

U. S. Department of Housing and Urban Development



Office of Public Housing

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January 31, 2024

SENT VIA ELECTRONIC MAIL

Mr. Bryan Achbach
Executive Director
Pennington County Housing Authority
1805 W. Fulton Street
Rapid City, SD 57702
Bryan.Achbach@pchrc.com

Dear Mr. Achbach:

This letter is to inform you that the Pennington County Housing Authority Annual PHA Plan for the Fiscal Year beginning April 1, 2024, is approved. The Plan approved is version 1. This approval of the Plan submission does not constitute an endorsement of the strategies and policies outlined in the Plan. In providing assistance to families under programs covered by this Plan, Pennington County Housing Authority will comply with the rules, standards, and policies established in its approved PHA Plan, as provided in 24 CFR Part 903 and other applicable regulations.

Pennington County Housing Authority's Plan and all required attachments and documents must be made available for review and inspection at the PHA office during normal business hours.

If you have any questions regarding your PHA Plan or the information in this letter, please contact Bob Koenen, Portfolio Management Specialist at bob.e.koenen@hud.gov or (303) 672-5238.

Sincerely,

1/31/2024

X 

Christine Smith-Dreier
Division Director
Signed by: CHRISTINE SMITH-DREIER

Annual PHA Plan <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Applicability. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs** or **TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																																				
A.1	<p> PHA Name: Pennington County Housing and Redevelopment Commission PIIA Code: SD045 PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA PHA Plan for Fiscal Year Beginning: (MM/YYYY): 04/2024 PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units 500 Number of Housing Choice Vouchers (HCVs) 1431 Total Combined Units/Vouchers 1931 PIIA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission </p> <p> Availability of Information. PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. </p> <p> <input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below) </p> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																							
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Lead PHA:																																					
B.	Plan Elements																																				

B.1 Revision of Existing PHA Plan Elements.

(a) Have the following PHA Plan elements been revised by the PHA?

Y N

- ☐ ☒ Statement of Housing Needs and Strategy for Addressing Housing Needs
- ☒ ☐ Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
- ☒ ☐ Financial Resources.
- ☐ ☒ Rent Determination.
- ☐ ☒ Operation and Management.
- ☐ ☒ Grievance Procedures.
- ☒ ☐ Homeownership Programs.
- ☐ ☒ Community Service and Self-Sufficiency Programs.
- ☐ ☒ Safety and Crime Prevention.
- ☐ ☒ Pet Policy.
- ☐ ☒ Asset Management.
- ☐ ☒ Substantial Deviation.
- ☒ ☐ Significant Amendment/Modification

(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):

(c) The PHA must submit its Deconcentration Policy for Field Office review.

Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.

The PCHRC will consider determining applicants with Felony Convictions as eligible for housing if they are participating in Rebound or a South Dakota Unified Judicial System-approved treatment court, such as, but not limited to, Pennington County Drug, DUI, or Veterans Courts.

Financial Resources:

The Statement of Financial Resources has been updated and is on file in the office.

Homeownership Programs.

The PCHRC has been approached about implementing a homeownership program with VASH vouchers. The PCHRC will work with the VA to determine if this program is feasible and beneficial use of VASH vouchers. If so, the PCHRC will establish a homeownership program for VASH vouchers.

Rent Determination:

Section 8 Voucher Payment Standards were reviewed and revised based on HUD published Fair market Rents (FMRs). Payment Standards are set between 90% and 110% of the FMRs according to HUD regulations. They will be monitored and revised as necessary to remain in compliance with HUD regulations or to ensure an adequate supply of rental housing is available to Section 8 participants.

Public Housing Flat Rents are set at approximately 100% of HUD published Fair Market Rents (FMRs) with the exceptions of Prairie Village and Edwards Manor, which are set at approximately 80% of FMRs.

Significant Amendment/Modification

As part of the Rental Assistance Demonstration (RAD), PCHRC is redefining the definition of a substantial deviation from the PHA Plan to exclude the following RAD-specific items:

- a. The decision to convert to either Project Based Rental Assistance or Project Based Voucher Assistance;
- b. Changes to the Capital Fund Budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;
- c. Changes to the construction and rehabilitation plan for each approved RAD conversion; and
- d. Changes to the financing structure for each approved RAD conversion.

As part of the requirements due to HOTMA, PCHRC will modify its Admission and Continued Occupancy Policy (ACOP) and Section 8 Administrative Plan to incorporate the following regulation changes:

DETERMINATION OF TOTAL TENANT PAYMENT

Exceptions to Minimum Rent - Public housing agencies (PHAs) may grant hardships for households unable to pay rent due to unanticipated medical or disability expenses, as well as for households no longer eligible for the childcare expense deduction. 24 CFR 5.611(c)(1)-(c)(2). and 24CFR 5.611(d)

Income and Allowances - Income is defined as the types of money that are to be used as income for purposes of calculating the TTP and are defined by local and federal regulations. In accordance with this definition, income from all sources of each member of the household is documented. All amounts, not specifically excluded, received from all sources by each household member who is:

A. 18 years of age or older or,

B. The head of household or spouse of the head of household (any age)

- C. Unearned income by or on behalf of each minor dependent who is under 18 dependent years of age, and
- D. Imputed returns on net family assets exceeding \$50,000 (adjusted annually using the CPI-W) when the value of the actual returns from a given asset cannot be calculated. Imputed returns are based on the current passbook savings rate, as determined by HUD Actual income from assets.
- E. Imputed return on assets over \$50,000.

Allowable Deduction

1. ~~Elderly/Disabled allowance: Five hundred twenty-five dollars (\$525) per household for families whose head, co-head or spouse is sixty-two (62) or over or disabled.~~
2. Allowable medical expenses: 24 CFR 5.609(b)(6) Un-reimbursed (medical expenses not covered by medical insurance, regional centers [for individuals with developmental disabilities], schools [for special education students], or other sources) medical expenses for all family members that exceed 3% of the gross annual income of the family are deducted for elderly and disabled families. Families who are already receiving a deduction for expenses that exceed 3% of gross annual income will now receive a deduction for expenses over 5% gross annual income. The percentage will increase by 2.5% annually until reaching the 10% threshold.

Residents:	2024 Recertification	2025 Recertification	2026 Recertification
Already receiving a medical expense deduction of 3% of Gross Income	5% Of Gross Income	7.5% Of Gross Income	10% Of Gross Income
Claiming a medical expense deduction at 2024 Recertification	10% of Gross Income	10% of Gross Income	10% of Gross Income

3. Allowable Disability Assistance Expenses: 24 CFR 5.609(b)(6) Un-reimbursed disability expenses that exceed three percent (3%) of the gross annual income are deducted for attendant care by a non-family member or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work. These deductions may not exceed the earned income of the family member who is able to work because of such qualified expense. Families who are already receiving a deduction for expenses that exceed 3% of gross annual income will now receive a deduction for expenses over 5% gross annual income. The percentage will increase by 2.5% annually until reaching the 10% threshold.

Residents:	2024 Recertification	2025 Recertification	2026 Recertification
Already receiving a disability expense deduction of 3% of Gross Income	5% Of Gross Income	7.5% Of Gross Income	10% Of Gross Income
Claiming a disability expense deduction at 2024 Recertification	10% of Gross Income	10% of Gross Income	10% of Gross Income

DISALLOWANCE OF EARNED INCOME FROM RENT DETERMINATIONS – EARNED INCOME DISALLOWANCE (EID)

Effective January 1, 2024, only families currently participating in EID may continue to receive benefits up to 2 years from this date.

Income Exclusions

Annual income does not include the following:

- Payments received for the care of foster children or foster adults (usually persons with disabilities, unrelated to the resident family, who are unable to live alone). This exclusion also applies to Tribal Kinship or guardianship care payments.
- Amounts paid by a state or local agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.
- Distribution of principle from Irrevocable trusts, including Special Needs Trusts.
- Veterans' aide and attendant care.
- FSS Escrow Deposits.
- Education Savings Accounts Distributions - Coverdell or any qualified tuition program under IRS section 529 and 530

Regular Contributions and Gifts

- 24 CFR § 5.609(c)(9). Gifts for holidays, birthdays, or other significant life events or milestones are excluded from income

Asset and Asset Income

Income generated from some assets is used in the calculation of annual income for the purpose of determining the Total Tenant Payment. Net family assets are defined as the net cash value after deduction of reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment. The following are excluded from assets:

- Interests in Indian trust land.
- Equity accounts in HUD homeownership programs; and
- The value of necessary items of personal property such as furniture and automobiles.
- FSS Accounts
- Education Savings Accounts- Coverdell or any qualified tuition program under IRS section 529 and 530
- The value of real property the family does not have legal authority to sell
- Irrevocable Trusts
- Amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member, for an incident resulting in a disability

Where the family has net family assets in excess of fifty thousand dollars (\$50,000) the PHA will use the greater of:

- Actual income from all net family assets, or
- Imputed asset income, which is the cash value of listed assets multiplied by HUD-determined local passbook interest rate.

Residents with assets less than fifty thousand dollars (\$50,000) will require third-party verifications from financial institutions of all family assets upon admission to the public housing and then again at least every three (3) years thereafter.

25 CFR 5.618(a)

Families with net assets over \$100,000 (after adjusted for inflation) would be ineligible from public housing. These calculations are subject to due process and the families will have an opportunity to request a review.

Families would be ineligible for assistance, if they own real property suitable for occupancy by that family and meet certain conditions (have an ownership interest, legal right to reside in, and authority to sell the property)

Exceptions may apply:

- A family that receives assistance for the property from the Housing Choice Voucher Program
- Property jointly owned with someone else, and occupied by the other owner who is not a member of the household receiving benefits
- A Victim of domestic violence, dating violence, sexual assault, or stalking
- A family that is offering the property for sale

The PHA cannot waive the asset requirement but may allow the family 6 months before serving a termination of assistance notice and may allow the family to come into compliance during that time.

CONTRIBUTIONS TO RETIREMENT FUNDS

Contributions to company retirement/pension funds are handled as follows:

- A. The assets counted while an individual is employed are the amounts the family can withdraw without retiring or terminating employment
- B. The assets counted after retirement or termination of employment is any amount the employee elects to receive as a lump sum.
- C. Any distribution of periodic payments from these retirement accounts shall be considered income at the time they are received by the family. Exclusion of Retirement and
- D. Educational Savings Accounts: Retirement accounts and educational savings accounts will not be considered a net family asset.]

Assets Disposed of for Less than Fair Market Value Page

The PHA's minimum threshold for counting assets disposed of for less than fair market value is fifty thousand dollars (\$50,000). If the total value of assets disposed of within the two (2) year period is less than fifty thousand dollars (\$50,000) they will not be considered an asset.

Childcare Expenses

CHILDCARE FOR SCHOOL

A family whose eligibility for the child care expense deduction is ending may request a financial hardship exemption to continue the deduction. 24 CFR 5.611(d).

The PHA may grant hardships for households unable to pay rent due to households no longer eligible for the childcare expense deduction. The family must demonstrate that they are unable to pay their rent because of the loss of this deduction and the childcare expense is still necessary even though the family member is no longer employed or furthering their education. The duration of relief will be up to 90 days and the PHA may terminate the hardship exemption if they determine the family no longer needs it.

Health and Medical Expenses

The medical expense deduction is limited to families whose head, spouse/partner, co-head, or sole member is at least sixty-two (62) years of age or is a person with disabilities (elderly or disabled families). Families who are determined to be either elderly or disabled may deduct un-reimbursed medical, attendant care and auxiliary apparatus expenses that exceed three percent (10%) of their gross annual income in determining their Total Tenant Payment. When a household is eligible for a medical expense deduction, the medical expenses of all family members may be counted. Families who are already receiving a deduction for expenses that exceed 3% of gross annual income will now receive a deduction for expenses over 5% gross annual income. The percentage will increase by 2.5% annually until reaching the 10% threshold.

Residents:	2024 Recertification	2025 Recertification	2026 Recertification
Already receiving a deduction of 3% of Gross Income	5% Of Gross Income	7.5% Of Gross Income	10% Of Gross Income
Claiming a deduction at 2024 Recertification	10% of Gross Income	10% of Gross Income	10% of Gross Income

Items to be Verified

Current assets including assets of \$50,000 or more disposed of for less than fair market value in the last two (2) years

SELF-CERTIFICATION/SELF-DECLARATION

Assets of less than \$50,000 are resident self-certified and do not require the collection of any bank statements except when the family is in the application process. Per HUD's Streamlining Rule, every three (3) years all assets regardless of value must be third party verified. 24 CFR §§960.259, 982.516

If self-certification reveals more than \$50,000 in assets, all asset verification processes must be followed for each income/asset source.

Income from Assets

The PHA recognizes that it is not always cost effective to incur bank verification fees or use PHA staff time to facilitate third-party verifications for checking and savings accounts. In these cases, checking and savings account balances under \$50,000 will require third-party verifications from financial institutions of all family assets upon admission to the public housing program and at least every three (3) years thereafter.

Verification procedures will be performed on all sources if the self-certification reveals assets greater than fifty thousand dollars (\$50,000).

If assets are declared to be over fifty thousand dollars (\$50,000), checking and savings accounts, stocks, bonds, crypto currency, real estate, interest income and dividends will be verified in the following order by:

- PHA verification forms completed by the financial institution.
- Verbal confirmation of information from the financial institution,
- Account statements, passbooks, certificates of deposit (CDs),
- Broker's statements showing value of stocks or bonds and the earnings credited to the family. Earnings can be obtained from current newspaper quotations or broker's verifications (oral written), and
- IRS Form 1099 from the financial institution provided that the PHA must adjust the information to project earnings expected for the next twelve (12) months.

Increases in Income to be Reported |

Families are required to report all increases in income or assets that occur between regularly scheduled annual recertifications (see Reporting Interim Changes.) Increases in income, less than 10% of the families adjusted annual income between annual recertifications will be noted in the file, however, a rent adjustment will not be calculated until the next annual recertification or the addition of a household member.

Decreases in Income and Rent Adjustments

Residents may report a decrease in income and other changes, such as an increase in allowances or deductions. These changes would reduce the amount of the total resident payment. The PHA will process the rent adjustment unless the PHA confirms that the decrease in income will last less than thirty (30) days and/or will be less than 10% of the families adjusted annual income.

PROCEDURES WHEN THE CHANGE IS REPORTED IN A TIMELY MANNER

The PHA will notify the family of any changes in resident rent to be effective according to the following guidelines:

- Increases in the resident rent are effective;
- At annual recertification;
- Beginning the first of the month at least thirty (30) days from the completion of recertification;
- If the income increase is greater than threshold amount of 10% of the families adjusted annual income
- When there is a change in the household composition;
- Decreases in the resident rent are effective the first (1st) of the month following the month in which the change is reported.

Terminations due to Over-Income [24 CFR 960.261; FR Notice 07/26/2018]

The Housing Opportunity Through Modernization Act (HOTMA) of 2016 placed an income limitation on public housing tenancies. The over-income requirement states that after a family's income has exceeded the most recent HUD-established Very Low Income (VLI) limit for the Pennington County Rent Area multiplied by a factor of 2.4 (AMI) (or a different limitation established by the secretary) for two (2) consecutive years. Within six (6) months of the second year's income determination, a PHA must provide the family with the option to either have their tenancy terminate, or have their monthly rent increase to a value that is the higher of:

- [The applicable fair market rent (FMR), as established by HUD or
- The total monthly subsidy for the unit, which includes operating subsidy and capital funds, as determined by regulations.

At annual or interim reexamination, if a family's income exceeds the applicable over-income limit, the PHA will document the family file and begin tracking the family's over-income status.

If one year after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the PHA will notify the family in writing that their income has exceeded the over-income limit. Additionally, if the family continues to be over-income for the next 12 consecutive months, the family will be subject to the PHA's over-income policies.

If two years after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, and the family has not elected to be terminated from the unit, the PHA will charge the family a rent that is the higher of the applicable fair market rent (FMR) or the amount of total monthly subsidy for the unit. The household will no longer be a public housing participant.

The OI family will be required to execute a new NPHOI (Non Public Housing Over Income) lease within 60 days of notification.

If, at any time during the 24 month grace period, an over-income family experiences a decrease in income, the family may request an interim redetermination of rent in accordance with PHAs policy. If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification.

The PHA will notify the family in writing that over-income policies no longer apply. If the family's income later exceeds the over-income limit again, the family is entitled to a new two-year grace period. PHA will begin tracking over-income families once these policies have been adopted. The PHA may terminate tenancy for families whose income exceeds the limit for the program eligibility as described at 24 CFR 960.261.

B.2 New Activities.

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?

Y N

- ☐ ☒ Hope VI or Choice Neighborhoods.
- ☒ ☐ Mixed Finance Modernization or Development.
- ☒ ☐ Demolition and/or Disposition.
- ☐ ☒ Designated Housing for Elderly and/or Disabled Families.
- ☒ ☐ Conversion of Public Housing to Tenant-Based Assistance.
- ☒ ☐ Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- ☐ ☒ Occupancy by Over-Income Families.
- ☐ ☒ Occupancy by Police Officers.
- ☐ ☒ Non-Smoking Policies.
- ☒ ☐ Project-Based Vouchers.
- ☐ ☒ Units with Approved Vacancies for Modernization.
- ☐ ☒ Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.

Mixed Finance Modernization or Development

The PCHRC is seeking to develop (70) additional affordable housing units on a seven acre parcel it owns in north Rapid City. Mixed Finance Development may be utilized.

Demolition and/or Disposition. (Section 18)

The PCHRC plans to pursue Section 18 Disposition and RAD/Section 18 Blends in following guidance in PIH Notice 2021-07 because it will allow the PCHRC to receive needed additional resources.

PCHRC plans to submit a Section 18 Disposition application for 35 non-contiguous scattered sites. The sites will be sold at fair market value and proceeds used to further repositioning and new affordable housing development goals.

Following PIH Notice 2021-07 and 24 CFR 970.17(c), the PHA has otherwise determined the disposition to be appropriate for reasons that are consistent with the goals of the PHA and the PHA Plan and that are otherwise consistent with the Housing Act of 1937. Due to distance between units and lack of uniformity of systems for the non-contiguous scattered sites, the PHA determined it unsustainable to operate and/or maintain the units as public housing.

Conversion of Public Housing to Tenant Based Assistance

In conjunction with RAD project developments, the PCHRC may apply for Tenant Protection Vouchers (TPV). Generally, replacement TPVs will be issued based on the occupancy of the public housing units being removed through Section 18. The Section 18 RAD Small Agency Blend Rule and Section 18 Disposition of scattered sites would provide PCHRC with needed additional resources for Tenant Based Assistance relative to repositioning and RAD conversion of units.

Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.

The PCHRC will investigate current HUD Asset Repositioning programs for the purpose of selling some of its scattered site single family homes to finance multifamily developments.

1. Consideration will be given for a Section 18 application under Asset Repositioning with an expected timetable in 2023 and 2024.
2. Consideration will be given for a RAD application under Asset Repositioning with an expectation to pursue such repositioning following a Section 18 disposition.
3. Consideration will be given for a Demolition/Disposition application.

The PCHRC will investigate current HUD Asset Repositioning programs for the purpose of redeveloping a (37) unit complex.

1. Consideration will be given for a Section 18 application under Asset Repositioning with an expected timetable in 2023 and 2024.
2. Consideration will be given for a RAD application under Asset Repositioning with an expectation to pursue such repositioning following a Section 18 disposition.
3. Consideration will be given for a Demolition/Disposition application.

The PCHRC plans to participate in the Rental Assistance Demonstration (RAD) program. As a result, the PCHRC will be converting to Project Based Vouchers under the guidelines of PIH 2019-23, REV-4 and any successor Notices. Upon conversion to Project Based Vouchers the Authority will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6 of PIH 2019-23, REV-4; and PIH-2016-17. These resident rights, participation, waiting list and grievance procedures are appended to this Attachment. Additionally, the PCHRC certifies that it is currently compliant with all fair housing and civil rights requirements.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing PCHRC with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, the Authority's Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that PCHRC may also borrow funds to address their capital needs. The PCHRC may also contribute Operating Reserves in the range of approximately \$6,000,000 and/or Capital Funds in the range of \$750,000-\$3,000,000 towards the conversion.

Below, please find specific information related to the Public Housing Development(s) selected for RAD:

Development #1

<u>Name of Public Housing Project:</u> Jackson Heights	<u>PIC Development ID:</u> SD045000011	<u>Conversion type (i.e., PBV or PBRA):</u> PBV	<u>Transfer of Assistance:</u> (if yes, please put the location if known, and # of units transferring) No
<u>Total Units:</u> 105	<u>Pre-RAD Unit Type (i.e., Family, Senior, Etc.):</u> Family	<u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</u> 	<u>Capital Fund allocation of Development:</u> \$325,453
<u>Bedroom Type</u>	<u>Number of Units Pre-Conversion</u>	<u>Number of Units Post-Conversion</u>	<u>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)</u>
Studio/Efficiency			
One Bedroom	103	103	0
Two Bedroom	2	2	0
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
<u>(If performing a Transfer of Assistance):</u>	N/A		

Development #2

<u>Name of Public Housing Project:</u> River Ridge	<u>PIC Development ID:</u> SD045000011	<u>Conversion type (i.e., PBV or PBRA):</u> PBV	<u>Transfer of Assistance:</u> (if yes, please put the location if known, and # of units transferring) No
<u>Total Units:</u> 56	<u>Pre-RAD Unit Type (i.e., Family, Senior, Etc.):</u> Family	<u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</u> 	<u>Capital Fund allocation of Development:</u> \$173,575
<u>Bedroom Type</u>	<u>Number of Units Pre-Conversion</u>	<u>Number of Units Post-Conversion</u>	<u>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of</u>

			Assistance, Unit Reconfigurations, etc.)
Studio/Efficiency			
One Bedroom	55	55	0
Two Bedroom	1	1	0
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	N/A		

Development #3

Name of Public Housing Project: Valley View	PIC Development ID: SD045000011	Conversion type (i.e., PBV or PBRA): PBV	Transfer of Assistance: (if yes, please put the location if known, and # of units transferring) No
Total Units: 97	Pre-RAD Unit Type (i.e., Family, Senior, Etc.): Family	Post-RAD Unit Type if different (i.e., Family, Senior, etc.)	Capital Fund allocation of Development: \$300,657
Bedroom Type	Number of Units Pre-Conversion	Number of Units Post-Conversion	Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)
Studio/Efficiency			
One Bedroom	94	94	0
Two Bedroom	3	3	0
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	N/A		

Development #4

Name of Public Housing Project: Edwards Manor	PIC Development ID: SD045000011	Conversion type (i.e., PBV or PBRA): PBV	Transfer of Assistance: (if yes, please put the location if known, and # of units transferring) No. Prairie Village (below) will be transferring all 28 of its units to a new construction development at the Edwards Manor site.
Total Units: 37	Pre-RAD Unit Type (i.e., Family, Senior, etc.): Family	Post-RAD Unit Type if different (i.e., Family, Senior, etc.)	Capital Fund allocation of Development: \$114,684
Bedroom Type	Number of Units Pre-Conversion	Number of Units Post-Conversion	Change in Number of Units per Bedroom Type and Why (De Minimis

			Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)
Studio/Efficiency	30	0	-30 Unit Reconfiguration
One Bedroom	4	61 (final unit config. pending)	+57 Unit Reconfiguration and Receiving TOA
Two Bedroom	3	4 (final unit config. pending)	+1 Receiving TOA
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	N/A		

Development #5

<u>Name of Public Housing Project:</u> Prairie Village	<u>PIC Development ID:</u> SD045000011	<u>Conversion type (i.e., PBV or PBRA):</u> PBV	<u>Transfer of Assistance:</u> (if yes, please put the location if known, and # of units transferring) Yes. All 28 units will be transferring to Edwards Manor
<u>Total Units:</u> 28	<u>Pre-RAD Unit Type (i.e., Family, Senior, etc.):</u> Family	<u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</u>	<u>Capital Fund allocation of Development:</u> \$86,788
<u>Bedroom Type</u>	<u>Number of Units Pre-Conversion</u>	<u>Number of Units Post-Conversion</u>	<u>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)</u>
Studio/Efficiency			
One Bedroom	27	0	-27 TOA
Two Bedroom	1	0	-1 TOA
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	No changes to eligibility, admission, selection, and occupancy of units are anticipated.		

Development #6

<u>Name of Public Housing Project:</u> Bluebird & Hemlock; Minnetonka & Queens	<u>PIC Development ID:</u> SD045000016	<u>Conversion type (i.e., PBV or PBRA):</u> PBV	<u>Transfer of Assistance:</u> (if yes, please put the location if known, and # of units transferring) No
<u>Total Units:</u> 77	<u>Pre-RAD Unit Type (i.e., Family, Senior, Etc.):</u> Family	<u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</u>	<u>Capital Fund allocation of Development:</u> \$238,666
<u>Bedroom Type</u>	<u>Number of Units Pre-Conversion</u>	<u>Number of Units Post-Conversion</u>	<u>Change in Number of Units per Bedroom Type and Why (De Minimis</u>

			Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)
Studio/Efficiency			
One Bedroom			
Two Bedroom	19	19	0
Three Bedroom	57	57	0
Four Bedroom	1	1	0
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	N/A		

Development #7

<u>Name of Public Housing Project:</u> Curtis, Adams, LaCrosse & Blaine, Doolittle	<u>PIC Development ID:</u> SD045000016	<u>Conversion type (i.e., PBV or PBRA):</u> PBV	<u>Transfer of Assistance:</u> (if yes, please put the location if known, and # of units transferring) No
<u>Total Units:</u> 66	<u>Pre-RAD Unit Type (i.e., Family, Senior, Etc.):</u> Family	<u>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</u>	<u>Capital Fund allocation of Development:</u> \$204,571
<u>Bedroom Type</u>	<u>Number of Units Pre-Conversion</u>	<u>Number of Units Post-Conversion</u>	<u>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, etc.)</u>
Studio/Efficiency			
One Bedroom			
Two Bedroom	24	24	0
Three Bedroom	36	36	0
Four Bedroom	6	6	0
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance):	N/A		

The PCHRC will investigate current HUD programs to convert Public Housing to Tenant Based Assistance or Project Based Assistance.

1. Consideration will be given for a Section 18 application under Asset Repositioning
2. Consideration will be given for a RAD application under Asset Repositioning.

Project-Based Vouchers

The PCHRC will consider Project Based Vouchers for its VASH program if requested to do so by the Veterans Administration.

The PCHRC will consider Project Based Vouchers for its Housing Choice Voucher program.

The PCHRC may assign PBVs to new development projects it builds or any of the projects that PCHRC's instrumentalities own or operate. The PCHRC's instrumentality will administer PBV HAP contracts.

The PCHRC will consider applying to participate in HUD's expanded Moving to Work program.

B.3	<p>Progress Report.</p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>Goal: Expand the supply of assisted housing.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Apply for additional units of Tenant Based Assistance, including those targeting specific clientele. 2. Acquire land for future development. 3. Acquire or build additional units. <p>Progress:</p> <p>No additional Tenant Based Assistance was applied for due to lack of units to rent. No additional land was acquired. The PCHRC has been moving forward with a plan to develop (70) units for families at or below 80% AMI. Schematic design has been completed and additional financial resources from the County have been secured in the amount of \$2,000,000. HUD Technical Assistance was received on the topic of Asset Repositioning in 2021-2022. A consultant was contracted in December, 2022, to provide assistance with Public Housing repositioning.</p> <p>Goal: Improve the quality of assisted housing:</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Achieve High Performer Status under the Public Housing Assessment System (PHAS). 2. Achieve High Performer Status under the Section 8 Management Assessment Program (SEMAP). <p>Progress:</p> <p>The PCHRC was designated as a Standard Performer under PHAS and SEMAP.</p> <p>Goal: Increase assisted housing choices.</p> <p>Objectives:</p> <ol style="list-style-type: none"> 1. Conduct outreach effort to potential voucher landlords. <p>Progress:</p> <p>The PCHRC produces and distributes Landlord/Property Manager Handbooks and hold information sessions to provide information on the Section 8 program to prospective landlords. Outreach is conducted through membership in the Black Hills Multifamily Housing Association.</p>
B.4	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>See HUD Form 50075.2 approved by HUD on 7/6/2023.</p>
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe: The Commission used the incorrect Voucher Payment Standard on five participants which resulted in errors in housing assistance payments calculations.</p> <p>The Commission did not maintain verification documenting Rent Reasonableness on three families in Section 8.</p> <p>The Commission did not maintain verification documenting background checks on two families in Public Housing.</p>
C.	<p>Other Document and/or Certification Requirements.</p>
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
C.2	<p>Certification by State or Local Officials.</p> <p><u>Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</u>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>		
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>		
C.5	<p>Troubled PHA.</p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y N N/A <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>		
D.	<p>Affirmatively Furthering Fair Housing (AFFH).</p>		
D.1	<p>Affirmatively Furthering Fair Housing (AFFH).</p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1" data-bbox="155 1411 1372 1843"> <tr> <td data-bbox="155 1411 1372 1453"> <p>Fair Housing Goal:</p> </td></tr> <tr> <td data-bbox="155 1453 1372 1843"> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> </td></tr> </table>	<p>Fair Housing Goal:</p>	<p><u>Describe fair housing strategies and actions to achieve the goal</u></p>
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	<div style="border: 1px solid black; padding: 5px;"> Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u> </div>	
	<div style="border: 1px solid black; padding: 5px;"> Fair Housing Goal: <u>Describe fair housing strategies and actions to achieve the goal</u> </div>	

Instructions for Preparation of Form HUD-50075-ST Annual PHA Plan for Standard and Troubled PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR §903.4)

A.1 Include the full PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), PHA Inventory, Number of Public Housing Units and or Housing Choice Vouchers (HCVs), PHA Plan Submission Type, and the Availability of Information, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. (24 CFR §903.23(4)(e))

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))

B. Plan Elements. All PHAs must complete this section.

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element not been revised, mark "no." (24 CFR §903.7)

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA : other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races : ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing need in accordance with 24 CFR §5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR §903.7(a)).

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(2)(i)) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy. (24 CFR §903.7(a)(2)(ii))

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2. (24 CFR §903.23(i)) Describe the PHA's admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA's policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. (24 CFR §903.7(b)) Describe the PHA's procedures for maintain waiting lists for admission to public housing and address any site-based waiting lists. (24 CFR §903.7(b)). A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. (24 CFR §903.7(b)) Describe the unit assignment policies for public housing. (24 CFR §903.7(b))

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA operating, capital, other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))

☐ **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units, including applicable public housing flat rents, minimum rents, voucher family rent contributions, and payment standard policies. (24 CFR §903.7(d))

☐ **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance and management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA. (24 CFR §903.7(e))

☐ **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants. (24 CFR §903.7(f))

☐ **Homeownership Programs.** A description of any Section 5h, Section 32, Section 8y, or HOPE I public housing or Housing Choice Voucher (HCV) homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))

☐ **Community Service and Self Sufficiency Programs.** Describe how the PHA will comply with the requirements of (24 CFR §903.7(l)). Provide a description of: 1) Any programs relating to services and amenities provided or offered to assisted families; and 2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs subject to Section 3 of the Housing and Urban Development Act of 1968 (24 CFR Part 135) and FSS. (24 CFR §903.7(l))

☐ **Safety and Crime Prevention (VAWA).** Describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must provide development-by-development or jurisdiction wide-basis: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities. (24 CFR §903.7(m)) A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

☐ **Pet Policy.** Describe the PHA's policies and requirements pertaining to the ownership of pets in public housing. (24 CFR §903.7(n))

☐ **Asset Management.** State how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory. (24 CFR §903.7(q))

☐ **Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))

☐ **Significant Amendment/Modification.** PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32 REV-3, successor RAD Implementation Notices, or other RAD Notices.

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

PHAs must submit a Deconcentration Policy for Field Office review. For additional guidance on what a PHA must do to deconcentrate poverty in its development and comply with fair housing requirements, see 24 CFR 903.2. (24 CFR §903.23(b))

B.2 New Activities. If the PHA intends to undertake any new activities related to these elements in the current Fiscal Year, mark "yes" for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark "no."

☐ **HOPE VI or Choice Neighborhoods.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Choice Neighborhoods; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI or Choice Neighborhoods is a separate process. See guidance on HUD's website at: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6. (Notice PIH 2011-47)

☐ **Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Mixed Finance Modernization or Development is a separate process. See guidance on HUD's website at: https://www.hud.gov/program_offices/public_indian_housing/programs/ph/hope6/mfph#4

☐ **Demolition and/or Disposition.** With respect to public housing only, describe any public housing development(s), or portion of a public housing development project owned by the PHA and subject to ACCs (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition approval under section 18 of the 1937 Act (42 U.S.C. 1437p); and (2) A timetable for the demolition or disposition. This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed as described in the PHA's last Annual and/or 5-Year PHA Plan submission. The application and approval process for demolition and/or disposition is a separate process. Approval of the PHA Plan does not constitute approval of these activities. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm. (24 CFR §903.7(h))

☐ **Designated Housing for Elderly and Disabled Families.** Describe any public housing projects owned, assisted or operated by the PHA (or portions thereof), in the upcoming fiscal year, that the PHA has continually operated as, has designated, or will apply for designation for occupancy by elderly and/or disabled families only. Include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission; 5) the number of units affected and; 6) expiration date of the designation of any HUD approved plan. **Note:** The application and approval process for such designations is separate from the PHA Plan process, and PHA Plan approval does not constitute HUD approval of any designation. (24 CFR §903.7(i)(C))

☐ **Conversion of Public Housing under the Voluntary or Mandatory Conversion programs.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA is required to convert or plans to voluntarily convert to tenant-based assistance; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>. (24 CFR §903.7(j))

☐ **Conversion of Public Housing under the Rental Assistance Demonstration (RAD) program.** Describe any public housing building(s) (including project number and unit count) owned by the PHA that the PHA plans to voluntarily convert to Project-Based Rental Assistance or Project-Based Vouchers under RAD. See additional guidance on HUD's website at: [Notice PIH 2012-32 REV-3, successor RAD Implementation Notices, and other RAD notices.](#)

☐ **Occupancy by Over-Income Families.** A PHA that owns or operates fewer than two hundred fifty (250) public housing units, may lease a unit in a public housing development to an over-income family (a family whose annual income exceeds the limit for a low income family at the time of initial occupancy), if all the following conditions are satisfied: (1) There are no eligible low income families on the PHA waiting list or applying for public housing assistance when the unit is leased to an over-income family; (2) The PHA has publicized availability of the unit for rental to eligible low income families, including publishing public notice of such availability in a newspaper of general circulation in the jurisdiction at least thirty days before offering the unit to an over-income family; (3) The over-income family rents the unit on a month-to-month basis for a rent that is not less than the PHA's cost to operate the unit; (4) The lease to the over-income family provides that the family agrees to vacate the unit when needed for rental to an eligible family; and (5) The PHA gives the over-income family at least thirty days notice to vacate the unit when the unit is needed for rental to an eligible family. The PHA may incorporate information on occupancy by over-income families into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD's website at: [Notice PIH 2011-7](#). (24 CFR 960.503) (24 CFR 903.7(b))

☐ **Occupancy by Police Officers.** The PHA may allow police officers who would not otherwise be eligible for occupancy in public housing, to reside in a public housing dwelling unit. The PHA must include the number and location of the units to be occupied by police officers, and the terms and conditions of their tenancies; and a statement that such occupancy is needed to increase security for public housing residents. A "police officer" means a person determined by the PHA to be, during the period of residence of that person in public housing, employed on a full-time basis as a duly licensed professional police officer by a Federal, State or local government or by any agency of these governments. An officer of an accredited police force of a housing agency may qualify. The PHA may incorporate information on occupancy by police officers into its PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. See additional guidance on HUD's website at: [Notice PIH 2011-7](#). (24 CFR 960.505) (24 CFR 903.7(b))

☐ **Non-Smoking Policies.** The PHA may implement non-smoking policies in its public housing program and incorporate this into its PHA Plan statement of operation and management and the rules and standards that will apply to its projects. See additional guidance on HUD's website at: [Notice PIH 2009-21 and Notice PIH-2017-03](#). (24 CFR §903.7(e))

☐ **Project-Based Vouchers.** Describe any plans to use Housing Choice Vouchers (HCVs) for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 983.57(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan (24 CFR §903.7(b)).

☐ **Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with 24 CFR §990.145(a)(1).

☐ **Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

For all activities that the PHA plans to undertake in the current Fiscal Year, provide a description of the activity in the space provided.

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission goals described in the 5-Year PHA Plan. (24 CFR §903.7(r)(1))

B.4 Capital Improvements. PHAs that receive funding from the Capital Fund Program (CFP) must complete this section (24 CFR §903.7(g)). To comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan in EPIC and the date that it was approved. PHAs can reference the form by including the following language in the Capital Improvement section of the appropriate Annual or Streamlined PHA Plan Template: "See Capital Fund 5 Year Action Plan in EPIC approved by HUD on XX/XX/XXXX."

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)

C.2 Certification by State or Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies a fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154 or 24 CFR 5.160(a)(3) as applicable; (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations, impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

C.5 Troubled PHA. If the PHA is designated troubled, and has a current MOA, improvement plan, or recovery plan in place, mark "yes," and describe that plan. Include dates of the description and most recent revisions of these documents as attachments. If the PHA is troubled, but does not have any of these items, mark "no." If the PHA is not troubled, mark "N/A." (24 CFR §903.9)

D. Affirmatively Furthering Fair Housing (AFFH).

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing" Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan.

Public reporting burden for this information collection is estimated to average 7.52 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

