

PROPOSED SIGNIFICANT CHANGES 2023 Public Housing Authority Plan (Administrative Plans)

The Public Housing Authority (PHA) must define any significant changes to its policies or plans. The 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 person the Authority serves. The proposed changes below have been deemed “significant”.

New language is indicated in red. Deleted language is show in ~~strikeout~~.

ADMISSIONS AND CONTINUED OCCUPANCY POLICY (ACOP)

1. Chapter 7 (page 7-1)

Introduction

Electronic Signatures

The PHA may use electronic signature in lieu of manual signature for documents and contracts. The PHA may use electronic systems for electronic signatures including but not limited to DocuSign and SHRA Resident Portal. The use is at the option of the parties in the transaction. When using electronic signature, it is under the sole control of the person using it. Electronic signature shall have the same force and effect as a manual signature.

Requests pertaining to information regarding an assisted household (i.e., public records request, subpoena, etc.) will require a release of information form with a wet signature.

Explanation of Changes

- Signatures for release forms are needed to ensure that highly confidential personally identifiable information only be released upon such tenant’s signed release of information.

2. Chapter 9

A – Additional Resident Obligations (Page 9-4)

The resident agrees not to do any of the following in the dwelling/unit without obtaining the PHA’s written permission first:

- Operate a business ~~excluding a day care which required prior PHA notification~~ (unless the business is a family daycare home that serves six (6) or fewer children, in which case the resident agrees to notify the PHA in writing thirty (30) days prior to commencement of the operation of the family daycare home). When the resident wishes to operate a family daycare home which serves (7) or more children, the resident must obtain the PHA’s prior permission. Where the PHA’s permission to operate a business is required, the PHA’s permission may be revocable at any time.

The resident acknowledges and agrees that written permission from the PHA to do any of the above does not diminish or abrogate the resident’s obligation to abide by all provisions of the lease, attachments to the lease or this ACOP.

Explanation of Changes:

- Aligning policy with Federal and California law.

3. Chapter 14 – Family Debts to the PHA A - Repayment Agreements for Families (Page 14-1)

The ~~maximum~~ **standard** length of time the PHA will enter into a Repayment Agreement with a family is twelve (12) months unless otherwise specified and approved by the PHA.

A – Repayment Agreement for Families – Guidelines for Repayment Agreements (page 14-2)

The monthly payments may be decreased in cases of family hardship, upon request by the family with management’s approval and verification of the hardship. Also, monthly payments may be increased at the family’s request or in the event the family’s income increases. If the family refuses to enter into a Repayment Agreement or fails to make payments on an existing or new Repayment Agreement, the PHA ~~must~~ **may** terminate the family’s program participation ~~HUD does not authorize any PHA sponsored debt forgiveness programs.~~ **utilizing HUD’s required due process as required by regulation.**

Explanation of Changes:

- At no point can the repayment, in combination with the tenant’s rent, cannot exceed 40% of the tenant’s adjusted monthly income. This change allows for a larger balance to be paid without exceeding that threshold.

4. Brand New Section – Rent Reporting Program

Senate Bill No. 1157, Section 1954.06 of the Civil Code.

The PH will ensure all residents are informed about the Rent Reporting Program at Move-In and during each Recertification appointment. PHA will develop marketing and enrollment and cancellation forms and will enroll/cancel resident enrollment within a reasonable amount of time upon notification from the resident.

For leases entered into on or after July 1, 2021, the offer of rent reporting shall be made available to the residents at the time of signing the lease agreement and at least once annually thereafter. For leases outstanding as of July 1, 2021, the offer of rent reporting shall be made no later than October 1, 2021 and at least once annual thereafter.

Explanation of Changes:

- Brand new CA law became effective July 1, 2021, and to remain in compliance with Senate Bill 1157, Section 1954.06 of the Civil Code. 5. Brand New Section – Resident-Owned Cameras

5. Brand New Section – Resident-Owned Cameras

Residents are required to follow the PHA polices/procedures regarding owning and operating resident-owned cameras. The resident is required to comply with this policy as a condition of installing such equipment.

Prior Permission

- Residents must obtain prior management approval before installing any resident-owned cameras.
- Management will confirm/approve the placement of the resident-cameras outside the resident's unit.

Location

- Cameras cannot directly face the personal space of another resident.

Explanation of Changes:

- With the number of personal recording devices, such as doorbell cameras, this section was necessary to manage how those devices are handled. We wanted a policy in place that would potentially allow for the install of the devices, according to guidelines set by PHA management, that would not violate the expectation of privacy with our residents.

PROPOSED CHANGES

2023 Public Housing Authority Plan

(Housing Choice Voucher Administrative Plans)

The Public Housing Authority (PHA) must define any significant changes to its policies or plans. The PHA defines a “substantial deviation” and “significant amendment/modification” as any change in policy which significantly and substantially alters the Authority’s mission and the persons the Authority serves. The proposed changes below have not been deemed “significant”.

New language is indicated in red. Deleted language is shown as ~~strikeout~~.

HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

1. Chapter 4 Funding=Based Preferences

~~2) (30 points) Displaced by government action preference for families who have been terminated from housing as a result of insufficient funding. These families will be added to the HCV Program waiting list even if the waiting list is closed and will be given 30 preference points. Displaced families must submit any changes to their address in writing to ensure they receive notices from the PHA. When funding is available, these families will be selected from the waiting list first. Families will be selected to be re-admitted to the HCV Program based on their original admission date. Families with the earliest admission dates will be the first to be re-admitted. The PHA will verify income eligibility and conduct a criminal background check for all adult household members, but will not re-verify preferences for families who have been displaced due to insufficient funding.~~

(30 points) Displaced family preference,

A family in which each member, or whose sole member, is a person:

(a) displaced by governmental action resulting from the:

- i. prepayment of a mortgage or
- ii. voluntary termination of a mortgage insurance contract or
- iii. termination from housing due to a lack of funding or
- iv. demolition or disposition of a public or Indian housing project, or

(b) a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief (24 CFR §5.403)

Explanation of Change: Clarifying definition for displaced family preference per regulations.

2. Chapter 4 Other Preferences

Rent Burden preference

b) ~~Receipts from a motel exceeding 50% of monthly income. Payment may not be made by an outside source. Must have proof of actually having paid rent within the last 30 days.~~

Explanation of Change: Individuals and families living in a temporary motel situation meet the homeless preference and are not considered rent burdened so this part of the definition is removed.

- Chapter 4 Foster **Youth to Independence (FYI)** is a program for youth aging out of the foster care program. The waiting list for FYI vouchers is continually open for referrals from Sacramento County Department of Children, Family and Adult Services (DCFAS) Child Protective Services (CPS) as long as there are FYI vouchers available.

Explanation of Change: Adding description of new voucher allocation.

- Chapter 5 **When determining the voucher size for an applicant family that consists of the head of household and their spouse or partner, and either are pregnant (with no other family members in the household) the unborn child will be considered in the determination of the voucher size.**

Explanation of Change: Adding clarification for unborn child and voucher size

- Chapter 5 **Foster Children and Temporary Placement of Minor with Non-Parent**

For Applicants: Any foster child or foster adult or any minor(s) who is/are in a temporary placement with a non-parent, who is in the home at the time of initial voucher issuance, and who is determined to be in a long-term placement, will be included when calculating the ~~considered in the determination of~~ subsidy size. For the purpose of determining subsidy size, long-term placement is defined as six or more months.

For Participants: A family may request at any time to have foster children, foster adults or temporary placement of minor with non-parent. The PHA will add such members to the family composition; however, the addition will not be reflected in the subsidy calculation until the foster child(ren), adult(s), or temporary placement of minor with non-parent have been verified as being in the household for six months.

Explanation of Change: Adding clarification for minors without foster placement

- Chapter 7 F. INCOME FROM ASSETS

~~Savings account Interest bearing and income generating financial accounts income and dividends account statements, passbooks, and/or certificates of deposit~~

Explanation of Change: Adding clarification that all financial accounts that generate income are counted.

- Chapter 7 G. VERIFICATION OF ASSETS

Family Assets

The PHA will require the information necessary to determine the current cash value of the family's assets (the net amount the family would receive if the assets were converted to cash).

Acceptable verifications may include but are not limited to the following:

- All Financial Account Statements:
 - Checking Account Statements
 - Savings Accounts Statements
 - Cryptocurrency Account Statements
 - Retirement Account Statements
- Property Owned by Family
 - County Assessor Tax Bill
- Life Insurance Policies
 - Current cash surrender value statement

Explanation of Change: Adding clarification of types of accounts

8. Chapter 7 **Verification of Social Security Numbers**

When a participant requests to add a new household member who is under the age of six and does not have an assigned SSN, ~~the participant must disclose the assigned SSN and provide the PHA with the documentation described above within 90 calendar days of the child being added to the household.~~; **the participant must disclose that a SSN has not yet been assigned and agree to provide the PHA with appropriate documentation within 90 calendar days of the child being added to the household.**

Explanation of Change: Clarifying the language that the participant must notify the number is not yet assigned, not the actual SSN number

9. Chapter 9 **Rent Reasonableness**

If the proposed gross rent is not reasonable, the PHA will offer the owner the opportunity to accept the maximum approvable rent for the family.

Explanation of Change: The PHA does not negotiate rent but instead notifies the owner of the maximum approvable amount.

10. Chapter 15 **Denial of Additions to the Household for Criminal Activity (24 CFR §982.553)**

The PHA may deny any request to add a person to the household who is on either formal probation or parole. Staff will review each situation on a case-by-case basis **and may deny the request if the person ~~taking into account the mitigating circumstances.~~ has been convicted for any of the following reasons within the last three years:**

1. Drug-related criminal activity (see Criminal Screening Criteria, Chapter 2);
2. Violent criminal activity (see Criminal Screening Criteria, Chapter 2);
3. Other 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;

Explanation of Change: Adding clarification to this chapter to match other sections

11. Glossary 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.~~

a. Individuals and families who are homeless

The meaning of “homeless” is as such term is defined in section 103(a) of the McKinney- Vento Homeless Assistance Act (42 U.S.C. 11302(a)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

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:

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);

- (i) 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;
- (ii) 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
- (iii) 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.

b. Individuals or families who are at-risk of homelessness

The meaning of “at-risk of homelessness” is as such term is defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1)), which is codified in HUD’s Continuum of Care Program regulations at 24 CFR 578.3 and reads as follows:

At risk of homelessness.

(1) An individual or family who:

- (i) Has an annual income below 30 percent of median family income for the area, as determined by HUD;
- (ii) Does not have sufficient resources or support networks, *e.g.*, family, friends, faith-based or other social networks, immediately available to prevent them from moving to an emergency shelter or another place described in paragraph (1) of the “Homeless” definition above; and
- (iii) Meets one of the following conditions:
 - (A) Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance;
 - (B) Is living in the home of another because of economic

hardship;

Has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance;

- (C) Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals;
- (D) Lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau;
- (E) Is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or
- (F) Otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.

(2) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 387(3) of the Runaway and Homeless Youth Act (42 U.S.C. 5732a(3)), section 637(11) of the Head Start Act (42 U.S.C. 9832(11)), section 41403(6) of the Violence Against Women Act of 1994 (42

U.S.C. 14043e-2(6)), section 330(h)(5)(A) of the Public Health Service Act (42 U.S.C. 254b(h)(5)(A)), section 3(m) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m)), or section 17(b)(15) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)(15)); or

(3) A child or youth who does not qualify as “homeless” under this section, but qualifies as “homeless” under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), and the parent(s) or guardian(s) of that child or youth if living with her or him.

c. Individuals or families who are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking

This category is composed of any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking.

This includes cases where a HUD-assisted tenant reasonably believes that there is a threat of imminent harm from further violence if they remain within the same dwelling unit, or in the case of sexual assault, the HUD-assisted tenant reasonably believes there is a threat of imminent harm from further violence if they remain within the same

dwelling unit that they are currently occupying, or the sexual assault occurred on the premise during the 90- day period preceding the date of the request for transfer.

Domestic violence includes felony or misdemeanor crimes of violence committed by:

- a. a current or former spouse or intimate partner of the victim (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 the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship),
- b. a person with whom the victim shares a child in common,
- c. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- d. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or
- e. 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 the jurisdiction.

Dating violence means 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 a relationship shall be determined based on a consideration of the following factors:
 1. The length of the relationship;
 2. The type of relationship; and
 3. The frequency of interaction between the persons involved in the relationship.

Sexual assault means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (1) Fear for the person’s individual safety or the safety of others; or
- (2) Suffer substantial emotional distress.

Human trafficking includes both sex and labor trafficking, as outlined in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7102). These are defined as:

Sex trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; (and) *Labor trafficking* means the recruitment, harboring, transportation, provision, or obtaining of a person for labor or

services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

d. Individuals or families who are recently homeless

Recently homeless is defined as individuals and families who have previously been classified by a member agency of the CoC as homeless but are not currently homeless as a result of homeless assistance (financial assistance or services), temporary rental assistance or some type of other assistance, and where the CoC or its designee determines that the loss of such assistance would result in a return to homelessness or the family having a high risk of housing instability. Examples of households that may be defined as recently homeless by the CoC include, but are not limited to, participants in rapid rehousing, and permanent supportive housing.

Explanation of Change: Updating Homeless definition

12. **Glossary LONG-TERM PLACEMENT:** Is defined as six or more months in the household

Explanation of Change: Adding to glossary definition

13. **Glossary NON-PARENT:** A person who is not the biological mother or father of a child

Explanation of Change: Adding to glossary definition