

<b>Streamlined Annual PHA Plan (HCV Only PHAs)</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 02/29/2016</b>
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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, 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.** Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

**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 of 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, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 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 exceeds 550, and that was designated as a standard performer in the most recent PHAS and 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.

<b>A.</b>	<b>PHA Information.</b>																																			
A.1	<p>PHA Name: <u>Howard County Housing Commission</u> PHA Code: <u>MD023</u>          PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/2016</u>          PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)          Number of Housing Choice Vouchers (HCVs) <u>1005</u>          PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p><b>Availability of Information.</b> In addition to the items listed in this form, 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. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at the main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website.</p> <p><input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a joint Plan and complete table below)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Participating PHAs</th> <th style="width: 10%;">PHA Code</th> <th style="width: 25%;">Program(s) in the Consortia</th> <th style="width: 25%;">Program(s) not in the Consortia</th> <th style="width: 15%;">No. of Units in Each Program</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <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	Lead HA:																													
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<b>B.</b>	<b>Annual Plan.</b>
<b>B.1</b>	<p><b>Revision of PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Informal Review and Hearing Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification.</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element(s):</p>
<b>B.2</b>	<p><b>New Activities</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p>(b) If this activity is planned for the current Fiscal Year, describe the activities. Provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan.</p> <p>The Housing Commission will be project basing 35 vouchers of Single Efficiency Apartments for the homeless during the upcoming fiscal year. The development will be located off of the route 1 corridor in Jessup, Maryland. The Project Basing of these units would be consistent with the Administrative Plan in that it would serve single homeless persons, a population that is underserved, and often difficult to house due to unique issues associated with that population.</p> <p>The Housing Commission will be participating in a regional initiative to project base one hundred (100) vouchers in opportunity areas in the Baltimore Region. Howard County will be contributing 3 project based vouchers toward this initiative. It is being coordinated by the Baltimore Regional Council and Howard County will be serving as the fiscal agent for the project.</p>
<b>B.3</b>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N N/A</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<b>B.4</b>	<p><b>Civil Rights Certification</b></p> <p><i>Form HUD-50077, PHA Certifications of Compliance with the PHA Plans and Related Regulations, must be submitted by the PHA as an electronic attachment to the PHA Plan.</i></p>
<b>B.5</b>	<p><b>Certification by State or Local Officials.</b></p> <p><i>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.</i></p>
<b>B.6</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan.</p> <p><u>See Attached</u></p>

<b>B.7</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y   N  <input type="checkbox"/> <input type="checkbox"/></p> <p>(a) 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>
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**Goals and Objectives.** Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

1. To integrate affordable housing with market rate housing through redevelopment activities;
2. To produce environmentally friendly and universally designed affordable housing;
3. To produce affordable housing that is financially self-sufficient;
4. To move residents of affordable housing toward economic self-sufficiency;
5. To increase homeownership opportunities for low and moderate income families;
6. To develop programs for elderly and disabled homeowners to insure that they are financially able to remain in their units, to assist with issues of accessibility and to insure that the units are properly maintained.
7. To insure that families have equal access to housing regardless of race, color, religion, national origin, sex, disability, familial status or source of income.
8. To develop and preserve affordable housing equally across all areas of the county which reflects current and/or anticipated demand based on unit size.

**B.6 Progress Report.**

Provide a description of the PHA’s progress in meeting its Mission and Goals described in its 5-Year PHA Plan.

1. **To integrate affordable housing with market rate housing through redevelopment activities:** The Commission redeveloped Guilford Gardens from a 100 unit subsidized development into a 269 unit mixed income development now known as Monarch Mills. The development is currently 90 percent leased. The Commission also redeveloped Hilltop from a 94 unit subsidized development into a 153 unit mixed income development now known at Burgess Mills.
2. **To produce environmentally friendly and universally designed affordable housing:** The Commission has developed 4 award winning Apartment Communities and a Community Center during the previous 5-Year Plan period. The developments incorporated numerous universal design, energy efficiency and environmentally friendly features. Specific details on awards and features are as follows:

**BURGESS MILL STATION**  
**198-UNITS**  
**CONSTRUCTION COMPLETED DECEMBER 13’**

- AWARDS RECEIVED:**
- 2014 Maryland Affordable Housing Coalition (MAHC) Innovation Award

- **Semi-finalist for the 2014 Jack Kemp Excellence in Affordable and Workforce Housing Awards – Final notification pending.**

Sustainable measures implemented throughout the Burgess Mills community include:

- Greatly increased housing density. Increased density on pre-existing site reduced the need to convert greenfields (farms, parks, etc.) to housing.
- Parking deck with green roof. The courtyard created by the green roof is accessed at grade and it is almost imperceptible that it is a green roof and not an on-grade planted area. This approach reduces the amount of impervious coverage generally required for parking.
- Bio retention ponds with natural plantings. These man-made beds are designed to filter and manage storm water naturally.
- Energy Star-rated windows, appliances & light fixtures including refrigerator, dishwasher, and clothes washer.
- Low or no-VOC paint – reduced risk of health concerns from Volatile Organic Compounds found in traditional paints.
- Air Sealing – air infiltrations have been virtually eliminated by sealing all penetrations and potential leak points.
- Third Party Performance Testing for the garden apartments used to verify the building is in compliance with green programs and standards.

**ROGER CARTER COMMUNITY CENTER**  
**45,000 SQ.FT. FACILITY**  
**CONSTRUCTION COMPLETED JUNE 13'**

**AWARDS RECEIVED:**

- **2014 United States Green Building Council (USGBC) Maryland Chapter – Wintergreen Award.**  
**The Wintergreen Award recognizes achievement in green buildings and sustainable design.**
- 

Sustainable measures included:

- The Roger Carter Recreation Center will be seeking a LEED Silver designation.
- Water efficient plumbing fixtures are used included low flow toilets, showers and sinks and irrigation is completely eliminated with specified drought tolerant plantings.

- Current energy model results show that the building is 39% more efficient than a building that is designed minimum energy requirements. This equates to about \$63,000 per year in reduced gas and electric utility costs.
- Savings are achieved by more efficient lighting and HVAC energy use reduction through more efficient equipment, heat recovery, better building envelope, and building solar orientation.
- The building structure is all steel which contains large amounts of recycled content. Other building materials were carefully selected to ensure recycled content and extraction and manufacture within 500 miles of the site.

## **MONARCH MILLS**

269-UNITS

CONSTRUCTION COMPLETED MARCH 12'

### **AWARDS RECEIVED:**

- 2012 Gold LEED Certification – United States Green Building Council (USGBC)
- 2012 Novogradac Journal of Tax Credits - Development of Distinction Award – Innovative Financing
- 2012 Maryland Department of Housing & Community Development (DHCD) Commitment to Excellence – Rental Housing Excellence
- 2013 Housing Association of Nonprofit Developers (HAND) Housing Achievement Award – Best Large Affordable Housing Project

Sustainable measures included:

### **Site Improvements**

- Erosion and Sediment Control-Protection of Surrounding Lands and Bodies of Water During the Construction Process
- Landscaping-Use of Native Species
- Surface Water Management-Rain Harvesting Cisterns for Landscape Irrigation
- Storm Drain Labels-Reminder That the Site Falls Within the Chesapeake Bay Watershed

### **Water Conservation**

- Water Conserving Appliances-Energy Star Rated Dishwashers and Clothes Dishwashers
- Water Conserving Fixtures-Toilets, Showerheads, Kitchen Faucets, and Bath Faucets

### **Materials Beneficial to the Environment**

- Construction Waste Management-Over 75% of Construction Waste Was Recycled
- Recycled Content-Materials Include Concrete, Siding, Insulation, Drywall, and Flooring

- Reducing Heat Island Effect-Clubhouse Roof Shingles

### Healthy Living Environment

- Low/No VOC Paints and Primers
- Low/No VOC Adhesives and Sealants
- Urea Formaldehyde-free Composite Wood: Kitchen Cabinets, Bathroom Vanities, and Interior Doors
- Green Label Floor Coverings: Carpets
- Bathroom Exhaust Fans-Equipped with Smart Fans To Reduce The Potential For Mold

### Operations and Maintenance

- Each Residence Will Receive an Occupant Manual Which Outlines the Operation, Maintenance, and GREEN Features of The Community

As part of the overall sustainability plan for the development, Harkins Builders, general contractor made certain that two major goals were achieved throughout the project, (i) diverting construction management waste from landfills and (ii.) a percentage of regional material and recycled content were utilized for the construction of the community Clubhouse. As part of the development team seeking a LEED Gold rating for the Clubhouse, the following goals were achieved:

- Regional Material for Clubhouse – 25.9%
- Recycled Content for Clubhouse – 13.1%
- LEED CMW (%diverted from landfill) – 92.4%
- GC CMW (% diverted from landfill) – 83.9%

### **THE COTTAGES AT GREENWOOD 10 SINGLE FAMILY DETACHED FOR SALE HOMES CONSTRUCTION COMPLETED MARCH 12'**

#### **AWARDS RECEIVED:**

- 2010 Nan McKay & Associates, Inc. – Pioneer in Housing Award
- 2012 Platinum LEED Certification – United States Green Building Council (USGBC)
- 2012 United States Green Building Council (USGBC) Maryland Chapter – Wintergreen Award – Socio Economic Impact. The Wintergreen Award recognizes achievement in green buildings and sustainable design.

#### Sustainable measures included:

- Native Landscaping – Native, drought tolerant and non-invasive species.
- Rain Barrels – Utilized to help collect excess rainwater from impervious areas, such as the roof so it can be reused for watering the garden.

- Environmentally Friendly Cabinets – Built with FSC lumber, there is no added urea formaldehyde, and they have a Green Guard, CARB compliant finish.
- Energy Star Appliances –refrigerator, dishwasher and high efficiency ventilation hood.
- Low Flow water fixtures – low flow faucets typically use about 20% less water, with equal or superior performance.
- Air Sealing – air infiltration has been virtually eliminated by sealing all penetrations and potential leak points.
- Energy Star light fixtures, bath fans and ceiling fans
- Large Low-e, double pane insulated Energy Star-rated casement windows
- Insulted concrete slab
- Low or no-VOC paint – reduces risk of health concerns from Volatile Organic Compounds found in traditional paints
- Stained, polished concrete flooring – eliminates the need for more building materials
- Green Label Certified carpet
- Small high efficiency HVAC system
- High efficiency Energy Star front-loading washer and gas powered dryer
- Recycled glass countertop by Cosentino
- Solar Tube
- Green Guard Pad – the Mohawk bonded pad installed in the bedrooms is made from approximately 90% postindustrial recycled material.
- Carbon Monoxide Detectors – CO detectors are centrally located outside each separate sleeping area as well as in any room adjacent to the carport.
- FSC Certified Trim – raw materials gathered from a source certified by the Forest Stewardship Council.
- Dense pack cellulose and open cell foam insulation.
- Pex Plumbing – cross-linked polyethylene pipes are used for the general supply lines of the home, allowing for fewer fittings, more flexibility, and reduced heat transfer.
- FSC Certified Lumber (in some houses)- raw materials gathered from a source certified by the Forest Stewardship Council.
- Bioretention beds – an amenity benefiting the entire community, these man-made beds are designed to help filter and manage storm water naturally.
- Fiber Cement Siding– recycled content product; with exceptional curb appeal and durability.
- 30 Year Roof Shingles
- Third Party Performance Testing – used to verify the builder is in compliance with green programs, inspections are done at (framing and house completion)
- Energy Management Monitor – monitors the whole house energy use.
- Advanced Framing Techniques – insulation is weaved behind and around staggered wall studs not just in between them. Corners are framed hollow to allow insulation and air sealing and headers are all insulated.

**ELLCOTT GARDENS, ELLCOTT CITY**  
**106-UNITS**  
**NEW CONSTRUCTION COMPLETED AUGUST 2009**

**AWARDS RECEIVED:**

- **2009 Maryland Homebuilders Outstanding Home**

- 2010 Maryland Department of Housing & Community Development (DHCD) - Rental Housing Stability
- 2012 & 2013 Property Management Association (PACE) – Distinguished Community

Sustainable measures included:

- White Energy Star Rated Roof
- Wind Turbine
- Specifying plant materials that are indigenous to the area and drought resistant
- Compact fluorescent down lights and surface mounted light fixtures provided outside each apartment unit
- Heating systems designed to maintain a minimum temperature of 70 degrees Fahrenheit in all occupied spaces
- Cooling systems designed to maintain a maximum temperature of 78 degrees Fahrenheit in all occupied spaces
- All products and adhesives are low VOC (volatile organic compounds)
- Low flow plumbing fixtures including toilets and shower heads
- Durable insulated, low-e glazed, thermally broken aluminum framed windows

**3. To produce affordable housing that is financially self-sufficient:**

The Commission’s redevelopment of Monarch Mills & Burgess Mills is projected to result in total cash flow from both developments in excess of \$800,000.00 in fiscal year 2016.

**4. To move residents of affordable housing toward economic self-sufficiency:**

The Commission sponsors a “Getting Ahead” Program that targets Family Self Sufficiency Participants, Zero Income Families and other low income families residing in Howard County. The “Getting Ahead” Initiative examines the causes of Poverty and helps participants to understand that poverty is not simply caused by the choices of the individual, but is both “generational” and “situational”. Program participants perform a Self-Assessment, identify personal strengths and establish a personal plan for building resources. The initiative focuses on “Bridges out of Poverty” and examines what the community has to offer as well as what participants can contribute to the community.

**5. To increase homeownership opportunities for low and moderate income families:**

The Commission assisted 44 families with closing costs through the Settlement Downpayment Loan Program (SDLP) in 2015. A total of \$828,335 in assistance was provided. In addition, 37 home ownership opportunities for moderate income families were created under the Moderate Income Housing Unit (MIHU) Program. The MIHU program requires developers to provide a percentage of newly constructed homes for sale at an affordable price to moderate income families.

- 6. To develop programs for elderly and disabled homeowners to insure that they are financially able to remain in their units, to assist with issues of accessibility and to insure that the units are properly maintained.**

The Housing Commission began advertising for the Maryland Housing Repair Program (MHRP) in January of 2015. MHRP is a state funded loan program for low income homeowners designed to help low income homeowners make health and safety repairs and/or modifications to their home. The Commission was only able to approve one (1) loan due to the low income limits associated with the program. Borrowers can only earn up to 50% of Baltimore Median Income. The Commission had a total of 35 inquiries regarding the program, but only one family qualified due to the fact that the families were either over income, delinquent on their mortgage and/or property taxes or owed more than the value of the property. The family that was assisted borrowed \$11,300 dollars to update the bathroom, and to install energy efficient windows and doors.

The Department of Housing has also provided funding for a similar program in the past with Community Development Block Grant (CDBG) funds for a home repair program through the Department of Citizens Services.

- 7. To insure that families have equal access to housing regardless of race, color, religion, national origin, sex, disability, familial status or source of income.**

Howard County is one of only a few jurisdictions in the state that has passed a "source of income" law which places voucher holders in a protective class and prohibits owners from refusing to accept voucher applicants simply based on the fact that they are receiving housing assistance through the Housing Choice Voucher Program. This allows voucher families greater flexibility in terms of where they want to live. The Howard County Office of Human Rights, the Fair Housing Enforcement entity in Howard County, also attends each voucher briefing to educate families about their rights under the Fair Housing Law. This makes it more likely that families will be able to recognize discrimination when it occurs and are more likely to take the appropriate actions when confronted with discriminatory actions.

The Department of Housing also participates in joint education programs in conjunction with the Office of Human Rights and the Office of Consumer Affairs, the landlord tenant office within the county, to educate landlords on Federal, State & Local Fair Housing Law.

- 8. To develop and preserve affordable housing equally across all areas of the county which reflects current and/or anticipated demand based on unit size.**

The Housing Commission has Project Based 30 Vouchers for Single Efficiency Apartments for the Homeless. The Commission is also the Owner/Developer of the property which is projected to begin leasing on or around the final quarter of 2016 or early 2017. Efficiency Apartments are practically non-existent in the county, so this is a much needed initiative for the county. The Commission has preserved affordable housing in the county by purchasing three (3) apartment communities in the county consisting of 750 units which will remain affordable and provide much needed cash flow to address affordable housing needs in the county. The communities contain a mixture of two hundred forty-three 1-bedroom units, four hundred ninety-five 2-bedroom units, and twelve 3-bedroom units.

**Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income families who reside in the PHA's jurisdiction and other families who are on the Section 8 tenant-based waiting list. 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 and families with disabilities, and (iii) households of various races and ethnic groups residing in the jurisdiction or on the waiting list based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(1) and 24 CFR §903.7(a)(2)(i)). Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. 24 CFR §903.7(a)(2)(ii)

**Background:** There are a total of 27,102 rental units in Howard County. Approximately 20,750 rental units (74 percent) are located in multifamily buildings. The balance of the rental units are located in Single Family Attached (15 percent), Single Family Detached (10 percent) and other structures such as mobile homes (1 percent). Thirty five (35) percent of the County's population resides in Columbia, while fifty (50) percent of all rental units are located in Columbia. The county's vacancy rate is approximately 3.5 percent. The average rent for a market rate unit in Columbia is \$1,384.00. The median income for renter households in the county is \$71,500. Low and moderate income households in Howard County are predominately Hispanic and Black.

As of the 2010 Census, Howard County had a population of 287,085 persons. Approximately 25 percent of the households in the county include a senior citizen aged 62 or older. Married couples account for 59 percent of all households and families with children account for 39 percent of the households in the County. Eighty percent of senior households age 62 or older are homeowners.

Over one-quarter (27 percent) of adults aged 65 and over in Howard County report living with a disability, of which 17 percent include persons with an ambulatory difficulty. Overall approximately seven percent of all Howard County residents reportedly live with a disability. In Columbia 23 percent of market rate multifamily units were determined to meet the minimally accessible criteria according to the Fair Housing Act.

Throughout Howard County approximately forty-seven percent of all renter households are between the ages of 35 and 61, twenty-eight percent are between the ages of 24 and 34 and Nineteen percent are aged 62 or older. Single person households are the most common renter household type in the county accounting for thirty-seven percent of all renters. Only eight percent of all renter households contain five persons or more persons.

Howard County has the lowest black/white dissimilarity index among the six jurisdictions in the Baltimore Metropolitan Area, meaning that the county has more indicators of racial integration than other jurisdictions.

## **HOUSING, HOMELESS AND SPECIAL NEEDS**

### **Cost of Housing**

There are a number of categories of persons affected by the lack of affordable housing. Persons with disabilities, the elderly, and persons at risk of homelessness are all vulnerable and populations in these

categories are expected to dramatically increase over the next ten years. Another concern is that of families and individuals who have been displaced as homeowners due to foreclosure and are now moving into rental units. This emerging group of displaced persons is now competing with those low – and moderate – income households who are often already challenged with maintaining housing in a rental market with an extremely low vacancy rate. This serves as yet another underscore to the increasing need for expanded affordable housing opportunities within the County.

A summary of Howard County’s estimated housing needs is reflected in the following Table. The CHAS data indicates a high percentage of renters and owners, particularly low and moderate income households, have some type of housing problem including cost burden, overcrowding and/or without complete kitchen or plumbing facilities. The data also indicates that most of these high percentages are due to cost burden as discussed above. Substandard housing is not a major problem in the County.

**D**

**DEFINITIONS**

The County has defined standard, substandard and substandard but suitable for rehabilitation as follows:

**Standard housing** – housing which generally meets Howard County’s housing codes, is structurally sound, has operable indoor plumbing, operable electricity and heating systems and a kitchen.

**Substandard housing** - one which lacks operable and complete plumbing facilities; electricity; a safe source of heat; a kitchen; has been declared unfit for habitation by an agency or unit of government; and /or is overcrowded (more than one person per room).

**Substandard housing but suitable for rehabilitation** – housing which meets the above definition, but can be rehabilitated in compliance with the County’s Single Family Rehabilitation Loan Program for costs not to exceed the Rehab Loan Program limit, which remains at \$30,000.00.

Households by Type, Income, & Housing Problem	Elderly 1 & 2 Member Households (A)	Small Related (2 to 4) (B)	Large Related (5 or more) (C)	All Other Households (D)	Total Renters (E)	Elderly	All Other Owners (G)	Total Owners (H)	Total Households (I)

	RENTERS					OWNERS			
1. Very Low (0-50% MFI)	1,599	1,882	340	1,469	5,290	1,438	1,814	3,252	8,542
2. 0 to 30% MFI	994	944	146	785	2,869	579	792	1,371	4,240
3. % with any Housing Problem	65.8%	74.6%	69.2%	66.9%	69.2%	77.5%	84.4%	81%	72.7%
4. % with cost burden >30%	64.4%	69.8%	56.2%	65.6%	66.1%	77.5%	84.4 %	80%	70.6%
5. % with cost burden >50%	52.3%	60.9%	47.9%	67.8%	57.5%	50.8%	79%	64.4%	59.7%
6. 31 to 50 MFI	650	898	159	573	2,280	780	678	1,458	3,738
7. % with any Housing Problem	67%	78%	71%	91%	78%	36%	27%	60%	70%
8. % with cost burden >30%	67%	78%	71%	86%	76%	35%	24%	59%	69%
9. % with cost burden >50%	43%	42%	35%	72%	49%	14%	20%	34%	43%
10. Other Low income (51-80% MFI)	759	2,118	488	1,732	5,097	1,318	2,453	3,771	8,868
11. % with any Housing Problem	74%	65%	62%	74%	69%	12%	19%	51%	61%
12. % with cost burden >30%	74%	63%	52%	74%	67%	12%	37%	49%	59%
13. % with cost burden >50%	26%	7%	5%	5%	9%	3%	17%	20%	14%
14. Moderate Income 81-95%	258	1,327	156	1,490	3,231	618	2,636	3,254	6,485
15. % with any Housing Problem	50%	31%	36%	42%	38%	20%	15%	50%	44%
16. % with cost burden >30%	50%	28%	25%	40%	35%	20%	29%	49%	42%
17. % with cost burden >50%	9%	0%	0%	0%	0%	2%	4%	6%	4%
18. Total Households	3,269	11,946	1,622	10,181	27,018	7,709	58,728	66,437	93,455
19. % with Housing Problems	59%	29%	41%	32%	34%	19%	33%	21%	25%

**The Housing Commission's plan for addressing housing needs for low and moderate income families in Howard County includes the following strategies:**

- Expanding housing supply for low income families through co-ordination with the county's Moderate Income Housing Unit (MIHU) Program which requires developers to set-a-side units for low and moderate income families;
- Increasing assistance to families in crisis through the State's Rental Allowance Program;
- Continuing to look for market opportunities to purchase market rate properties occupied primarily by low and moderate income families to insure that they remain affordable, and to create cash flow opportunities to further invest in affordable housing;
- Continue to look at policies that enhance the Commission's ability to increase assistance to additional families without increased financial resources;
- Continuing to identify new funding sources to either increase the Commission's ability to provide additional services to existing clients or to expand the Commission's ability to assist additional families;
- The redevelopment of currently owned Commission properties to introduce a mixed income model that would insure that the properties are financially sustainable in the future; (The redevelopment would improve unit quality and allow an increase in density thus expanding the supply of affordable housing. It would also provide a means for the expansion of unit sizes based on need as reflected by waiting list demand.)

- Partnering with the Office of Human Rights to educate landlords and tenants on Fair Housing Laws in Howard County. Highlighting the “Source of Income” provisions of the Fair Housing Law to new and current voucher holders to insure that owners are complying with the provisions of the law;
- Providing low interest loans to homeowners below 80% of median income for home repairs for health & safety issues, weatherization, energy conservation and to bring unit up to building code standards;
- Acquisition rehabilitation and conversion of available vacant properties for the creation of affordable rental housing;
- Continue to utilize tax credits and other favorable financing plans to encourage new construction of affordable housing;
- Support implementation of zoning laws and subdivision regulations that encourage the development of affordable housing
- Encourage and assist non-profit organizations with efforts to acquire and rehab property to be used as affordable rental housing for seniors, the disabled or other low/moderate-income individuals and families with special needs.

**Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA’s policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))

- HCHC uses a preference system to rank applications on and to select applications from the waiting list.
- Local preferences will be used to organize and select applicants from the waiting list. Each local preference will be organized by application date and time.
- The HCHC uses the following Local Preference system:
  - Residency**
  - Emergency** (when subsidy is available):
    - Involuntary displacement
    - Substandard Housing
    - Long Term Homelessness
- **Residency Preference**  
Applicants who live, work or have a bona fide offer to work in Howard County on the date of notice that they have reached the top of the waiting list will receive a preference over non-residents.
- **Emergency Preference**  
Issuance of assistance based on the Emergency preference is contingent upon the availability of funding. For the purpose of this plan, involuntary displacement includes applicants residing in substandard housing.

The HCHC will continue to accept applications from families requiring “Emergency” Placement during periods when the waiting list is closed, unless these families are specifically excluded from applying in the notice of Waiting List Closure.

- An otherwise eligible family, who resides in Howard County, displaced by a no fault fire or flood or other natural disaster when, replacement housing has not been offered by the landlord at a comparable rate, or if the damaged unit is not proposed to be restored to use and replacement housing cannot reasonably be located at or near the pre-disaster housing cost. If the applicant or family is found to have caused the fire or flood, HCHC will deny assistance.
- An otherwise eligible family, who was a resident of a Howard County public housing unit or Howard County voucher holder in a federally declared disaster area at the time that the area was so designated, shall receive a priority on the waiting list for a period up to six months from the date of designation. HCHC reserves the right to limit the number of families assisted under this provision in order to protect the interests of County residents currently waiting to be assisted.
- An otherwise eligible family, who resides in Howard County, displaced by eminent domain proceedings, by any Federal, State, or local governmental body in conjunction with public improvement or development. This does not include any action taken in connection with code enforcement.
- An otherwise eligible family, who resides in Howard County, displaced by an action which is the result of a decision by the courts, requiring the landlord to take certain actions when; 1) it is not possible for the landlord to correct the deficiency with the family in place, and 2) the landlord is not under any obligation to provide alternative housing.
- An otherwise eligible family, who resides in Howard County, displaced by lead paint poisoning confirmed by a knowledgeable medical entity or professional or the court requires the landlord to take abatement action and; 1) it is not possible for the landlord to correct the deficiency with the family in place, and 2) the landlord is not under any obligation to provide alternative housing.
- An otherwise eligible family, who resides in Howard County, displaced by the sale, demolition or discontinuance of a residential property which results in the loss of a housing unit which was previously affordable to a family of low or moderate income, where the HCHC has made a determination that the loss of such housing will create an undue hardship on the families being displaced.
- An otherwise eligible family, who resides in Howard County, displaced due to the threat of physical violence and is participating in a Witness Protection Program. The family must meet HCHC's eligibility criteria regarding illegal drugs and violent criminal activity, and must currently live or work in Howard County.
- An otherwise eligible family, who resides in Howard County, participating in a local, Federal or State funded demonstration program designated by HCHC as critical to the fair and equitable delivery of housing services to groups who are under represented on the waiting list.
- An otherwise eligible family, residing in Howard County, pursuant to a recognized lease, occupancy agreement, deed, title, or other documentation acceptable to HCHC whose housing meets one of the following conditions, as verified by the Department of Inspections, License and Permits, the Department of Public Works, the Health Department, or an equivalent Federal, State, or local governmental body, and will not be corrected by the landlord:

- Lacks an adequate or safe source of heat,
  - Does not have operable indoor plumbing, or
  - Does not have a usable, flushing toilet.
- An otherwise eligible family, who resides in Howard County, pursuant to a recognized lease, occupancy agreement, deed, title, or other documentation acceptable to HCHC, and the unit has been declared unfit by the Department of Inspections, License and Permits, Department of Public Works, the Health Department or an equivalent Federal, State, or local governmental body, for one or more of the following reasons:
    - Unsafe levels of lead paint, when there is a child below the age of seven;
    - Unsafe levels of asbestos; or
    - The presence of a chemical agent which has been medically documented as harmful to a member of the household.
  - An otherwise eligible family, who resides in Substandard Housing (does not provide safe, adequate shelter; has one or more critical defects or a combination of defects requiring considerable repair; endangers the health, safety, and well being of family) if the following exists:
    - Does not have operable indoor plumbing;
    - Does not have usable flush toilet in the unit for the exclusive use of the family;
    - Does not have usable bathtub or shower in unit for exclusive family use;
    - Does not have adequate, safe electrical service;
    - Does not have an adequate, safe source of heat;
    - Should, but does not have a kitchen; or
    - Has been declared unfit for habitation by a government agency.
  - An otherwise eligible family who for the past 90 days had a primary night-time residence that was a(n):
    - Supervised public or private operated shelter designated to provide temporary living accommodations,
    - Institution that provides temporary residence for individuals intended to be institutionalized (not incarcerated, i.e. jails and prisons),
    - Public or private place not designated or normally used as regular sleeping place for humans that can be confirmed by the Police or a county Homeless Agency.

This priority for service is limited to a maximum of 15 vouchers during any calendar year, when funding is available and not awarded for a special purpose.

HCHC will use date & time of application as the initial criteria for selecting the 15 homeless families from the waiting list. If all 15 slots are not filled due to a lack of homeless families currently on the waiting list a "Homeless Lottery" will be held to select the remaining families. All other applicants in the "Homeless Lottery" that are not selected will have their applications placed on the waiting list if the waiting list remains open for persons experiencing Long Term Homelessness.

**Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support 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))

The Housing Commission anticipates the following financial resources during the upcoming fiscal year:

HCV HAP Funds:	\$10,417,812
HCV Administrative Fees:	\$ 545,400
FSS Coordinator Funds:	\$ 61,056
Portability HAP Funds:	\$ 7,820,400
Portability Admin. Fees:	\$ 273,708
HOPWA Funds:	\$ 228,337

**Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))

#### **MIMIMUM RENT/TTP**

It shall be the policy of HCHC to set the minimum TTP at \$50.00 for all assisted families.

#### **PAYMENT STANDARDS FOR THE VOUCHER PROGRAM** [24 CFR 982.503]

The Payment Standard is used to calculate the housing assistance payment for a family. In accordance with HUD regulation, and at the HCHC's discretion, the Voucher Payment Standard amount is set by the HCHC between 90 and 110 percent of the HUD published FMR. This is considered the basic range. The HCHC reviews the appropriateness of the Payment Standard annually when the FMR is published. In determining whether a change is needed, the HCHC will ensure that the Payment Standard is always within the range of 90 to 110 percent of the new FMR, unless an exception payment standard has been approved by HUD.

The HCHC will establish a single voucher payment standard amount for each FMR area in the HCHC jurisdiction. For each FMR area, the HCHC will establish payment standard amounts for each "unit size". The HCHC may have a higher payment standard within the HCHC's jurisdiction if needed to expand housing opportunities outside areas of minority or poverty concentration, as long as the payment standard is within the 90 to 110 percent of FMR range.

The HCHC may approve a higher payment standard within the basic range, if required as a reasonable accommodation for a family that includes a person with disabilities.

The Housing Commission will utilize the provisions of PIH Notice 2013-03 that allow the Commission to set a payment standard up to 120 percent of the Fair Market Rent (FMR) as a reasonable accommodation for a family that includes a person with a disability. The Commission will maintain documentation that the unit has been determined to be rent reasonable, and that the unit has the feature(s) required to meet the needs of the person with disabilities. This provision will expire effective March 31, 2014, unless it is extended. If the notice is extended the Commission will continue to utilize its discretion to set payment standards up to 120 percent of the Fair Market Rent for families containing a person with a disability.

## **ADJUSTMENTS TO PAYMENT STANDARDS** [24 CFR 982.503]

Payment Standards may be adjusted, within HUD regulatory limitations, to increase Housing Assistance Payments in order to keep families' rents affordable. The HCHC will not raise Payment Standards solely to make "high end" units available to Voucher holders. The HCHC may use some or all of the measures below in making its determination whether an adjustment should be made to the Payment Standards.

### **Assisted Families' Rent Burdens**

The HCHC will review its voucher payment standard amounts at least annually to determine whether more than 40 percent of families in a particular unit size are paying more than 30 percent of their annual adjusted income for rent.

If it is determined that particular unit sizes in the HCHC's jurisdiction have payment standard amounts that are creating rent burdens for families, the HCHC may modify its payment standards for those particular unit sizes if adequate funding and/or reserves are available

The HCHC may increase its payment standard within the basic range for those particular unit sizes to help reduce the percentage of annual income that participant families in the HCHC's jurisdiction are paying.

The HCHC may establish a separate voucher payment standard, within the basic range, for designated parts its jurisdiction if it determines that a higher payment standard is needed in these designated areas to provide families with quality housing choices and to give families an opportunity to move outside areas of high poverty and low income.

### **Quality of Units Selected**

The HCHC will review the quality of units selected by participant families when making the determination of the percent of income families are paying for housing, to ensure that Payment Standard increases are only made when needed to reach the mid-range of the market.

### **HCHC Decision Point**

The HCHC will review the average percent of income that families on the program are paying for rent. If more than 40 percent of families are paying more than 30 percent of monthly adjusted income for a particular unit size, the HCHC will determine whether families are renting units larger than their voucher size, and whether families are renting units which exceed HUD's HQS and any additional standards added by the HCHC in this Administrative Plan.

If families are paying more than thirty percent of their income for rent due to the selection of larger bedroom size units or luxury units, the HCHC may decline to increase the payment standard. If these are not the primary factors for families paying higher rents, the HCHC will consider increasing the payment standard if adequate funding and/or reserves are available.

### **Rent to Owner Increases**

The HCHC may review a sample of the units to determine how often owners are increasing rents and the average percent of increase by bedroom size.

### **Time to Locate Housing**

The HCHC may consider the average time period for families to lease using a voucher. If more than twenty five percent of voucher holders are unable to locate suitable housing within the term of the voucher and HCHC determines that this is due to ten percent of rents in the jurisdiction being unaffordable for families even with the presence of a voucher, the Payment Standard may be adjusted.

### **Lowering of the Payment Standard**

Lowering of the FMR may require an adjustment of the Payment Standard. Additionally, statistical analysis may reveal that the Payment Standard should be lowered. In any case, the Payment Standard will not be set below 90 percent of the FMR without authorization from HUD.

### **Financial Feasibility**

Before increasing the Payment Standard, the HCHC may review the budget to determine the impact projected subsidy increases would have on funding available for the program and number of families served.

For this purpose, the HCHC will compare the number of families who could be served under a higher Payment Standard with the number assisted under current Payment Standards.

### **File Documentation**

A file will be retained by the HCHC for at least three years to document the analysis and findings to justify whether or not the Payment Standard was changed.

### **EXCEPTION PAYMENT STANDARDS**

If the dwelling unit is located in an exception area, the HCHC must use the appropriate payment standard amount established by the HCHC for the exception area in accordance with regulation 24 CFR 982.503.

**Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)(3)(4)).

The Housing Commission currently administers the following programs:

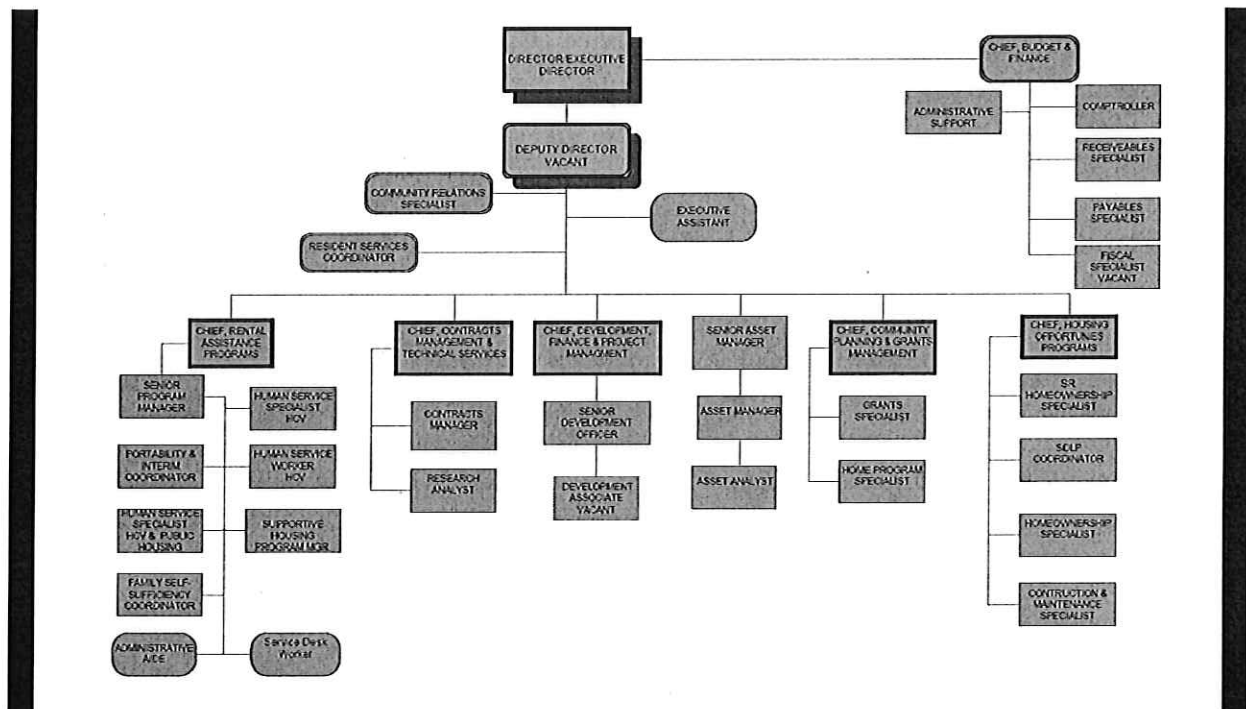
- Housing Choice Voucher Program
- HOPWA Program (Housing Opportunities for Persons with AIDS)
- Family Self Sufficiency Program
- Bridge Subsidy Program
- HSSP Program (Housing Stability Subsidy Program)
- MIHU Program (Moderate Income Housing Unit)
- SDLP Program (Settlement Downpayment Loan Program)
- MHRP Program (Maryland Housing Repair Program)
- NSP Program (Neighborhood Stabilization Program)

The Housing Commission also owns and/or manages the following properties:

- Morningside Park Apartments (60 Units)
- Stoney Run (20 Units)
- Tiber Hudson (25 Units)
- Orchard Crossing (36 Units)
- Selborne Dorsey (48 Units)
- Columbia Landing (300 Units)
- Verona @ Oakland Mills (251 Units)
- Columbia Commons (200 Units)
- Scattered Site Units (42 Units)

### Howard County Housing Commission Organizational Structure

The Howard County Housing Commission' organizational structure currently consists of thirty-eight (38) positions. The organization is headed by an Executive Director and a Deputy Director who are supported by three (3) executive staff positions. There are also six (6) program chiefs, two (2) senior program managers and 25 general staff. The Housing Commission is currently staffed by Howard County employees, but is considering forming an entity separate from the county which employs staff directly. Most of the programs currently operated by the Commission would become a part of that new entity, however the county would assume administration of several programs.



**Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))

## **INTRODUCTION**

The informal hearing requirements defined in HUD regulation are applicable to participating families who disagree with an action, decision, or inaction of the PHA. This Chapter describes the policies, procedures and standards to be used when families disagree with a PHA decision. The procedures and requirements are explained for preference denial meetings, informal reviews and hearings. It is the policy of the PHA to ensure that all families have the benefit of all protections due to them under the law.

### **A. COMPLAINTS TO THE HCHC**

The HCHC will respond promptly to complaints from families, owners, employees, and members of the public. All complaints will be documented. The HCHC requires that complaints other than HQS violations be put in writing. HQS complaints may be reported by telephone. The HCHC hearing procedures will be provided to families in the briefing packet.

#### **Categories of Complaints**

**Complaints from families:** If a family disagrees with an action or inaction of the HCHC or owner.

Complaints from families will be referred to the assigned Human Service Specialist or other designated staff person. If a complaint is not resolved, it will be referred to the Chief or Deputy Chief of the Housing Choice Voucher & Public Housing Programs. If additional action is required the complaint will be referred to the Executive Director or designee.

**Complaints from owners:** If an owner disagrees with an action or inaction of the HCHC or a family.

Complaints from owners concerning program participants will be referred to the assigned Human Service Worker. If a complaint is not resolved, it will be referred to the Lead Human Service Worker. If additional action is required the complaint will be referred to the Chief or Deputy Chief of the Housing Choice Voucher & Public Housing Programs.

Complaints from owners concerning Human Service Workers will be referred to the HCV Deputy Chief . If a complaint is not resolved, it will be referred to the Chief of Housing Choice Voucher & Public Housing Programs. If additional action is required the complaint will be referred to the Executive Director or designee

**Complaints from the general public:** Complaints or referrals from persons in the community in regard to the HCHC, a family or an owner.

Complaints from the general public will be referred depending on the nature of the complaint, but will typically be referred to a Human Service Worker. If additional action is required the complaint will be referred to the Investigator. The Chief of Housing Choice Voucher & Public Housing Programs and the Executive Director or designee will be consulted as needed.

### **B. PREFERENCE DENIALS** [24 CFR 5.415]

When the HCHC denies a preference to an applicant, the family will be notified in writing of the specific reason for the denial and offered the opportunity for an informal review. Different from an informal review or hearing, the review of the preference denial can be conducted by the staff person that

made the decision to deny the preference. The review is limited to the circumstances pertinent to the preference denial.

**C. INFORMAL REVIEW PROCEDURES FOR APPLICANTS [24 CFR 982.54(d)(12), 982.554]**

Informal reviews are provided for applicants who are denied assistance before the effective date of the HAP Contract. The exception is when an applicant is denied assistance for citizenship or eligible immigrant status. In these cases the applicant is entitled to an informal hearing.

When the HCHC determines that an applicant is ineligible for the program, the family must be notified of their ineligibility in writing. The notice must contain the following:

- The reason(s) they are ineligible;
- The right to an explanation if the applicant does not agree with the decision;
- The procedure for requesting a review if the family disputes the decision;
- The time limit for requesting a review;
- To whom the review request should be addressed; and
- When the denial is based on a criminal conviction as shown on a criminal record, the HCHC will provide the subject of the record and the applicant with a copy of the criminal record upon which the decision was made.

A copy of the HCHC's Informal Review Procedures will be transmitted when the applicant is scheduled for an Informal Review.

The HCHC must provide applicants with the opportunity for an Informal Review of decisions denying:

- Listing on the HCHC's waiting list;
- Preference qualification;
- Voucher Issuance;
- Program participation; and
- Portability

Informal Reviews are not required for established HCHC policies and procedures and determinations such as:

- Discretionary administrative determinations;
- General policy issues or class grievances;
- A determination of the family unit size under the HCHC subsidy standards;
- Refusal to extend or suspend a Voucher;
- A determination not to grant approval of the tenancy;
- Determination that unit is not in compliance with HQS; or
- Determination that unit is not in accordance with HQS due to family size or composition.

**Procedure for Review**

A request for an Informal Review must be submitted in writing and received no more 10 days from the date of the HCHC's notification of denial of assistance.

The Informal Review will be scheduled within 30 days from the date the request is received.

The Informal Review may not be conducted by the person who made or approved the decision under

review, nor a subordinate of such person. The review may be conducted by a supervisory level staff person that did not participate in the decision making process.

The applicant will be given the option of presenting oral or written objections to the decision. Both the HCHC and the family may present evidence and witnesses. The family may use an attorney or other representative to assist them at their own expense. The review may be conducted by mail and/or telephone at the discretion of the HCHC unless the family presents reasonable concerns that a mail and/or telephone review places them at a disadvantage due to a disability, limited verbal or written skills or limited English Proficiency.

A notice of the review findings will be provided in writing to the applicant within 10 days after the review. It shall include the decision of the review officer, and an explanation of the reasons for the decision. All review requests, supporting documentation, and a copy of the final decision will be retained in the family's file.

**D. INFORMAL HEARING PROCEDURES [24 CFR 982.555(a-f), 982.54(d)(13)]**

Program participants will be notified in writing when the HCHC makes a decision regarding continued eligibility and/or the amount of assistance. The HCHC will give the family prompt notice of such determinations that will include:

- The proposed action or decision of the HCHC;
- The date the proposed action or decision will take place;
- The family's right to an explanation of the basis for the HCHC's decision;
- The procedures for requesting a hearing if the family disputes the decision;
- The time limit for requesting the hearing;
- To whom the hearing request should be addressed;
- When the termination is for criminal activity as shown on a criminal record, the HCHC will provide the subject of the record and the program participant with a copy of the criminal record upon which the decision was made.

A copy of the HCHC's Informal Hearing Procedures will be transmitted when the program participant is provided notice of the date and time of the Informal Hearing.

The HCHC must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following HCHC determinations:

- Determination of the family's annual or adjusted income and the computation of the housing assistance payment;
- Appropriate utility allowance computation;
- Family unit size determination under HCHC subsidy standards
- Determination that pre-merger Certificate program family is under-occupied in their current unit and a request for exception is denied;
- Determination to terminate assistance for any reason;
- Determination to terminate a family's FSS Contract, withhold supportive services, or propose forfeiture of the family's escrow account; or
- Determination to pay an owner claim for damages, unpaid rent or vacancy loss.

The HCHC must always provide the opportunity for an Informal Hearing before termination of assistance.

Informal Hearings are not required for established HCHC policies and procedures and determinations such as:

- Discretionary administrative determinations;
- General policy issues or class grievances;
- Establishment of the HCHC schedule of utility allowances for families in the program;
- A determination not to approve an extension or suspension of a voucher term;
- A determination not to approve a unit or lease;
- A determination that an assisted unit is not in compliance with HQS (HCHC must provide hearing for family breach of HQS because that is a family obligation determination);
- A determination that the unit is not in accordance with HQS because of the family size; or
- A determination to exercise or not exercise any right or remedy against the owner under a HAP contract.

### **Notification of Hearing**

It is the HCHC's objective to resolve disputes at the lowest level possible, and to make every effort to avoid the most severe remedies. However, if this is not possible, the HCHC will ensure that applicants and participants will receive all of the protections and rights afforded by the law and the regulations.

When the HCHC receives a request for an informal hearing, a hearing shall be scheduled within 30 days. The notification of hearing will contain:

- The date and time of the hearing.
- The location where the hearing will be held.
- The family's right to bring evidence, witnesses, legal or other representation at the family's expense.
- The right to view any documents or evidence in the possession of the HCHC upon which the HCHC based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received no later than 10 days before the hearing date.
- A notice to the family that a copy of any documents or evidence they intend to use at the hearing must be supplied to HCHC no later than three days before the hearing date.

- **The HCHC's Hearing Procedures**

After a hearing date is agreed to, the family may request to reschedule only upon showing "good cause," which is defined as *an unavoidable conflict which seriously affects the health, safety or welfare of the family*. The family must submit their request to reschedule in writing. The request will be forwarded to the hearing officer for the decision to grant or deny the request. If the decision is granted, the family will be given one opportunity to reschedule the informal hearing. If the decision is denied the family must appear for the scheduled Informal Hearing. If the family fails to appear for the scheduled appointment the family will be deemed a "no show" and the decision to terminate will be upheld.

The family must appear for the Informal Hearing at or prior to the scheduled hearing appointment time. If the family is 30 minutes late for the hearing the family will be deemed a "no show" and the decision to terminate will be upheld.

If a family does not appear at a scheduled hearing and has not rescheduled the hearing in advance, the family must contact the HCHC within 48 hours, excluding weekends and holidays. The HCHC will reschedule the hearing only if the family can show good cause for the failure to appear.

Families have the right to:

- Present written or oral objections to the HCHC's determination;
- Examine the documents in the file that are the basis for the HCHC's action, and all documents submitted to the Hearing Officer;
- Copy any relevant documents at their expense;
- Present any information or witnesses pertinent to the issue of the hearing;
- Request that HCHC staff be available or present at the hearing to answer questions pertinent to the case; and
- Be represented by legal counsel, advocate, or other designated representative at their own expense.

If the family requests copies of documents relevant to the hearing, the HCHC will make the copies for the family and assess a charge of \$.15 per copy for any request in excess of fifteen copies. In no case will the family be allowed to remove the file from the HCHC's office.

In addition to other rights contained in this Chapter, the HCHC has a right to:

- Present evidence and any information pertinent to the issue of the hearing;
- Be notified if the family intends to be represented by legal counsel, advocate, or another party;
- Examine and copy any documents to be used by the family prior to the hearing;
- Have its attorney present; and
- Have staff persons and other witnesses familiar with the case present.

The Informal Hearing shall be conducted by the Hearing Officer appointed by the HCHC who is neither the person who made or approved the decision, nor a subordinate of that person. The HCHC hearing officer may be a member of the HCHC management staff or other appropriate official designated by HCHC.

The hearing shall concern only the issues for which the family has received the opportunity for hearing.

Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

No documents may be presented which have not been provided to the other party before the hearing if requested by the other party. "Documents" includes records and regulations.

The Hearing Officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision.

If the family misses an appointment or deadline ordered by the Hearing Officer, the action of the HCHC shall take effect and another hearing will not be granted.

The Hearing Officer will determine whether the action, inaction or decision of the HCHC is legal in accordance with HUD regulations and this Administrative Plan based upon the evidence and testimony

provided at the hearing. Factual determinations relating to the individual circumstances of the family will be based on a preponderance of the evidence presented at the hearing.

A notice of the Hearing Findings shall be provided in writing to the HCHC and the family within 30 days and shall include:

- A clear summary of the decision and reasons for the decision;
- If the decision involves money owed, the amount owed and documentation of the calculation of monies owed; and
- The date the decision goes into effect.

The HCHC is not bound by hearing decisions:

- Which concern matters in which the HCHC is not required to provide an opportunity for a hearing;
- Which conflict with or contradict to HUD regulations or requirements;
- Which conflict with or contradict Federal, State or local laws; or
- Which exceed the authority of the Hearing Officer.

The HCHC shall send a letter to the participant if it determines the HCHC is not bound by the Hearing Officer's determination within 30 days. The letter shall include the HCHC's reasons for the decision.

All requests for a hearing, supporting documentation and a copy of the final decision will be retained in the family's file.

### **The Howard County Housing Commission's Hearing Process**

The Informal Hearing shall consist of:

1. Disposition of all outstanding preliminary matters by the Hearing Officer.
2. Opening statements by the parties.
3. Presentation by a HCHC representative.
  - a. Testimony of HCHC representative and/or other witnesses and introduction of documentary evidence.
  - b. Questioning of HCHC representative and/or witnesses by the program participant and the hearing officer.
4. Presentation of the program participant.
  - a. Testimony of the program participant and other witnesses and introduction of documentary evidence.
  - b. Questioning of the program participant and witnesses by the HCHC representative and the hearing officer.
5. A one-time opportunity for the HCHC to respond to the evidence presented by the program participant.
6. Closing statements.
7. An announcement of the decision of the Hearing Officer, or the announcement that the final decision will be transmitted in writing with 30 working days.

**E. HEARING AND APPEAL PROVISIONS FOR "RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS" [24 CFR Part 5, Subpart E]**

Assistance to the family may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal. Assistance to a family may not be terminated or denied while the HCHC hearing is pending but assistance to an applicant may be delayed pending the HCHC hearing.

**INS Determination of Ineligibility**

If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the HCHC notifies the applicant or participant within ten days of their right to appeal to the INS within thirty days or to request an informal hearing with the HCHC either in lieu of or subsequent to the INS appeal.

If the family appeals to the INS, they must give the HCHC a copy of the appeal and proof of mailing or the HCHC may proceed to deny or terminate. The time period to request the HCHC for good cause may extend an appeal.

The request for a HCHC hearing must be made within 10 days of receipt of the notice offering the hearing or, if an appeal was made to the INS, within 10 days of receipt of that notice. After receipt of a request for an Informal Hearing, the hearing is conducted as described in this chapter for both applicants and participants. If the Hearing Officer decides that the individual is not eligible, and there are no other eligible family members the HCHC will:

- Deny the applicant family;
- Defer termination if the family is a participant and qualifies for deferral; or
- Terminate the participant if the family does not qualify for deferral.

If there are eligible members in the family, the HCHC will offer to prorate assistance or give the family the option to remove the ineligible members.

All other complaints related to eligible citizen/immigrant status will be handled as follows:

- If any family member fails to provide documentation or certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.
- Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.
- Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.
- Families denied or terminated for fraud in connection with the non-citizens rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

## CONSIDERATION OF CIRCUMSTANCES [24CFR 982.552(c)(2)]

In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

(i) The PHA may consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.

(ii) The PHA may impose, as a condition of continued assistance for other family members, a requirement that other family members who participated in or were culpable for the action or failure will not reside in the unit. The PHA may permit the other members of a participant family to continue receiving assistance

**Homeownership Programs.** A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))

The Howard County Housing Commission operates a Homeownership Voucher Program. Currently 74% of all housing units in Howard County are owner-occupied. The Commission does not limit the number of families participating in the program. The program eligibility requirements are as follows:

Families participating in the Section 8 Homeownership Program must be in good standing, and must have participated in the Section 8 Program, or other Howard County or Housing Commission programs for at least 2 years prior to execution of the Contract of Sale. The family must also have participated in the Family Self Sufficiency Program for a period of at least 6 months prior to the date of settlement.

The minimum income required for program participation is \$24,000.00. If the family meets the HUD minimum income requirements of the Federal Minimum hourly wage rate multiplied by 2,000 hours, and has been pre-qualified for financing with a lending institution which meets the requirements of Section 25.7 of this plan, they are exempted from the \$24,000.00 minimum income requirement. Welfare assistance shall not be counted towards the \$24,000.00 minimum income requirement unless the head of household is elderly or disabled, as defined in the Administrative Plan.

Eligible families must demonstrate that at least one adult member of the family who will own the home at commencement of homeownership assistance is currently employed at least 30 hours per week, and has been continuously employed for at least one year prior to commencement of homeownership assistance. This requirement does not apply for families where the head of household is elderly or disabled.

In order to qualify for participation in the Section 8 Homeownership Program, the family must qualify as a "first-time homeowner". A first-time homeowner is defined as a family of which no member owned or presently has any ownership interest in a unit during the three years before commencement of homeownership assistance. A first-time homeowner also includes a single parent or displaced homemaker who while married, owned a home with his or her spouse, or resided in a home owned by his or her spouse.

Eligible families shall not include any family with a member who has previously received assistance under the homeownership option, and has defaulted on a mortgage securing debt incurred to purchase

the home.

Prior to commencement of homeownership assistance, the family must attend and satisfactorily complete pre-assistance homeownership counseling with a HUD approved counseling agency, or an equivalent program of counseling activities as designated by the Commission.

**Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities under section 3 of the Housing and Community Development Act of 1968 and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR §903.7(l)(i)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. (24 CFR §903.7(l)(iii)).

#### SELF SUFFICIENCY INITIATIVES

The Housing Commission sponsors a "Getting Ahead" Program that targets Family Self Sufficiency Participants, Zero Income Families and other low income families residing in Howard County. The "Getting Ahead" Initiative examines the causes of Poverty and helps participants to understand that poverty is not simply caused by the choices of the individual, but is both "generational" and "situational". Program participants perform a Self-Assessment, identify personal strengths and establish a personal plan for building resources. The initiative focuses on "Bridges out of Poverty" and examines what the community has to offer as well as what participants can contribute to the community.

#### FAMILY SELF SUFFICIENCY MINIMUM PROGRAM SIZE

HCHC's HUD required FSS program size is sixty-nine families; however this number is reduced each time a program participant graduates. This number will be expanded to comply with the minimum program size required by HUD as HCHC is awarded additional units. The required program size minus program graduations is currently forty-four families. The actual number of families currently enrolled in FSS is forty-five. HCHC will assist additional families above the HUD required program size provided the resources and support network is available to meet the needs of participating families.

#### INCOME CHANGES RESULTING FROM WELFARE PROGRAM REQUIREMENTS

The HCHC **will not** reduce the family share of rent for families whose welfare assistance is reduced specifically because of:

- fraud;
- failure to participate in an economic self-sufficiency program; or
- non-compliance with a work activities requirement.

However, the HCHC will reduce the family share of rent if the welfare assistance reduction is a result of:

- The expiration of a lifetime time limit on receiving benefits; or
- A situation where the family has complied with welfare program requirements but cannot or has not obtained employment.

**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. Should the PHA fail to define ‘significant amendment/modification’, HUD will consider the following to be ‘significant amendments or modifications’: a) changes to rent or admissions policies or organization of the waiting list; or b) any change with regard to homeownership programs. See guidance on HUD’s website at: Notice PIH 1999-51. (24 CFR §903.7(r)(2)(ii))

A “significant amendment” and “substantial deviation/modification to the Annual Plan is defined as: “A change in policy, not mandated by federal regulations, that substantially alters the nature of the Housing Choice Voucher Program, or represents a major shift in policy areas. This would include actions such as a conversion to a “Moving to Work” agency, major waiting list restructuring, the elimination of major programs, procurement actions involving the expenditure of 25% or more of program administrative funds, or capital fund changes resulting in more than a 25% difference in a spending category unless mandated by a current maintenance deficiency.