for security deposits and assisting families in obtaining income and maintaining their housing.
- Homeless families (including individuals) who are homeless and not linked to services receive the second highest priority of vacant units.

Other recommended revisions to the City's ACOP which are consistent with HUD's guidance, changing regulations, and best practices include the following:

- When reviewing applications from individuals or families, the Agency will look back three years, instead of five years, at criminal activity.
- The Agency will only consider convictions, not arrests, for criminal activity when determining eligibility for its programs.
- The Agency will review the criminal histories of each applicant and will take into consideration mitigating circumstances when determining initial eligibility for program participation.
- Incorporate HUD-issued changes to the Student Housing Rule.

A detailed summary of all of the changes is included in Attachment 2.

Policy Considerations: The Housing Authority complies with applicable federal laws and regulations, including the Quality Housing and Work Responsibility Act of 1998 (QHWRA).

Economic Impacts: Not applicable to this report.

Environmental Considerations: Not applicable to this report.

Sustainability Considerations: Not applicable to this report.

Commission Action: At its meeting of June 7, 2017, the Sacramento Housing and Redevelopment Commission considered the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

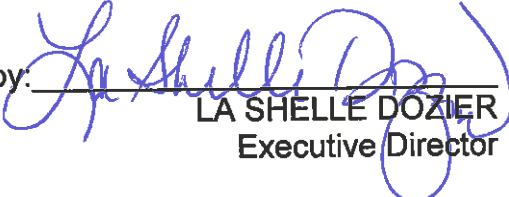
ABSENT:

Rationale for Recommendation: Not applicable - informational report only.

Financial Considerations: Not applicable – informational report only.

LBE - M/WBE and Section 3 requirements: Not applicable.

Respectfully Submitted by:



LA SHELLE DOZIER
Executive Director

Attachments

- 1- Description and Analysis
- 2 - 2017 Mid-Year Revision Summary



INVESTING IN COMMUNITIES

2017 Mid-Year Revision Housing Authority of the City of Sacramento Housing Authority of the County of Sacramento Admissions and Continued Occupancy Policy (ACOP) and Administrative Plan (Admin Plan)

The Public Housing Authority (PHA) defines a “substantial deviation” and “significant amendment/modification” as any change in policy which significantly and substantially alters the Authority’s stated mission and the persons the Authority serves. The proposed changes below have been deemed “significant”.

New language is indicated in red. Deleted language is shown in ~~strikeout~~. To see the changes in context, refer to the documents found at www.shra.org.

There are 37 proposed mid-year revisions to the 2017 PHA Plan which have been deemed “significant”. There are 8 significant changes in the City ACOP, 7 significant changes in the County ACOP and 29 significant changes in the Administrative Plan.

HOUSING AUTHORITY OF THE CITY OF SACRAMENTO (ACOP)

Change #1. Chapter 2 ELIGIBILITY FOR ADMISSION

AGENCY FACTORS (CHAPTER 2, PG. 2)

- A family may be denied admission to the program if they owe any previous landlord money, as determined by a court, within the last ~~five~~ **three** years.
- A family may be denied admission to the program if any member of the family has been evicted from federally assisted housing for a serious violation of a lease within the last ~~five~~ **three** years.
- The family may not have violated any family obligation during a previous participation in a federally assisted housing program within ~~five~~ **three** years prior to eligibility determination.
- **An applicant family may be denied if any member of the family has been convicted of drug-related criminal activity (see Criminal Screening Criteria below) within the last three years.**
- **An applicant family may be denied if any member of the family has been convicted of violent criminal activity (see Criminal Screening Criteria below) within the last three years.**

Where finger printing is not an option, the Housing Authority will ask the prospect to list all ~~arrests~~ **convictions** that have occurred in the past ~~five~~ **three** years. If the prospect neglects to list a past ~~arrest or~~ conviction, the PHA may elect to continue to process the prospect. If a prospect is able to be finger printed, the PHA will not ask the prospect to list any **convictions** ~~arrests~~.

Change #2. CRIMINAL SCREENING CRITERIA (CHAPTER 2, PG. 3)

The PHA may deny families for any felony convictions for the following charges:
Assault and battery, use of a firearm against a person, armed robbery, robbery offenses with no weapon involved, intentional homicides, manslaughter, kidnapping and abduction, stalking, arson, burglary, breaking and entering, fraud, possession of drugs and weapons offenses.

The PHA may deny families for any felony and misdemeanor convictions for the following charges:

Domestic violence, forcible sex offenses, non-forcible sex offenses, manufacture, distribute or possession to distribute drugs, driving under the influence.

The PHA at its discretion may elect to continue to process the prospect if during the application process a prospect neglects to list a past ~~arrest or~~ conviction and if that ~~arrest or~~ conviction is not for. . . .

The PHA will not consider any ~~arrest or~~ convictions that are over ~~five~~ **three** years old provided no other criminal activity has taken place **in the interim**. ~~and they have not been on probation or parole for at least one year from the date the prospect was pulled from the waitlist.~~

Change #3. Student Eligibility (Chapter 2, Pg. 5)

Students who meet any of the following shall qualify for housing assistance, provided that they meet all other eligibility requirements:

- The individual is 24 years of age or older by December 31 of the award year;
- The individual has legal dependents other than a spouse;
- The individual is a graduate or professional student;
- The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;
- The individual is married;
- The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- Is otherwise individually eligible, or has parents who, individually or jointly, are eligible on the basis of income to receive assistance;

- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by— (i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act; (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director; (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or (iv) a financial aid administrator; and
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

Independent status must be verified by:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and
- (3) Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.

~~Student As Head of Household~~

~~Assistance shall be denied to any single Head of Household student who:~~

- ~~• Is enrolled in an institution of higher education;~~
- ~~• Is under 24 years of age;~~
- ~~• Is not a U.S. Veteran;~~
- ~~• Is unmarried;~~
- ~~• Does not have a dependent child;~~
- ~~• Is individually ineligible for section 8 assistance; and~~
- ~~• If the student’s parents are, individually or jointly, ineligible for assistance.~~

~~Unless:~~

- ~~• The student is individually income eligible AND resides with parents (individually or jointly) who are income eligible for the program;~~
- ~~• The student is income eligible and has established a household separate from parents or legal guardians at least one year prior to application for occupancy OR the student meets the Department of Education definition of independent student.~~
- ~~• The student is not claimed as a dependent by a parent or a legal guardian pursuant to IRS regulations for a period of one year prior to the application for occupancy.~~

- ~~• The student must obtain a certification which states the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.~~

Change #4. Denial of Admission for Drug Related and/or Other Criminal Activity

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY (CHAPTER 2, PG. 20)

In an effort to prevent drug **or violence** related ~~and other~~ criminal activity, as well as other patterns of behavior that pose a threat to the health, safety, or the right to peaceful enjoyment of the premises by other residents, the PHA will endeavor to screen applicants thoroughly and fairly.

Obtaining summary criminal history information for the purpose of screening a prospective participant/applicant includes:

- Any information concerning any ~~arrest or conviction, or release from custody~~ that occurred within at least the past ~~five~~ **three** years by applicants. Any information regarding a pattern or repeated acts of criminal or drug related behavior that occurred within at least the past ~~five~~ **three** years by applicants
- Any felony offense that involved any activity related to controlled substances or alcoholic beverages within at least the past ~~five~~ **three** years [CA Penal Code § 11105.3]

SECURITY AND CRIMINAL BACKGROUND CHECK (CHAPTER 2, PG. 21)

The PHA will verify any involvement in criminal activity on the part of any applicant family or household member who intends to reside in the PHA leased premises:

- Involvement in criminal activity by any member of an applicant family or household member that would adversely affect the health, safety, or welfare of other tenants will be verified using information from the criminal records system of the City ~~and County~~ of Sacramento, the State of California, and the federal National Crime Information Center (the "NCIC"). The PHA will also examine criminal histories provided by other States or municipalities, court records, and other evidence that might document any criminal activity. In addition, the current and former landlords and housing providers will be asked to indicate problems during the applicant's tenancy. The Authority will review police reports for any criminal activity during the ~~five~~ **three** year period prior to consideration for admission.
- The PHA will use the criminal records system of the City and County of Sacramento, the State of California, the NCIC, DOJ, and other states and/or municipalities to check all applicants for any evidence of:

(1) Any and all information relative to any criminal convictions ~~or activity,~~
both felonies and misdemeanors within the past five **three** years;

- ~~▪ Examples of criminal offenses that will be considered include, but are not limited to: felonies, disturbing the peace, drunk and disorderly conduct, threats or harassment, domestic violence, including actual or threatened violence toward members of an applicant household, assaults, destruction of property, vandalism, citations for health and sanitary code violation, possession of an unlawful weapon, criminal damage, arson, and home invasion~~

STANDARD FOR VIOLATION (CHAPTER 2, PG. 22)

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of an eviction if a household member has been evicted from housing for drug-related criminal activity.

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of conviction, or if incarcerated for one year or more, the date the applicant completed his/her sentence due to drug-related and other criminal activity that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents.

~~The PHA will deny admission to the program, applicants currently on parole or whose parole release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the parole poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

~~The PHA may deny admission to the program, applicants either currently on formal probation or whose formal probation release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the probation poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

The PHA will consider the ~~illegal use of a controlled substance or~~ alcohol abuse to be a pattern if there is more than one incident during the previous 18 months that may interfere or threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA.

No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last ~~five~~ **three** years.

EVIDENCE (CHAPTER 2, PG. 23)

The PHA must have credible evidence of the violation. Credible evidence may be obtained from the following:

- **Proof of a criminal conviction (see Criminal Screening Criteria).**

Change #5. SUPERVISORY REVIEW AND HEARINGS (CHAPTER 2, PG. 24)

If the applicant is associated with more than one subsidized unit, the Agency will ask the family to sign an affidavit stating that the family understands that they cannot be a party to two different subsidized units at the same time and that they must relinquish their current unit in order to participate in the new program.

Change #6. Wait List Preferences (Chapter 4, Pg. 6)

Per PIH Notice 2013-15 any time a new preference is added to an existing wait list, families already on the wait list will be given the opportunity to qualify for the preference and move up on the wait list accordingly.

HOMELESS INITIATIVES

The PHA is making all City Housing Authority units that become available for occupancy accessible for homeless families. The PHA is creating two new preferences to serve the homeless population, giving priority to families connected to a homeless service provider.

The PHA uses the following local preferences:

(8 Points) Receiving homeless services: Homeless families (as defined in the Glossary) are receiving services from a public agency or consortia of agencies providing wrap-around services to homeless families. Some of these services include paying for security deposits and assisting families in obtaining income and maintaining their housing.

(5 Points) Homeless families: Families (including individuals) who are homeless as defined in the Glossary that are not connected to services.

An applicant may not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past ~~five (5)~~ **three** years because of drug-related or violent criminal activity. The PHA may grant an exception to such a family if the responsible member has successfully completed a rehabilitation program.

Change #7. B. GLOSSARY OF HOUSING TERMS (Chapter 20, Pg. 11)

ENGAGED IN OR ENGAGING IN: "Engaged in or engaging in or recent history of" criminal activity means any act within the past ~~five~~ **three** years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, whether or not it resulted or results in the arrest, charge, and/or conviction of the applicant or participant, household members, or guests.

Change #8. HOMELESS: as defined in the HEARTH Act: (Chapter 20, Pg.13)

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised 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, or local government programs for low income individuals); or
 - (iii) An individual who is exiting an institution where he or she 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;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of

the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

- (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
- (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
- (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (ii) Has no other residence; and

Lacks the resources or support networks, e.g., family, friends, and faith based or other social networks, to obtain other permanent housing.



May 12, 2017

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Update on Submission of the 2017 Public Housing Agency (PHA) Annual Plan Mid-Year Revision for the Housing Authority of the County of Sacramento to the United States Department of Housing and Urban Development (HUD)

SUMMARY

The attached report is submitted to you for review prior to submission to the County of Sacramento.

RECOMMENDATION

Staff recommends approval of the recommendations outlined in this report.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachment

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
July 11, 2017

To: Housing Authority of the County of Sacramento

From: Sacramento Housing and Redevelopment Agency (Agency)

Subject: Update On Submission Of The 2017 Annual Plan Mid-Year Revision For The Housing Authority Of The County Of Sacramento To The United States Department Of Housing And Urban Development (HUD)

Supervisory District: All

Contact: Sarah Thomas, Assistant Director, Housing Choice Voucher Program, 916-440-1397
LaTanna Jones, Assistant Director, Conventional Housing Program, 916-440-1334

Overview

This report provides an update on the status of the 2017 Public Housing Agency (PHA) Plan – Mid-Year Revision, which includes significant changes to: the County’s Conventional Public Housing **Admissions and Continued Occupancy Policy (ACOP)**; and the **Administrative Plan** for the Housing Choice Voucher program.

These documents provide a comprehensive guide to the Housing Authority’s policies, programs, operations, and strategies for meeting local housing needs and goals consistent with the Housing Authority’s overall goals to improve operating efficiencies and resident services.

Recommendations

This item is for information only and no action is required.

Measures/Evaluation

Not applicable - informational report only.

Fiscal Impact

Not applicable - informational report only.

BACKGROUND

On March 21, 2017, staff presented a three-year initiative to the County Housing Authority to serve homeless individuals and families with Housing Authority resources. In order to finalize this new initiative, significant changes are required to Housing Authority policy documents. Since the March meeting, Sacramento Housing and Redevelopment Agency (Agency) staff have reviewed Housing Authority policies and are recommending proposed revisions to

Update On The Submission Of The 2017 Annual Plan Mid-Year Revision For The Housing Authority Of The County Of Sacramento To The United States Department Of Housing And Urban Development (HUD)

Page 2

the PHA Plan (Plan), the Public Housing Admissions and Continued Occupancy Policy (ACOP), and the HCV Administrative Plan to support this endeavor.

The PHA Plan provides detail about Housing Authority programs, services, and general policies. In addition, the Plan focuses on implementation strategies designed to address resident needs and issues. Applicable Federal Law and HUD regulations allow Housing Authorities to amend or modify their PHA Plans after submitting their Annual Plans to HUD.

Proposed changes to the Plan will be submitted to HUD for review and approval in early August. HUD has 75 days after the Plan is submitted to issue notification of approval or denial of the revised Plan. If the Plan is approved, staff can begin implementing changes immediately. As part of the required public outreach process related to these changes, notices announcing the 45-day public comment period and the location of the draft documents for review were published in local English language and non-English language newspapers. In addition, notices and documents were posted on the Agency's website for review.

DISCUSSION

The Housing Authority is proposing to prioritize homeless individuals and families while continuing to serve families on the current waitlist by creating two new preferences in the County HCV Administrative Plan:

- 1. Limited Homeless Allocation.** Priority is given to homeless individuals or families that are currently receiving services and are referred by a partnering homeless service organization, another coordinated system, or consortia of homeless service providers. The referring agency will verify homelessness and will assist the family with finding a suitable rental property once the voucher is issued. Ongoing housing stabilization services will continue to be provided to the family. The PHA will issue up to 150 HCV vouchers each year for a maximum of 450 vouchers cumulatively over a three year period.
- 2. Move On Allocation.** This priority is provided to homeless individuals or families, referred by an approved third party, who have successfully participated in a Permanent Supportive Housing (PSH) program. They have been determined ready to move into housing without the attached supportive services and will be referred to the Housing Authority to receive a tenant-based voucher. This will create vacancies in PSH programs allowing additional homeless families in need of services to become housed. This initiative will be implemented after twelve months whereby the Housing Authority will issue up to 25 vouchers per year for a maximum of up to 50 vouchers.

Update On The Submission Of The 2017 Annual Plan Mid-Year Revision For The Housing Authority Of The County Of Sacramento To The United States Department Of Housing And Urban Development (HUD)

Page 3

Other revisions to the **Conventional Public Housing Program ACOP** and the **HCV Administrative Plan** which are consistent with HUD's guidance, changing regulations, and best practices include the following:

- When reviewing the applications of individuals or families to either housing program, the Agency will only look back three years, instead of five, for criminal activity.
- The Agency will only consider convictions, not arrests, for criminal activity when determining eligibility for its programs.
- The Agency will review the criminal histories of all applicants and will take into consideration mitigating circumstances when determining initial eligibility for program participation.
- Incorporation of HUD-issued changes to the Student Housing Rule.

The following Mid-Year Revisions are proposed for the **HCV Administrative Plan** only:

- The addition of new language to address the Agency's receipt of an award of new grant funds to serve homeless youth (Performance Partnership Pilot for Disconnected Youth [P3] grant);
- Clarification on how minors are identified as household members when one parent receives voucher benefits; and
- Revision to language in response to HUD's published changes related to the Violence Against Women Act (VAWA). Note that the Conventional Public Housing Program will be reviewing these changes with residents per HUD guidance, and the revisions will be proposed as additions to the 2018 Public Housing ACOP.

COMMISSION ACTION

At its meeting of May 17, 2017, the Sacramento Housing and Redevelopment Commission considered the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

MEASURES/EVALUATIONS

Not applicable.

FINANCIAL ANALYSIS

Not applicable.

POLICY CONSIDERATIONS

Not applicable.

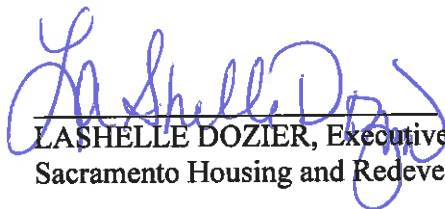
ENVIRONMENTAL REVIEW

Not applicable

M/WBE/SECTION 3 CONSIDERATIONS

Not applicable.

Respectfully submitted,


LASHELLE DOZIER, Executive Director
Sacramento Housing and Redevelopment Agency

APPROVED
NAVDEEP S. GILL
County Executive

By: _____
ADMINISTRATOR
Deputy County Executive

Attachments
ATT 1 - 2017 Mid-Year Revision Summary



INVESTING IN COMMUNITIES

2017 Mid-Year Revision
Housing Authority of the City of Sacramento
Housing Authority of the County of Sacramento
Admissions and Continued Occupancy Policy (ACOP) and
Administrative Plan (Admin Plan)

The Public Housing Authority (PHA) defines a “substantial deviation” and “significant amendment/modification” as any change in policy which significantly and substantially alters the Authority’s stated mission and the persons the Authority serves. The proposed changes below have been deemed “significant”.

New language is indicated in red. Deleted language is shown in ~~strikeout~~. To see the changes in context, refer to the documents found at www.shra.org.

There are 37 proposed mid-year revisions to the 2017 PHA Plan which have been deemed “significant”. There are 8 significant changes in the City ACOP, 7 significant changes in the County ACOP and 29 significant changes in the Administrative Plan.

HOUSING AUTHORITY OF THE
COUNTY OF SACRAMENTO
Housing Choice Voucher Administrative Plan

- I. **Change #1. Changes in Chapter 2 are due to:**
- a. **Consideration of convictions rather than arrests when looking at past criminal activity.**
 - b. **Changing the “look back period” for criminal activity from 5 years to 3 years.**
 - c. **Regulatory changes defining student eligibility**

Only the text immediately surrounding the changes appear below. To read the changes in context, please refer to the documents available at www.shra.org.

Chapter 2 ELIGIBILITY FOR ADMISSION

1. HUD Factors: (Chapter 2, Pg. 2 – 1)

The HUD eligibility criteria are:

- An applicant family will not be admitted to the program if any member of the family has been evicted from federally assisted housing for a serious violation of the lease within the past ~~three~~ **five** years. (Except as referenced in Chapter 15, Section B of this Administrative Plan).

2. PHA Factors [24 CFR Part 982.552]: (Chapter 2, Pg. 2-2)

The PHA will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:

- The PHA may deny the applicant family if they have violated any family obligation during a previous participation in a federally assisted housing program for ~~three~~ **five** years prior to final eligibility determination. The PHA may make an exception if the family member who violated the family obligation is not a current member of the household. The PHA may request the family to provide verifiable documentation.
- The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that any family member is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that any family member abuses alcohol in a way that may interfere with the health safety or peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a ~~pattern of illegal use of controlled substances or a pattern~~ alcohol abuse. **The PHA**

will consider alcohol abuse to be a pattern if there is more than one convictions during the previous 18 months.

- An applicant family may be denied if any member of the family **has been convicted** ~~is on probation or parole for~~ for any of the following reasons **within the last three years of eligibility**:

Where fingerprinting is not an option, the Housing Authority will ask the prospect to list all past ~~arrests and~~ convictions. The PHA may elect to continue to process the prospect if, during the application process, a prospect neglects to list a ~~past arrest or~~ conviction, if that ~~arrest or~~ conviction is not for:

- drug related criminal activity, nor
- violent criminal activity, nor
- criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; nor
- Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

All convictions that fall in the above categories will be reviewed through an individualized screening process prior to proposed denial from the program.

3. Criminal Screening Criteria (Chapter 2, Pg. 2-3)

The PHA may deny families for any felony convictions for the following charges:

- Assault and battery,
- use of a firearm against a person,
- armed robbery,
- robbery offenses with no weapon involved,
- intentional homicides,
- manslaughter,
- kidnapping and abduction,
- stalking,
- arson,
- burglary,
- breaking and entering,
- fraud,
- possession of drugs, and
- weapons offenses.

The PHA may deny families for any felony and misdemeanor convictions for the following charges:

- domestic violence,
- forcible sex offenses,

- non-forcible sex offenses,
- manufacture,
- distribute or possession to distribute drugs, and
- driving under the influence.

The PHA will not consider any convictions ~~or arrests~~ that are more than ~~three~~ **five** years old, provided no other arrests or criminal activity has taken place **in the interim** ~~during that time period and the applicant is not on formal probation or parole at the time they are selected from the waitlist.~~

4. Student Eligibility (Chapter 2, Pg. 2-5)

~~Single Head of Household students~~ **Students** who meet **any all** of the following shall ~~not~~ qualify for housing assistance, **provided that they meet all other eligibility requirements:**

~~is a student is enrolled at an institution of higher education~~

- ~~is under the age of 2~~ **The individual is 24 years of age or older by December 31 of the award year;**
- **The individual has legal dependents other than a spouse;**
- **The individual is a graduate or professional student;**
- **The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;**
- ~~is not a veteran;~~
- ~~is unmarried;~~
- **The individual is married;**
- ~~does not have a dependent child;~~
- **The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;**
- **The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;**
- **Is otherwise individually eligible, or has parents who, individually or jointly, are eligible on the basis of income to receive assistance**
- ~~is individually ineligible for section 8 assistance; and~~
- ~~the student's parents are, individually or jointly, ineligible for assistance.~~
- **The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by—**
 - **(i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;**

- (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
- (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
- (iv) a financial aid administrator;
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

For single-member student households, any financial assistance received in excess of amounts received for tuition **and fees** shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.

In cases where the student is not considered an “independent student,” [Federal Register-5969-N-01] both the student’s and parents’ income are considered for eligibility/recertification purposes. **Once the student has been determined Final Eligible for the program, and the parents are not part of the household, any financial assistance received in excess of tuition and fees shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.**

Independent status must be verified by:

- **Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”**
- **Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and**
- **Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.**
- ~~Obtaining address information sufficient to determine that the student has maintained a separate household for at least one year~~
- ~~Parents’ income tax returns for the past year to determine whether a parent or guardian has claimed the student as a dependent, and~~
- ~~Written confirmation of the level of support provided by the parents to the student, including financial assistance. Any financial support provided by the parent(s) is considered in determining the income eligibility of the student household.~~

Unless:

- ~~• The student is individually income eligible AND resides with parents (individually or jointly) who are income eligible for the program;~~
- ~~• The student is income eligible and has established a household separate from their parents or their legal guardians at least one year prior to application for occupancy OR the student meets the Department of Education's definition of independent student.~~
- ~~• The student is not claimed as a dependent by a parent or a legal guardian pursuant to IRS regulations for a period of one year prior to the application for occupancy.~~
- ~~• The student must obtain a certification which states the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.~~

5. Applicants with Minor Children and only one Parent in the household: (Chapter 2, Pg. 2-8)

An applicant household who wishes to include a child(ren) must provide documentation proving they have custody of the child(ren). Documentation may include:

- A court ordered guardianship order;
- A notice from the County Welfare department verifying the child is in the home of the applicant;
- a letter from each school-aged child's school verifying the address at which the child is registered and the person who is listed as the guardian;
- A notarized letter from the missing parent of the child stating the applicant has been granted custody of the child.

All mitigating circumstances will be considered.

6. Transitions between Subsidized Housing Programs (Chapter 2, Pg. 2-14)

If the applicant is associated with more than one subsidized unit, the Agency will ask the family to sign an affidavit stating that the family understands that they cannot be a party to two different subsidized units at the same time and that they must relinquish their current unit in order to participate in the new program.

II. Change #2 Changes in Chapter 3 will support efforts to house homeless families

Chapter 3 APPLYING FOR ADMISSION

1. OPENING/CLOSING OF THE WAIT LIST[24 CFR Parts 982.206, 982.54(d)(1)] (Chapter 3, Pg. 3-1)

The wait list may remain open for specific preferences (ie, Limited Allocation Preference and Move On Preference) even when the wait list is closed. This information will be posted and updated at www.shra.org and/or www.sacwaitlist.com for families seeking housing assistance.

III. Chapter 4 Changes in Chapter 4 are due to adding new preferences to serve homeless families

ESTABLISHING PREFERENCES AND MAINTAINING THE **TENANT BASED VOUCHER WAIT LIST**

1. **Other Housing Assistance (Chapter 4, Pg. 4-1)**

~~When the PHA issues an applicant a Housing Choice Voucher, the applicant's name will be removed from all tenant-based voucher waitlists, but will remain on all other waitlists unless the family makes a written request to withdraw from a particular waitlist.~~

2. **WAIT LIST PREFERENCES [24 CFR Part 982.207] (Chapter 4, Pg. 4-1)**

The PHA uses a single wait list for admission to its Housing Choice Voucher program. Site-based list(s) for project-based assistance may be administratively established in accordance with HUD notices and other requirements.

~~Except for special admissions, Applicants can apply to this wait list by going to www.sacwaitlist.com will be selected from the PHA wait list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan, except for families served through:~~

- Special admissions, as funded by HUD (ie, Veterans Affairs Supportive Housing--VASH, Non-Elderly Disabled--NED program, and Performance Partnership Pilots Initiative Program--P3).
- Homeless Initiatives (Limited Allocation Preference and the Move On Preference).

~~Families are reviewed for eligibility by the PHA in coordination with the approved third party(ies) based on the policies of the program and if eligible, are issued a voucher. All selections will be in accordance with policies and preferences defined in this Administrative Plan. Per PIH Notice 2013-15 any time a new preference is added to an existing wait list, families already on the wait list will be given the opportunity to qualify for the preference and move up on the wait list accordingly.~~

3. **Other Preferences(Chapter 4, Pg. 4-3)**

When a new tenant based waiting list opens, the following preference will be added

- 5) (1 point) Homeless preference to a household currently homeless. A family or individual that meets the definition of "homeless" as defined in the Glossary.

4. **HOMELESS INITIATIVES (Chapter 4, Pg. 4-3)**

The PHA is giving a priority to housing homeless families and is creating two new preferences to serve the homeless population, while continuing to serve families on the current waitlist. Families who have been determined eligible for these two preferences may be served even when the waiting list is closed, until the approved number has been reached.

Contingent on funding, and in the absence of families meeting the Funding-Based Preferences as described above, the PHA utilizes the following additional preferences:

- 1) **Limited Homeless Allocation.** This preference is available to homeless individuals/families that are currently receiving services and referred by a partnering homeless service organization, another coordinated system or consortia of homeless service providers. The referring agency will verify homelessness and will assist the family with finding a suitable rental property once the voucher is issued. Ongoing housing stabilization services will continue to be provided to the family. The PHA will issue up to 150 HCV vouchers each year for a maximum of 450 vouchers cumulatively over a three year period (2017-2020). At its discretion, the PHA will annually evaluate whether this preference is renewed.
- 2) **Move On Allocation.** This preference is available to homeless individuals/families that are referred by an approved PHA third party. Formerly homeless individuals/families who have successfully participated in a Permanent Supportive Housing (PSH) program (see Glossary for definition) and been determined ready to move into housing without the attached supportive services will be referred to the PHA to receive a tenant-based voucher. The PHA will issue up to 25 vouchers per year, beginning in the second year of this pilot program, for a maximum of up to 50 vouchers cumulatively over a three year period (2018-2020). This will create vacancies in PSH programs allowing additional homeless families in need of services to become housed. At its discretion, the PHA will annually evaluate whether this preference is renewed.

5. SPECIAL ADMISSIONS [24 CFR Parts 982.54, 982.203] (Chapter 4, Pg. 4-6)

Applicants, who are admitted under special admissions, rather than from the wait list, are identified by codes in the automated system. Examples of this include, but are not limited to:

- **Performance Partnership Pilots Initiative Program (P3)**

IV. Chapter 5 Changes in Chapter 5 are due to changing the “look back period” for criminal activity from 5 years to 3 years

Chapter 5 SUBSIDY STANDARDS [24 CFR Part 982.54(d)(9)]

1. Screening of Add-Ons to the Household (Chapter 5, Pg. 5-2)

Any person requesting to be added to the household who has committed any violent- or drug-related criminal activity within the last ~~five~~ **three** years, or who is on formal probation or parole, may be denied. Please refer to Chapter 2 under “PHA Factors” related to probation and parole.

Any person requesting to be added to the household who was previously terminated from a HUD Rental Assistance program as a result of an adverse action in the last ~~five~~ **three** years may be denied.

V. **Chapter 6** Changes in Chapter 6 are related to changes in regulations affecting student eligibility

Chapter 6 FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

1. STUDENT INCOME (Chapter 6, Pg. 6-13)

Financial assistance received in the form of Student Grants, financial aid or awards will be counted as income unless the student is a dependent student living with their parents on the program or if they are 24 years of age or older (by December 31 of the award year) with a dependent child.

The “dependent child” is the student’s own child who is a minor, a full-time student 18 or over, or a person with disabilities 18 or over. Foster children do not qualify as a dependent child.

~~Financial assistance received in the form of Student Grants, financial aid or awards will be 100% excluded if the person receiving this financial assistance is over 23 years of age with dependent children. In all other cases, financial assistance an individual receives in excess of tuition and other mandatory fees must be included when determining annual income in accordance with 24 CFR Parts 5.609(b)(9) and 5.612).~~

Student Rule (24 CFR Part 5.612)

~~Single Head of Household students who meet all of the following shall not qualify for housing assistance:~~

- ~~• a student enrolled at an institution of higher education;~~
- ~~• under age 24;~~
- ~~• not a veteran;~~
- ~~• unmarried;~~
- ~~• no dependent child or children;~~
- ~~• individually ineligible for section 8 assistance; and~~
- ~~• the student’s parents are, individually or jointly, ineligible for assistance on the basis of income.~~

For single-member student households, any financial assistance received in excess of amounts received for tuition and fees shall be considered income. Financial assistance does not include loan proceeds **since loans are debts that must be repaid by the borrower.**

In cases where the student is not considered an “independent student,” **[Federal Register-5969-N-01]** both the student’s and parents’ income are considered for eligibility/recertification purposes. **Once the student has been determined Final Eligible for the program, and the parents are not part of the household, any financial assistance received in excess of tuition and fees shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.**

~~For single member student households, any financial assistance received in excess of amounts received for tuition shall be considered income. Financial assistance does not include loan proceeds.~~

~~In cases where the student is not considered an “independent student,” both the student’s and parents’ income are considered for eligibility/recertification purposes.~~

Independent status must be verified by:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and
- Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
- ~~Obtaining address information sufficient to determine that the student has maintained a separate household for at least one year;~~
- ~~Parents’ income tax returns for the past year to determine whether a parent or guardian has claimed the student as a dependent; and~~
- ~~Written confirmation of the level of support provided by the parents to the student, including proof of zero financial assistance from the parents. The financial support is considered in determining the income eligibility of the student household.~~

VI. Changes in Chapter 13 are related to changes in regulations concerning the Violence Against Women Act

Chapter 13 MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

1. ALLOWABLE MOVES (Chapter 13, Pg. 13-1)

Families will be issued a voucher to move while the due process to determine the family obligation violation is finalized if:

3. The Violence Against Women Act (VAWA) provides that a family may receive a voucher from a PHA and move under the tenant-based assistance program ~~if the family has complied with all other obligations of the HCV Program and/or has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or~~ when the family has demonstrated that a member of the family has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was actually or imminently threatened by harm or further violence if he or she remained in the assisted dwelling unit.

V. Changes in Chapter 15 are related to changes in policy related to reunifying families while serving homeless families

Chapter 15 DENIAL OR TERMINATION OF ASSISTANCE

1. PHA Grounds for Denial of Assistance (Chapter 15, Pg. 15-2)

The PHA may deny program assistance for an applicant, for any of the following reasons:

- ~~Applicants will not be denied for requesting to add a household member who is on parole or probation. The household member who is on probation or parole may be denied.~~

2. Standard for Violation (Chapter 15, Pg. 15-3)

The PHA will consider the illegal use of a ~~controlled substance~~ alcohol abuse to be a pattern if there is more than one conviction during the previous 18 months.

"Engaged in or engaging in" violent criminal activity means any act within the past ~~five~~ **three** years by an applicant or participant or household member.

Applicants will be denied assistance if they have been convicted of violent criminal activity within the last ~~five~~ **three** years prior to the date of the admission eligibility determination.

3. Evictions for Drug-Related Criminal Activity (Chapter 15, Pg. 15-4)

Persons evicted from federally assisted housing because of drug-related criminal activity are ineligible for admission to the HCV program for a ~~five~~ **three** year period beginning on the date of such eviction. However, the household may be admitted if, after considering the individual circumstances of the household, the PHA determines that:

- The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA.
- The circumstances leading to eviction no longer exist because the culpable member is no longer in the household.

4. Notice of Proposed Termination of Assistance (Chapter 15, Pg. 15-7)

In any case where the PHA proposes to terminate assistance to the family, the PHA will give the family written notice. The notice will include an Informal Hearing Request ~~form~~ **form for a resident or an Informal Review request for an applicant.**

Before the PHA takes any adverse action based on a criminal conviction record, including a notice denying admission, the PHA will conduct an individualized review of the individual's record. The PHA will provide the subject of the record and the resident/ applicant with a copy of the criminal record upon written request and providing picture I.D. to ensure that the PHA is maintaining the security of the personal information of the subject of record. SHRA will not mail criminal records to any address as it is a security risk. The applicant will be provided an opportunity to dispute the accuracy and relevance of that record.

~~If the PHA proposes to terminate assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the Head of Household with a copy of the criminal record.~~

5. Standard for Violation for Drug-Related Criminal Activity or Violent Criminal Activity (Chapter 15, Pg. 15-9)

~~The PHA will consider the illegal use of a controlled substance or alcohol abuse to be a pattern if there is more than one conviction during the previous 18 months.~~

~~"Engaged in or engaging in" **drugs or** violent criminal activity means any act within the past ~~five~~ **three** years by a participant or household member.~~

VII. Changes in Chapter 19 are due to a new grant received

Chapter 19 SPECIAL HOUSING TYPES

1. INTRODUCTION(Chapter 19, Pg. 19-1)

The PHA will permit the use of the following special housing types in its Housing Choice Voucher Program:

- **Performance Partnership Pilot for Disconnected Youth (P3)**

VIII. Changes in Chapter 21 are related to the homeless initiatives designed to house more homeless families

Chapter 21 PROJECT-BASED HOUSING CHOICE VOUCHER PROGRAM

1. INTRODUCTION (Chapter 21, Pg. 21-1)

The PHA will **project base up to 100 vouchers per year for a three year period (for a maximum of up to 300 vouchers cumulatively between 2017- 2020) to serve homeless families.** The PHA will not be required to reduce the number of PBV units under contract if the Budget Authority is subsequently reduced, but will look first to reducing the number of tenant-based vouchers. No additional funding is provided for this program for either Housing Assistance Payments (HAP) or Administrative costs.

2. Competitive Process (Chapter 21, Pg. 21-3)

The PHA may also choose to make PBVs available from the VASH tenant based vouchers or competitively apply for additional HUD VASH PBVs when such funding is made available by HUD. The vouchers would be made available to owners and developers through a competitive local process.

Non-Competitive Process

A PHA may provide PBV assistance to improve, develop, or replace a public housing property or property that it controls or has an ownership interest in without using a competitive process (H.R. 3700 Housing Opportunities Through Modernization Act of 2016, Section 106).

3. DEFINITION OF PREFERENCES (Chapter 21, Pg. 21-18)

1. *Residency* preference is given to applicants who live, work, or have been hired to work in Sacramento County, or any political subdivision thereof. For homeless individuals and families, a residence includes shelters and other dwelling places where homeless people are sleeping such as a place not designed for sleeping including a car, park, abandoned building, bus or train station, airport or camping ground or the family is living in a shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing and hotels and motels paid for by charitable organizations or by the federal, state or local government) or individuals exiting an institution where he or she resided for 90 days or less.

2. *Rent Burden* preference is given to applicants who pay more than 50% of their gross income for rent and utilities. The applicant family must provide copies of receipts, lease, their income and utility bills. The PHA will attempt to verify the information provided by the applicant in order to determine the applicant's qualification for the rent burden preference. In the absence of a rental lease or contract with supporting rent receipts, the PHA will employ one of the following methods, listed in order of preference, to estimate the applicant cost for rent or utilities:

- a. Accept the amount the applicant claims to be paying for rent and utilities when there is a written notice from the person from whom they are renting and it is accompanied with cancelled checks, money order receipts or cashier's check stubs;
- b. Accept the amount listed on the Housing Need Declaration with supporting payment documentation, including cancelled checks and money order receipts, or cashiers check stubs.

3. *Homeless* preference is given to applicants that are homeless as defined in the Glossary.

IX. Chapter 23 is new and describes a new program

Chapter 23 PERFORMANCE PARTNERSHIP PILOTS FOR DISCONNECTED YOUTH (P3)

The Performance Partnership Pilots Initiative Program (P3 or Program) was first authorized by Congress in 2014. The Program enables pilot sites to test innovative, outcome-focused strategies to achieve significant improvements in educational, employment, and other key outcomes for disconnected youth using the flexibility to blend existing federal funds and to seek waivers of associated program requirements.

The Sacramento P3 Program is a three-year comprehensive service-delivery system that coordinates and integrates a multidisciplinary approach to providing services to 100 disconnected youth aged 16-24, especially foster youth, youth on probation, homeless youth and youth at risk of becoming homeless. The Program adopts a housing-first model to promote stability for participants. The federal regulation waivers granted under this program are designed to increase the efficiency of service delivery in two ways: 1) by removing barriers to housing and expanding housing eligibility; and, 2), by leveraging existing resources and increasing services to the target population. The Program is based on collaboration with local and state partners and coordination of currently funded services.

The Sacramento County Housing Authority applied for and was successfully awarded the P3 grant. P3 youth families will be issued a voucher and will follow all HCV program policies and regulations. 100 vouchers will be issued for this program over a three year period (2017-2020).

FAMILY ELIGIBILITY AND SELECTION

The PHA will receive referrals from an approved third party provider(s). Written documentation of these referrals must be maintained in the tenant file at the PHA.

X. Changes in Chapter 26 are related to the change in the “look back period” for criminal activity.

Chapter 26 MEDICAL MARIJUANA POLICY

HCV will also deny participation to applicants where the PHA has reasonable cause to believe that any family member has illegal used or possessed marijuana or engaged in any drug-related or other criminal activity within the past ~~five~~ **three** years.

XI Chapter 28 is new and reflects the new regulations concerning the Violence Against Women Act (VAWA)

28. Chapter 28 VIOLENCE AGAINST WOMEN ACT & DOMESTIC VIOLENCE

INTRODUCTION

Title VI. of the Violence Against Women Act (VAWA) adds a new housing provision that establishes several categories of protected individuals. Under the law victims of domestic violence, dating violence, stalking, and victims of sexual assault are granted protections, and cannot be denied or terminated from housing or housing assistance because of activity that is directly related to domestic violence.

A. PURPOSE

The purpose of this Policy is to reduce domestic violence, dating violence, sexual assault, and stalking and to prevent homelessness by:

- protecting the safety of victims;
- creating long-term housing solutions for victims;
- building collaborations among victim service providers; and

- assisting the PHA to respond appropriately to the violence while maintaining a safe environment for the PHA, employees, tenants, applicants, Housing Choice Voucher participants, program participants and others.

The policy will assist the Sacramento County Housing Authority and Sacramento City Housing Authority (PHA) in providing rights under the Violence Against Women Act to its applicants, public housing residents, Housing Choice Voucher participants and other program participants.

This Policy is incorporated into the PHA's "Admission and Continuing Occupancy Policy", and "Housing Choice Voucher Program Administrative Plan" and applies to all PHA housing programs.

B. DEFINITIONS

The definitions in this Section apply only to this Policy.

Actual or imminent threat refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual or imminent threat, the factors to be considered include: The duration of the risk; the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

Affiliated individual means a spouse, parent, brother, sister, child or a person to whom the tenant stands in the place of a parent or guardian, or any individual, tenant, or other lawful occupant living in the tenant's household.

Confidentiality: The PHA will not enter information provided to the PHA by a victim alleging domestic violence into a shared database or provide this information to any related entity except as stated in 3.4

Dating Violence: Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim or intimate partner of the victim, committed by a person with whom the victim shares a child in common, committed by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, committed by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or committed by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Immediate Family Member: A spouse, parent, brother or sister, or child of a victim or an individual to whom the affiliated individual; or any other person living in the household of the victim and related to the victim by blood or marriage.

Perpetrator: A person who commits an act of domestic violence, dating domestic violence or stalking against a victim.

Safe Unit: refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

Stalking: (a) to follow, pursue or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim; (b) to place under surveillance with the intent to kill, injure, harass or intimidate the victim; (c) in the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of the death of, or serious bodily injury to the victim.

Sexual Abuse: To cause substantial emotional or physical harm to the victim, an affiliated individual of the victim or the spouse or intimate partner of the victim.

Sexual Assault: Any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Bona Fide Claim: A bona fide claim of domestic violence, dating violence or stalking must include incidents that meet the terms and conditions in the above definitions.

C. CERTIFICATION AND CONFIDENTIALITY

The person claiming protection under VAWA shall provide complete and accurate certifications to a PHA owner or manager within 14 business days after the party requests in writing that the person completes the certifications. If the person does not provide a complete and accurate certification within the 14 business days a PHA owner or manager may take action to deny or terminate participation or tenancy. Mitigating circumstances will be considered in any case where the person or family did not submit or could not submit documentation timely. Additional time may be granted to a family on a case by case basis.

D. HUD APPROVED CERTIFICATION

For each incident that a person is claiming as abuse, the person may certify to the PHA, owner or manager, their victim status by completing a HUD approved certification (form HUD-5382). The person shall certify the date, time and description of the incidents, that the incidents are bona fide incidents of actual or threatened abuses and meet the requirements of VAWA and this Policy. The person shall provide information to identify the perpetrator including but not limited to the name and, if known, all alias names, date of birth, address, contact information such a postal, e-mail or internet address, telephone or facsimile number or other identification if it is safe to provide and is known to the victim.

E. OTHER CERTIFICATION

A person who is claiming victim status may provide to the PHA, an owner or manager: (a) documentation signed by the victim and an employee, agent or volunteer of a victim service provider, an attorney, record of administrative agency, mental health professional or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking or the effects of the abuse, in which the professional attests under penalty of perjury the professional's belief that the incident(s) in question are bona fide incidents of abuse; or (b) a federal, state, tribal, territorial, local police or court record. Additional information may be requested for additional clarification purposes.

F. CONFIDENTIALITY

The PHA and the owner and managers shall keep all information provided to the PHA under this section confidential. The PHA and owner and manager shall not enter the information into a shared database or provide to any related entity except to the extent that:

- the victim requests or consents to the disclosure in writing;
- the disclosure is required for eviction from public housing and/or termination of Housing Choice Voucher assistance; or
- the disclosure is required by applicable law.

G. APPROPRIATE BASIS FOR DENIAL OF ADMISSION, ASSISTANCE, OR TENANCY

PHA shall not deny participation or admission to a program on the basis of a person's abuse status, if the person otherwise qualifies for admission of assistance.

An incident or incidents of actual or threatened domestic violence, dating violence, stalking, or victims of sexual assault will not be a serious or repeated violation of the lease by the victim and shall not be good cause for denying to a victim admission to a program, terminating Public Housing assistance or occupancy rights, or evicting a tenant.

Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an affiliated individual of the tenant's family is the victim of that domestic violence, dating violence or stalking.

Nothing in the previous sections shall limit the PHA's authority to propose termination of assistance of any participant for any violation of program Family Obligations not premised on the act or acts of violence against the participant or a member of the participant's household. However the PHA may not hold a victim to a more demanding standard.

Nothing in the previous sections shall limit the PHA's authority to propose termination of assistance, or deny admission to a program, if the PHA can show an actual and imminent threat to other tenants, neighbors, guests, their employees, persons providing service to the property or others if the participant family is not terminated from assistance or denied admission.

Nothing in the previous sections shall limit the PHA's authority to deny admission or terminate the assistance of a person who engages in criminal acts including but not limited to acts of physical violence or stalking against family members or others.

A Housing Choice Voucher participant who moves out of an assisted dwelling unit to protect their health or safety and who: (a) is a victim under this policy; (b) reasonably believes he or she was imminently threatened by harm from further violence if he or she remains in the unit; and (c)

has complied with all other obligations of the Housing Choice Voucher program may receive a voucher and move to another Housing Choice Voucher jurisdiction.

H. ACTIONS AGAINST A PERPETRATOR

The PHA may take action against a perpetrator of domestic violence; however, the survivor of domestic violence may take action to control or prevent the violence, sexual assault, dating violence, or stalking. The action may include but is not limited to: (a) obtaining and enforcing a restraining or no contact order or order for protection against the perpetrator; (b) obtaining and enforcing a trespass against the perpetrator; (c) enforcing PHA or law enforcement's trespass of the perpetrator; (d) preventing the delivery of the perpetrator's mail to the victim's unit; (e) other reasonable measures.

I. PHA RIGHT TO TERMINATE HOUSING AND HOUSING ASSISTANCE UNDER THIS POLICY

Nothing in this Policy will restrict the PHA's right to terminate program assistance for program violations by a participant who claims VAWA as a defense if it is determined by the PHA that such a claim is not credible. Nothing in this policy will restrict the PHA's right to terminate program assistance if the participant (a) allows a perpetrator to violate a court order relating to the act or acts of violence; or (b) if the participant allows a perpetrator who has been barred from assisted unit to come onto the assisted unit including but not limited to the assisted unit's immediate vicinity under their control.

Nothing in this policy will restrict the PHA's right to terminate housing assistance if the participant who claims as a defense to an eviction or termination action relating to domestic violence has engaged in fraud and abuse against a federal housing program; especially where such fraud and abuse can be shown to have existed before the claim of domestic violence was made. Such fraud and abuse includes but is not limited to unreported income; unauthorized household members; and/or ongoing violations of program Family Obligations.

J. STATEMENTS OF RESPONSIBILITY OF PARTICIPANT, THE PHA TO THE VICTIMS, AND TO THE LARGER COMMUNITY

A participant has no less duty and responsibility under the program Family Obligations to meet and comply with the terms of the program than any other participant not making such a claim. Ultimately all participants must be able to take personal responsibility for themselves and exercise control over their households in order to continue their housing and housing assistance. The PHA will continue to address all participants who violate their Family Obligations including those who claim a defense of domestic violence. The PHA recognizes the pathologic dynamic and cycle of domestic violence and will work with victims of domestic violence partnering with other local victim support service providers and can refer the participant to the service providers when requested.

K. NOTICE TO APPLICANTS, PARTICIPANTS AND TENANTS

The PHA shall provide notice to applicants, participants, tenants, and managers of their rights and obligations under VAWA, including the right to confidentiality when a person is denied assistance, when a person is admitted, and when a tenant is notified of eviction or termination of housing benefits and within the 12 month period following December 16, 2016, either during the annual recertification process or lease renewal process, whichever is applicable. Tenant will also be provided with HUD form-5382 and Notice of Occupancy Rights Under VAWA.

L. REPORTING REQUIREMENTS

The PHA shall include in its 5-year plan a statement of goals, objectives, policies or programs that will serve the needs of victims. PHA shall also include a description of activities, services or programs provided or offered either directly or in partnership with other service providers to victims, to help victims obtain or maintain housing or to prevent the abuse or to enhance the safety of victims.

M. CONFLICT AND SCOPE

This Policy does not enlarge the PHA's duty under any law, regulation or ordinance. If this policy conflicts with the applicable law, regulation or ordinance, the law, regulation or ordinance shall control. If this policy conflicts with another PHA policy, this Policy will control.

N. MOVES

A family may receive a voucher from a PHA and move under the tenant-based assistance program if the family has complied with all other obligations of the HCV Program and/or has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was actually or imminently threatened by harm or further violence if he or she remained in the assisted dwelling unit.

During the initial term of the lease, the family may move with a signed mutual agreement with the landlord to terminate the lease. The family must give the owner at least 30 days written notice of intent to vacate as specified by applicable law and must simultaneously give a copy to the PHA. The notice must be submitted to the PHA no later than the date the family submits a Request for Tenancy Approval (RFTA).

If the family's annual recertification is due within 120 days, the recertification will be expedited. If the family reports a change in income or family composition prior to the submission of a Request for Tenancy Approval (RFTA), the move process will be stopped and the reported change in income or family composition will be reviewed to determine whether the family remains eligible for the voucher size it has been issued, or if the change will result in the family paying more than 40% of their monthly adjusted income toward rent. As these are required by

regulation, they cannot be waived, however, the recertification will be expedited in an effort to approve the move more swiftly.

If the family is exercising portability and reports a change, the receiving PHA will first request the initial PHA to complete an interim change. The initial PHA will expedite to not cause a delay in processing the portability.

If the family has missed two (2) consecutively scheduled voucher issuance sessions without good cause, the move request will be canceled. If the family submits a new request to move, the request will be processed timely.

XII Changes in the Glossary are related to changes in the “look back period” for criminal activity and the focus to house homeless families

GLOSSARY

GOOD STANDING: A family which does not owe an outstanding debt to any PHA; is not delinquent on a repayment agreement; is not subject to adverse action; has not been evicted from Public Housing or been terminated from the HCV program within the last ~~five~~ **three** years.

HOMELESS: as defined in the HEARTH Act:

Homeless means:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she 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;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, and faithbased or other social networks, to obtain other permanent housing.

PERMANENT SUPPORTIVE HOUSING: Housing model that combines low barrier affordable housing and supportive housing to help individuals and families lead more stable lives.



May 12, 2017

Sacramento Housing and
Redevelopment Commission
Sacramento, CA

Honorable Members in Session:

SUBJECT:

Approval Of The Substantial Amendment To The 2017 One-Year Action Plan
And Previous Years' One Year Action Plans; Execution Of Related Documents And
Amendment Of The Sacramento Housing And Redevelopment Agency
Budget; Authorization To Amend Agreements With County Of Sacramento;
Authorization to Enter Into Cooperation or HOME Consortium Agreements with
Jurisdictions Located Within Sacramento County; Other Related Activities And
Findings

SUMMARY

The attached informational report is presented for your review prior to review by the
County of Sacramento.

RECOMMENDATION

Staff recommends approval of the recommendation outlined in the attached report.

Respectfully submitted,


LASHELLE DOZIER
Executive Director

Attachment

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
June 6, 2017

To: Board of Supervisors of County of Sacramento

From: Sacramento Housing and Redevelopment Agency

Subject: Approval Of The Substantial Amendment To The 2017 One-Year Action Plan And Previous Years' One Year Action Plans; Execution Of Related Documents And Amendment Of The Sacramento Housing And Redevelopment Agency Budget; Authorization To Amend Agreements With County Of Sacramento; Authorization to Enter Into Cooperation or HOME Consortium Agreements with Jurisdictions Located Within Sacramento County; Other Related Activities And Findings

Supervisory Kennedy, Frost, and Nottoli
District:

Contact: La Shelle Dozier, Executive Director, 440-1319
Geoffrey Ross, Assistant Director, 440-1357

Overview

This report recommends approval of a Substantial Amendment to the 2017 One-Year Action Plan and requests authorization to submit the amended plan to the United States Department of Housing and Urban Development (HUD). This report also proposes to amend the prior years' Action Plan by re-appropriating Community Development Block Grant (CDBG) funding for new and existing activities as described in Attachments 1 and 2. The recommended activities are scheduled to be implemented and completed within the next 18 months to comply with federal regulations governing the timely expenditure of CDBG funds. This report further recommends authorizing Sacramento Housing and Redevelopment Agency (SHRA) to amend agreements with the County of Sacramento Regional Parks Department (Regional Parks) relating to the vacant parcel located in Walnut Grove to support additional activities including, but not limited to, cultural resources, and adjacent school and park activities. Finally, this report recommends authorizing SHRA to enter into Cooperation or HOME Consortium Agreements with jurisdictions located within Sacramento County allowing SHRA to carry out activities on behalf of that jurisdiction and to automatically renew said agreements in the future until such time as a participating jurisdiction notifies SHRA of their intent to terminate the agreement.

Recommendations

Adopt the attached Board of Supervisors Resolution that:

1. Makes certain environmental findings regarding these actions, as stated in this report and Attachments 4.
2. Authorizes SHRA to amend the 2017 One-Year Action Plan, previous years' Action Plans and the SHRA Budget to reallocate CDBG funds as described in Attachments 1 and 2.
3. Approves revised project descriptions to previous years' projects as described in Attachment 3.
4. Authorizes SHRA to amend agreements with Regional Parks relating to the parcel

located at Whyse Lane and Grove Street in Walnut Grove (APN: 146-0170-067-0000).

5. Authorizes SHRA to enter into Cooperation or HOME Consortium Agreements with jurisdictions located within Sacramento County and automatically renew said agreements in the future until such time as a participating city notifies SHRA of their intent to terminate their agreement.
6. Authorizes SHRA to submit amendments to the 2017 One-Year Action Plan and previous Action Plans to HUD and authorizes the execution of all necessary contracts, agreements and related documents required to carry out the recommended activities as described in this report, and amend its budget accordingly.
7. Authorizes the County Executive, or designee, to execute agreements with SHRA to carry out Action Plan activities in compliance with adopted policies, guidelines, regulations, and federal law as approved to form by County Counsel.

Measures/Evaluation

The proposed activities are consistent with the goals and objectives of the approved 2013-2019 Regional Consolidated Plan (Consolidated Plan). The Consolidated Plan goals include assisting low- and moderate-income persons and areas with the following: community services, housing, homeless facilities and services, public improvements and facilities, economic development, and planning activities. Sacramento County is considered an Urban County by HUD and SHRA currently has cooperation agreements with the non-entitlement jurisdictions of Folsom, Galt and Isleton to carry out CDBG, HOME, and ESG activities on their behalf and a HOME consortium agreement with the entitlement jurisdiction of Citrus Heights. The above recommendation would allow SHRA to enter into agreements with other local jurisdictions that choose to enter into an agreement with SHRA and automatically renew said agreements in the future until such time as a participating city notifies SHRA of their intent to terminate their agreement.

Fiscal Impact

This report recommends amending the 2017 Action Plan and the SHRA budget to reallocate \$611,951.49 of CDBG funds from previously approved activities to either capital reserves or program income and then allocate that amount to new and existing activities, as detailed in Attachments 1 and 2.

Currently a jurisdiction that does not have an agreement with SHRA, on behalf of the County, must apply to the State for HUD funds. Entering into an agreement with SHRA allows for a jurisdiction's low- and moderate-income populations to be included in the calculation for receiving entitlement funds from HUD. These funds, less any administration, are made available to that jurisdiction for HUD-funded activities.

BACKGROUND

Substantial Amendment to Action Plan

This report recommends amending previous years' Action Plans to reallocate funding to the activities described in Attachments 1 and 2. These adjustments not only update the Consolidated Plan, but also facilitate timely expenditure of federal funds as required by HUD. The proposed activities are consistent with the 2013-2019 Consolidated Plan, which identifies the County's housing and community development needs and describes a long-term strategy for meeting those needs. In addition to providing a broad policy framework, the Consolidated Plan specifically addresses four federally funded housing and community development programs: CDBG, Home Investment Partnership Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA).

New Project

47th Avenue Pedestrian and Bicycle Improvements Project

The County of Sacramento Department of Transportation applied to the State of California Department of Transportation for an Active Transportation Program (ATP) grant and used CDBG funds as leverage. The proposed project will fill a gap in the bicycle facility network along 47th Avenue, between Stockton Boulevard and 27th Street. The result will be a complete east-west six-mile facility that traverses the City and County. The proposed project will be completed in 2019. The County of Sacramento was awarded a \$3,000,000 ATP grant for the construction of a continuous bicycle lane and pedestrian path for this project. CDBG will serve as the primary required matching funds to the ATP grant. It will be used for pre-construction activities only, including, but not limited to, engineering design, environmental clearance, and other related activities for improvements from 44th Street to Stockton Boulevard and from Martin Luther King Jr. Boulevard to 27th Street. CDBG funds will also be used for an alternate route through the residential area to the 44th Avenue pedestrian bridge. This includes pedestrian and bicycle improvements to 44th Street (47th Avenue to 43rd Avenue) and 43rd Avenue (44th Street to the pedestrian bridge). These improvements connect to the 44th Avenue Pedestrian/Beautification Project. This will result in improvements on both sides of the bridge providing residents a safe alternative route to access various resources such as the light rail system, schools, and parks.

The ATP grant requires construction to be completed by 2019. In order to meet this timeline, County staff proposed defunding the Watt Avenue Complete Street Improvements Project in the amount of \$336,951 of CDBG funds and reallocating those funds to this project. The Watt Avenue Complete Street Improvements Project will be completed with local transportation funds. The proposed action will allow on-schedule delivery of the project. County staff has requested that, if available, an additional \$463,048 in CDBG Funds be allocated to the 47th Avenue Pedestrian and Bicycle Improvements Project in the 2018 Action Plan.

Revised Project Descriptions

Florin Area New Street Light Project

The project, originally funded in 2016, authorized the installation of approximately 95 LED street lights in the low- to moderate-income area bounded by Florin Road, Palmer House Drive, and Lindale Drive. During the design phase, County staff identified a nearby CDBG eligible area to the south with deficient lighting. Given the size of the new area, County staff recommended combining the design phase of the two areas in order to reduce total project costs. No additional funds will be allocated at this time. County and SHRA staff will work to identify funds to install light for this additional area once the design work is complete.

Neighborhood Livability Initiative (NLI) 44th Avenue Pedestrian/Beautification Project

The project originally funded in 2015, authorized funds to improve connectivity to the pedestrian and bicycle bridge over Highway 99 and was separated into two phases. The project boundaries extend from Franklin Boulevard to a cul-de-sac east of 39th Street. The Phase I projects authorized improvements to the pedestrian facilities and beautification of the 44th Avenue cul-de-sac, which is the access point to the pedestrian bridge. This phase was completed in early 2017. The Phase II project, authorized in 2017, includes the design and construction of curb ramps, sidewalk infill, and streetscape features along 44th Avenue between 39th Street and Franklin Boulevard. During project design, County staff identified additional work required to complete the project, including right-of-way acquisition, construction easements, and an overlay at the intersection of Martin Luther King Jr. Boulevard and 44th Avenue. The project description is being updated to include these elements.

District 4 Neighborhood Low/Mod ADA Curb Ramp Project

The project, originally funded in 2017, authorized the design, construction management, and the construction of ten Americans with Disability Act (ADA) curb ramps at unsignalized locations along Tartan Drive at U Street. Shortly after the approval of the 2017 Action Plan, County staff identified other local funds to complete the improvements ahead of schedule. As a result, it was requested by County staff that the project location be moved to a new location in close proximity to the original location.

Rosemont Area Street Light Project

The original project funded in 2017 involved the installation of approximately 13 new LED street lights surrounding the Sequoia Elementary School. Residents have raised safety concerns about the adjacent areas with insufficient street lighting. As such, it is recommended that the project boundaries be expanded to include these adjacent areas.

The revised project descriptions for the 2017 Action Plan and previous years' action plans are described in Attachment 3.

Walnut Grove Parcel

On September 27, 2011, Regional Parks purchased 7.6 acres for a public neighborhood park from Mercy Properties using CDBG funds. At that time it was acknowledged that Regional Parks would return to the Board at a later date to identify how to activate the parcel. The property presents an opportunity to provide additional amenities to the community. In addition to identifying the appropriate final use of such a large parcel, planning was delayed due to the impacts of the Great Recession and the limitations of funding available. This was fortuitous, where in now there is an opportunity to activate the site as well as utilize some of the acreage to preserve cultural resources in the area. To support additional uses, Staff is requesting authority to amend the agreements with Regional Parks to support additional potential uses, including, but not limited, to cultural resources, and adjacent school and park activities. Regional Parks and SHRA are working to identify the final programming for the site.

Agreement Cities

On August 23, 2011, the Board approved Resolution 2011-0621 authorizing SHRA to enter into automatically renewing Cooperation Agreements with Folsom, Isleton and Galt and a HOME Consortium Agreement with Citrus Heights. The proposed recommendation clarifies that Cooperation Agreements are with non-entitlement jurisdictions for CDBG, HOME and ESG and not just for CDBG. Consortium Agreements are with entitlement jurisdictions wishing to participate in the HOME Consortium. The proposed recommendation would also allow SHRA to enter into ongoing renewable Cooperation or Consortium Agreements with local jurisdictions that choose to participate in the Urban County CDBG and HOME programs.

Per HUD guidelines and Notice CPD-17-03, Sacramento County is considered an Urban County because it has a population of more than 200,000 in its unincorporated areas and participating incorporated areas. Local jurisdictions within an Urban County that are considered a Non-entitlement City due to incorporation, but not large enough to be an Entitlement City as defined by HUD, are able to enter into Cooperation Agreements for CDBG, HOME, and ESG funding with SHRA, on behalf of the County. Entitlement Cities have the option to enter into Consortium Agreements with SHRA for HOME funding only. Entering into an agreement with SHRA allows for the jurisdiction's low- and moderate-income populations to be included in the calculation for receiving entitlement funds from HUD. These funds, less any administration, are made available to that jurisdiction for HUD-funded activities depending on the type of agreement. Absent utilizing the Urban County, such jurisdictions and their population are counted into the state formula and must access funds on a competitive basis through the state. Such access may be limited, and thus more advantageous to partner with the Urban County.

SHRA currently has cooperation agreements with the non-entitlement cities of Folsom, Galt, and Isleton to carry out CDBG, HOME and ESG activities on their behalf and a HOME consortium agreement with the entitlement City of Citrus Heights. Although, agreements do not guarantee funding for participating jurisdictions, current Board-approved funding guidelines provide a portion of the budget for partner jurisdictions based on their contributions to the County's overall population. Staff will continue to work with existing jurisdictions and any new jurisdictions to develop essential and viable community development and HOME projects for their residents.

Additionally, residents of Agreement Cities will continue to benefit from CDBG-funded programs offered countywide since their populations are accounted for in HUD funding.

DISCUSSION

This report recommends approval of the 2017 Action Plan Substantial Amendment, thereby updating the Consolidated Plan, and requests authorization to submit the plan to HUD. The Consolidated Plan is a planning document covering the period from 2013 to 2019. The Consolidated Plan identifies the County's housing and community development needs and describes a long-term strategy to meet those needs.

COMMISSION ACTION

At its meeting of May 17, 2017, the Sacramento Housing and Redevelopment Commission (Commission) considered the staff recommendation for this item. The votes were as follows:

AYES:

NOES:

ABSENT:

MEASURES/EVALUATIONS

The proposed funding allocations and activities are consistent with the goals and objectives of the adopted Consolidated Plan. The Consolidated Plan goals include assisting low- and moderate-income persons and areas with the following: community services, housing, facilities and services for homeless individuals and families, public improvements and facilities, economic development, planning, and administration.

FINANCIAL ANALYSIS

The attached resolution authorizes the amendment of the SHRA budget and One-Year Action Plan to reallocate CDBG funds for new and existing project, as detailed in Attachments 1 and 2.

POLICY CONSIDERATIONS

The actions recommended in this report are consistent with previously approved policies and federal requirements.

ENVIRONMENTAL REVIEW

Amendments to the Action Plan, reallocation of funds, and entering into cooperation agreements are exempt activities under the National Environmental Policy Act (NEPA) per 24 CFR 58.34(a)(1), (2), and (3), and do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) per Guidelines Section 15378(b).

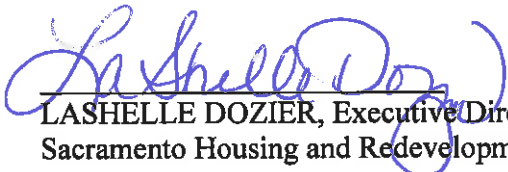
The recommended actions related to the Walnut Grove parcel are administrative in nature and therefore are exempt under NEPA per 24 CFR 58.34(a)(3) and do not constitute a project subject to environmental review under CEQA per Guidelines Section 15378(b).

Commitment of funding for projects that could result in a direct or indirect physical change to the environment is subject to environmental review under CEQA. All federally funded projects are subject to environmental review under the requirements of NEPA and per HUD regulations prior to any commitment of federal funds for expenditure unless they are exempt from such review. Refer to Attachment 4 for a description of the environmental review under both CEQA and NEPA for new or ongoing projects included in this mid-year Action Plan amendment.

M/WBE AND SECTION 3 REQUIREMENTS

Minority and Women's Business Enterprise requirements will be applied to all activities to the extent required by federal funding to maintain that federal funding. Section 3 requirements will be applied to the extent as may be applicable.

Respectfully submitted,


LASHELLE DOZIER, Executive Director
Sacramento Housing and Redevelopment Agency

APPROVED
NAVDEEP S. GILL
County Executive

By: _____
ADMINISTRATOR
Deputy County Executive

Attachments:

- RES – County BOS Resolution
- ATT 1 – Defunded Activities Substantial Amendment
- ATT 2 – Funding Recommendation
- ATT 3 – Revised Project Descriptions
- ATT 4 – Environmental Determination

RESOLUTION NO. _____

APPROVAL OF THE SUBSTANTIAL AMENDMENT TO THE 2017 ONE-YEAR ACTION PLAN AND PREVIOUS YEARS' ONE-YEAR ACTION PLANS; EXECUTE RELATED DOCUMENTS AND AMEND THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY BUDGET; AUTHORIZATION TO AMEND AGREEMENTS WITH COUNTY OF SACRAMENTO; AUTHORIZATION TO ENTER INTO COOPERATION OR HOME CONSORTIUM AGREEMENTS WITH JURISDICTIONS LOCATED WITHIN SACRAMENTO COUNTY; OTHER RELATED ACTIVITIES AND FINDINGS

WHEREAS, the proposed actions have been analyzed in accordance with the California Environmental Quality Act (CEQA), and all amendments to the Action Plan, reallocation of funds, and entering into cooperation agreements are activities that do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) per 14 California Code of Regulations (CCR) §15378(b). The recommended actions related to the Walnut Grove parcel are administrative in nature and therefore do not constitute a project subject to environmental review under CEQA per 14 CCR §15378(b). Environmental review under CEQA for new or amendments to ongoing projects is either complete or underway as described in Attachment 3, and will be completed prior to project commitment;

WHEREAS, the proposed actions have been analyzed in accordance with the National Environmental Policy Act (NEPA), and all amendments to the Action Plan, reallocation of funds, and entering into cooperation agreements are exempt activities under the National Environmental Policy Act (NEPA) per 24 Code of Federal Regulations (CFR) §§ 58.34(a)(1), (2), and (3). The recommended actions related to the Walnut Grove parcel are administrative in nature and therefore are exempt under NEPA per 24 CFR §58.34(a)(3). Environmental review under NEPA for new or amendments to ongoing projects is either complete or underway as described in Attachment 3, and will be completed prior to project commitment;

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires adoption of a Consolidated Plan to identify the programs and projects for the expenditure of federal Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) funds; and

WHEREAS, since 1982 the Sacramento Housing and Redevelopment Agency (SHRA), on behalf of the County of Sacramento, has served as the public entity designated to efficiently

Approval Of The Substantial Amendment To The 2017 One-Year Action Plan And Previous Year's One Year Action Plans; Execute Related Documents And Amend The Sacramento Housing And Redevelopment Agency Budget; Authorization To Amend Agreements With County of Sacramento Department of Regional Parks; Other Related Activities And Findings

administer the CDBG Program and was subsequently designated as the public entity to administer HOME, and ESG funding originating from HUD; and

WHEREAS, on January 8, 2013, the 2013-2017 Consolidated Plan was adopted by County Resolution 2015-0842; and

WHEREAS, on November 1, 2016, the authorization to extend the Consolidated Plan and Analysis of Impediments to 2019 was adopted by County Resolution 2016-0840; and

WHEREAS, on November 1, 2016, the 2017 One-Year Action Plan was adopted by County Resolution 2016-0840; and

WHEREAS, due to the economic downturn and changes to flood control regulations, the parcel (APN: 146-0170-067-0000) was purchased by County of Sacramento (Regional Parks) from Mercy Properties California for future neighborhood park by County Resolution 2011-0722; and

WHEREAS, Regional Parks was delayed in activating the use for the parcel due to the prolonged impacts of the Great Recession; and

WHEREAS, the Agency desires to amend its agreements with Regional Parks to support additional activities including, but not limited to, cultural resources and adjacent school and park activities; and

WHEREAS, on August 23, 2011, the Agency was given the authority to enter into automatically renewing agreements with the cities of Folsom, Isleton, Galt and Citrus Heights to participate in the CDBG and HOME programs by County Resolution 2011-0621; and

WHEREAS, the Agency desires to clarify that Cooperation Agreements are with Non-entitlement jurisdictions for CDBG, HOME and ESG and not just CDBG and that Consortium Agreements are with entitlement jurisdictions wishing to participate in the HOME Consortium; and

WHEREAS, for the efficient and timely administration of HUD programs requests the continued ability to enter into automatically renewing agreements with jurisdictions within Sacramento County's boundary that wish to enter into a Cooperation or Consortium Agreement with the Agency; and

WHEREAS, community development grants from HUD administered directly by recipient are required to secure environmental clearance, SHRA is designated as the agent for the City and County of Sacramento and is the general unit of local government for the purpose of

Approval Of The Substantial Amendment To The 2017 One-Year Action Plan And Previous Year's One Year Action Plans; Execute Related Documents And Amend The Sacramento Housing And Redevelopment Agency Budget; Authorization To Amend Agreements With County of Sacramento Department of Regional Parks; Other Related Activities And Findings

environmental clearance on the City and County's behalf of nonprofit organizations which are sub-grantees; and

WHEREAS, a duly noticed public hearing soliciting comments on the 2017 One-Year Action Plan Substantial Amendment and previous years' Action Plan took place on May 17, 2017 before the Sacramento Housing and Redevelopment Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO

Section 1: All evidence presented having been duly considered, including the environmental findings, these findings as set forth in Attachments 1, 2, 3 and 4 are found to be true and correct and are hereby adopted.

Section 2: SHRA is authorized to amend the 2017 One-Year Action Plan, previous year's Action Plan and the SHRA budget to amend the activities and add projects as described in Attachment 1 and 2.

Section 3: Approves revised project descriptions to previous year's projects as described in Attachment 3.

Section 4: SHRA is authorized to amend agreements with Regional Parks and execute agreements relating to the parcel located at Whyse Lane and Grove Street in Walnut Grove (APN 146-0170-067-0000).

Section 5: SHRA is authorized to enter into automatically renewing Cooperation Agreements with non-entitlement jurisdictions to carry out CDBG, HOME and ESG activities on their behalf and automatically renewing Consortium Agreements with entitlement jurisdictions to carry out HOME activities on their behalf within the County.

Section 6: SHRA is authorized to submit amendments to the 2017 One-Year Action Plan and previous Action Plans to HUD and to execute all necessary contracts, agreements and related documents to carry out the recommended activities described in this report, and amend its budget accordingly.

Section 7: The County Executive, or designee, is authorized to execute agreements with SHRA to carry out Action Plan activities in compliance with adopted policies, guidelines, regulations and federal law as approved to form by County Counsel.

Approval Of The Substantial Amendment To The 2017 One-Year Action Plan And Previous Year's One Year Action Plans; Execute Related Documents And Amend The Sacramento Housing And Redevelopment Agency Budget; Authorization To Amend Agreements With County of Sacramento Department of Regional Parks; Other Related Activities And Findings

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California this 23rd day of May, 2017, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

ABSTAIN: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

Chair of the Board of Supervisors
of Sacramento County, California

(SEAL)

ATTEST: _____
Clerk, Board of Supervisors

**County of Sacramento
Amendment to 2017 Action Plan and Previous Year's Action Plans**

Defunded Activities for Various Years' Action Plan

Activities being defunded are those that have been completed or funded through alternative sources. New funded activities are scheduled to be implemented and completed within 18 months to comply with federal regulations governing the timely expenditure of funds.

Defund Activity from Previous Year's Action Plan		
Recommendations	Amount	Fund
<p>Watt Avenue Complete Streets Improvement Project (2016): County and SHRA staff recommends funds to be reprogrammed to Capital Reserve, and said funds then reallocated to the 47th Avenue Pedestrian and Bicycle Improvement Project.</p> <p>The Watt Avenue Complete Street Improvement Project will be completed with local transportation funds.</p>	\$336,951.49	CDBG
<p>NLI-44th Avenue Pedestrian/Beautification Phase I Project (2015): County and SHRA recommend funds to be reprogrammed to Program Income, and said funds then be allocated to the NLI-44th Avenue Pedestrian/Beautification Phase II Project.</p>	\$100,000	CDBG PI
<p>Hood ADA Restroom (2016): SHRA staff recommends funds to be reprogrammed to Program Income, and said funds then be reallocated to the Rosemont Area New Street Light Project.</p> <p>The Hood ADA Restroom Project was infeasible due to a lack of ongoing funding for operations, maintenance or cleaning of the restroom facility.</p>	\$175,000	CDBG PI
Total	\$611,951.49	

**County of Sacramento
Amendment to 2017 Action Plan and Previous Year's Action Plans**

Newly funded and existing activities are scheduled to be implemented and completed within 18 months to comply with federal regulations governing the timely expenditure of funds.

Fund Activity from Previous Year's Action Plan		
Recommendations	Amount	Fund
47th Avenue Pedestrian and Bicycle Improvements Project (2017): Funds will be used for the pre-construction activities on 47 th Avenue between Stockton Boulevard and the City/County of Sacramento border. Proposed activities include but are not limited to, engineering design, environmental clearance, and other related activities to construct a continuous two-mile Class II bicycle and facility. The project will connect to the existing bicycle lane networks, creating an east-west bicycle facility 6 miles long.	\$336,951.49	CDBG
NLI 44th Avenue Pedestrian/Beautification Phase II Project (2015-2017): Funds will be used for the pre-construction activities along 44 th Avenue between 39 th Street and Franklin Boulevard. Proposed activities include but are not limited to, environmental clearance, preliminary engineering, final design, and other related activities to construct an overlay at the intersection of Martin Luther King Jr. Boulevard, curb ramps and sidewalk infill as needed. This project will connect to NLI – 44 th Avenue Pedestrian/Beautification Phase I Project.	\$100,000	CDBG PI
Rosemont Area New Street Light Project (2015): Funds will be used for the previously approved Rosemont Street Light Project with the expanded boundary of Kiefer Boulevard, Rosemont Drive, and Huntsman Drive to install approximately 44 new LED street lights.	\$175,000	CDBG PI
Total	\$611,951.49	

County of Sacramento
Amendment to 2017 Action Plan and Previous Year's Action Plans

This report formally amends the 2017 Action Plan and previous year's action plans project descriptions. These are the proposed project descriptions.

Revised Project Descriptions

Florin Area New Street Light Project (2016): Project will construct LED street lights within the boundary of Florin Road, Palmer House Drive, and Fleming Avenue.

Neighborhood Livability Initiative (NLI) 44th Avenue Pedestrian/Beautification Project (2015-2017): Design, environmental clearance, preliminary engineering, final design, and other related activities to construct an overlay at the intersection of Martin Luther King Jr. Boulevard, curb ramps and sidewalk infill as needed.

District 4 Neighborhood Low/Mod ADA Curb Ramp Project (2017): Design, construction management, and construction of approximately nine ADA curb ramps at unsignalized intersections located along Scotland Drive.”

Rosemont Area Street Light Project (2017): Project will install approximately 44 new LED street lights within the boundary of Kiefer Boulevard, Rosemont Drive, and Huntsman Drive.

**County of Sacramento
Environmental Determination**

Florin Area New Streetlight Project: Environmental review for this project is underway and the project is anticipated to require an Environmental Assessment for NEPA and an Initial Study for CEQA. Environmental review will be completed prior to project commitment.

Neighborhood Livability Initiative (NLI) 44th Avenue Project: Environmental review for Phase II of the Neighborhood Livability Initiative (NLI) 44th Avenue Project is complete. It was found to be Categorically Excluded from NEPA per 24 CFR 58.35(a)(1), converting to Exempt per 24 CFR 58.34(a)(1), and Categorically Exempt per CEQA Guidelines Section 15301. Changes to the project description may require re-evaluation of environmental findings, which will be conducted prior to project commitment, which includes right of way acquisition. Funding for additional engineering and design costs are exempt under NEPA per 24 CFR 58.34(a)(8), and exempt under CEQA per Guidelines Section 15061(b)(3).

District 4 Neighborhood Low/Mod ADA Curb Ramp Project: Environmental review for this project is underway and the project is anticipated to be Categorically Excluded under NEPA per 58.35(a)(1) and (2) and Categorically Exempt under CEQA per Guidelines Section 15301. Environmental review will be completed prior to project commitment. Funding for engineering and design costs are exempt under NEPA per 24 CFR 58.34(a)(8) and exempt under CEQA per Guidelines Section 15061(b)(3)..

Rosemont Area Street Light Project: Environmental review for this project is underway and the project is anticipated to either be Categorically Excluded under NEPA per 58.35(a)(1) or require an Environmental Assessment, and to be Categorically Exempt under CEQA per Guidelines Section 15301. Environmental review will be completed prior to project commitment. Funding for engineering and design costs are exempt under NEPA per 24 CFR 58.34(a)(8) and exempt under CEQA per Guidelines Section 15061(b)(3).

47th Avenue Pedestrian and Bicycle Improvements Project: Environmental review for this project is underway and the project is anticipated to be Categorically Excluded under NEPA per 58.35(a)(1) and Categorically Exempt under CEQA per Guidelines Section 15301. Environmental review will be completed prior to project commitment, which includes right of way acquisition. Funding for engineering and design costs are exempt under NEPA per 24 CFR 58.34(a)(8) and exempt under CEQA per Guidelines Section 15061(b)(3).

RESOLUTION NO. SHRC-_____

ADOPTED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION UNDER THE AUTHORITY DELEGATED TO THE COMMISSION PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33202 BY RESOLUTION NO. RA 81-083 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. RA-83 ADOPTED BY THE REDEVELOPMENT AGENCY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981, AND PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34292 BY RESOLUTION NO. HA 81-098 ADOPTED BY THE HOUSING AUTHORITY OF THE CITY OF SACRAMENTO ON OCTOBER 20, 1981, AND BY RESOLUTION NO. HA-1497 ADOPTED BY THE HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO ON OCTOBER 27, 1981.

ON DATE OF

May 17, 2017

APPROVAL OF THE SUBSTANTIAL AMENDMENT TO THE 2017 ONE-YEAR ACTION PLAN AND PREVIOUS YEARS' ONE-YEAR ACTION PLANS; EXECUTION OF RELATED DOCUMENTS AND AMENDMENT OF THE SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY BUDGET; AUTHORIZATION TO AMEND AGREEMENTS WITH THE COUNTY OF SACRAMENTO; AUTHORIZATION TO ENTER INTO COOPERATION OR HOME CONSORTIUM AGREEMENTS WITH JURISDICTIONS LOCATED WITHIN SACRAMENTO COUNTY OTHER RELATED ACTIVITIES AND FINDINGS

WHEREAS, the proposed actions have been analyzed in accordance with the California Environmental Quality Act (CEQA), and all amendments to the Action Plan, reallocation of funds, and entering into cooperation agreements are activities that do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) per 14 California Code of Regulations (CCR) §15378(b). The recommended actions related to the Walnut Grove parcel are administrative in nature and therefore do not constitute a project subject to environmental review under CEQA per 14 CCR §15378(b). Environmental review under CEQA for new or amendments to ongoing projects is either complete or underway as described in Attachment 3, and will be completed prior to project commitment;

WHEREAS, the proposed actions have been analyzed in accordance with the National Environmental Policy Act (NEPA), and all amendments to the Action Plan, reallocation of funds, and entering into cooperation agreements are exempt activities under the National Environmental Policy Act (NEPA) per 24 Code of Federal Regulations (CFR) §§ 58.34(a)(1), (2), and (3). The recommended actions related to the Walnut Grove parcel are administrative in nature and therefore are exempt under NEPA per 24 CFR §58.34(a)(3). Environmental review under NEPA

for new or amendments to ongoing projects is either complete or underway as described in Attachment 3, and will be completed prior to project commitment;

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires adoption of a Consolidated Plan to identify the programs and projects for the expenditure of federal Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG) funds; and

WHEREAS, since 1982 (by Resolutions HA-2342, 82-424, 82-425, 82-650, 82-651, 82-652, RA-94, RA-107, HA-1526, HA-82-006, HA 2013-0001, 2013-0001, 2013-0018, HA-2342), the Sacramento Housing and Redevelopment Agency (Agency) and its constituent entities has served as the public entity designated to efficiently administer the CDBG program, and was subsequently designated as the public entity to administer HOME, and ESG funding originated from HUD on behalf of the City and County of Sacramento; and

WHEREAS, on January 8, 2013 the 2013-2017 Consolidated Plan was adopted by Resolution SHRC-13-1; and

WHEREAS, on October 5, 2016, the authorization to extend the Consolidated Plan and Analysis of Impediments to 2019 was adopted by Resolution SHRC-2016-16; and

WHEREAS, on October 5, 2016, the 2017 One-Year Action Plan was adopted by Resolution SHRC-2016-16; and

WHEREAS, due to the economic downturn the parcel (APN: 146-0170-067-0000) was purchased by the County of Sacramento (Regional Parks) from Mercy Properties California for future park use by Resolution SHRC-10-03; and

WHEREAS, Regional Parks was delayed in activating the use for the parcel due to the prolonged impacts of the Great Recession; and

WHEREAS, the Agency desires to amend its agreements with Regional Parks and to support additional activities, including, but not limited to, cultural resources and adjacent school and park activities; and

WHEREAS, on August 23, 2011, the Agency was given the authority to enter into automatically renewing agreements with the cities of Folsom, Isleton, Galt and Citrus Heights to participate in the CDBG and HOME programs by County Resolution 2011-0621; and

WHEREAS, the Agency desires to clarify that Cooperation Agreements are with non-entitlement jurisdictions for CDBG, HOME and ESG and not just CDBG and that Consortium Agreements are with entitlement jurisdictions wishing to participate in the HOME Consortium; and

WHEREAS, for the efficient and timely administration of HUD programs request the continued ability to enter into automatically renewing agreements with jurisdictions within Sacramento County's boundary that wish to enter into a Cooperation or Consortium Agreement with the Agency; and

WHEREAS, community development grants from HUD administered directly by the recipient are required to secure environmental clearance; SHRA is designated as the agent for the City and County of Sacramento and is the general unit of local government for the purpose of environmental clearance on the City and County's behalf of nonprofit organizations which are sub-grantees; and

WHEREAS, a duly noticed public hearing soliciting comments on the 2017 One-Year Action Plan Substantial Amendment and previous years' Action Plan took place on May 17, 2017 before the Sacramento Housing and Redevelopment Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO HOUSING AND REDEVELOPMENT COMMISSION:

Section 1. All evidence presented having been duly considered, including environmental findings as set forth above and in Attachments 1, 2, 3, and 4. These actions are found to be true and correct and are hereby adopted.

Section 2. Subject to approval of the 2017 One-Year Plan amendment by the Sacramento County Board of Supervisors, the Executive Director, or designee is, authorized to:

- Amend the SHRA budget and previous year's Action Plans to amend the activities and add the program and projects set out in Attachments 1 and 2.
- Submit the 2017 One-Year Action Plan Substantial Amendment and previous Years' Substantial Amendments to HUD.
- Revise project descriptions to previous year's projects as described in Attachment 3.
- Amend agreements with Regional Parks and execute agreements relating to the parcel located at Whyse Lane and Grove Street in Walnut Grove (APN 146-0170-067-0000).
- Enter into automatically renewing Cooperation Agreements with non-entitlement jurisdictions within the County and automatically renewing HOME Consortium Agreements with entitlement jurisdictions that wish to enter into said agreements with the Agency.
- Make any budget adjustments and execute any and all related documents, including reporting, invoicing, contracts and amendments as necessary to carry out activities described in this staff report in compliance with adopted policies, guidelines, regulations and federal law as approved to form by agency counsel.

PASSED AND ADOPTED at a regular meeting of the Sacramento Housing and Redevelopment Commission this 17 day of May, 2017 by the following vote.

AYES: Commissioners,

NOES: Commissioners,

ABSENT: Commissioners,

ABSTAIN: Commissioners,

RECUSAL: Commissioners,
(PER POLITICAL REFORM ACT (§ 18702.5.))

CHAIR

ATTEST:

CLERK

MEMORANDUM

Date: May 11, 2017
To: Sacramento Housing and Redevelopment Commission

SUBJECT

Greenbriar Mixed Income Housing Strategy.

SUMMARY

Greenbriar, an approximately 577-gross acre site in North Natomas generally located northwest of the intersection of State Route 99 (SR 99) and Interstate 5 (I-5). The Developer proposes to develop Greenbriar as a master planned, transit oriented, mixed-use community with residential, commercial, recreational parks, lakes, open space, and public/quasi-public land uses incorporating a light rail station at the core of the development along the planned Downtown-Natomas-Airport line which would bisect the project site from east to west along the planned extension of Meister Way.

RECOMMENDATION

Staff recommend the Commission provide review and comment of the Mixed Income Housing Strategy.

Respectfully submitted,
City of Sacramento – Community Development

MIXED INCOME HOUSING STRATEGY

Greenbriar Project Owner, LP

INTRODUCTION

Greenbriar Project Owner, LP (“Developer”), is the owner of certain real property in the City of Sacramento known as Greenbriar, an approximately 577-gross acre site in North Natomas generally located northwest of the intersection of State Route 99 (SR 99) and Interstate 5 (I-5). The Developer proposes to develop Greenbriar as a master planned, transit oriented, mixed-use community with residential, commercial, recreational parks, lakes, open space, and public/quasi-public land uses incorporating a light rail station at the core of the development along the planned Downtown-Natomas-Airport line which would bisect the project site from east to west along the planned extension of Meister Way.

Greenbriar includes 2,953 residential units including approximately 2,425 for-sale residential units and up to 528 rental units including at least 189 affordable senior rental units; 28.6 net acres of commercial uses including approximately 319,078 square feet of commercial space; 28.4 acres of parks and recreational uses; 40.9 net acres of lakes; a 9.9 net acre school site; and approximately 57.9 acres of open space buffers. As a large master planned community, full build-out is anticipated to occur in multiple phases over an approximately 10 to 15 year period.

Greenbriar is envisioned as an inclusive, sustainable and vibrant community. This vision will be achieved through developing a variety of lots sizes and housing types. Lot sizes range from 2,788 to 6,600 square foot including unit square footages that range from approximately 600-700 square foot apartments to 1,500 to 4,000 square foot homes. This will provide housing opportunities for a range of income levels and lifestyle options in close proximity to transit, shopping, services, employment, and various park and recreation facilities.

Estimated residential densities, ranging from 6 units per acre (for the least dense single-family units) to 36 units per acre (for the densest multifamily units), will assist in generating a diverse housing stock, ranging from affordable senior units to market rate housing with a significant pool of workforce housing. Key design principles are also intended to provide for a walkable and bike-friendly community that promotes use of public transit and improves overall affordability by reducing costs of transit. Greenbriar is designed to be “affordable by design” to provide a breadth of workforce housing options and to provide options for first time homeowners as well as move-up buyers.

As a master planned community in close proximity to a light rail line that will provide direct access to Downtown Sacramento and the Sacramento International Airport, Greenbriar is in an ideal location for households, including senior households, that desire to reduce dependency on single-occupant vehicles while maintaining extensive mobility options through light rail, train, and air travel. For this reason, as noted above and discussed further in this Strategy, Greenbriar will include the construction of affordable senior rental units on-site.

Greenbriar is subject to the requirements of the Mixed Income Housing Ordinance, City of Sacramento City Code Chapter 17.712, adopted September 1, 2015. The Mixed Income Housing Ordinance requires that proposed residential projects in excess of 100 gross acres obtain City Council approval of a “mixed income housing strategy” that demonstrates how the project provides housing for a variety of incomes and household types consistent with Housing Element policy.

This Mixed Income Housing Strategy for Greenbriar acknowledges the benefits of diversity and identifies project attributes that will contribute to provision of a variety of housing.

Integrating a variety of housing will benefit the sustainability and success of Greenbriar over its multi-year build-out, as well as the greater community. Specifically:

- Diversity of housing (with respect to product and price point) increases absorption in large planned developments such as Greenbriar by attracting multiple resident segments.
- Diversity of housing provides the flexibility to respond to fluctuating market conditions.
- Diversity of housing, including that targeted to residents with incomes at or below 80% AMI.
- Diversity accommodates the housing needs of different generations and households: empty nesters, singles, couples, and families.
- Providing housing for a mix of incomes will allow families to stay in their community, even as children grow up and form their own households and as parents age and want to downsize.
- Varying mix and rent levels will support residents who may eventually graduate into larger units (i.e., laddering demand).
- Diversity of housing expands the tax base, supports local commerce, and encourages community safety and engagement.

Both by virtue of its mixed-use development plan and proximity to transit, Greenbriar comprises many elements that have proven critical to successful mixed income housing elsewhere in the state and country. Greenbriar has been designed to capitalize on its transit proximity and mixed-use advantages:

- Transit proximity (bus, light rail, airport). Transit proximity drives down commute costs, raising disposable income and residential buying power.
- Walkability. Greenbriar’s mix of residential and commercial uses as well as park and open space amenities creates a walkable and bikable community within a short light rail trip to Downtown employment and shopping, entertainment and cultural attractions.

- On-site amenities, notably extensive parks and open space as well as retail centers.

I. Mixed Income Housing Strategy Overview

Greenbriar's Mixed Income Housing Strategy is premised on a multi-faceted approach that is broken down into the following five components:

1. **Construction of affordable senior units:** Affordable housing refers to housing affordable to households whose income does not exceed 80% of area median income (AMI) applicable to Sacramento County, adjusted for household size as published and annually updated by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937. Affordable senior housing is provided in support of several City of Sacramento Housing Element Goals and Policies:
 - Goal H-1.2: Housing Diversity. Provide a variety of quality housing types to encourage neighborhood stability. This goal is specifically advanced via adherence to the following policies:
 - Policy H-1.2.1: Variety of Housing. The City shall encourage the development and revitalization of neighborhoods that include a variety of housing tenure, size and types, such as second units, carriage homes, lofts, live-work spaces, cottages, and manufactured / modular housing.
 - Policy H-1.2.2: Compatibility with Single Family Neighborhoods. The City shall encourage a variety of housing types and sizes to diversify, yet maintain compatibility with, single family neighborhoods.
 - Policy H-1.2.4: Mix of Uses. The City shall actively support and encourage mixed use retail, employment, and residential development around existing and future transit stations, centers and corridors.
 - Goal H-1.3: Balanced Communities. Promote racial, economic, and demographic integration in new and existing neighborhoods. This goal is specifically advanced via adherence to the following policies:
 - Policy H-1.3.1: Social Equity. The City shall encourage economic and racial integration, fair housing opportunity and the elimination of discrimination.
 - Policy H-1.3.2: Economic Integration. The City shall consider the economic integration of neighborhoods when financing new multifamily affordable housing projects.

- Policy H-1.3.4: A Range of Housing Opportunities. The City shall encourage a range of housing opportunities for all segments of the community.
 - Policy H-1.3.5: Housing Type Distribution. The City shall promote an equitable distribution of housing types for all income groups throughout the city and promote mixed income neighborhoods rather than creating concentrations of below market rate housing in certain areas.
- Goal H-2.2: Development. Assist in creating housing to meet current and future needs. The project shall utilize financial tools made available by the city pursuant to the following policies:
 - Policy H-2.2.3: Offsetting Development Costs for Affordable Housing. The city shall defer fees to Certificate of Occupancy to help offset development costs for affordable housing and will offer other financial incentives including, but not limited to, water development fee waivers and sewer credits.
 - Policy H-2.2.4: Funding for Affordable Housing. The City shall pursue and maximize the use of all appropriate state, federal, local and private funding for the development, preservation, and rehabilitation of housing affordable for extremely low, very low, low, and moderate income households, while maintaining economic competitiveness in the region.
 - Policy H-2.2.5: Review and Reduce Fees for Affordable Housing. The City shall work with affordable housing developers as well as other agencies and districts to review and reduce applicable processing and development impact fees for very low and low income housing units.
2. **Moderate Income Workforce Housing**: Moderate income housing is facilitated by Greenbriar's design elements including the wide variety of lot sizes and home product types, access to transit and a walkable environment. The development of moderate income housing is supportive of the following City of Sacramento Housing Element Goals and Policies:
- Goal H-1.2: Housing Diversity. Provide a variety of quality housing types to encourage neighborhood stability. This goal is specifically advanced via adherence to the following policies:
 - Policy H-1.2.1: Variety of Housing. The City shall encourage the development and revitalization of neighborhoods that include a variety of housing tenure, size and types, such as second units, carriage homes, lofts, live-work spaces, cottages, and manufactured / modular housing.

- Policy H-1.2.2: Compatibility with Single Family Neighborhoods. The City shall encourage a variety of housing types and sizes to diversity, yet maintain compatibility with, single family neighborhoods.
 - Policy H-1.2.4: Mix of Uses. The City shall actively support and encourage mixed use retail, employment, and residential development around existing and future transit stations, centers and corridors.
- Goal H-1.3: Balanced Communities. Promote racial, economic, and demographic integration in new and existing neighborhoods. This goal is specifically advanced via adherence to the following policies:
- Policy H-1.3.1: Social Equity. The City shall encourage economic and racial integration, fair housing opportunity, and the elimination of discrimination.
 - Policy H-1.3.2: Economic Integration. The City shall consider the economic integration of neighborhoods when financing new multifamily affordable housing projects.
 - Policy H-1.3.4: A Range of Housing Opportunities. The City shall encourage a range of housing opportunities for all segments of the community.
 - Policy H-1.3.5: Housing Type Distribution. The City shall promote an equitable distribution of housing types for all income groups throughout the city and promote mixed income neighborhoods rather than creating concentrations of low market rate housing in certain areas.
3. **Product type variation by tenure (ownership as well as rental housing)**: This Strategy is supportive of the following City of Sacramento Housing Element Goals and Policies:
- Goal H-1.2: Housing Diversity. Provide a variety of quality housing types to encourage neighborhood stability. This goal is specifically advanced via adherence to the following policies:
- Policy H-1.2.1: Variety of Housing. The City shall encourage the development and revitalization of neighborhoods that include a variety of housing tenure, size and types, such as second units, carriage homes, lofts, live-work spaces, cottages, and manufactured / modular housing.
 - Policy H-1.2.2: Compatibility with Single Family Neighborhoods. The City shall encourage a variety of housing types and sizes to diversity, yet maintain compatibility with, single family neighborhoods.
 - Policy H-1.2.4: Mix of Uses. The City shall actively support and encourage mixed use retail, employment, and residential development around existing and future transit stations, centers and corridors.

- Goal H-1.3: **Balanced Communities.** Promote racial, economic, and demographic integration in new and existing neighborhoods. This goal is specifically advanced via adherence to the following policies:
 - Policy H-1.3.4: **A Range of Housing Opportunities.** The City shall encourage a range of housing opportunities for all segments of the community.
 - Policy H-1.3.5: **Housing Type Distribution.** The City shall promote an equitable distribution of housing types for all income groups throughout the city and promote mixed income neighborhoods rather than creating concentrations of below market rate housing in certain areas.
 - Goal H-6: **Homeownership.** Provide ownership opportunities and preserve housing for Sacramento’s modest income workers.
4. **Product innovation:** As demonstrated by the variety of lot sizes and unit configurations included in Greenbriar as well as the nature of this mixed-use, transit-oriented development [TOD], Greenbriar is a sustainable and cost efficient development by design. A discussion of creative methods to help achieve affordability are outlined in the Product Innovations Section below. Product innovation is supportive of the following City of Sacramento Housing Element Goals and Policies:
- Goal H-1.1: **Sustainable Communities.** Develop and rehabilitate housing and neighborhoods to be environmentally sustainable. This goal is advanced via adherence to the following policy:
 - Policy H-1.1.1: **Sustainable Housing Practices.** The City shall promote sustainable housing practices that incorporate a “whole system” approach to siting, designing and constructing housing that is integrated into the building site, consume less energy, water and other resources, and are healthier, safer, more comfortable, and durable.
5. **Projected Buildout:** Provides a descriptions of the types of housing incorporated in the project along with the resultant build out. Greenbriar’s 2,953 residential units will be dispersed throughout the project, as shown in the following map. These flexible, versatile land use designations will accommodate a range of residential product varied by internal location. Production of new housing is a key theme and priority of the City Housing Element. The Greenbriar Strategy addresses components of each of the City Housing Element goals and will contribute significantly to the success of the Sacramento City Housing Element.

II. Construction of Affordable Units

Pursuant to the City’s Mixed Income Housing Ordinance, affordable rent means a monthly rent consisting of a maximum of one-twelfth of 30% of 80% of the median income applicable to

Sacramento County, adjusted for household size appropriate to the unit, less a reasonable allowance for utilities.

Greenbriar will include 2,425 market rate for-sale units and up to 339 market rate rental units. Because the total number of market rate rental units to be built will be dependent on future market conditions, the Developer proposes separate approaches for complying with the City's Mixed Income Housing Ordinance for the 2,425 market rate for-sale units and the 339 market rate rental units.

For the 2,425 market rate for-sale units, the Greenbriar Mixed Income Housing Strategy provides for 189 affordable senior units to be constructed by Developer¹. All affordable units shall be affordable to households whose income does not exceed 80% AMI applicable to Sacramento County, adjusted for household size as published and annually updated by the United States Department of Housing and Urban Development pursuant to Section 8 of the United States Housing Act of 1937, or lower.

Timing of full buildout of both the 2,425 market rate for-sale units and associated 189 affordable senior units will be based upon market demand, resulting absorption and related development factors. However, no later than issuance of building permits for sixty-five percent (65%) of Greenbriar's 2,425 market rate for-sale residential units, the Developer shall have received building permits for all 189 affordable senior units.

As presently anticipated, the unit mix for the affordable senior units will include 1BR and 2BR units. This unit mix is subject to change, in part, because requirements related to tax credit financing or other financing sources may impose modifications to specific affordability and/or unit types.

The 189 affordable senior rental units in Greenbriar:

- will be located in proximity to transit, particularly the planned light rail extension on a 7.4 net acre area planned for multifamily development located adjacent to and north of Meister Way on the east end of Greenbriar (see attached Greenbriar land use plan); and
- will provide a minimum of no less than 30 years affordability restriction (as required pursuant to Section 17.712.030D. of the Mixed Income Housing Ordinance) from the date of Certificate of Occupancy.

The construction of affordable units requires additional financial assistance in order to be feasible. Under the current Mixed Income Housing Ordinance, housing fees for residential development in Greenbriar will be calculated at \$2.67 per square foot. As discussed further in Section VII below, Greenbriar is eligible for fee offsets for construction of affordable senior dwelling units. Affordable housing units constructed to offset the affordable housing fee otherwise owed under the City's Mixed Income Housing Ordinance are not eligible to receive gap financing using funds from the Housing Impact Fee or the Housing Trust Fund. As per the City of

¹ 2,425 x 2,050 sq. ft. per unit x \$2.67 = \$13,273,237/ \$70,182 = 189 units

Sacramento Housing Element Goal H-2.2, and various policies thereunder, the Developer may request that the City and housing agency provide financial assistance from all available funding sources for affordable senior housing whenever possible to assist with development of affordable units.

In addition to the 2,425 market rate for-sale units, up to 339 additional market-rate units may be developed. These 339 units are currently anticipated to be market rate rental units. For these additional market rate units, the Developer shall comply with the City's Mixed Income Housing Ordinance. As discussed more fully in Section IV(2) below, the Developer may comply with the Ordinance through the payment of a Mixed Income Housing fee for the additional units, dedication of land, construction of additional affordable units, or a combination thereof.

The City's Mixed Income Housing Ordinance generally limits the maximum number of affordable dwelling units in any project developed for fee credit under the ordinance to 150 units. Greenbriar includes a senior rental housing complex with 189 affordable senior units. Through the inclusion of housing types throughout Greenbriar that are affordable by design, Greenbriar provides a mix of housing available to an economically diverse range of potential homeowners and renters. In consideration of its affordable by design nature as well as the benefits of creating a senior housing community that allows residents, even those that may have mobility issues, to more easily travel from one unit to another due proximity, an exception is requested pursuant to City Code section 17.808.260(c)(2) as part of the entitlements for Greenbriar to allow a credit for the 189 affordable senior units included in the rental senior housing community developed on the 7.4 net acre site located adjacent to and north of Meister Way on the east end of Greenbriar (see attached Greenbriar land use plan).

III. Workforce Housing

Due to the high cost of construction, in order to meet housing demand for households approaching the region's median household income, additional considerations are necessary. This housing segment benefits the middle class and this middle income stratum of the market has been the least served. Construction of housing that is attainable for households at or near the median income is consistent with a variety of goals and policies spelled out in the City of Sacramento Housing Element.

In order to accommodate this need, the Greenbriar will provide the following benefits to reduce the cost for workforce housing:

- Select portions of the site in proximity to transit will be developed at higher density than a typical development in Natomas. This amortizes the fixed costs for land and project entitlement, while providing better economies of scale for marketing, and amenities.
- Smaller and more efficient unit design: This reduces the actual development cost on a per unit basis, providing an affordable alternative to traditional suburban development.
- Access to transit: Proximity to transit allows for a reduced cost of living as vehicle miles traveled are reduced or eliminated. Transportation is the second largest expense for U.S.

households, behind only housing outlay. U.S. Department of Transportation data shows that the average American household spends 19% of income on transportation, rising to 25% in “auto dependent” suburbs. In “location efficient environments” [those with public transit and walkability], the average spent on transportation falls to 9% (a savings of approximately 10% - 16% on transportation costs as compared to the average American household). This increases disposable income by an equivalent amount (10% - 16%), and thereby expands affordable housing choices.²

- Access to amenities: Proximity to parks and other recreational opportunities improves the desirability of the community and reduces the desire for large lots which reduces the cost of developing a project.

IV. Product Type Variation by Tenure (Ownership and Rental)

Moderate income homeownership is a theme and priority program for the City Housing Element.

Greenbriar has the locational qualities to support ownership housing, particularly once key amenities have been built. Ownership product is expected to account for approximately 80% of total residential units in Greenbriar, with timing dependent on market recovery as well as development of place-making elements on site.

The consumer groups expected to account for the majority of future residential sales activity at Greenbriar are as follows:

- Professional singles and couples employed in the Downtown area with the attraction of living in a community with convenient access to light rail to commute to work.
- Professional singles and couples that commute to out-of-area locations for work and desire convenient access to the airport and Amtrak via light rail.
- Empty-nesters downsizing from large, maintenance-intensive homes and yards.
- Retirees downsizing from large, maintenance-intensive homes and yards. While these individuals are no longer tied to a workplace location, convenient access to public transportation to reduce reliance on vehicular travel will be a draw. The prospect of expected travel opportunities will also have these buyers targeting housing projects offering the ability to “lock and leave.”

V. Product Innovation

Over the life of the Greenbriar development the housing market will undergo various changes, unforeseen today, based on changes in technology, demographics and personal lifestyle choices. Areas where product innovation is expected to have a near term impact are as follows:

² http://www.fhwa.dot.gov/livability/fact_sheets/transandhousing.cfm

- **Sustainability**

Sustainability and green development is listed as a theme and priority program of the City Housing Element, listed as Goal H-1.1 in the City Housing Element. It is also a core principle to the Greenbriar's vision. The location in proximity to transit provides the opportunity to create a green community with reduced impacts on the environment compared to other comparable-sized communities. Sustainability is a critical concept to improving the mixed income housing ratio due to the reduction in energy consumption and costs related to transportation for residents within the community. The Greenbriar development will include the following features:

- Close proximity to transit, which will reduce commute times and costs. For units constructed before the light rail extension is completed, the project will offer a shuttle service.
- Highly walkable and bikable environment, which will further reduce transit costs, improve the efficiency and livability of the environment.
- Amenities in close proximity, including parks, trails, schools, shopping and entertainment.

The features above result in a significant reduction in greenhouse gas emissions compared to comparable sized developments. Affordability is improved by reductions in transportation costs and improvements in energy efficiency. Additional financial benefits achieved include reduced health care costs, higher property values and greater productivity.

VI. Projected Buildout

The location, with proximity to transit and convenient access to employment and amenities reduces costs of living in Greenbriar. Based on DOT data referenced above, this results in at least a 10% increase in disposable income and thereby expands affordable housing choices. Despite this additional disposable income, the projections below conservatively assume no more than 30% of household incomes are spent on rent. Based on the strategies identified above the projected residential development of Greenbriar is expected to include the following:

- **Affordable Senior Housing** – As outlined above, 189 affordable senior units offering affordable rent as defined in the City's Mixed Income Housing Ordinance will be developed concurrently with market rate units with building permits issued for all affordable units before building permits are issued for more than 65% of the 2,425 market rate for-sale units. The affordable senior units will include a mix of one and two bedroom apartments.
- **One Bedroom Rental Units** – While costs per square foot are higher for the smaller units, the nominal cost of the rent is more affordable to individuals and couples.

- **Two Bedroom Rental Units** – Accommodating a family or shared household (roommates), multi-bedroom rental units increase affordability by potentially sharing the costs of the unit among a larger number of people.
- **For-Sale Housing** - In addition to the various rental unit types listed above, Greenbriar will also accommodate for sale housing. The lot size for for-sale units will range from 2,788 to 6,600 square feet with units ranging from 1,500 to 4,000 square foot homes.

VII. Affordable Housing Fee Credit

(1) Approach to Fee Credit for Greenbriar’s 2,425 For-Sale Units

Greenbriar will receive a credit for construction of the 189 affordable senior housing units discussed in this Strategy. The credit will offset the affordable housing fee for the 2,425 for-sale residential units included in Greenbriar. This credit offset is calculated as follows:

- Based on full build-out of 2,425 market rate for-sale residential units and a projected average of 2,050 square feet per for-sale unit, the for-sale units require payment of, or a credit sufficient to offset, a total fee of \$13,273,237 (\$2.67 per sq.ft. x 2,050 sq.ft. per unit x 2,425 units).
- The Developer shall receive a credit offsetting the \$13,273,237 affordable housing fee for build-out of 2,425 market rate for-sale residential units by developing 189 affordable senior housing units.
- The Developer shall receive building permits for all affordable units before building permits are issued for more than 65% of the 2,425 market rate for-sale units.

Through this Mixed-Income Housing Strategy, the Developer’s commitment to provide 189 affordable senior housing units satisfies the Developer’s obligations pursuant to the City’s Mixed Income Housing Ordinance for 2,425 for-sale residential units. For the remaining 339 market rate units that may be developed as part of Greenbriar, the Developer shall comply with the City’s Mixed Income Housing Ordinance using one of the approaches set forth in Section VII(2)(a)-(c) below.

(2) Approach to Fee Calculation, and/or Credit, for Additional Units

As discussed in this Strategy, Greenbriar could also include up to 339 additional market rate units. The Developer shall comply with the City’s Mixed Income Housing Ordinance for any additional market rate units in excess of the 2,425 market rate for-sale units covered by Section VII(1) above based on the fee and credit requirements as set forth in the City’s Mixed Income Housing Ordinance at the time an application is filed with the City for a small lot tentative map that includes such additional residential units.

(3) SHRA Monitoring Fee

The SHRA Monitoring Fee set forth in this paragraph is not applicable if SHRA issues mortgage revenue bonds for affordable units constructed by the Developer because such fees shall be paid via that financing mechanism. In the event that mortgage revenue bonds are not issued by SHRA, the Developer shall pay SHRA a monitoring fee equal to the number of affordable units (189) multiplied by the average public subsidy/unit and SHRA's approved annual monitoring fee discounted over the 30 year regulatory period. The fee shall be calculated and paid at the time the Affordable Housing Regulatory Agreement is recorded for the 189 affordable senior rental units. If additional affordable units are developed pursuant to Section IV(2) above, then the Developer shall pay an additional SHRA Monitoring Fee for these units as calculated by SHRA and paid by the Developer at the time the Affordable Housing Regulatory Agreement is recorded for these additional affordable units, which shall be recorded prior to issuance of the first occupancy permit for any affordable senior rental unit developed after the initial 189 affordable senior rental units are constructed.

VIII. Marketing

The Developer shall market affordable units in the same manner as all other unit. Such marketing activities may include newspaper and internet advertisements, toll free project information numbers, and on- or off-site project signage.

May 17, 2017



Sacramento Housing and Redevelopment Commission
Sacramento, California

Honorable Members in Session:

SUBJECT **2017 Annual Plan - Mid-Year Revision for the Housing Authority of the City of Sacramento and the Housing Authority of the County of Sacramento; Submission of the 2017 Annual Plan Mid-Year Revision to the Department of Housing and Urban Development (HUD)**

RECOMMENDATION

Staff recommends: 1) certification that the required public hearing has been held and comments have been received, 2) approval of the **2017 Public Housing Agency (PHA) Annual Plan- Mid-Year Revision** consisting of the **Public Housing Admissions and Continued Occupancy Policy** for both the Housing Authority of the City of Sacramento and the Housing Authority of the County of Sacramento, and the **Housing Choice Voucher Program Administrative Plan** for the Housing Authority of the County of Sacramento, 3) making non-substantive changes to **The PHA Plan** based on any additional public comments received, 4) making changes to **The PHA Plan** as directed by the Department of Housing and Urban Development (HUD) or required to comply with the Quality Housing and Work Responsibility Act of 1998, and 5) certifying that the **2017 PHA Annual Plan Mid-Year Revision** is consistent with the *Consolidated Plan* per 24 Code of Federal Regulations (CFR) Part 903.15, and 6) returning this topic to the Commission on June 7, 2017 for final approval.

CONTACT PERSONS

Sarah Thomas, Assistant Director, Housing Choice Voucher, 916-440-1397
LaTanna Jones, Assistant Director, Conventional Housing Program, 916-440-1334

SUMMARY

This report recommends consideration of the **2017 PHA Annual Plan (Plan) – Mid-Year Revision** for the Housing Authorities of the City and County of Sacramento (collectively “Housing Authority”) that are consistent with the Five-Year *Consolidated Plan* (2013-2017). The **2017 PHA Plan Mid-Year Revision** will not include any

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and Redevelopment Commission
May 17, 2017
Page 2

significant changes to the **2017 Capital Fund Annual Plan**, which details anticipated capital improvements that will happen next year at PHA properties.

The 2017 PHA Plan – Mid-Year Revision includes significant changes to:

- The Conventional Public Housing program's **Admissions and Continued Occupancy Policy (ACOP)**; and
- The Housing Choice Voucher (HCV) program's **Administrative Plan**.

These documents provide a comprehensive guide to the Housing Authority's policies, programs, operations, and strategies for meeting local housing needs and are consistent with the Housing Authority's overall goals to improve operating efficiencies and resident services. These documents can be found on the Sacramento Housing and Redevelopment Agency (Agency) website (located at www.shra.org - 2017 PHA Plan).

BACKGROUND

On March 21, 2017, Staff presented a report outlining a three-year initiative to serve homeless individuals and families with Housing Authority resources to both the County and City of Sacramento Housing Authority Boards. In order to embark on this new initiative, significant changes are required to Housing Authority policy documents. Since the March meeting, Agency staff have reviewed Housing Authority policies and are recommending revisions to the **PHA Plan** and the **Admissions and Continued Occupancy Policy (ACOP)** and the **Administrative Plan** to support this endeavor. Once approved by the Commission, the proposed changes will be submitted to HUD for review and approval in early August. HUD has 75 days after the **PHA Plan** is submitted to issue notification of approval or disapproval of the revised **Plan**. If the **PHA Plan** is approved, staff can begin implementing the changes immediately.

The PHA Plan provides detail about Housing Authority programs, services, and general policies. Applicable Federal Law and HUD regulations allow Housing Authorities to amend or modify their **PHA Plans** after submitting their **Annual Plans** to HUD. **The 2017 PHA Plan Mid-Year Revision** is a significant amendment to the annual update to the **Five-Year PHA Plan**. The proposed changes to the policy documents were provided to the Sacramento Resident Advisory Board (RAB) and Legal Services of Northern California (LSNC) for their input.

Notices announcing the 45-day public comment period and the location of the draft documents were published in local English language and non-English language newspapers, and were also available at various locations. Notices and documents were also posted on the Agency's website for review.

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and Redevelopment Commission
May 17, 2017
Page 3

In order to more directly and effectively serve homeless families, Staff is proposing that the following priorities be added to the City's **ACOP** and County **HCV Administrative Plan**:

City Public Housing **ACOP**:

- Homeless families (including individuals) receiving homeless services receive highest priority to receive a vacant unit. These families are linked to services from a public agency or consortia of agencies providing wraparound services to homeless families. It is anticipated that these services will include paying for security deposits and assisting families in obtaining income and maintaining their housing.
- Homeless families (including individuals) who are homeless and not linked to services receive the second highest priority to receive a vacant unit.

County HCV **Administrative Plan**:

The Housing Authority is proposing to give priority to homeless individuals and families while continuing to serve families on the current waitlist by creating two new preferences:

1. **Limited Homeless Allocation.** Priority is given to homeless individuals or families that are currently receiving services and are referred by a partnering homeless service organization, another coordinated system or consortia of homeless service providers. The referring agency will verify homelessness and will assist the family with finding a suitable rental property once the voucher is issued. Ongoing housing stabilization services will continue to be provided to the family. The PHA will issue up to 150 HCV vouchers each year for a maximum of 450 vouchers cumulatively over a three year period.
2. **Move On Allocation.** This priority is provided to homeless individuals or families, referred by an approved third party, who have successfully participated in a Permanent Supportive Housing (PSH) program. They have been determined ready to move into housing without the attached supportive services and will be referred to the Housing Authority to receive a tenant-based voucher. This will create vacancies in PSH programs allowing additional homeless families in need of services to become housed. This initiative will be implemented after twelve months whereby the Housing Authority will issue up to 25 vouchers per year for a maximum of up to 50 vouchers.

The following changes are proposed for the Public Housing Program City and County **ACOPs** and the Housing Choice Voucher Program **Administrative Plan** and are detailed in the attached **2017 Annual Plan Mid-Year Revision**. These changes are

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and Redevelopment Commission
May 17, 2017
Page 4

consistent with HUD's guidance, changing regulations, and best practices. New policies and revisions proposed include the following:

- When reviewing applications from individuals or families to either housing program, the Agency will only look back at criminal activity for the past three years, instead of five years.
- The Agency will only consider convictions, not arrests, for criminal activity when determining eligibility for its programs.
- The Agency will review the criminal histories of all applicants and will take into consideration mitigating circumstances when determining initial eligibility for program participation.
- The Agency is incorporating HUD-issued changes to the "Student Housing Rule."

Additionally, the following changes are proposed for the Housing Choice Voucher Program **Administrative Plan** only. These include the following:

- New language will be added to address a grant the Agency was recently awarded to serve homeless youth (Performance Partnership Pilot for Disconnected Youth [P3] grant).
- Clarification on how minors are identified as household members when one parent receives voucher benefits.
- Revised language in response to HUD-issued changes related to the Violence Against Women Act (VAWA). It should be noted that the Conventional Public Housing Program is currently introducing these changes to residents, and they will be added to the 2018 **ACOP** in the Fall.

FINANCIAL CONSIDERATIONS

The recommended actions before the Commission requires no additional funding at this time. Aligning Agency resources to prioritize and increase efforts to serve homeless families may require additional resources as the program is developed to cover coordination and intake costs. Additionally, serving individuals and families who require a greater subsidy may reduce the number of people who can be served.

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

Sacramento Housing and Redevelopment Commission
May 17, 2017
Page 5

POLICY CONSIDERATIONS

The Public Housing Authority complies with applicable federal laws and regulations, including the Quality Housing and Work Responsibility Act of 1998 (QHWRA).

ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA): The proposed action is an administrative activity and does not commit to any specific project which may result in potentially significant impacts to the environment and therefore does not constitute a project under CEQA per 14 California Code of Regulations (CCR) §15378(b)(4).

National Environmental Policy Act (NEPA): The proposed action is considered an administrative and management activity and is exempt under the National Environmental Policy Act (NEPA) per 24 Code of Federal Regulations (CFR) §58.34(a)(3).

M/WBE AND SECTION 3 CONSIDERATIONS

Minority and Women's Business Enterprise requirements will be applied to all activities to the extent required by federal funding to maintain that federal funding. Section 3 requirements will be applied to the extent they may be applicable.

Respectfully submitted,


LA SHELLE DOZIER
Executive Director

Attachments

Attachments (Available www.shra.org)

Attachments 1-5 are on file with the Clerk. Attachment 6 is included with the Staff Report.

1. *City of Sacramento 2017 Annual PHA Plan*
2. *County of Sacramento 2017 Annual PHA Plan*
3. *Public Housing Admissions and Continued Occupancy Policy (ACOP)- City*
4. *Public Housing Admissions and Continued Occupancy Policy (ACOP)- County*
5. *Housing Choice Voucher Program Administrative Plan*
6. *2017 Mid-Year Revision Changes Summary*



INVESTING IN COMMUNITIES

2017 Mid-Year Revision Housing Authority of the City of Sacramento Housing Authority of the County of Sacramento Admissions and Continued Occupancy Policy (ACOP) and Administrative Plan (Admin Plan)

The Public Housing Authority (PHA) defines a “substantial deviation” and “significant amendment/modification” as any change in policy which significantly and substantially alters the Authority’s stated mission and the persons the Authority serves. The proposed changes below have been deemed “significant”.

New language is indicated in red. Deleted language is shown in ~~strikeout~~. To see the changes in context, refer to the documents found at www.shra.org.

There are 37 proposed mid-year revisions to the 2017 PHA Plan which have been deemed “significant”. There are 8 significant changes in the City ACOP, 7 significant changes in the County ACOP and 29 significant changes in the Administrative Plan.

HOUSING AUTHORITY OF THE CITY OF SACRAMENTO (ACOP)

Change #1. Chapter 2 ELIGIBILITY FOR ADMISSION

AGENCY FACTORS (CHAPTER 2, PG. 2)

- A family may be denied admission to the program if they owe any previous landlord money, as determined by a court, within the last ~~five~~ **three** years.
- A family may be denied admission to the program if any member of the family has been evicted from federally assisted housing for a serious violation of a lease within the last ~~five~~ **three** years.
- The family may not have violated any family obligation during a previous participation in a federally assisted housing program within ~~five~~ **three** years prior to eligibility determination.
- **An applicant family may be denied if any member of the family has been convicted of drug-related criminal activity (see Criminal Screening Criteria below) within the last three years.**
- **An applicant family may be denied if any member of the family has been convicted of violent criminal activity (see Criminal Screening Criteria below) within the last three years.**

Where finger printing is not an option, the Housing Authority will ask the prospect to list all ~~arrests~~ **convictions** that have occurred in the past ~~five~~ **three** years. If the prospect neglects to list a past ~~arrest~~ **or conviction**, the PHA may elect to continue to process the prospect. If a prospect is able to be finger printed, the PHA will not ask the prospect to list any **convictions** ~~arrests~~.

Change #2. CRIMINAL SCREENING CRITERIA (CHAPTER 2, PG. 3)

The PHA may deny families for any felony convictions for the following charges:
Assault and battery, use of a firearm against a person, armed robbery, robbery offenses with no weapon involved, intentional homicides, manslaughter, kidnapping and abduction, stalking, arson, burglary, breaking and entering, fraud, possession of drugs and weapons offenses.

The PHA may deny families for any felony and misdemeanor convictions for the following charges:

Domestic violence, forcible sex offenses, non-forcible sex offenses, manufacture, distribute or possession to distribute drugs, driving under the influence.

The PHA at its discretion may elect to continue to process the prospect if during the application process a prospect neglects to list a past ~~arrest~~ **or conviction** and if that ~~arrest~~ **or conviction** is not for. . . .

The PHA will not consider any ~~arrest~~ **or convictions** that are over ~~five~~ **three** years old provided no other criminal activity has taken place **in the interim**. ~~and they have not been on probation or parole for at least one year from the date the prospect was pulled from the waitlist.~~

Change #3. Student Eligibility (Chapter 2, Pg. 5)

Students who meet any of the following shall qualify for housing assistance, provided that they meet all other eligibility requirements:

- The individual is 24 years of age or older by December 31 of the award year;
- The individual has legal dependents other than a spouse;
- The individual is a graduate or professional student;
- The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;
- The individual is married;
- The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- Is otherwise individually eligible, or has parents who, individually or jointly, are eligible on the basis of income to receive assistance;

- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by— (i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act; (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director; (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or (iv) a financial aid administrator; and
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

Independent status must be verified by:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and
- (3) Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.

~~Student As Head of Household~~

~~Assistance shall be denied to any single Head of Household student who:~~

- ~~• Is enrolled in an institution of higher education;~~
- ~~• Is under 24 years of age;~~
- ~~• Is not a U.S. Veteran;~~
- ~~• Is unmarried;~~
- ~~• Does not have a dependent child;~~
- ~~• Is individually ineligible for section 8 assistance; and~~
- ~~• If the student’s parents are, individually or jointly, ineligible for assistance.~~

~~Unless:~~

- ~~• The student is individually income eligible AND resides with parents (individually or jointly) who are income eligible for the program;~~
- ~~• The student is income eligible and has established a household separate from parents or legal guardians at least one year prior to application for occupancy OR the student meets the Department of Education definition of independent student.~~
- ~~• The student is not claimed as a dependent by a parent or a legal guardian pursuant to IRS regulations for a period of one year prior to the application for occupancy.~~

- ~~• The student must obtain a certification which states the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.~~

Change #4. Denial of Admission for Drug Related and/or Other Criminal Activity

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY (CHAPTER 2, PG. 20)

In an effort to prevent drug **or violence** related ~~and other~~ criminal activity, as well as other patterns of behavior that pose a threat to the health, safety, or the right to peaceful enjoyment of the premises by other residents, the PHA will endeavor to screen applicants thoroughly and fairly.

Obtaining summary criminal history information for the purpose of screening a prospective participant/applicant includes:

- Any information concerning any ~~arrest or conviction, or release from custody~~ that occurred within at least the past ~~five~~ **three** years by applicants. Any information regarding a pattern or repeated acts of criminal or drug related behavior that occurred within at least the past ~~five~~ **three** years by applicants
- Any felony offense that involved any activity related to controlled substances or alcoholic beverages within at least the past ~~five~~ **three** years [CA Penal Code § 11105.3]

SECURITY AND CRIMINAL BACKGROUND CHECK (CHAPTER 2, PG. 21)

The PHA will verify any involvement in criminal activity on the part of any applicant family or household member who intends to reside in the PHA leased premises:

- Involvement in criminal activity by any member of an applicant family or household member that would adversely affect the health, safety, or welfare of other tenants will be verified using information from the criminal records system of the City ~~and County~~ of Sacramento, the State of California, and the federal National Crime Information Center (the "NCIC"). The PHA will also examine criminal histories provided by other States or municipalities, court records, and other evidence that might document any criminal activity. In addition, the current and former landlords and housing providers will be asked to indicate problems during the applicant's tenancy. The Authority will review police reports for any criminal activity during the ~~five~~ **three** year period prior to consideration for admission.
- The PHA will use the criminal records system of the City and County of Sacramento, the State of California, the NCIC, DOJ, and other states and/or municipalities to check all applicants for any evidence of:

- (1) Any and all information relative to any criminal convictions ~~or activity,~~ both felonies and misdemeanors within the past ~~five~~ **three** years;

- ~~▪ Examples of criminal offenses that will be considered include, but are not limited to: felonies, disturbing the peace, drunk and disorderly conduct, threats or harassment, domestic violence, including actual or threatened violence toward members of an applicant household, assaults, destruction of property, vandalism, citations for health and sanitary code violation, possession of an unlawful weapon, criminal damage, arson, and home invasion~~

STANDARD FOR VIOLATION (CHAPTER 2, PG. 22)

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of an eviction if a household member has been evicted from housing for drug-related criminal activity.

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of conviction, or if incarcerated for one year or more, the date the applicant completed his/her sentence due to drug-related and other criminal activity that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents.

~~The PHA will deny admission to the program, applicants currently on parole or whose parole release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the parole poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

~~The PHA may deny admission to the program, applicants either currently on formal probation or whose formal probation release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the probation poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

The PHA will consider the ~~illegal use of a controlled substance or~~ alcohol abuse to be a pattern if there is more than one incident during the previous 18 months that may interfere or threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA.

No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last ~~five~~ **three** years.

EVIDENCE (CHAPTER 2, PG. 23)

The PHA must have credible evidence of the violation. Credible evidence may be obtained from the following:

- **Proof of a criminal conviction (see Criminal Screening Criteria).**

Change #5. SUPERVISORY REVIEW AND HEARINGS (CHAPTER 2, PG. 24)

If the applicant is associated with more than one subsidized unit, the Agency will ask the family to sign an affidavit stating that the family understands that they cannot be a party to two different subsidized units at the same time and that they must relinquish their current unit in order to participate in the new program.

Change #6. Wait List Preferences (Chapter 4, Pg. 6)

Per PIH Notice 2013-15 any time a new preference is added to an existing wait list, families already on the wait list will be given the opportunity to qualify for the preference and move up on the wait list accordingly.

HOMELESS INITIATIVES

The PHA is making all City Housing Authority units that become available for occupancy accessible for homeless families. The PHA is creating two new preferences to serve the homeless population, giving priority to families connected to a homeless service provider.

The PHA uses the following local preferences:

(8 Points) Receiving homeless services: Homeless families (as defined in the Glossary) are receiving services from a public agency or consortia of agencies providing wrap-around services to homeless families. Some of these services include paying for security deposits and assisting families in obtaining income and maintaining their housing.

(5 Points) Homeless families: Families (including individuals) who are homeless as defined in the Glossary that are not connected to services.

An applicant may not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past ~~five (5)~~ **three** years because of drug-related or violent criminal activity. The PHA may grant an exception to such a family if the responsible member has successfully completed a rehabilitation program.

Change #7. B. GLOSSARY OF HOUSING TERMS (Chapter 20, Pg. 11)

ENGAGED IN OR ENGAGING IN: "Engaged in or engaging in or recent history of" criminal activity means any act within the past ~~five~~ **three** years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, whether or not it resulted or results in the arrest, charge, and/or conviction of the applicant or participant, household members, or guests.

Change #8. HOMELESS: as defined in the HEARTH Act: (Chapter 20, Pg.13)

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
 - (ii) An individual or family living in a supervised 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, or local government programs for low income individuals); or
 - (iii) An individual who is exiting an institution where he or she 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;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
 - (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
 - (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of

the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

- (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
- (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and
- (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (ii) Has no other residence; and

Lacks the resources or support networks, e.g., family, friends, and faith based or other social networks, to obtain other permanent housing.

HOUSING AUTHORITY OF THE COUNTY OF SACRAMENTO (ACOP)

Change #1. AGENCY FACTORS (CHAPTER 2, PG. 2)

- A family may be denied admission to the program if they owe any previous landlord money, as determined by a court, within the last ~~five~~ **three** years. (Consideration will be given to assist the family if the family is under a repayment agreement with that landlord prior to being selected from the waitlist and the payments are current or if the debt was incurred as a result of financial hardship or disability, the family has not been able to repay the landlord as a result of financial hardship or disability, or if other mitigating circumstances justify admission to the program.)
- A family may be denied admission to the program if any member of the family has been evicted from federally assisted housing for a serious violation of a lease within the last ~~five~~ **three** years.
- The family may not have violated any family obligation during a previous participation in a federally assisted housing program within ~~five~~ **three** years prior to eligibility determination (The PHA will review the individual circumstances of the case including (e.g. seriousness of the violation, whether the family member who violated the family obligation is not a current member of the household, or any other circumstances relevant to the evaluation of the alleged violation. The PHA may request the family to provide verifiable documentation.).)
- **An applicant family may be denied if any member of the family has been convicted of drug-related criminal activity (see Criminal Screening Criteria below) within the last three years.**
- **An applicant family may be denied if any member of the family has been convicted of violent criminal activity (see Criminal Screening Criteria below) within the last three years.**

Where finger printing is not an option, the Housing Authority will ask the prospect to list all ~~arrests~~ **convictions** that have occurred in the past ~~five~~ **three** years. If the prospect neglects to list a past ~~arrest or~~ conviction, the PHA may elect to continue to process the prospect. If a prospect is able to be finger printed, the PHA will not ask the prospect to list any **convictions** ~~arrests~~.

Change #2. CRIMINAL SCREENING CRITERIA (CHAPTER 2, PG. 3)

The PHA may deny families for any felony convictions for the following charges: Assault and battery, use of a firearm against a person, armed robbery, robbery offenses with no weapon involved, intentional homicides, manslaughter, kidnapping and abduction, stalking, arson, burglary, breaking and entering, fraud, possession of drugs and weapons offenses.

The PHA may deny families for any felony and misdemeanor convictions for the following charges: Domestic violence, sex offenses, manufacture, distribute or possession to distribute drugs, driving under the influence.

The PHA at its discretion may elect to continue to process the prospect if during the application process a prospect neglects to list a past ~~arrest or~~ conviction and if that ~~arrest or~~ conviction is not for:

- Drug related criminal activity; nor
- Violent criminal activity; nor
- Criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; nor
- Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

The PHA will not consider any ~~arrest or~~ convictions that are over ~~five~~ **three** years old provided no other criminal activity has taken place **in the interim**. ~~and they have not been on probation or parole for at least one year from the date the prospect was pulled from the waitlist.~~

Change #3. Student Eligibility (Chapter 2, Pg. 5)

Students who meet any of the following shall qualify for housing assistance, provided that they meet all other eligibility requirements:

- The individual is 24 years of age or older by December 31 of the award year;
- The individual has legal dependents other than a spouse;
- The individual is a graduate or professional student;
- The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;
- The individual is married;
- The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- Is otherwise individually eligible, or has parents who, individually or jointly, are eligible on the basis of income to receive assistance

- The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by— (i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act; (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director; (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or (iv) a financial aid administrator;

The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

Independent status must be verified by:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and
- Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.

Student As Head of Household

~~Assistance shall be denied to any single Head of Household student who:~~

- ~~• Is enrolled in an institution of higher education;~~
- ~~• Is under 24 years of age;~~
- ~~• Is not a U.S. Veteran;~~
- ~~• Is unmarried;~~
- ~~• Does not have a dependent child;~~
- ~~• Is individually ineligible for section 8 assistance; and~~
- ~~• If the student’s parents are, individually or jointly, ineligible for assistance.~~

~~Unless:~~

- ~~• The student is individually income eligible AND resides with parents (individually or jointly) who are income eligible for the program;~~
- ~~• The student is income eligible and has established a household separate from parents or legal guardians at least one year prior to application for occupancy OR the student meets the Department of Education definition of independent student.~~

- ~~• The student is not claimed as a dependent by a parent or a legal guardian pursuant to IRS regulations for a period of one year prior to the application for occupancy.~~
- ~~• The student must obtain a certification which states the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.~~

Change #4. Denial of Admission for Drug Related and/or Other Criminal Activity

SCREENING FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY (CHAPTER 2, PG. 20)

In an effort to prevent drug **or violence** related **and or** other criminal activity, as well as other patterns of behavior that pose a threat to the health, safety, or the right to peaceful enjoyment of the premises by other residents, the PHA will endeavor to screen applicants thoroughly and fairly.

Obtaining summary criminal history information for the purpose of screening a prospective participant/applicant includes:

- Any information concerning any ~~arrest or conviction, or release from custody~~ that occurred within at least the past **five three** years by applicants. Any information regarding a pattern or repeated acts of criminal or drug related behavior that occurred within at least the past **five three** years by applicants
- Any felony offense that involved any activity related to controlled substances or alcoholic beverages within at least the past **five three** years [CA Penal Code § 11105.3]

SECURITY AND CRIMINAL BACKGROUND CHECK (CHAPTER 2, PG. 21)

The PHA will verify any involvement in criminal activity on the part of any applicant family or household member who intends to reside in the PHA leased premises:

- Involvement in criminal activity by any member of an applicant family or household member that would adversely affect the health, safety, or welfare of other tenants will be verified using information from the criminal records system of the City and County of Sacramento, the State of California, and the federal National Crime Information Center (the "NCIC"). The PHA will also examine criminal histories provided by other States or municipalities, court records, and other evidence that might document any criminal activity. In addition, the current and former landlords and housing providers will be asked to indicate problems during the applicant's tenancy. The Authority will review police reports for any criminal activity during the **five three** year period prior to consideration for admission.
- The PHA will use the criminal records system of the City and County of Sacramento, the State of California, the NCIC, DOJ, and other states and/or municipalities to check all applicants for any evidence of:

(1) Any and all information relative to any criminal convictions ~~or activity,~~
~~both felonies and misdemeanors~~ within the past ~~five~~ **three** years;

- ~~▪ Examples of criminal offenses that will be considered include, but are not limited to: felonies, disturbing the peace, drunk and disorderly conduct, threats or harassment, domestic violence, including actual or threatened violence toward members of an applicant household, assaults, destruction of property, vandalism, citations for health and sanitary code violation, possession of an unlawful weapon, criminal damage, arson, and home invasion~~
- In applying the above provisions, the PHA will consider the nature of the offense and any mandatory penalties in accordance with state and federal law

STANDARD FOR VIOLATION (CHAPTER 2, PG. 22)

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of an eviction if a household member has been evicted from housing for drug-related criminal activity. However, the PHA may admit the household if the PHA determines:

- That the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA and has met the rehabilitation standard set forth in this policy: or
- That the circumstances leading to eviction no longer exist.

The PHA will deny admission to the program to applicants for ~~five~~ **three** years from the date of conviction, or if incarcerated for one year or more, the date the applicant completed his/her sentence due to drug-related and other criminal activity that pose a threat to the health, safety or the right to peaceful enjoyment of the premises by other residents.

~~The PHA will deny admission to the program, applicants currently on parole or whose parole release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the parole poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

~~The PHA may deny admission to the program, applicants either currently on formal probation or whose formal probation release is within 12 months of the date of selection from the waitlist, if the criminal activity underlying the probation poses a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents.~~

The PHA will consider the ~~illegal use of a controlled substance or~~ alcohol abuse to be a pattern if there is more than one incident during the previous 18 months that may interfere or threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA.

No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program in the last ~~five~~ **three** years.

EVIDENCE (CHAPTER 2, PG. 23)

The PHA must have credible evidence of the violation. Credible evidence may be obtained from the following:

- Proof of a criminal conviction (see Criminal Screening Criteria).

Change #5. SUPERVISORY REVIEW AND HEARINGS (CHAPTER 2, PG. 24)

If the applicant is associated with more than one subsidized unit, the Agency will ask the family to sign an affidavit stating that the family understands that they cannot be a party to two different subsidized units at the same time and that they must relinquish their current unit in order to participate in the new program.

Change #6. Wait List Preferences (Chapter 4, Pg. 6)

An applicant may not be granted any preference if any member of the family has been evicted from any federally assisted housing during the past ~~five (5)~~ **three** years because of drug-related or violent criminal activity. The PHA may grant an exception to such a family if the responsible member has successfully completed a rehabilitation program.

Chapter 20: GLOSSARY

Change #7. B.GLOSSARY OF HOUSING TERMS Chapter 20, Pg. 11 and 13)

ENGAGED IN OR ENGAGING IN: "Engaged in or engaging in or recent history of" criminal activity means any act within the past ~~five~~ **three** years by applicants or participants, household members, or guests which involved criminal activity that would threaten the health, safety or right to peaceful enjoyment of the public housing premises by other residents or employees of the PHA, whether or not it resulted or results in the arrest, charge, and/or conviction of the applicant or participant, household members, or guests.

HOMELESS: as defined in the HEARTH Act:

Homeless means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:
 - (i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

- (ii) An individual or family living in a supervised 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, or local government programs for low income individuals); or
 - (iii) An individual who is exiting an institution where he or she 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;
- (2) An individual or family who will imminently lose their primary nighttime residence, provided that:
- (i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;
 - (ii) No subsequent residence has been identified; and
 - (iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;
- (3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:
- (i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);
 - (ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;
 - (iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

- (iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

- (i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- (ii) Has no other residence; and
- (iii) Lacks the resources or support networks, e.g., family, friends, and faith based or other social networks, to obtain other permanent housing.

HOUSING AUTHORITY OF THE
COUNTY OF SACRAMENTO
Housing Choice Voucher Administrative Plan

- I. **Change #1. Changes in Chapter 2 are due to:**
- a. **Consideration of convictions rather than arrests when looking at past criminal activity.**
 - b. **Changing the “look back period” for criminal activity from 5 years to 3 years.**
 - c. **Regulatory changes defining student eligibility**

Only the text immediately surrounding the changes appear below. To read the changes in context, please refer to the documents available at www.shra.org.

Chapter 2 ELIGIBILITY FOR ADMISSION

1. HUD Factors: (Chapter 2, Pg. 2 – 1)

The HUD eligibility criteria are:

- An applicant family will not be admitted to the program if any member of the family has been evicted from federally assisted housing for a serious violation of the lease within the past ~~three~~ **five** years. (Except as referenced in Chapter 15, Section B of this Administrative Plan).

2. PHA Factors [24 CFR Part 982.552]: (Chapter 2, Pg. 2-2)

The PHA will apply the following criteria, in addition to the HUD eligibility criteria, as grounds for denial of admission to the program:

- The PHA may deny the applicant family if they have violated any family obligation during a previous participation in a federally assisted housing program for ~~three~~ **five** years prior to final eligibility determination. The PHA may make an exception if the family member who violated the family obligation is not a current member of the household. The PHA may request the family to provide verifiable documentation.
- The PHA will deny participation in the program to applicants where the PHA determines there is reasonable cause to believe that any family member is illegally using a controlled substance or engages in drug-related or other criminal activity. The same will apply if it is determined that any family member abuses alcohol in a way that may interfere with the health safety or peaceful enjoyment of the premises by other residents. This includes cases where the PHA determines that there is a pattern of ~~illegal use of controlled substances or a pattern~~ alcohol abuse. **The PHA**

will consider alcohol abuse to be a pattern if there is more than one convictions during the previous 18 months.

- An applicant family may be denied if any member of the family has been convicted ~~is on probation or parole for~~ for any of the following reasons within the last three years of eligibility:

Where fingerprinting is not an option, the Housing Authority will ask the prospect to list all past ~~arrests and~~ convictions. The PHA may elect to continue to process the prospect if, during the application process, a prospect neglects to list a ~~past arrest or~~ conviction, if that ~~arrest or~~ conviction is not for:

- drug related criminal activity, nor
- violent criminal activity, nor
- criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; nor
- Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent).

All convictions that fall in the above categories will be reviewed through an individualized screening process prior to proposed denial from the program.

3. Criminal Screening Criteria (Chapter 2, Pg. 2-3)

The PHA may deny families for any felony convictions for the following charges:

- Assault and battery,
- use of a firearm against a person,
- armed robbery,
- robbery offenses with no weapon involved,
- intentional homicides,
- manslaughter,
- kidnapping and abduction,
- stalking,
- arson,
- burglary,
- breaking and entering,
- fraud,
- possession of drugs, and
- weapons offenses.

The PHA may deny families for any felony and misdemeanor convictions for the following charges:

- domestic violence,
- forcible sex offenses,

- non-forcible sex offenses,
- manufacture,
- distribute or possession to distribute drugs, and
- driving under the influence.

The PHA will not consider any convictions or arrests that are more than **three** five years old, provided no other arrests or criminal activity has taken place **in the interim** during that time period and the applicant is not on formal probation or parole at the time they are selected from the waitlist.

4. Student Eligibility (Chapter 2, Pg. 2-5)

~~Single Head of Household students~~ **Students** who meet **any** all of the following shall ~~not~~ qualify for housing assistance, **provided that they meet all other eligibility requirements:**

~~is a student is enrolled at an institution of higher education~~

- ~~is under the age of 2~~ **The individual is 24 years of age or older by December 31 of the award year;**
- **The individual has legal dependents other than a spouse;**
- **The individual is a graduate or professional student;**
- **The individual is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1) of HEA) or is currently serving on active duty in the Armed Forces for other than training purposes;**
- ~~is not a veteran;~~
- ~~is unmarried;~~
- **The individual is married;**
- ~~does not have a dependent child;~~
- **The individual is an orphan, in foster care, or a ward of the court or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;**
- **The individual is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;**
- **Is otherwise individually eligible, or has parents who, individually or jointly, are eligible on the basis of income to receive assistance**
- ~~is individually ineligible for section 8 assistance; and~~
- ~~the student's parents are, individually or jointly, ineligible for assistance.~~
- **The individual has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth (as such terms are defined in section 725 of the McKinney-Vento Homeless Assistance Act) (42 U.S.C. 11431 et seq.), or as unaccompanied, at risk of homelessness, and self-supporting, by—**
 - **(i) a local educational agency homeless liaison, designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act;**

- (ii) the director of a program funded under the Runaway and Homeless Youth Act or a designee of the director;
- (iii) the director of a program funded under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (relating to emergency shelter grants) or a designee of the director; or
- (iv) a financial aid administrator;
- The individual is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

For single-member student households, any financial assistance received in excess of amounts received for tuition **and fees** shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.

In cases where the student is not considered an “independent student,” [Federal Register-5969-N-01] both the student’s and parents’ income are considered for eligibility/recertification purposes. **Once the student has been determined Final Eligible for the program, and the parents are not part of the household, any financial assistance received in excess of tuition and fees shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.**

Independent status must be verified by:

- **Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”**
- **Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and**
- **Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.**
- ~~Obtaining address information sufficient to determine that the student has maintained a separate household for at least one year~~
- ~~Parents’ income tax returns for the past year to determine whether a parent or guardian has claimed the student as a dependent, and~~
- ~~Written confirmation of the level of support provided by the parents to the student, including financial assistance. Any financial support provided by the parent(s) is considered in determining the income eligibility of the student household.~~

Unless:

- ~~• The student is individually income eligible AND resides with parents (individually or jointly) who are income eligible for the program;~~
- ~~• The student is income eligible and has established a household separate from their parents or their legal guardians at least one year prior to application for occupancy OR the student meets the Department of Education's definition of independent student.~~
- ~~• The student is not claimed as a dependent by a parent or a legal guardian pursuant to IRS regulations for a period of one year prior to the application for occupancy.~~
- ~~• The student must obtain a certification which states the amount of financial assistance that will be provided by the parents, signed by the individual providing the support. The certification is required even if no assistance will be provided.~~

5. Applicants with Minor Children and only one Parent in the household: (Chapter 2, Pg. 2-8)

An applicant household who wishes to include a child(ren) must provide documentation proving they have custody of the child(ren). Documentation may include:

- A court ordered guardianship order;
- A notice from the County Welfare department verifying the child is in the home of the applicant;
- a letter from each school-aged child's school verifying the address at which the child is registered and the person who is listed as the guardian;
- A notarized letter from the missing parent of the child stating the applicant has been granted custody of the child.

All mitigating circumstances will be considered.

6. Transitions between Subsidized Housing Programs (Chapter 2, Pg. 2-14)

If the applicant is associated with more than one subsidized unit, the Agency will ask the family to sign an affidavit stating that the family understands that they cannot be a party to two different subsidized units at the same time and that they must relinquish their current unit in order to participate in the new program.

II. Change #2 Changes in Chapter 3 will support efforts to house homeless families

Chapter 3 APPLYING FOR ADMISSION

1. OPENING/CLOSING OF THE WAIT LIST[24 CFR Parts 982.206, 982.54(d)(1)] (Chapter 3, Pg. 3-1)

The wait list may remain open for specific preferences (ie, Limited Allocation Preference and Move On Preference) even when the wait list is closed. This information will be posted and updated at www.shra.org and/or www.sacwaitlist.com for families seeking housing assistance.

III. Chapter 4 Changes in Chapter 4 are due to adding new preferences to serve homeless families

ESTABLISHING PREFERENCES AND MAINTAINING THE ~~TENANT BASED VOUCHER~~ WAIT LIST

1. ~~Other Housing Assistance (Chapter 4, Pg. 4-1)~~

~~When the PHA issues an applicant a Housing Choice Voucher, the applicant's name will be removed from all tenant based voucher waitlists, but will remain on all other waitlists unless the family makes a written request to withdraw from a particular waitlist.~~

2. ~~WAIT LIST PREFERENCES [24 CFR Part 982.207] (Chapter 4, Pg. 4-1)~~

The PHA uses a single wait list for admission to its Housing Choice Voucher program. Site-based list(s) for project-based assistance may be administratively established in accordance with HUD notices and other requirements.

~~Except for special admissions, Applicants can apply to this wait list by going to www.sacwaitlist.com will be selected from the PHA wait list in accordance with policies and preferences and income targeting requirements defined in this Administrative Plan, except for families served through:~~

- ~~• Special admissions, as funded by HUD (ie, Veterans Affairs Supportive Housing--VASH, Non-Elderly Disabled--NED program, and Performance Partnership Pilots Initiative Program--P3).~~
- ~~• Homeless Initiatives (Limited Allocation Preference and the Move On Preference).~~

~~Families are reviewed for eligibility by the PHA in coordination with the approved third party(ies) based on the policies of the program and if eligible, are issued a voucher.~~

~~All selections will be in accordance with policies and preferences defined in this Administrative Plan. Per PIH Notice 2013-15 any time a new preference is added to an existing wait list, families already on the wait list will be given the opportunity to qualify for the preference and move up on the wait list accordingly.~~

3. ~~Other Preferences(Chapter 4, Pg. 4-3)~~

~~When a new tenant based waiting list opens, the following preference will be added~~

- ~~5) (1 point) Homeless preference to a household currently homeless. A family or individual that meets the definition of "homeless" as defined in the Glossary.~~

4. ~~HOMELESS INITIATIVES (Chapter 4, Pg. 4-3)~~

~~The PHA is giving a priority to housing homeless families and is creating two new preferences to serve the homeless population, while continuing to serve families on the current waitlist. Families who have been determined eligible for these two preferences may be served even when the waiting list is closed, until the approved number has been reached.~~

~~Contingent on funding, and in the absence of families meeting the Funding-Based Preferences as described above, the PHA utilizes the following additional preferences:~~

- 1) **Limited Homeless Allocation.** This preference is available to homeless individuals/families that are currently receiving services and referred by a partnering homeless service organization, another coordinated system or consortia of homeless service providers. The referring agency will verify homelessness and will assist the family with finding a suitable rental property once the voucher is issued. Ongoing housing stabilization services will continue to be provided to the family. The PHA will issue up to 150 HCV vouchers each year for a maximum of 450 vouchers cumulatively over a three year period (2017-2020). At its discretion, the PHA will annually evaluate whether this preference is renewed.
- 2) **Move On Allocation.** This preference is available to homeless individuals/families that are referred by an approved PHA third party. Formerly homeless individuals/families who have successfully participated in a Permanent Supportive Housing (PSH) program (see Glossary for definition) and been determined ready to move into housing without the attached supportive services will be referred to the PHA to receive a tenant-based voucher. The PHA will issue up to 25 vouchers per year, beginning in the second year of this pilot program, for a maximum of up to 50 vouchers cumulatively over a three year period (2018-2020). This will create vacancies in PSH programs allowing additional homeless families in need of services to become housed. At its discretion, the PHA will annually evaluate whether this preference is renewed.

5. SPECIAL ADMISSIONS [24 CFR Parts 982.54, 982.203] (Chapter 4, Pg. 4-6)

Applicants, who are admitted under special admissions, rather than from the wait list, are identified by codes in the automated system. Examples of this include, but are not limited to:

- **Performance Partnership Pilots Initiative Program (P3)**

IV. Chapter 5 Changes in Chapter 5 are due to changing the “look back period” for criminal activity from 5 years to 3 years

Chapter 5 SUBSIDY STANDARDS [24 CFR Part 982.54(d)(9)]

1. Screening of Add-Ons to the Household (Chapter 5, Pg. 5-2)

Any person requesting to be added to the household who has committed any violent- or drug-related criminal activity within the last ~~five~~ **three** years, or who is on formal probation or parole, may be denied. Please refer to Chapter 2 under “PHA Factors” related to probation and parole.

Any person requesting to be added to the household who was previously terminated from a HUD Rental Assistance program as a result of an adverse action in the last ~~five~~ **three** years may be denied.

V. **Chapter 6** Changes in Chapter 6 are related to changes in regulations affecting student eligibility

Chapter 6 FACTORS RELATED TO TOTAL TENANT PAYMENT AND FAMILY SHARE DETERMINATION

1. STUDENT INCOME (Chapter 6, Pg. 6-13)

Financial assistance received in the form of Student Grants, financial aid or awards will be counted as income unless the student is a dependent student living with their parents on the program or if they are 24 years of age or older (by December 31 of the award year) with a dependent child.

The “dependent child” is the student’s own child who is a minor, a full-time student 18 or over, or a person with disabilities 18 or over. Foster children do not qualify as a dependent child.

~~Financial assistance received in the form of Student Grants, financial aid or awards will be 100% excluded if the person receiving this financial assistance is over 23 years of age with dependent children. In all other cases, financial assistance an individual receives in excess of tuition and other mandatory fees must be included when determining annual income in accordance with 24 CFR Parts 5.609(b)(9) and 5.612).~~

Student Rule (24 CFR Part 5.612)

~~Single Head of Household students who meet all of the following shall not qualify for housing assistance:~~

- ~~• a student enrolled at an institution of higher education;~~
- ~~• under age 24;~~
- ~~• not a veteran;~~
- ~~• unmarried;~~
- ~~• no dependent child or children;~~
- ~~• individually ineligible for section 8 assistance; and~~
- ~~• the student’s parents are, individually or jointly, ineligible for assistance on the basis of income.~~

For single-member student households, any financial assistance received in excess of amounts received for tuition and fees shall be considered income. Financial assistance does not include loan proceeds **since loans are debts that must be repaid by the borrower.**

In cases where the student is not considered an “independent student,” [Federal Register-5969-N-01] both the student’s and parents’ income are considered for eligibility/recertification purposes. **Once the student has been determined Final Eligible for the program, and the parents are not part of the household, any financial assistance received in excess of tuition and fess shall be considered income. Financial assistance does not include loan proceeds since loans are debts that must be repaid by the borrower.**

~~For single member student households, any financial assistance received in excess of amounts received for tuition shall be considered income. Financial assistance does not include loan proceeds.~~

~~In cases where the student is not considered an “independent student,” both the student’s and parents’ income are considered for eligibility/recertification purposes.~~

Independent status must be verified by:

- Reviewing and verifying previous address information to determine evidence of a separate household or verifying the student meets the U.S. Department of Education’s definition of “independent student”
- Reviewing a student’s prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education’s definition of “independent student”; and
- Verifying income provided by a parent by requiring a written certification from the individual providing the support. Certification is also required if the parent is providing no support to the student. Financial assistance that is provided by persons not living in the unit is part of annual income.
- ~~Obtaining address information sufficient to determine that the student has maintained a separate household for at least one year;~~
- ~~Parents’ income tax returns for the past year to determine whether a parent or guardian has claimed the student as a dependent; and~~
- ~~Written confirmation of the level of support provided by the parents to the student, including proof of zero financial assistance from the parents. The financial support is considered in determining the income eligibility of the student household.~~

VI. Changes in Chapter 13 are related to changes in regulations concerning the Violence Against Women Act

Chapter 13 MOVES WITH CONTINUED ASSISTANCE/PORTABILITY

1. ALLOWABLE MOVES (Chapter 13, Pg. 13-1)

Families will be issued a voucher to move while the due process to determine the family obligation violation is finalized if:

3. The Violence Against Women Act (VAWA) provides that a family may receive a voucher from a PHA and move under the tenant-based assistance program ~~if the family has complied with all other obligations of the HCV Program and/or has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or~~ **when the family has demonstrated that a member of the family** has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was actually or imminently threatened by harm or further violence if he or she remained in the assisted dwelling unit.

V. **Changes in Chapter 15 are related to changes in policy related to reunifying families while serving homeless families**

Chapter 15 DENIAL OR TERMINATION OF ASSISTANCE

1. PHA Grounds for Denial of Assistance (Chapter 15, Pg. 15-2)

The PHA may deny program assistance for an applicant, for any of the following reasons:

- ~~Applicants will not be denied for requesting to add a household member who is on parole or probation. The household member who is on probation or parole may be denied.~~

2. Standard for Violation (Chapter 15, Pg. 15-3)

The PHA will consider the illegal use of a ~~controlled substance~~ alcohol abuse to be a pattern if there is more than one conviction during the previous 18 months.

"Engaged in or engaging in" violent criminal activity means any act within the past ~~five~~ **three** years by an applicant or participant or household member.

Applicants will be denied assistance if they have been convicted of violent criminal activity within the last ~~five~~ **three** years prior to the date of the admission eligibility determination.

3. Evictions for Drug-Related Criminal Activity (Chapter 15, Pg. 15-4)

Persons evicted from federally assisted housing because of drug-related criminal activity are ineligible for admission to the HCV program for a ~~five~~ **three** year period beginning on the date of such eviction. However, the household may be admitted if, after considering the individual circumstances of the household, the PHA determines that:

- The evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA.
- The circumstances leading to eviction no longer exist because the culpable member is no longer in the household.

4. Notice of Proposed Termination of Assistance (Chapter 15, Pg. 15-7)

In any case where the PHA proposes to terminate assistance to the family, the PHA will give the family written notice. The notice will include an Informal Hearing Request ~~form for a resident or an Informal Review request for an applicant.~~

~~Before the PHA takes any adverse action based on a criminal conviction record, including a notice denying admission, the PHA will conduct an individualized review of the individual's record. The PHA will provide the subject of the record and the resident/ applicant with a copy of the criminal record upon written request and providing picture I.D. to ensure that the PHA is maintaining the security of the personal information of the subject of record. SHRA will not mail criminal records to any address as it is a security risk. The applicant will be provided an opportunity to dispute the accuracy and relevance of that record.~~

~~If the PHA proposes to terminate assistance for criminal activity as shown by a criminal record, the PHA will provide the subject of the record and the Head of Household with a copy of the criminal record.~~

5. Standard for Violation for Drug-Related Criminal Activity or Violent Criminal Activity (Chapter 15, Pg. 15-9)

~~The PHA will consider the illegal use of a controlled substance or alcohol abuse to be a pattern if there is more than one conviction during the previous 18 months.~~

"Engaged in or engaging in" **drugs or** violent criminal activity means any act within the past ~~five~~ **three** years by a participant or household member.

VII. Changes in Chapter 19 are due to a new grant received

Chapter 19 SPECIAL HOUSING TYPES

1. INTRODUCTION(Chapter 19, Pg. 19-1)

The PHA will permit the use of the following special housing types in its Housing Choice Voucher Program:

- **Performance Partnership Pilot for Disconnected Youth (P3)**

VIII. Changes in Chapter 21 are related to the homeless initiatives designed to house more homeless families

Chapter 21 PROJECT-BASED HOUSING CHOICE VOUCHER PROGRAM

1. INTRODUCTION (Chapter 21, Pg. 21-1)

The PHA will **project base up to 100 vouchers per year for a three year period (for a maximum of up to 300 vouchers cumulatively between 2017- 2020) to serve homeless families.** The PHA will not be required to reduce the number of PBV units under contract if the Budget Authority is subsequently reduced, but will look first to reducing the number of tenant-based vouchers. No additional funding is provided for this program for either Housing Assistance Payments (HAP) or Administrative costs.

2. Competitive Process (Chapter 21, Pg. 21-3)

The PHA may also choose to make PBVs available from the VASH tenant based vouchers or competitively apply for additional HUD VASH PBVs when such funding is made available by HUD. The vouchers would be made available to owners and developers through a competitive local process.

Non-Competitive Process

A PHA may provide PBV assistance to improve, develop, or replace a public housing property or property that it controls or has an ownership interest in without using a competitive process (H.R. 3700 Housing Opportunities Through Modernization Act of 2016, Section 106).

3. DEFINITION OF PREFERENCES (Chapter 21, Pg. 21-18)

1. *Residency* preference is given to applicants who live, work, or have been hired to work in Sacramento County, or any political subdivision thereof. For homeless individuals and families, a residence includes shelters and other dwelling places where homeless people are sleeping such as a place not designed for sleeping including a car, park, abandoned building, bus or train station, airport or camping ground or the family is living in a shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing and hotels and motels paid for by charitable organizations or by the federal, state or local government) or individuals exiting an institution where he or she resided for 90 days or less.

2. *Rent Burden* preference is given to applicants who pay more than 50% of their gross income for rent and utilities. The applicant family must provide copies of receipts, lease, their income and utility bills. The PHA will attempt to verify the information provided by the applicant in order to determine the applicant's qualification for the rent burden preference. In the absence of a rental lease or contract with supporting rent receipts, the PHA will employ one of the following methods, listed in order of preference, to estimate the applicant cost for rent or utilities:

- a. Accept the amount the applicant claims to be paying for rent and utilities when there is a written notice from the person from whom they are renting and it is accompanied with cancelled checks, money order receipts or cashier's check stubs;
- b. Accept the amount listed on the Housing Need Declaration with supporting payment documentation, including cancelled checks and money order receipts, or cashiers check stubs.

3. *Homeless* preference is given to applicants that are homeless as defined in the Glossary.

IX. Chapter 23 is new and describes a new program

Chapter 23 PERFORMANCE PARTNERSHIP PILOTS FOR DISCONNECTED YOUTH (P3)

The Performance Partnership Pilots Initiative Program (P3 or Program) was first authorized by Congress in 2014. The Program enables pilot sites to test innovative, outcome-focused strategies to achieve significant improvements in educational, employment, and other key outcomes for disconnected youth using the flexibility to blend existing federal funds and to seek waivers of associated program requirements.

The Sacramento P3 Program is a three-year comprehensive service-delivery system that coordinates and integrates a multidisciplinary approach to providing services to 100 disconnected youth aged 16-24, especially foster youth, youth on probation, homeless youth and youth at risk of becoming homeless. The Program adopts a housing-first model to promote stability for participants. The federal regulation waivers granted under this program are designed to increase the efficiency of service delivery in two ways: 1) by removing barriers to housing and expanding housing eligibility; and, 2), by leveraging existing resources and increasing services to the target population. The Program is based on collaboration with local and state partners and coordination of currently funded services.

The Sacramento County Housing Authority applied for and was successfully awarded the P3 grant. P3 youth families will be issued a voucher and will follow all HCV program policies and regulations. 100 vouchers will be issued for this program over a three year period (2017-2020).

FAMILY ELIGIBILITY AND SELECTION

The PHA will receive referrals from an approved third party provider(s). Written documentation of these referrals must be maintained in the tenant file at the PHA.

X. Changes in Chapter 26 are related to the change in the “look back period” for criminal activity.

Chapter 26 MEDICAL MARIJUANA POLICY

HCV will also deny participation to applicants where the PHA has reasonable cause to believe that any family member has illegal used or possessed marijuana or engaged in any drug-related or other criminal activity within the past ~~five~~ **three** years.

XI Chapter 28 is new and reflects the new regulations concerning the Violence Against Women Act (VAWA)

28. Chapter 28 VIOLENCE AGAINST WOMEN ACT & DOMESTIC VIOLENCE

INTRODUCTION

Title VI. of the Violence Against Women Act (VAWA) adds a new housing provision that establishes several categories of protected individuals. Under the law victims of domestic violence, dating violence, stalking, and victims of sexual assault are granted protections, and cannot be denied or terminated from housing or housing assistance because of activity that is directly related to domestic violence.

A. PURPOSE

The purpose of this Policy is to reduce domestic violence, dating violence, sexual assault, and stalking and to prevent homelessness by:

- protecting the safety of victims;
- creating long-term housing solutions for victims;
- building collaborations among victim service providers; and

- assisting the PHA to respond appropriately to the violence while maintaining a safe environment for the PHA, employees, tenants, applicants, Housing Choice Voucher participants, program participants and others.

The policy will assist the Sacramento County Housing Authority and Sacramento City Housing Authority (PHA) in providing rights under the Violence Against Women Act to its applicants, public housing residents, Housing Choice Voucher participants and other program participants.

This Policy is incorporated into the PHA's "Admission and Continuing Occupancy Policy", and "Housing Choice Voucher Program Administrative Plan" and applies to all PHA housing programs.

B. DEFINITIONS

The definitions in this Section apply only to this Policy.

Actual or imminent threat refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual or imminent threat, the factors to be considered include: The duration of the risk; the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

Affiliated individual means a spouse, parent, brother, sister, child or a person to whom the tenant stands in the place of a parent or guardian, or any individual, tenant, or other lawful occupant living in the tenant's household.

Confidentiality: The PHA will not enter information provided to the PHA by a victim alleging domestic violence into a shared database or provide this information to any related entity except as stated in 3.4

Dating Violence: Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; (iii) the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim or intimate partner of the victim, committed by a person with whom the victim shares a child in common, committed by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, committed by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or committed by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Immediate Family Member: A spouse, parent, brother or sister, or child of a victim or an individual to whom the affiliated individual; or any other person living in the household of the victim and related to the victim by blood or marriage.

Perpetrator: A person who commits an act of domestic violence, dating domestic violence or stalking against a victim.

Safe Unit: refers to a unit that the victim of domestic violence, dating violence, sexual assault, or stalking believes is safe.

Stalking: (a) to follow, pursue or repeatedly commit acts with the intent to kill, injure, harass or intimidate the victim; (b) to place under surveillance with the intent to kill, injure, harass or intimidate the victim; (c) in the course of, or as a result of such following, pursuit, surveillance, or repeatedly committed acts, to place the victim in reasonable fear of the death of, or serious bodily injury to the victim.

Sexual Abuse: To cause substantial emotional or physical harm to the victim, an affiliated individual of the victim or the spouse or intimate partner of the victim.

Sexual Assault: Any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity.

Bona Fide Claim: A bona fide claim of domestic violence, dating violence or stalking must include incidents that meet the terms and conditions in the above definitions.

C. CERTIFICATION AND CONFIDENTIALITY

The person claiming protection under VAWA shall provide complete and accurate certifications to a PHA owner or manager within 14 business days after the party requests in writing that the person completes the certifications. If the person does not provide a complete and accurate certification within the 14 business days a PHA owner or manager may take action to deny or terminate participation or tenancy. Mitigating circumstances will be considered in any case where the person or family did not submit or could not submit documentation timely. Additional time may be granted to a family on a case by case basis.

D. HUD APPROVED CERTIFICATION

For each incident that a person is claiming as abuse, the person may certify to the PHA, owner or manager, their victim status by completing a HUD approved certification (form HUD-5382). The person shall certify the date, time and description of the incidents, that the incidents are bona fide incidents of actual or threatened abuses and meet the requirements of VAWA and this Policy. The person shall provide information to identify the perpetrator including but not limited to the name and, if known, all alias names, date of birth, address, contact information such a postal, e-mail or internet address, telephone or facsimile number or other identification if it is safe to provide and is known to the victim.

E. OTHER CERTIFICATION

A person who is claiming victim status may provide to the PHA, an owner or manager: (a) documentation signed by the victim and an employee, agent or volunteer of a victim service provider, an attorney, record of administrative agency, mental health professional or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking or the effects of the abuse, in which the professional attests under penalty of perjury the professional's belief that the incident(s) in question are bona fide incidents of abuse; or (b) a federal, state, tribal, territorial, local police or court record. Additional information may be requested for additional clarification purposes.

F. CONFIDENTIALITY

The PHA and the owner and managers shall keep all information provided to the PHA under this section confidential. The PHA and owner and manager shall not enter the information into a shared database or provide to any related entity except to the extent that:

- the victim requests or consents to the disclosure in writing;
- the disclosure is required for eviction from public housing and/or termination of Housing Choice Voucher assistance; or
- the disclosure is required by applicable law.

G. APPROPRIATE BASIS FOR DENIAL OF ADMISSION, ASSISTANCE, OR TENANCY

PHA shall not deny participation or admission to a program on the basis of a person's abuse status, if the person otherwise qualifies for admission of assistance.

An incident or incidents of actual or threatened domestic violence, dating violence, stalking, or victims of sexual assault will not be a serious or repeated violation of the lease by the victim and shall not be good cause for denying to a victim admission to a program, terminating Public Housing assistance or occupancy rights, or evicting a tenant.

Criminal activity directly related to domestic violence, dating violence, sexual assault or stalking engaged in by a member of a tenant's household or any guest or other person under the tenant's control shall not be cause for termination of assistance, tenancy, or occupancy rights if the tenant or an affiliated individual of the tenant's family is the victim of that domestic violence, dating violence or stalking.

Nothing in the previous sections shall limit the PHA's authority to propose termination of assistance of any participant for any violation of program Family Obligations not premised on the act or acts of violence against the participant or a member of the participant's household. However the PHA may not hold a victim to a more demanding standard.

Nothing in the previous sections shall limit the PHA's authority to propose termination of assistance, or deny admission to a program, if the PHA can show an actual and imminent threat to other tenants, neighbors, guests, their employees, persons providing service to the property or others if the participant family is not terminated from assistance or denied admission.

Nothing in the previous sections shall limit the PHA's authority to deny admission or terminate the assistance of a person who engages in criminal acts including but not limited to acts of physical violence or stalking against family members or others.

A Housing Choice Voucher participant who moves out of an assisted dwelling unit to protect their health or safety and who: (a) is a victim under this policy; (b) reasonably believes he or she was imminently threatened by harm from further violence if he or she remains in the unit; and (c)

has complied with all other obligations of the Housing Choice Voucher program may receive a voucher and move to another Housing Choice Voucher jurisdiction.

H. ACTIONS AGAINST A PERPETRATOR

The PHA may take action against a perpetrator of domestic violence; however, the survivor of domestic violence may take action to control or prevent the violence, sexual assault, dating violence, or stalking. The action may include but is not limited to: (a) obtaining and enforcing a restraining or no contact order or order for protection against the perpetrator; (b) obtaining and enforcing a trespass against the perpetrator; (c) enforcing PHA or law enforcement's trespass of the perpetrator; (d) preventing the delivery of the perpetrator's mail to the victim's unit; (e) other reasonable measures.

I. PHA RIGHT TO TERMINATE HOUSING AND HOUSING ASSISTANCE UNDER THIS POLICY

Nothing in this Policy will restrict the PHA's right to terminate program assistance for program violations by a participant who claims VAWA as a defense if it is determined by the PHA that such a claim is not credible. Nothing in this policy will restrict the PHA's right to terminate program assistance if the participant (a) allows a perpetrator to violate a court order relating to the act or acts of violence; or (b) if the participant allows a perpetrator who has been barred from assisted unit to come onto the assisted unit including but not limited to the assisted unit's immediate vicinity under their control.

Nothing in this policy will restrict the PHA's right to terminate housing assistance if the participant who claims as a defense to an eviction or termination action relating to domestic violence has engaged in fraud and abuse against a federal housing program; especially where such fraud and abuse can be shown to have existed before the claim of domestic violence was made. Such fraud and abuse includes but is not limited to unreported income; unauthorized household members; and/or ongoing violations of program Family Obligations.

J. STATEMENTS OF RESPONSIBILITY OF PARTICIPANT, THE PHA TO THE VICTIMS, AND TO THE LARGER COMMUNITY

A participant has no less duty and responsibility under the program Family Obligations to meet and comply with the terms of the program than any other participant not making such a claim. Ultimately all participants must be able to take personal responsibility for themselves and exercise control over their households in order to continue their housing and housing assistance. The PHA will continue to address all participants who violate their Family Obligations including those who claim a defense of domestic violence. The PHA recognizes the pathologic dynamic and cycle of domestic violence and will work with victims of domestic violence partnering with other local victim support service providers and can refer the participant to the service providers when requested.

K. NOTICE TO APPLICANTS, PARTICIPANTS AND TENANTS

The PHA shall provide notice to applicants, participants, tenants, and managers of their rights and obligations under VAWA, including the right to confidentiality when a person is denied assistance, when a person is admitted, and when a tenant is notified of eviction or termination of housing benefits and within the 12 month period following December 16, 2016, either during the annual recertification process or lease renewal process, whichever is applicable. Tenant will also be provided with HUD form-5382 and Notice of Occupancy Rights Under VAWA.

L. REPORTING REQUIREMENTS

The PHA shall include in its 5-year plan a statement of goals, objectives, policies or programs that will serve the needs of victims. PHA shall also include a description of activities, services or programs provided or offered either directly or in partnership with other service providers to victims, to help victims obtain or maintain housing or to prevent the abuse or to enhance the safety of victims.

M. CONFLICT AND SCOPE

This Policy does not enlarge the PHA's duty under any law, regulation or ordinance. If this policy conflicts with the applicable law, regulation or ordinance, the law, regulation or ordinance shall control. If this policy conflicts with another PHA policy, this Policy will control.

N. MOVES

A family may receive a voucher from a PHA and move under the tenant-based assistance program if the family has complied with all other obligations of the HCV Program and/or has moved out of the assisted dwelling unit in order to protect the health or safety of an individual who is or has been a victim of domestic violence, dating violence, or stalking and who reasonably believed he or she was actually or imminently threatened by harm or further violence if he or she remained in the assisted dwelling unit.

During the initial term of the lease, the family may move with a signed mutual agreement with the landlord to terminate the lease. The family must give the owner at least 30 days written notice of intent to vacate as specified by applicable law and must simultaneously give a copy to the PHA. The notice must be submitted to the PHA no later than the date the family submits a Request for Tenancy Approval (RFTA).

If the family's annual recertification is due within 120 days, the recertification will be expedited. If the family reports a change in income or family composition prior to the submission of a Request for Tenancy Approval (RFTA), the move process will be stopped and the reported change in income or family composition will be reviewed to determine whether the family remains eligible for the voucher size it has been issued, or if the change will result in the family paying more than 40% of their monthly adjusted income toward rent. As these are required by

regulation, they cannot be waived, however, the recertification will be expedited in an effort to approve the move more swiftly.

If the family is exercising portability and reports a change, the receiving PHA will first request the initial PHA to complete an interim change. The initial PHA will expedite to not cause a delay in processing the portability.

If the family has missed two (2) consecutively scheduled voucher issuance sessions without good cause, the move request will be canceled. If the family submits a new request to move, the request will be processed timely.

XII Changes in the Glossary are related to changes in the “look back period” for criminal activity and the focus to house homeless families

GLOSSARY

GOOD STANDING: A family which does not owe an outstanding debt to any PHA; is not delinquent on a repayment agreement; is not subject to adverse action; has not been evicted from Public Housing or been terminated from the HCV program within the last ~~five~~ **three** years.

HOMELESS: as defined in the HEARTH Act:

Homeless means:

(1) An individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:

(i) An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;

(ii) An individual or family living in a supervised 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, or local government programs for low-income individuals); or

(iii) An individual who is exiting an institution where he or she 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;

(2) An individual or family who will imminently lose their primary nighttime residence, provided that:

(i) The primary nighttime residence will be lost within 14 days of the date of application for homeless assistance;

(ii) No subsequent residence has been identified; and

(iii) The individual or family lacks the resources or support networks, e.g., family, friends, faith-based or other social networks, needed to obtain other permanent housing;

(3) Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:

(i) Are defined as homeless under section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a), section 637 of the Head Start Act (42 U.S.C. 9832), section 41403 of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2), section 330(h) of the Public Health Service Act (42 U.S.C. 254b(h)), section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)), or section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a);

(ii) Have not had a lease, ownership interest, or occupancy agreement in permanent housing at any time during the 60 days immediately preceding the date of application for homeless assistance;

(iii) Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and

(iv) Can be expected to continue in such status for an extended period of time because of chronic disabilities; chronic physical health or mental health conditions; substance addiction; histories of domestic violence or childhood abuse (including neglect); the presence of a child or youth with a disability; or two or more barriers to employment, which include the lack of a high school degree or General Education Development (GED), illiteracy, low English proficiency, a history of incarceration or detention for criminal activity, and a history of unstable employment; or

(4) Any individual or family who:

(i) Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;

(ii) Has no other residence; and

(iii) Lacks the resources or support networks, e.g., family, friends, and faithbased or other social networks, to obtain other permanent housing.

PERMANENT SUPPORTIVE HOUSING: Housing model that combines low barrier affordable housing and supportive housing to help individuals and families lead more stable lives.