



HOUSING COMMISSION AGENDA

Special Meeting: June 15, 2011

Time: 8:00 a.m.

HACA Board Room, 22941 Atherton Street, Hayward, CA 94541-6633

The public is welcome at all Housing Commission meetings. If you wish to speak on a matter NOT on the Agenda, please file a Public Comment card with the Commission Clerk. Upon recognition by the Chairperson during Public Comment, state your name, comments and/or questions. Anyone wishing to address the Commission on an agenda item or on business introduced by the Housing Commission may do so when the Chairperson calls for comments on the agenda item. Please be brief and limit your comments to the specific subject under discussion. NOTE: Only matters within the Housing Commission's jurisdiction may be addressed.

To allow the opportunity for all to speak, a time limit of 3 minutes has been set for public speakers wishing to address the Housing Commission. The Chairperson has the discretion to further limit this time if warranted by the number of speakers.

The Housing Commission Secretary of the Housing Authority of the County of Alameda has, on Thursday, June 9, 2011, duly distributed this Agenda to the Clerk of the Board of Supervisors for posting in the office of the Alameda County Administration Building and has posted it on the bulletin board of the Housing Authority of the County of Alameda.

AMERICANS WITH DISABILITIES: *In compliance with the Americans with Disabilities Act, if special assistance to participate in this meeting is needed, please contact the Housing Authority office at (510) 727-8511. Notification at least 48 hours prior to the meeting will enable the Housing Authority to make reasonable arrangements.*

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<i>Contract Negotiations with SEIU Local 1021 and the Housing Authority of the County of Alameda</i>	
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MINUTES
May 11, 2011

HOUSING COMMISSION MINUTES

REGULAR MEETING: MAY 11, 2011, 8:00 A.M.
HACA BOARD ROOM

SUMMARY ACTION MINUTES

1. **CALL TO ORDER/ROLL CALL**

Call to Order

Chairperson Steiner called the meeting to order at 8:04 a.m.

Roll Call

Present: Cmr. Atkin, Biddle, Gerry, Haddock, Iosefa, Natarajan, Peixoto, and Steiner

Entered after Roll Call: Cmr. Cashmere, Gacoscos, Medina, and Reed

2. **EXECUTIVE SESSION**

Labor Negotiations Pursuant to Government Code 54957.6

Contract Negotiations with SEIU Local 1021 and the Housing Authority of the County of Alameda

The Commission adjourned into an Executive Session at 8:05 a.m. The Commission reconvened in regular session at 8:20 a.m. Chairperson Steiner reported that there were no reportable actions taken in the Executive Session.

3. **APPROVAL OF MINUTES OF THE APRIL 13, 2011 MEETING**

Recommendation: Approve the minutes of the April 13, 2011 meeting as presented.

Motion/Second: Reed/Haddock.

Ayes: All Motion Passed.

APPROVED AS RECOMMENDED.

4. **PUBLIC COMMENT** – On matters not on the agenda

None.

5. **NEW BUSINESS**

5-1. **ACTION: SECTION 8 ADMINISTRATIVE PLAN – REVISION OF THE DEFINITION OF HACA'S ANNUAL REEXAMINATION DATE**

Christine Gouig, Executive Director, presented the staff report.

Recommendation: Approve a revision to the definition of the date in HACA's Section 8 Administrative Plan for the completion of the annual reexamination process.

Motion/Second: Natarajan/Reed.

Commission Discussion: None.

Ayes: All Motion passed.

APPROVED AS RECOMMENDED.

5-2. ACTION: 2011 SCHOLARSHIP PROGRAM AWARDS

Christine Gouig provided some background information on HACA's Scholarship Program. Sharon DeCray, Program Manager, presented the staff report. Ms. DeCray reported that the Scholarship Committee selected 13 applicants to receive scholarships and stated that the Committee also recommended revisions to the program's criteria for approval and the amounts awarded, beginning with the 2012 program.

Recommendation: Approve the 2011 awards and the amendments to the Scholarship Program, beginning 2012, as recommended by the Scholarship Committee.

Motion/Second: Biddle/Reed.

Commission Discussion: Cmr. Biddle and Cmr. Reed described serving on this year's Scholarship Committee. Cmr. Biddle commented that the process worked well and suggested that staff coach future applicants on how to be thorough in their applications. Cmr. Reed commented that while grade point average (GPA) is important, she found it more equitable to look at all aspects of the application rather than focus solely on GPA. Cmr. Natarajan commented that applicants with the higher GPAs should receive acknowledgement or an extra incentive for their academic achievements. Cmr. Atkin commended the Committee for making the application review and selection process as fair as possible.

Ayes: All Motion passed.

APPROVED AS RECOMMENDED.

5-3. PRESENTATION: HACA SPECIAL PROGRAMS

Ms. Gouig gave a brief introduction to this presentation and Ms. DeCray gave the presentation, describing HACA's specialized programs, the populations that are being served, and the impact that these programs are having.

Commission Discussion: In reference to the Rental Assistance for Non-Elderly Disabled Persons (RANE) program, Cmr. Peixoto asked if services are provided to individuals to help them adjust to their unit. Ms. DeCray explained that our non-profit program partner, East Bay Innovations, conducts an assessment and then connects the individuals with the resources that they may need in order to be successful. Cmr. Natarajan praised Ms. DeCray for her presentation and commented that the success stories were very powerful. Cmr. Biddle asked about the impact of funding cuts on the future of these programs. Ms. Gouig described how some of the programs will be impacted and commented that the future of these special programs is uncertain in this budget climate. Ms. DeCray thanked the Commission for their support of HACA's special programs.

5-4. INFORMATION: BUDGET STATUS REPORT

Ms. Gouig presented the staff report. She indicated that staff has received additional information on the HUD funding cuts and is now estimating a \$300,000 budget shortfall at the end of the fiscal year for the Section 8 program.

Report received with no questions or comments from the Commission.

5-9. INFORMATION: PROGRAM ACTIVITY REPORT

Ms. DeCray announced that the Family Self-Sufficiency *Healthy Families Fair* will take place on July 30, 2011.

Report received with no questions or comments from the Commission.

6. COMMITTEE REPORTS

None.

7. COMMISSIONER REPORTS

Com. Gerry announced that he will be the subject of a “celebrity roast” at a performing arts event in June and invited the Commissioners and staff to attend.

Com. Atkin reported on the grand opening of an affordable housing project for the developmentally disabled in Emeryville. She noted that the tile work and mosaics incorporated into the entrance of the project and in the kitchen of each unit were created by developmentally disabled students from the Creative Growth Center in Oakland. Com. Atkin thanked Ms. Gouig and Jennifer Cado for attending the grand opening. Ms. Gouig noted that HACA is providing five project-based vouchers for this project.

Com. Natarajan reported on a housing summit put together by the Santa Clara Housing Trust.

Com. Gascoscos reported that MidPen held a groundbreaking ceremony for an affordable housing project in Union City near the BART station and thanked Ms. Gouig for attending the ceremony. Ms. Gouig noted that HACA provided 39 project based vouchers for this project.

Chairperson Steiner reported on a recent lawsuit to eliminate the housing cap in the City of Pleasanton and talked about some of the affordable housing issues impacting the city.

8. COMMUNICATIONS

Ms. Gouig discussed moving the date of the June meeting to June 15, 2011 and the Commission agreed to change the meeting date.

9. ADJOURNMENT

There being no further business, Chairperson Steiner adjourned the meeting at 9:26 a.m.

Respectfully submitted,

Melissa Taesali
Executive Assistant

Christine Gouig
Executive Director/Secretary

Approved:

Christine Steiner
Commission Chairperson

NEW BUSINESS

June 15, 2011

HOUSING AUTHORITY OF ALAMEDA COUNTY

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Salary Freeze and Benefit Reduction for Management Employees

Exhibits Attached: None

Recommendation: Authorize a Salary Freeze and Benefit Reduction

Financial Statement: Not available at this time

BACKGROUND

Staff has been meeting with your Commission’s Budget and Negotiating Committee to develop the 2011 – 2012 fiscal year budget. As discussed at your last two meetings, the development of the budget is much more difficult this year due to cuts in the Section 8 Administrative Fee and Public Housing Operating Subsidy and Capital Fund grant. Staff first learned of the proposed cuts in April 2011 when Congress passed a funding continuation bill for the balance of the federal fiscal year. The impact of the cuts is a net anticipated loss of over \$47,000 in our Public Housing program and \$307,000 in our Housing Choice Voucher program for the current fiscal year (June 30). The anticipated net loss is far greater for the next fiscal year, given the assumption that the cuts will not be greater in the next federal fiscal year.

DISCUSSION AND ANALYSIS

Staffing costs (i.e., salaries and benefits) make up approximately 85% of the costs of running the Housing Choice Voucher program, HACA’s biggest program. Staff is reviewing a variety of options for balancing the budget and is meeting and conferring with represented employees at the moment. The Executive Director has met with management employees and explained the circumstances and the need for savings. Three reductions proposed at this time are shown below; there will likely be others as the budget picture becomes clearer and negotiations with represented employees continue.

- Freeze, for one year, the salaries of all management employees, including the elimination of merit increases and COLA adjustments for the 2011 – 2012 fiscal year. Management employees will continue to earn at the rate they are earning as of June 10, 2011, the first day of the first payroll of the new fiscal year.

- Suspend the \$800/year management taxable benefit program contained in Housing Authority Personnel Rule 3.17.12. for one year, effective June 30, 2011.
- Suspend the \$1,500/year HACA contribution towards the non-taxable benefit program contained in HACA Personnel Rule Section 3.17.9. for the calendar year 2012. Management employees will still be able to defer their own salary into the program. The benefit cut will start in January 2012 to coincide with the IRS tax year and because employees made current health care enrollment choices based on supplements from this benefit.

Staff recommends that your Commission approve the three reductions shown above.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Contribution to Alameda County Employees' Retirement Association (ACERA) for Fiscal Year 2011-2012

Exhibits Attached: Resolution No. 10-11

Recommendation: Adopt the Resolution

Financial Statement: \$139,797.45 to be included in FY 2011-2012 Budget

BACKGROUND

The Housing Authority is a participating employer in the Alameda County Employees' Retirement Association (ACERA). In 1996, ACERA established a health benefits account, called a 401(h) account, to satisfy the requirements of Internal Revenue Code (IRC) Section 401(h) for providing non-vested, tax-free healthcare to the retirees of participating employers.

In 2006, changes to the IRC regulations required that participating employers establish a separate 401(h) sub-account under the overall ACERA account, and make contributions through ACERA designated specifically for healthcare benefits to fund the 401(h) sub-account. To continue providing HACA retirees with non-taxable health benefits, your Commission adopted a resolution in June 2006 (Resolution No. 14-06) that authorized ACERA to establish and manage a 401(h) sub-account on our behalf.

In accordance with Section 31592.4 and Article 5.5 of the CERP, ACERA holds assets in a Supplemental Retirees' Benefits Reserve (SRBR). Once HACA makes its designated 401(h) contribution to ACERA, ACERA will automatically transfer the same amount to HACA's Advance Reserve Account. ACERA has consistently paid supplemental retirement and post employment health care benefits through the SRBR since 1985.

DISCUSSION and ANALYSIS

Your Commission has authorized HACA's contribution to its 401(h) sub-account every year since 2006. The Segal Company, ACERA's actuary, has determined that HACA's contribution for fiscal year July 1, 2011 – June 30, 2012 is \$139,797.45. Authorization to fund HACA's 401(h) sub-account must be completed by June 30, 2011.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO. 10-11

RESOLUTION APPROVING 401(h) ACCOUNT PURSUANT TO SECTION 31592

WHEREAS, in 1996, the Alameda County Employees' Retirement Association ("ACERA") Board of Retirement informed the Board of Supervisors that, by adoption of Resolution No. 96-111, the Board of Retirement had established a health benefits account intended to satisfy the requirements of the Internal Revenue Code ("IRC") Section 401(h) and the regulations thereunder (the "401(h) Account") in order to provide non-vested, tax-free health benefits to eligible County and Participating Employer retirees (collectively, the "Retirees"); and

WHEREAS, in 1996, the Board of Supervisors adopted Resolution No. R-96-634, which provided that ACERA could offer such non-taxable benefits if the County designated a portion of its contribution to ACERA for a fiscal year as a contribution to the 401(h) Account; and

WHEREAS, under Section 31592.4 and Article 5.5 of the County Employees Retirement Law of 1937 ("CERL"), assets in the Supplemental Retiree Benefit Reserves (the "SRBR") at the end of a fiscal year of ACERA may, in the immediately succeeding fiscal year, be transferred to the Advance Reserves of the Participating Employers, and treated as a contribution to ACERA by the County and as applicable by other Participating Employers to the extent that in the immediately succeeding fiscal year the County and other Participating Employers make contributions to ACERA's 401(h) Account in order to pay for retiree health benefits; and

WHEREAS, commencing with the 1996-1997 fiscal year, and for each fiscal year thereafter, the County has directed that a specified portion of its fiscal year contribution to ACERA for that year be contributed to the 401(h) account; and

WHEREAS, in 2006 the Alameda County Housing Authority ("Housing Authority") authorized ACERA to establish and manage a 401(h) sub-account on its behalf to provide tax free health care benefits for its retirees;

NOW THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. In fiscal year July 1, 2011 – June 30, 2012, Housing Authority shall contribute to ACERA \$139,797.45 to be used only for the paying of retiree medical health benefits. This contribution shall be made on the terms and conditions set forth in the Agreement between Housing Authority and ACERA concerning such contributions, executed on July 25, 2007.
2. This contribution shall be designated, in writing, as being only for Housing Authority's IRC § 401(h) Account, and such designation shall be made at the time of contribution.
3. Such contribution is contingent on the Board of Retirement immediately transferring, in accordance with Government Code §31592.4, an amount equal to such contribution from ACERA's SRBR account to the Housing Authority's advance reserve account. Such amount shall be treated as a contribution for pension and, therefore, shall be applied to reduce the pension contribution otherwise required by Housing Authority for the fiscal year beginning July 1, 2011.

4. No party, including any existing or future Housing Authority employee, retiree, spouse, or dependent, shall have any vested rights, contractual rights or other rights in or to any retiree medical benefits or payment or subsidy for any such benefits nor shall any such person or ACERA have any such rights to have the Housing Authority contribute towards paying or subsidizing the cost of any retiree medical benefits provided by ACERA under the 401(h) Account or otherwise. The Housing Authority may modify or terminate, at any time and without any limitation, its decision to contribute to Housing Authority's 401(h) Account. This modification or termination may occur even if it may affect any employee first hired prior to the date of such modification, any person who retired prior to such date, and/or any person who became a spouse or dependent of an employee or retiree prior to such date.

5. All contributions by the Housing Authority to its 401(h) sub-account shall be governed by requirements of the Internal Revenue Code and all administrative and other applicable rules established by ACERA governing such sub-account and ACERA's 401(h) Account.

PASSED, APPROVED, AND ADOPTED by the Housing Commission of the Housing Authority of the County of Alameda on this _____ day of _____ 2011, by the following vote:

AYES:

NAYS:

ABSTAIN:

EXCUSED:

ABSENT:

Christine Steiner
Housing Commission Chairperson

ATTEST:

Christine Gouig
Executive Director/Housing Commission Secretary

ADOPTED: _____

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Purchase option for surplus Caltrans property

Exhibits Attached: - Caltrans letter
- Response to Caltrans
- About Eden Housing, Spectrum Community Services, and SOS Meals on Wheels

Recommendation: Authorize the executive director to submit the attached response to Caltrans

Financial Impact: None; costs paid by Eden Housing

BACKGROUND

From time to time, the State Department of Transportation (Caltrans) offers surplus property for sale to public agencies at fair market value. With some minor exceptions, first priority is given to entities that agree to use the site for housing for persons and families of low or moderate income. If a housing authority purchases the site, State law allows the housing authority to reconvey the land to a developer who will build low and moderate income housing.

HACA has received a letter (attached) from Caltrans offering to sell a 5.96 acre site in Castro Valley, located at "A" and Ruby Streets and Crescent Avenue and Rockaway Lane. Eden Housing, a non-profit developer based in Hayward (and the developer of the Arroyo Vista redevelopment project in Dublin) has asked HACA to purchase the site identified in the letter and transfer it to Eden. Eden has been closely following Caltrans' disposal of this site and has been working with Spectrum Community Services, a Hayward based non-profit social services organization, to develop a plan for the site. HACA's response to Caltrans is due by July 29.

DISCUSSION AND ANALYSIS

The project Eden plans to develop is called Castro Valley Senior and Family Housing. It will provide 36 rental apartments for seniors, 34 units for families and one on-site manager's unit. The development will also include amenities such as an on-site community room, landscaped central courtyard and raised gardening beds.

The senior housing will be comprised of 36 one-bedroom units in one building and the 34 units of family housing will be comprised of eight one-bedroom units, 12 two-bedroom units and 14 three-bedroom units in a series of townhouses over flats. In addition, there will be one two-bedroom unit reserved for an on-site manager. All the units will serve households that are very low income.

In addition to the housing, Eden will collaborate with Spectrum and SOS Meals on Wheels to develop a 12,400 sq. ft. facility that will house a production kitchen, storage and staging space for Spectrum's weatherization program, a congregate meals area, flexible use spaces for other seniors' programs, and administrative offices for SOS. This commercial space will be separately owned by Spectrum through a condominium arrangement with Eden. The production kitchen will be the central facility from which SOS operates its Meals on Wheels Program, delivering approximately 550 meals daily to homebound seniors.

This project represents an opportunity for HACA to partner with a local non-profit with solid expertise in developing and owning affordable housing as well as help facilitate the development of a much-needed kitchen facility. HACA will not incur any costs in offering to option, purchase, or develop the property; all costs will be the obligation of Eden Housing. As the project's financing is put together, HACA may consider providing project based vouchers for a portion of the units.

Staff recommends that you authorize the Executive Director to sign and submit the offer memorandum to Caltrans and any option that Caltrans offers as well as provide any other information, documentation or approvals that Caltrans may require. Staff will report back to your Commission as to Caltrans' response.

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5322
FAX (510) 286-5366
TTY (800) 735-2929



*Flex your power!
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May 31, 2011

4-Ala-238

DD 032618-01-01

Director
Alameda County Housing Authority
22941 Atherton Street
Hayward, CA 94541-6633

Dear Sir/Madam:

OFFER TO SELL OR LEASE SURPLUS LAND

The Department of Transportation (Department) hereby offers to sell or lease the surplus land shown on the attached map in accordance with the provisions of sections 54220 through 54227 of the Government Code.

The following facts pertain to this land:

1. Location: A and Ruby Streets and Crescent Avenue and Rockaway Lane, Castro Valley, Alameda County
2. Size: 5.96 Acres irregular shape
3. Zoning: Anticipated Medium Density Residential (8.7-17.4du/ac) and Parks and Recreation per the Hayward Land Use Study dated June 24, 2008
4. Highest and Best Use: Medium Density Residential
5. Topography: Level
6. Improvements: None
7. Encumbrances: Special assessments if any, restrictions, reservations and easements of record.
8. Remarks: If the property is sold to a public agency, this property shall be conveyed to

"Caltrans improves mobility across California"

the grantee to be used by the grantee, its successors or assigns solely for a public purpose. If said property is used or developed for other than a public purpose, all title and interest to said property shall revert to the State of California, Department of Transportation, its assigns or successors in interest.

In the event this parcel is purchased by a redevelopment agency the parcel must be located within the redevelopment agency's jurisdiction and identified in the redevelopment plan. This information will be required by the Department when requesting California Transportation Commission (CTC) approval of the sale.

A. Sale at Fair Market Value or Lease Pending Sale at Fair Market Value

Any sale pursuant to the above-noted statutes will be at current appraised fair market value. Any lease pursuant to these statutes will be at a lease rate which will enable subsequent sale, subject to the lease, for a price no less than the current appraised fair market value of the parcel as if it were unencumbered by any lease.

B. Notification of Intent to Purchase or Lease Surplus Land

Please notify the undersigned within sixty (60) days of this notice if you intend to purchase or lease this surplus land. Complete the attached Memorandum and return to the undersigned in the enclosed preaddressed envelope. If your agency is interested in acquiring the real property it is imperative you accurately identify your public use, funding source and timeline for securing the funds. The information provided will be used to develop a disposal schedule, which will be strictly adhered to. If the schedule is not maintained, the Department, at its sole discretion may decide to amend the schedule or dispose of the parcel by other means.

C. Resale of Land for Development of Low and Moderate Income Housing

Government Code section 54224 allows a local agency, housing authority or redevelopment agency to reconvey land purchased from our Department to a nonprofit or for-profit housing developer for development of low and moderate income housing.

D. Multiple Offers

In the event our Department receives offers for the purchase or lease of this surplus land from more than one entity, we shall give first priority to the entity which agrees to use the site for housing for persons and families of low or moderate income, except that first priority shall be given to an entity which agrees to use the site for park or recreational purposes if the land being offered is already being used and will continue to be used for park or recreational purposes, or if the land is designated for park and recreational use in the local general plan and will be developed for that purpose,

"Caltrans improves mobility across California"

Alameda County Housing Authority
Date May 31, 2011
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(Government Code Section 54227).

Upon receipt of an interest response, the Department will order a fair market value appraisal prior to commencing negotiations with your agency pursuant to Government

Code section 54223 regarding the sale of the land. If the price cannot be agreed upon after a sixty (60) day negotiation period, the Department may dispose of the land without further regard to Government Code sections 54220 through 54227.

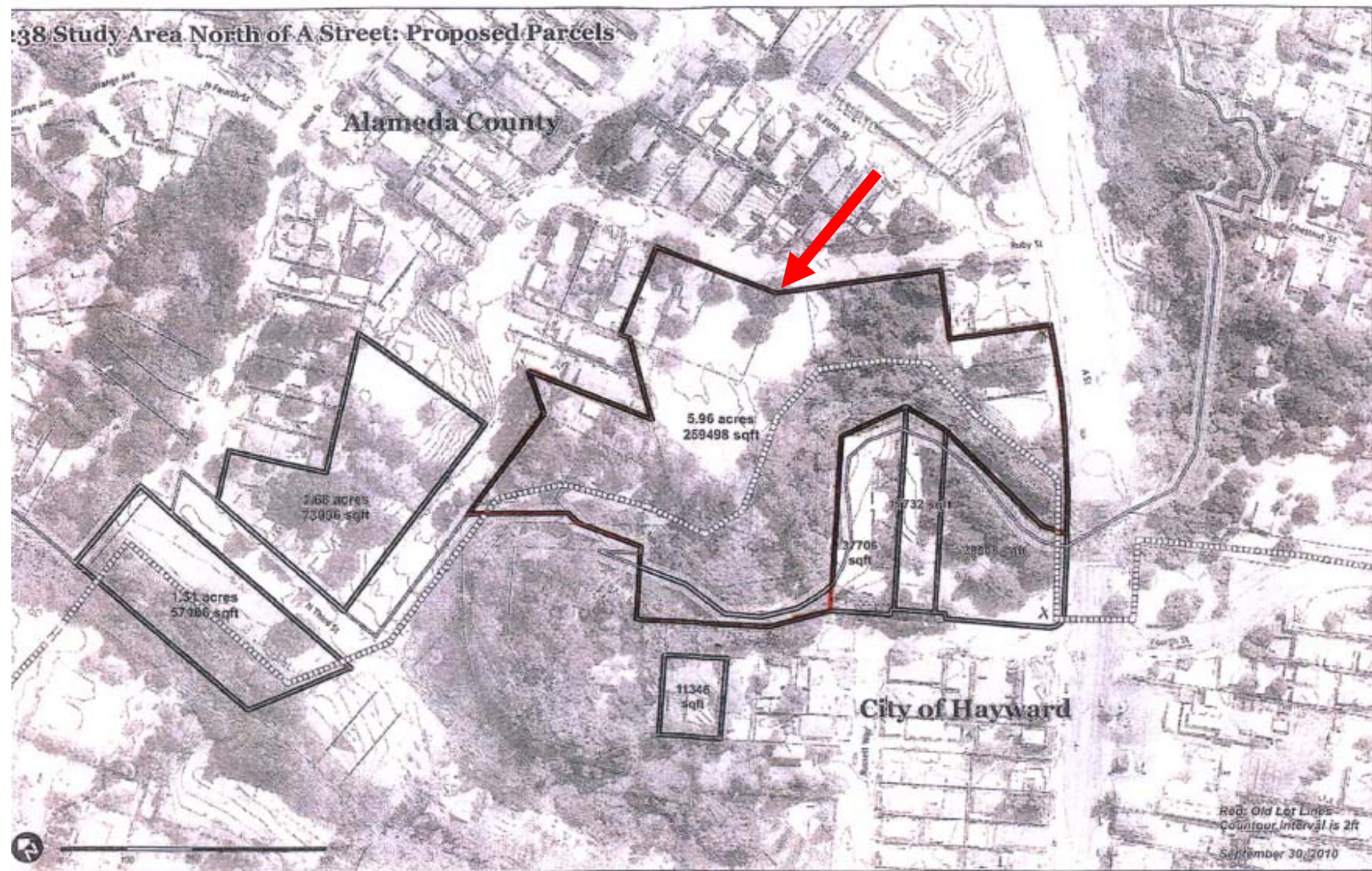
Sincerely,



ROBERT BACHTOLD
Right of Way Agent

Attachment

38 Study Area North of A Street: Proposed Parcels



MEMORANDUM

To: Department of Transportation – Excess Land Sales
P.O. Box 23440
Oakland, CA 94623-0440
ATTN: Robert Bachtold, Right of Way Agent

Notification of Interest in Excess State-Owned Real Property

Director's Deed# DD032618-01-01

Date June 15, 2011

Interested Yes X No

If your agency is interested please indicate the intended use.

Intended Use:

The Housing Authority of the County of Alameda (HACA) intends to option or otherwise obtain control of the subject property and then reconvey it to Eden Housing, a non-profit developer based in Hayward, California, for development of housing for persons and families of low and very low income.

The project is called Castro Valley Senior and Family Housing. It will provide 36 rental apartments for seniors, 34 units for families and one on-site manager's unit. The development will also include amenities such as a community room, landscaped central courtyard and raised gardening beds.

The senior housing will be comprised of 36 one-bedroom units in one building and the 34 units of family housing will be comprised of eight one-bedroom units, 12 two-bedroom units and 14 three-bedroom units in a series of townhouses over flats. In addition, there will be one two-bedroom unit reserved for an on-site manager.

In addition to the housing, Eden Housing will collaborate with Spectrum Community Services and SOS Meals on Wheels to develop a 12,400 sq. ft. facility that will house a production kitchen, storage and staging space for Spectrum's weatherization program, a congregate meals area, flexible use spaces for other seniors' programs, and administrative offices for SOS. The production kitchen will be the central facility from which SOS operates its Meals on Wheels Program, delivering approximately 550 meals daily to homebound seniors.

Funding Information (Source, Amount, Timing):

Eden Housing anticipates that the close of construction financing and start of construction will occur in August 2013. Construction completion is projected for January 2015 and conversion to permanent financing in August 2015.

Source	Amount	Timing
Alameda County Redevelopment Agency	\$11,668,884	Conditionally committed
Community Development Block Grant (CDBG)	\$430,000	Application January 2012; Award May 2012
Federal Home Loan Bank – Affordable Housing Program	\$700,000	Application April 2012; Award June 2012
Low Income Housing Tax Credits (LIHTC)	\$7,834,125	Application March 2013; Award May 2013
Bank Financing (permanent)	\$1,948,509	Application January 2013; Commitment March 2013
Gap Financing (HOME, CHDO, HOPWA, Shelter + Care)	\$1,093,041	Application January 2012; Award May 2012
Total	\$23,674,559	

By: _____

Title: Executive Director

Date: June 15, 2011

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Eden Housing is a Top Affordable Housing Developer and Owner in the Nation

For the fifth year in a row, Eden Housing is honored to be recognized by Affordable Housing Finance as one of the Top 50 Affordable Housing Developers and Owners in the Nation. [View Eden's complete list of awards](#)

<>

- ▶ Eden's latest podcast: Employment: A Remedy for Poverty and Homelessness
- ▶ Eden Issei Terrace senior community in Hayward "Flipped the Switch" on its new solar system
- ▶ View Eden Housing's 2010 Annual Report
- ▶ View Eden Housing's online Sustainability Showcase
- ▶ Foss Creek Court in Healdsburg receives national recognition in the 2010 Charles L. Edson Tax Credit Excellence Awards and the PCBC Gold Nugget Awards



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Success Starts at Home: Eden Housing residents share their stories of success.
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Eden Housing explores the issues and challenges being faced in affordable housing today.
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Housing Communities

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Mission & History



Eden Housing's mission is to build and maintain high-quality, well-managed, service-enhanced affordable housing communities that meet the needs of lower income families, seniors and persons with disabilities.

Our History

Eden Housing was founded in May of 1968 by six community activists who were greatly concerned about the lack of non-discriminatory, affordable housing in Alameda County. These pioneers, working out of makeshift "headquarters" such as local coffee shops, were initiated into affordable housing development by rehabilitating six older homes in Oakland for first time homebuyer families. Their next project was a much larger development, the 150-unit Josephine Lum Lodge for seniors in Hayward. Since those pioneering days, Eden has developed or acquired more than 6,300 affordable housing units that have provided homes for over 58,000 people over the years.

Eden's housing now includes rental apartments, first-time homeowner opportunities, cooperatives, and supportive living environments for families, seniors and people with disabilities.



Although Eden Housing's initial home base for development was Alameda County, Eden's charter calls for the organization to work wherever there is a need for affordable housing in California. Eden has so far partnered with twenty-eight cities in ten counties and is expanding its geographical

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- HEAP
- Weatherization



Founded in 1971, Spectrum Community Services is a registered, private non-profit organization that assists low-income and disadvantaged individuals, families and seniors in their efforts to live independently. We offer—in partnership with local service organizations—a wide variety of community programs and services. Our long history of family tutorials and community outreach has advanced our mission of promoting our clients' financial sustainability and improving the overall quality of their lives.

Spectrum is recognized by the State of California and the IRS as a tax-exempt 501(c)(3).



2617 & 2621 Barrington Ct
Hayward, CA 94545
(510) 881-0300
(510) 537-3340 (fax)

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call Spectrum at (510) 881-0300.**



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SOS Meals on Wheels

Serving our community one meal at a time

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SOS Meals on Wheels is a non-profit organization dedicated to feeding homebound seniors in Hayward, San Leandro, San Lorenzo and Castro Valley. Every weekday, about 550

warm, nutritious meals are delivered to seniors who are over 60 years of age and unable to purchase or prepare food for themselves. In addition to transporting the food, Meals on Wheels' drivers provide daily check-ins for these most vulnerable elders, assistance with small tasks and remembrance on special occasions such as Christmas and Mother's Day. If seniors need weekend food, they receive frozen meals and bag lunches at the end of the week. In fiscal year 2008, SOS Meals on Wheels delivered about 164,000 meals to over 1,100 seniors.



Located at 1435 Grove Way in Hayward, SOS Meals on Wheels was founded over 37 years ago by a compassionate community activist named Emma Vargas. She started preparing and delivering about 50 meals per day and her first cook was Georgia Seraphin. Today both of these women serve as Directors Emeritus of our SOS Board of Directors. As the population in central Alameda County increased, SOS Meals on Wheels has grown dramatically and continues to grow. Our mission is as follows:

“The primary function of SOS/Meals on Wheels is to deliver nutritious, balanced meals to homebound seniors. This service often allows seniors to live more independently and remain in their own homes.”

HOUSING AUTHORITY OF ALAMEDA COUNTY

AGENDA STATEMENT

Meeting: June 15, 2011

Subject:	Administrative Plan Revisions
Exhibits Attached:	Attachment A: Proposed policy revisions
Recommendation:	Receive report; approve proposed policy revisions (Public Hearing required)
Financial Statement:	None

BACKGROUND

HACA's Section 8 Housing Choice Voucher (HCV) Program Administrative Plan (Admin Plan) sets forth its policies for administering the Section 8 Program in a manner consistent with HUD requirements and HACA's Agency Plan—its policies, programs, operations, and strategies for meeting local housing needs and goals. HACA's Admin Plan is available for public review.

HACA is making a number of Admin Plan changes to consolidate its Section 8 and Low Income Public Housing wait lists, to clarify applicant selection order, to clarify the grounds for adding a new family member, to implement HUD policy mandates issued since the last revision, and to make various other changes as described.

ANALYSIS and DISCUSSION

Policy revisions are proposed to HACA Admin Plan Chapters 4, 10, 11 and 17. See Attachment A.

Chapter 4 - APPLICATIONS, WAITING LIST AND TENANT SELECTION

4-I.B. APPLYING FOR ASSISTANCE

Provides greater flexibility to HACA regarding how best to assist applicants who require assistance completing the application for assistance.

4-II.B. ORGANIZATION OF THE WAITING LIST

Clarifies that the application collects and the wait list stores the applicant's Social Security Number as required by regulation; that a lottery number can be used as a tie-breaker; that a single wait list is used for the Low-Income Public Housing Program and the various modules of the Section 8 program; and lists the separate Section 8 Project-Based and Moderate Rehabilitation developments for which applicants will be able to express interest.

4-II.C. OPENING AND CLOSING THE WAITING LIST

Makes editorial changes for clarity and provides greater flexibility to HACA regarding when it may close the wait list once it determines that it has enough eligible applicants to use the housing assistance resources it has been allotted.

4-II.F. UPDATING THE WAITING LIST

Adds email as a way of notifying applicants and provides that a family's response to an application update request must be submitted on-line (if available), or by mail, fax or hand delivered if on-line submission is not available.

4-III.C. SELECTION METHOD

In the past, HACA attached a point value to each preference, thus requiring a calculation be made in order to determine the order in which applicants would be served. This section of the chapter has been re-written in order to clarify, and to make more concrete and understandable, the order in which applicants who qualify for various preferences and priorities within each category of the waiting list are selected. Since the changes to this sub-section are so extensive, both the "before" and "after" versions are attached for comparison.

Chapter 10 - MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

10-I.B. RESTRICTIONS ON MOVES

Adds specificity required by recently revised HUD regulations if HACA denies a family permission to move on the grounds that HACA does not have sufficient funding for continued assistance.

Chapter 11 - REEXAMINATIONS

11-II.B. CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION

In light of increasingly restricted annual HUD Housing Assistance Payment funding, the revised language narrows the grounds for adding a new family member.

Chapter 17 - PROJECT-BASED VOUCHERS

17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51]; 17-II.D. PROHIBITION OF ASSISTANCE FOR CERTAIN UNITS

Clarifies that HACA may submit, process, and conditionally select a proposal for project-based vouchers (PBV) for public housing that is in the process of being disposed of (just as it has done for its 58 scattered-site units in Union City, and as it is about to do for its Nidus and Dyer developments). HACA will not finally select public housing for PBVs until HUD has approved disposition and the proposal selection process.

17-II.D. PROHIBITION OF ASSISTANCE FOR CERTAIN UNITS

Clarifies that, notwithstanding the prohibition against attaching PBV assistance to public housing units, HACA will accept and process proposals for public housing units. Those proposals may be selected as long as the public housing is approved for disposition at the time of final selection, and no longer public housing when PBV assistance is attached.

17-IV.B. AGREEMENT TO ENTER INTO HAP (AHAP) CONTRACT

Adds HACA's receipt from HUD of Authority to Use Grant Funds as a condition for entering into an *Agreement to Enter into a Housing Assistance Payments (AHAP) Contract* with an owner.

17-V.B. HAP CONTRACT REQUIREMENTS

Adds "whether the extension is appropriate to achieve long-term affordability of the housing" as a condition for determining whether or not HACA will extend an expiring PBV contract as required by HUD.

17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]

Conforms a single wait list copy to that of section 4-II.B. ORGANIZATION OF THE WAITING LIST.

17-VI.D. SELECTION FROM THE WAITING LIST

Adds content setting forth the applicability of the preferences of section 4-III.C LOCAL PREFERENCES – SECTION 8 PROJECT-BASED VOUCHER PROGRAM (PBV).

17-VII.C. MOVES

Clarifies the order of issuing tenant-based vouchers to currently housed PBV holders in relation to projects coming on-line, Targeted Funding, FUP Graduates and CHOICES Graduates as described in section 4-III.C.LOCAL PREFERENCES – SECTION 8 HOUSING CHOICE VOUCHER PROGRAM (HCV).

17-VIII.B. RENT LIMITS

Increases the time period in which an owner of units under a PBV HAP contract may request a rent increase from 60 to 90 days prior to the anniversary date of the contract, giving staff adequate time to process the request.

Staff recommends that you approve the revisions to the Admin Plan. Once approved, staff training will be conducted and the revised Plan will be implemented.

HOUSING AUTHORITY OF ALAMEDA COUNTY

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Admissions and Continued Occupancy Policy Revisions

Exhibits Attached: Attachment B: Proposed policy revisions

Recommendation: Receive report; approve proposed policy revisions
(Public Hearing required)

BACKGROUND

HACA's Low Income Public Housing Program "Admissions and Continued Occupancy Policy (ACOP)" sets forth its policies for administering the Low Income Public Housing Program in a manner consistent with HUD requirements and HACA's Agency Plan—its policies, programs, operations, and strategies for meeting local housing needs and goals. HACA's ACOP is available for public review.

HACA is making a number of ACOP changes to consolidate its Low Income Public Housing and Section 8 wait lists and to clarify applicant selection order.

ANALYSIS and DISCUSSION

Policy revisions are proposed to HACA ACOP Chapters 1, 10 and 12. See Attachment B.

Chapter 1 - INTRODUCTION

41.2. DEFINITIONS

Conforms definitions to those used for the Section 8 program. This conformity is needed in order to combine the wait lists.

Chapter 10 – WHEN AND HOW APPLICANTS MAY APPLY

10.1. INTRODUCTION

Clarifies that a single wait list is used for the Low Income Public Housing Program and the various modules of the Section 8 program, that applications will be available on-line and provides greater flexibility to HACA regarding when it may close the wait list once it determines that it has enough eligible applicants to use the housing assistance resources it has been allotted.

10.2. WAIT LIST OPENING NOTICE

Conforms the language specifying the steps HACA will take to notify the public the wait list is open to the language used for the Section 8 program; provides greater flexibility to HACA regarding how best to assist applicants who require assistance completing the application for assistance; clarifies that the application collects family unit size information and qualification for preferences; clarifies that a lottery number can be used as a tie-breaker.

10.3. SELF-CERTIFICATION/VERIFICATION

Makes editorial changes for clarity.

10.4. NOTIFICATION OF WAITING LIST STATUS

Because the Low Income Public Housing wait list will be merged with the Section 8 wait list, section 10.4 CONDUCT OF THE LOTTERY was removed as this policy is outlined in the Section 8 Administrative Plan. Section 10.5 NOTIFICATION OF LOTTERY STATUS of the existing ACOP becomes section 10.4. The new section 10.4 provides flexibility for providing electronic confirmations of receipt and acceptance or denial of applications.

Chapter 12 – ORGANIZATION AND MANAGEMENT OF THE WAIT LIST

12.3. APPLICANT SELECTION ORDER

Conforms the preferences and priorities language that applies to the Low Income Public Housing program to that of the Section 8 program. This conformity is needed in order to combine the wait lists.

In the past, HACA attached a point value to each preference, thus requiring a calculation be made in order to determine the order in which applicants would be served. This section of the chapter has been re-written in order to clarify, and to make more concrete and understandable, the order in which applicants who qualify for various preferences and priorities are selected.

12.4. QUALIFICATIONS REGARDING ASSIGNMENT OF PREFERENCE POINTS

Removes language that refers to preferences HACA no longer utilizes.

12.5. VERIFICATION OF PREFERENCE POINTS

Removes language that refers to a preference HACA no longer utilizes.

12.6. APPLICANT REPORTING AND RESPONDING REQUIREMENTS

Provides applicants more flexibility for reporting changes to their applications.

12.8. PURGING THE WAIT LIST

Conforms the time frame for updating and purging the wait list to the Section 8 wait list time frame. This conformity is needed in order to combine the wait lists.

Staff recommends that you approve the revisions to the ACOP. Once approved, staff training will be conducted and the revised ACOP will be implemented.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Resolution Approving Amendment to Arroyo Vista DDA and Estoppel Certificate

Exhibits Attached: - Resolution No. 11-11
- Second Amendment to Disposition and Development Agreement (Arroyo Vista)
- Estoppel Certificate

Recommendation: Adopt the attached resolution

Financial Impact: None

BACKGROUND

As you know, HACA sold the former Arroyo Vista (Dublin) public housing site to Eden Housing (Eden) in March. Since then, HUD, Eden, HACA, the City of Dublin, and Eden's lenders and tax credit investor have been working to close the financing (i.e., sign and record the various documents with the lenders and investor). The closing must occur by June 13 in order to meet the State of California's deadline for Low Income Housing Tax Credits, which is the primary permanent funding source. The closing is scheduled for June 10.

Eden's Tax Credit investor, Wachovia Affordable Housing Community Development Corporation, has asked that the Disposition and Development Agreement (DDA) among HACA, the City of Dublin, Eden and KB Home be amended to address some of its requirements. In addition, Wachovia has asked that HACA execute an estoppel certificate acknowledging certain facts and agreeing to certain procedures in the event of Eden's non-compliance with affordability provisions. Wachovia has agreed that these can be provided post-closing since your Commission meets on June 15, two days after the closing deadline. Both the DDA amendment and estoppel certificate have been reviewed and approved by Goldfarb & Lipman, our law firm for this transaction.

DISCUSSION AND ANALYSIS

Disposition and Development Agreement. The DDA was first executed in July 2007 and amended in January 2010 to update the project schedule. In March 2011 your Commission approved the assignment of the DDA and the Settlement Agreement (resulting from the lawsuit) from Citation Homes, the for-profit developer of the for-sale homes, to KB Home Arroyo Vista LLC. The DDA must now be amended to include

certain provisions and mechanics of the financing and to clarify roles and responsibilities. Generally, these are:

1. HACA and the City of Dublin, as parties to the Settlement Agreement, must provide any notices that they give to Eden, the Partnership or KB Home to all the other parties, including the lenders (Wells Fargo Bank and the California Community Reinvestment Corporation) and Wachovia.
2. HACA and the City of Dublin will give notices regarding any default they declare to the lenders and investor and permit them to cure any default within a reasonable period of time.
3. Each developer (Eden and KB Home) is responsible for developing its part of the project only, not the project of the other one.
4. Wachovia can require Eden to terminate the management agent if the investor determines the management agent is not performing its duties in accordance with the management agreement.

Estoppel Certificate. The Estoppel Certificate acknowledges that:

1. The DDA is in full force and effect.
2. HACA has been paid for the Arroyo Vista property.
3. As far as HACA knows there is no default existing under the DDA.
4. Except in the case of a developer default HACA won't amend or terminate the DDA without the lender's consent.
5. The lender will receive notice of any developer default and be permitted to cure it within a reasonable period of time.

These are fairly typical changes as far as HACA is concerned. Staff recommends that your Commission adopt the resolution approving the second amendment to the DDA and the Estoppel Certificate and authorizing the Executive Director to sign them on behalf of HACA.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO. 11-11

**APPROVING SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT
(Arroyo Vista) AND ESTOPPEL CERTIFICATE**

WHEREAS, the Housing Authority of the County of Alameda (the "Authority") is a public body, corporate and politic, of the State of California (the "State"), incorporated pursuant to the provisions of Chapter 1 of Part 2 of Division 24 (commencing with Section 34200) of the California Health and Safety Code), as amended (the "Act"); and

WHEREAS, effective March 1, 2011, the Authority and the Dublin Housing Authority ("DHA") entered into a Master Agreement to effect the consolidation of the activities of the two agencies and pursuant to which DHA transferred all its rights and responsibility for owning and operating the low income public housing program in the City of Dublin (the "City") to the Authority; and

WHEREAS, as DHA has consolidated its activities with the Authority and has transferred all of its rights, interests and obligations to the Authority, including those specified in the DDA, consent by the Authority shall also constitute consent by DHA; and

WHEREAS, the Commissioners of DHA previously approved a resolution to dispose of the low income public housing project known as Arroyo Vista ("Project") for redevelopment pursuant to a Disposition and Development Agreement dated as of July 25, 2007, as amended by the First Amendment to Disposition and Development Agreement entered into as of January 26, 2010 (collectively, the "DDA") by the Authority, DHA, the City, Eden Housing, Inc., a California nonprofit public benefit corporation ("Eden"), and SCS Development Co. dba Citation Homes Central, a California corporation ("Citation") (collectively, the "DDA Parties"); and

WHEREAS, the DDA Parties also entered into a settlement agreement dated as of December 1, 2009 to resolve litigation prompted by execution of the DDA (the "Settlement Agreement"); and

WHEREAS, Citation and Eden requested that Citation's portion of the Project be transferred to KB Home, a Delaware corporation, and on March 9, 2011, the Authority approved an Assignment and Assumption of Disposition and Development Agreement, and Settlement Agreement pursuant to which KB Home assumed the obligations of Citation under the DDA and the Settlement Agreement and became a party to said documents; and

WHEREAS, pursuant to the DDA the Authority has approved the transfer of the Project to, and the assumption of Eden's obligations under the DDA and the Settlement Agreement by, Eden Dougherty, L.P., a California limited partnership controlled by Eden (the "Partnership"), which has become one of the "DDA Parties"; and

WHEREAS, the DDA Parties now desire to make certain changes to the DDA to clarify certain roles and responsibilities; and

WHEREAS, Wachovia Affordable Housing Community Development Corporation, the tax credit investor limited partner in the Partnership ("Wachovia"), requires certain assurances from the Authority regarding the DDA and the Project in the form of an Estoppel Certificate;

NOW, THEREFORE BE IT RESOLVED, that the Authority finds and determines as follows:

1. The Second Amendment to Disposition and Development Agreement (Arroyo Vista) ("Amendment") as presented at this meeting in substantially final form is hereby approved.
2. The Estoppel Certificate for the benefit of Wachovia ("Estoppel") as presented at this meeting in substantially final form is hereby approved.
3. The Executive Director or her designee is authorized to make and approve any changes to the Amendment or Estoppel on behalf of the Authority.
4. The Executive Director or her designee is authorized to execute the Amendment and the Estoppel and any and all documents required by any party to complete the transaction.

PASSED, APPROVED AND ADOPTED by the Commissioners of the Housing Authority of the County of Alameda this _____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Christine Steiner
Chairperson

ATTEST:

Christine Gouig
Executive Director/Secretary

Adopted: _____

EXHIBIT A

Notice Parties

HACA: Housing Authority of the County of
Alameda
22941 Atherton Street
Hayward, CA 94541
Attention: Executive Director

Partnership: Eden Dougherty, L.P.
c/o Eden Investments, Inc.
22645 Grand Street
Hayward, California 94541-5031
Attention: Executive Director

With a copy to:

Law Offices of Joyce Hiyama Glatt
820 Arlington Boulevard
El Cerritos, CA 94530-2702
Attention: Joyce Hiyama Glatt, Esq.

With a copy to:

Wachovia Affordable Housing
Community
Development Corporation
One Wachovia Center
301 South College Street
MAC D1053-170
Charlotte, North Carolina 28288

Bondowner Representative: Wells Fargo Bank, National Association
Community Lending and Investment
45 Fremont Street, 9th Floor
MAC# A0194-090
San Francisco, California 94105
Attention: Loan Administration Officer

With a copy to:

California Community Reinvestment
Corporation
225 West Broadway, Suite 120
Glendale, California 91204
Attention: President

Investor Limited Partner:

Wachovia Affordable Housing
Community
Development Corporation
One Wachovia Center
301 South College Street
MAC D1053-170
Charlotte, North Carolina 28288

The City:

City of Dublin
100 Civic Plaza
Dublin, California 94568
Attention: City Manager

AHP Lender:

Silicon Valley Bank
185 Berry Street, Suite 3000, Lobby 1
San Francisco, California 94107
Attention: Christine B. Carr

**SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT
(Arroyo Vista)**

This Second Amendment to Disposition And Development Agreement (this "Amendment") is entered into as of the [15th] day of June, 2011, by and among the City of Dublin, a municipal corporation (the "City"), the Housing Authority of the County of Alameda, a public body, corporate and politic, ("HACA"), Eden Dougherty, L.P., a California limited partnership (the "Partnership") and KB HOME Arroyo Vista LLC, a Delaware limited liability company ("KB") (the Partnership and KB being referred to collectively as the "Developer"): KB, the City, the Partnership, and HACA being hereafter referred to as the "Parties"), with reference to the following facts:

RECITALS

- A. Certain of the Parties are parties to that certain Disposition and Development Agreement dated as of July 25, 2007, as amended by (i) that certain First Amendment to Disposition and Development Agreement dated as of January 26, 2010 by and among the parties, (ii) that certain Assignment and Assumption of Disposition and Development Agreement, and Settlement Agreement dated as of March 22, 2011 by and between SCS Development Company (dba Citation Homes Central ("Citation") as Assignor and KB HOME Arroyo Vista LLC as Assignee, and (iii) those certain letter agreements approving changes in the schedule of performance among Eden, Citation, HACA and City dated December 22, 2009 and February 28, 2011 (as so amended, the "DDA").
- B. Certain of the Parties are parties to that certain Settlement Agreement dated as of December 1, 2009 made by and among Andres Arroyo, Darlene Brown, Rhenae Keyes, Elise Veal, the Arroyo Vista Tenants Association, the City of Dublin, the Dublin Housing Authority, Eden Housing Inc., the Housing Authority of the County of Alameda, and SCS Development Company, with respect to the lawsuit titled Arroyo Vista Tenants Association et al v. City of Dublin et al, United States District Court Case No. 3:07-cv-05794-MHP (the "Settlement Agreement").
- C. KB has succeeded to the rights and obligations of SCS Development Company under the DDA and the Settlement Agreement.
- D. Eden Housing, Inc., a California nonprofit public benefit corporation ("Eden") has assigned and the Partnership has assumed all of Eden's rights and obligations under the DDA and the Settlement Agreement pursuant to that certain Assignment and Assumption Agreement between Eden and Partnership dated as of June 1, 2011, as approved by the City and HACA pursuant to the DDA and as approved by KB.

AGREEMENT

NOW, therefore, in consideration of the recitals hereof and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Those Parties that are also parties to the Settlement Agreement shall provide copies to the other Parties and the Project Financiers of all default notices, pleadings, and similar items received by them with respect to the Settlement Agreement.

2. The definitions set forth below are hereby added to Section 1.1 of the DDA:

“AHAP Contracts” means those certain Agreements to Enter Into Housing Assistance Payments Contracts entered into or to be entered into between Eden and HACA with respect to the Development.

“Authority” means the Dublin Housing Authority.

“Bondowner Representative” means Wells Fargo Bank, National Association.

“Partnership” means Eden Dougherty, L.P., a California limited partnership.

“Grant Deed” means that Grant Deed from HACA to Eden recorded in the Official Records of Alameda County on March 4, 2011 as Instrument No. 2011-072584, as modified by that certain Modification Quitclaim Deed recorded on May 27, 2011 as Instrument No. 2011-157877 and by that certain Correctory and Modification to Grant Deed recorded in the Official Records of Alameda County on June _____, 2011 as Instrument No. _____.

“HAP Contracts” means that certain Housing Assistance Payments Contract to be entered into between Partnership and HACA with respect to the Development.

“HUD Documents” means the AHAP Contracts, the HAP Contracts, the Grant Deed, the Use Agreement, any declaration recorded by HUD or HACA against the Development, that certain letter dated May 22, 2009 from the HUD to the Authority and HACA, along with that certain Memorandum prepared by HUD dated May 22, 2009, as amended by that certain letter dated May 29, 2009 from HUD to the Authority and HACA, by that certain letter dated March 1, 2010 from HUD to the Authority, and by that certain letter dated May 20, 2011, and any other document executed in connection with such documents.

“Investor Limited Partner” means Wachovia Affordable Housing Community Development Corporation.

“Partnership” means Eden Dougherty, L.P., a California limited partnership.

“Project Financier” means each entity whose address is set forth on Exhibit A to this Amendment, together with their successors and assigns.

“Public Entity Party” means the City and HACA.

“Use Agreement” means that certain Amended and Restated Use Agreement and Assignment among HACA, Eden and the Partnership dated as of June 1, 2011 and recorded in the Official Records of Alameda County on June____, 2011 as Instrument No. _____.

3. A new subsection (c) is hereby added to the end of Section 3.1(k) of the DDA, to read as follows: “Notwithstanding anything to the contrary set forth in this Section 3.1(k) or elsewhere in this Agreement, it is understood and agreed that each Developer is providing the indemnities describe in this Section 3.1(k) as to its respective Development Component only.”

4. A new subsection (c) is hereby added to the end of Section 8.12 of the DDA, to read as follows: “Notwithstanding anything to the contrary set forth in this Section 8.12 or elsewhere in this Agreement, it is understood and agreed that each Developer is providing the indemnities describe in this Section 8.12 as to its respective Development Component only.”

5. A new sentence is hereby added to the end of Section 9.3 of the DDA, to read as follows: “Further notwithstanding the foregoing, Investor Limited Partner may cause Borrower to terminate the management agent in accordance with the Partnership’s agreement of limited partnership.”

6. A new subsection (f) is hereby added to Section 19.7 of the DDA, to read as follows: “ (f) Any transfer of limited partnership interests in the Partnership, and any transfer of membership or partnership interests of any limited partner in the Partnership.”

7. A new subsection (g) is hereby added to Section 19.7 of the DDA, to read as follows: “ (g) Any transfer of general partner interests in the Partnership resulting from the removal of the general partner pursuant to the terms of the Partnership’s agreement of limited partnership.”

8. A new Section 14.5 is hereby added to the DDA, to read as set forth below.

Section 14.5 Notice and Cure Rights. The Parties agree as follows:

(a) the Public Entity Parties shall give each Project Financier a copy of any written notice it gives to Eden or the Partnership under any HUD Document;

(b) each Project Financier shall have one hundred twenty (120) days after its receipt of such notice to cure a default under any HUD Document;

(c) if a default is incapable of being cured within one hundred twenty (120) days, each Project Financier shall have such additional time as is reasonably necessary to cure such default provided it has commenced to cure such default within such 120-day period and is diligently proceeding to cure such default;

(d) if a Project Financier attempting to effectuate a cure cannot do so without obtaining ownership or control of the respective Development Component, it shall have a reasonable time after foreclosing its lien or, in the case of Investor Limited Partner, removing the general partner of the Partnership, to cure a default, but shall not be obligated to cure a default it is legally incapable of curing; and

(e) if a Project Financier cures default, the Public Entity Parties will accept such action as curing the respective default under the respective HUD Document.

9. Capitalized terms not defined in this Amendment shall have the meanings ascribed to such terms in the DDA.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment as of the date first written.

City of Dublin,
a municipal corporation

By: _____
Name:
Title:

Housing Authority of the County of Alameda,
a public body, corporate and politic

By: _____
Name: Christine Gouig
Title: Executive Director

Eden Dougherty, L.P.,
a California limited partnership

By Eden Dougherty LLC,
a California limited liability company, its general partner

By Eden Investments, Inc.,
a California nonprofit public benefit corporation,
its sole member/manager

By: _____
Name:
Title:

KB HOME Arroyo Vista LLC,
a Delaware limited liability company

By: KB HOME South Bay Inc., a California
corporation, its sole member

By: _____

Name:

Title:

EXHIBIT A

Notice Parties

HACA: Housing Authority of the County of Alameda
22941 Atherton Street
Hayward, CA 94541
Attention: Executive Director

Partnership: Eden Dougherty, L.P.
c/o Eden Investments, Inc.
22645 Grand Street
Hayward, California 94541-5031
Attention: Executive Director

With a copy to:

Law Offices of Joyce Hiyama Glatt
820 Arlington Boulevard
El Cerritos, CA 94530-2702
Attention: Joyce Hiyama Glatt, Esq.

With a copy to:

Wachovia Affordable Housing Community
Development Corporation
One Wachovia Center
301 South College Street
MAC D1053-170
Charlotte, North Carolina 28288

Bondowner Representative: Wells Fargo Bank, National Association
Community Lending and Investment
45 Fremont Street, 9th Floor
MAC# A0194-090
San Francisco, California 94105
Attention: Loan Administration Officer

With a copy to:

California Community Reinvestment
Corporation
225 West Broadway, Suite 120
Glendale, California 91204
Attention: President

Investor Limited Partner: Wachovia Affordable Housing Community
Development Corporation
One Wachovia Center
301 South College Street
MAC D1053-170
Charlotte, North Carolina 28288

The City: City of Dublin
100 Civic Plaza
Dublin, California 94568
Attention: City Manager

AHP Lender: Silicon Valley Bank
185 Berry Street, Suite 3000, Lobby 1
San Francisco, California 94107
Attention: Christine B. Carr

ESTOPPEL CERTIFICATE

June [16], 2011

Wachovia Affordable Housing
Community Development Corporation
MAC D1053-170
301 South College Street
Charlotte, NC 28288
Attn.: Director of Tax Credit Asset Management

Re: Disposition and Development Agreement for the Redevelopment of Arroyo Vista by and among the Dublin Housing Authority, a public body, corporate and politic ("DHA"), the City of Dublin, a municipal corporation ("City"), the Housing Authority of the County of Alameda, a public body, corporate and politic ("Authority"), Eden Housing, Inc., a California nonprofit public benefit corporation ("Eden"), and SCS Development Co., a California corporation ("SCS"), dba Citation Homes Central ("Citation"), dated as July 25, 2007, as amended by (i) that certain First Amendment to Disposition and Development Agreement dated as of January 26, 2010; (ii) that certain Assignment and Assumption of Disposition and Development Agreement, and Settlement Agreement dated as of March 22, 2011 by and between SCS as Assignor and KB HOME Arroyo Vista LLC as Assignee; (iii) those certain letter agreements dated December 22, 2009 and February 28, 2011 among Eden, Citation, DHA, the Authority and the City ; and (iv) that certain Assignment and Assumption of Disposition and Development Agreement, and Settlement Agreement dated as of June 1, 2011 by and between Eden and the Developer, as defined below (the "Eden/Developer Assignment") (collectively, the "**DDA**") regarding premises in Dublin, California, as more particularly described therein (the "**Premises**").

We understand that you are about to make an equity investment in Eden Dougherty, L.P. ("**Developer**"), the prospective assignee of Eden Housing, Inc. under the DDA, and have requested that the undersigned as parties to the DDA, execute this Estoppel Certificate (this "**Certificate**") in connection therewith.

We hereby represent and warrant to you that:

1. The DDA and amendments thereto have been duly authorized, executed and delivered by us, and are in full force and effect. The DDA has not been amended, supplemented or modified, except as described above.
2. The Authority currently holds all of the rights, obligations and interests of DHA under the DDA.

3. The purchase price and any other sums due the Authority under the DDA, through and including the date hereof, have been paid in full in a timely manner.

4. Except as has been previously disclosed to you, to our actual knowledge, no default, or any event or condition that, with the passing of time or giving of notice or both, would constitute a default, on our part; and, to our actual knowledge, no default, or any event or condition that, with the passing of time or giving of notice or both, would constitute a default on the part of Developer, exists under the DDA and no event has occurred that authorizes, or with the lapse of time or with the giving of notice or both, would authorize, any party to terminate the DDA. We have no outstanding unresolved claims against Developer under the DDA. We have no existing defenses as to our obligations under the DDA and claim no counterclaims against Developer or offsets against enforcement of the DDA by Developer.

5. We will use reasonable best efforts to not to enter into any agreement with Developer to terminate, cancel, surrender, amend, alter, modify or extend the DDA or any interest of the Developer thereunder ("DDA Change") without your prior written consent, except in the event of Developer default, provided that your agreements with the Developer require the Developer to notify you and obtain your approval of any such prospective DDA Change. Notwithstanding the above, you have consented to the Second Amendment to DDA to be executed concurrently with this Certificate.

6. Any matter required by the DDA to have been approved by us on or before the date hereof has been approved.

7. Notice and Cure Regarding Grant Deed Reverter: Prior to the exercise of any remedy available to the Authority under the Correctory and Modification to Grant Deed recorded against the Premises on or about June 9, 2011, the Authority will provide you with a simultaneous copy of any written notice provided to Developer and/or any assignee or successor thereto. You shall have the right, but not the obligation, to cure any default identified in any such notice within one hundred twenty (120) days after its receipt of such notice. If a default is incapable of being cured within such one hundred twenty (120) day period, you shall have such additional time as is necessary to cure such default provided you have commenced to cure such default within the 120-day period, and are diligently proceeding to cure such default. If you, in attempting to effectuate a cure, cannot do so without obtaining ownership or control of Developer, you shall have a reasonable time after removing Developer's general partner, to cure a default. If you cure a default, the Authority shall accept such action as curing the respective default under the governing document.

All notices to be sent pursuant to this section shall be made in writing, and sent to either you or the Authority, as applicable, at the address specified below or to such other address as we may designate by written notice to the other party. All such notices shall be sent by: (i) personal delivery, in which case notice is effective upon delivery; (ii) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered on receipt if delivery is confirmed by a return receipt; (iii) nationally recognized overnight courier, with charges prepaid or charged to the sender's account, in which case notice is effective on delivery if delivery is confirmed by the delivery service; or (iv) electronic transmission, in which case notice shall be deemed delivered upon transmittal, provided that (a) a duplicate copy of the notice is promptly

delivered by first-class or certified mail or by overnight delivery, or (b) a transmission report is generated reflecting the accurate transmission thereof. Any notice given by electronic transmission shall be considered to have been received on the next business day if it is received after 5:00 p.m. recipient's time or on a nonbusiness day.

Authority: Housing Authority of the County of Alameda
22941 Atherton Street
Hayward, CA 94541-6633
Attention: Executive Director

Developer: Eden Dougherty, L.P.
c/o Eden Housing, Inc.
22645 Grand Street
Hayward, CA 94541-5031
Attention: Executive Director

With a copy
to:

Wachovia Affordable Housing Community Development
Corporation
One Wachovia Center
301 South College Street
MAC D1053-170
Charlotte, NC 28288
Attention: Director of Tax Credit Asset Management

8. The Authority acknowledges that you are relying on the contents of this Certificate. This Certificate may not be relied on by any party other than the addressee without the prior written consent of the Authority.

9. The person(s) executing this Certificate on our behalf represent and warrant that: (i) we are duly organized and existing, (ii) the person(s) executing this Certificate is duly authorized to execute and deliver the same on behalf of us, (iii) we have taken such formal action

as may be required by law to bind us, and we are formally bound, to the provisions of this Certificate, and (iv) entering into this Certificate does not violate any provision of any other agreement to which we are bound.

Sincerely,

Housing Authority of the County of Alameda,
a public body, corporate and politic

By: _____

Name: Christine Gouig

Title: Executive Director

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Nominating Committee for FY2011-12 Officers

Exhibits Attached: None

Recommendation: Appoint a Nominating Committee

BACKGROUND

Your Commission must appoint a Nominating Committee to select candidates for the positions of Chairperson and Vice Chairperson. While the Bylaws stipulate that the Chairperson can serve no more than two (2) successive full terms, they do not specify the number of terms the Vice Chairperson can serve.

The Nominating Committee will be asked to present the candidates it has selected at the July meeting and an election will be held in July. The newly elected officers will take office immediately and the new Chairperson will chair the July meeting.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Janitorial Services Contract

Exhibits Attached: None

Recommendation: Information Only

Financial Statement: Included in Operating Budget

BACKGROUND

Periodically, staff will publicly solicit bids for services required to maintain properties or administer HACA's operations. Based on the HACA Procurement Policy approved by your Commission in October 2008, when a contract resulting from such bids totals more than \$25,000 but does not exceed \$100,000 (such as this matter) it is brought to your Commission as an information item.

DISCUSSION and ANALYSIS

In May, staff awarded a contract for janitorial services to Greene's Janitorial Services, based in Fremont. The services are provided to HACA's two office buildings, maintenance building and recreation halls at the senior complexes and for residential vacancy turnovers. The contract is for one year with three additional one-year options at HACA's discretion. The contract amount is \$54,061.20.

BUDGET STATUS **REPORT**

**Housing Authority of Alameda County
HOUSING CHOICE VOUCHER
Budget Status Report FYE 2010-2011
April 2011**

FY 2011 OPERATING BUDGET	Budgeted @ 4/30/2011	Actual @ 4/30/2011	OVER (UNDER)	PROJECTED TO 6/30/11	SCH. NO.	2010 BUDGET	2011 BUDGET	DIFFERENCE
INCOME								
Investment Income	3,000	3,718	718	4,462	A1	34,000	3,600	(30,400)
Misc. Income	298,500	291,619	(6,881)	349,943	A1	348,000	358,200	10,200
(Fees)	6,717,427	6,291,148	(426,279)	7,393,268	A	7,508,129	8,060,912	552,783
TOTAL INCOME	7,018,927	6,586,485	(432,442)	7,747,672		7,890,129	8,422,712	532,583
EXPENSES								
Administration								
Salaries	3,957,656	3,716,467	(241,189)	4,433,787	B-1&2	4,400,371	4,749,188	348,817
Other Admin.	915,999	938,053	22,054	1,162,233	C-1&2	1,105,936	1,099,199	(6,737)
Total	4,873,655	4,654,520	(219,135)	5,596,021		5,506,306	5,848,386	342,079
General								
Insurance	162,123	151,323	(10,799)	181,588	E	170,807	194,547	23,740
Employee Benefits	1,978,828	1,802,253	(176,575)	2,207,820		2,200,185	2,374,594	174,409
Miscellaneous	0	0	0	0		0	0	0
Total	2,140,951	1,953,577	(187,374)	2,389,408		2,370,992	2,569,141	198,149
Total Routine Expenses	7,014,606	6,608,097	(406,509)	7,985,429		7,877,298	8,417,527	540,229
Capital Expenditures	0	0	0	0	D2	0	0	0
TOTAL EXPENSES	7,014,606	6,608,097	(406,509)	7,985,429		7,877,298	8,417,527	540,229
NET INCOME (DEFICIT)	4,321	(21,611)	(25,933)	(237,756)		12,831	5,185	(7,646)

Unrestricted Net Assets @ 6/30/10
 Projected Income/(Deficit) @ 6/30/11
 Budgeted Unrestricted Net Assets-AF @ 6/30/11

\$ 2,918,420
(237,756)
\$ 2,680,664

**Housing Authority of Alameda County
PUBLIC HOUSING
Budget Status Report FYE 2010-2011
April 2011**

FY 2011 OPERATING BUDGET	YTD BUDGET 4/30/2011	YTD ACTUALS 4/30/11	OVER/ (UNDER) BUDGET	Projected to 6/30/11	SCH. NO.	2010 BUDGET	2011 BUDGET	Difference
INCOME								
Dwelling Rentals	858,550	835,492	(23,058)	1,002,591	A	1,111,920	1,030,260	(81,660)
Investment Income	750	1,296	546	1,555		9,375	900	(8,475)
Misc. Income	132,297	73,952	(58,344)	88,743	**	171,663	158,756	(12,907)
Operating Subsidy (HUD form 52723)	331,848	325,373	(6,476)	351,403		410,989	398,218	(12,771)
Capital Grant (salaries/benefits)	96,324	0	(96,324)	0		151,272	115,589	(35,683)
TOTAL INCOME	1,419,769	1,236,113	(183,657)	1,444,291		1,855,218	1,703,723	(151,496)
EXPENSES								
Administration					B-1& 2			
Salaries	260,444	224,618	(35,827)	269,541	C-1	384,945	312,533	(72,412)
Other Admin.	54,085	44,249	(9,836)	53,099		59,446	64,902	5,456
Total	314,529	268,867	(45,663)	322,640		444,391	377,435	(66,956)
Tenant Services								
Resident Managers	4,583	2,225	(2,358)	2,670		5,500	5,500	0
Recreation	6,250	2,132	(4,118)	7,500		7,500	7,500	0
Total	10,833	4,357	(6,476)	10,170		13,000	13,000	0
Utilities								
Water	61,666	61,743	77	74,092		90,045	74,000	(16,045)
Electricity	15,833	22,891	7,057	27,469		19,860	19,000	(860)
Gas	2,167	2,288	122	2,746		5,693	2,600	(3,093)
Sewage	39,667	41,375	1,709	49,650		45,000	47,600	2,600
Total	119,333	128,298	8,967	153,957		160,598	143,199	(17,399)
Maintenance					B-2			
Salaries	157,620	108,512	(49,108)	130,214	D	122,424	189,144	66,720
Materials	67,167	48,625	(18,542)	58,350		125,461	80,600	(44,861)
Capital Fund Grants	(96,324)	(96,324)	0	(115,589)	D	(106,385)	(115,589)	(9,204)
Contract Costs	488,459	440,280	(48,180)	528,335		765,562	586,151	(179,411)
Total	616,922	501,092	(115,830)	601,311		907,062	740,306	(166,756)
General					E			
Insurance	73,166	69,205	(3,960)	83,046		64,891	87,800	22,909
Tax-In Lieu Of	73,922	73,922	(0)	88,706		95,132	88,706	(6,426)
Employee Benefits	209,032	166,670	(42,362)	200,005		253,685	250,839	(2,846)
Collection Loss	833	0	(833)	1,000		1,000	1,000	0
Miscellaneous	833	0	(833)	1,000		1,000	1,000	0
Total	357,787	309,797	(47,989)	373,757		415,708	429,344	13,636
Total Routine Expenses	1,419,404	1,212,411	(206,991)	1,461,835		1,940,759	1,703,285	(237,474)
Capital Expenditure						0	0	0
TOTAL EXPENSES	1,419,404	1,212,411	(206,991)	1,461,835		1,940,759	1,703,285	(237,474)
NET INCOME (DEFICIT)	365	23,703	23,335	(17,543)		(85,541)	438	85,978

Unrestricted Net Assets @ 6/30/10
 Projected Income/(Deficit) @ 6/30/11
 Projected Unrestricted Net Assets @ 6/30/11

\$ 117,061
(17,543)
99,518

PROGRAM ACTIVITY **REPORT**

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting: June 15, 2011

Subject: Programs Activity Report

Exhibits Attached: Section 8 Contract Report; Fraud Payments Report; Landlord Rental Listing Report; FSS Program Monthly Report

Recommendation: Receive Report

Financial Statement: None

SECTION 8 HOUSING CHOICE VOUCHERS

- **Lease-Up:** As of June 1, 2011 the Section 8 Housing Choice Voucher program had 5,607 units under contract. The fiscal year-to-date lease-up average is 97.34% units. The budget authority use average through April 2011 is 98%.
- **Program Utilization:** As of June 1, 2011 the average HAP subsidy is \$1,078 and the average tenant-paid rent portion is \$363 for an average Contract Rent of \$1,441.
 - ❖ As of June 1, 2011 HACA had 43 outgoing billed portability contracts (i.e., HACA voucher holders who are housed in another housing authority's jurisdiction).
 - ❖ As of June 1, 2011 HACA billed other housing authorities, primarily the Oakland Housing Authority, for 1,587 incoming portability contracts. HACA receives only 80% of the HUD-authorized Administrative Fee for billed incoming portability contracts.
- **Section 8 Contract Report:** A copy of the Contract Report is attached.
- **Fraud / Debt Recovery:** HACA retained \$7,461.92 in fraud and debt recovery payments for the month of May 2011. A total of \$35,261.71 was retained over the last six months.

HACA retained \$715.00 in Housing Assistance Payment (HAP) overpayments for the month of May 2011. A total of \$4,628.00 was retained over the last six months.

- **Landlord Rental Listings:** As of June 1, 2011 there were 1,484 landlords with properties in HACA's jurisdiction utilizing the *GoSection8* rental listing service. There were 5 new landlords to the Section 8 program this month. There were 89 active properties listed.

FAMILY SELF SUFFICIENCY (FSS)

The highlight of the month for FSS staff was a field trip to the Frito Lay distribution center in Alameda. They joined job developers from around the county on a tour of the facility and a presentation on the hiring practices and needs of the facility. Frito Lay route sales people's starting wages is approximately \$1,000.00 per week and the warehouse employees begin at \$19.00 per hour. Since Frito Lay is expecting some retirements in the coming year, they anticipate hiring. The FSS Coordinators now know the hiring manager and look forward to referring FSS participants for these job openings. This is just one of the activities the Coordinators pursue in their efforts to foster economic self-sufficiency among program participants.

PUBLIC HOUSING

- **Occupancy:** As of June 1, 2011 the Public Housing program had 225 of 230 units leased and has a 98.70% fiscal year-to-date lease up rate.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

SECTION 8 CONTRACT AND HOUSING ASSISTANCE PAYMENT REPORT

MONTH: MAY 2011

City	Certificates		Vouchers		May 2011 TOTAL		May 2010	May 2009
	Number	HAP*	Number	HAP**	Number	HAP		
Albany	-	\$ -	45	\$ 48,645	45	\$ 48,645	43	44
Castro Valley	13	\$ 11,453	241	\$ 260,521	254	\$ 271,974	259	247
Dublin	2	\$ 1,762	287	\$ 310,247	289	\$ 312,009	249	205
Emeryville	5	\$ 4,405	93	\$ 100,533	98	\$ 104,938	95	97
Fremont	31	\$ 27,311	1,398	\$ 1,511,238	1,429	\$ 1,538,549	1,432	1,361
Hayward	112	\$ 98,672	2,384	\$ 2,577,104	2,496	\$ 2,675,776	2,419	2,392
Newark	2	\$ 1,762	292	\$ 315,652	294	\$ 317,414	298	293
Pleasanton	4	\$ 3,524	159	\$ 171,879	163	\$ 175,403	150	143
San Leandro	17	\$ 14,977	1,365	\$ 1,475,565	1,382	\$ 1,490,542	1,326	1,311
San Lorenzo	2	\$ 1,762	205	\$ 221,605	207	\$ 223,367	197	183
Union City	3	\$ 2,643	729	\$ 788,049	732	\$ 790,692	711	685
TOTALS	191	\$168,271.00	7,198	\$7,781,038.00	7,389	\$7,949,309.00	7,179	6,961

*Based on an average May Housing Assistance Payment (HAP) of \$881 per certificate contract

**Based on an average May Housing Assistance Payment (HAP) of \$1081 per voucher contract

10-11

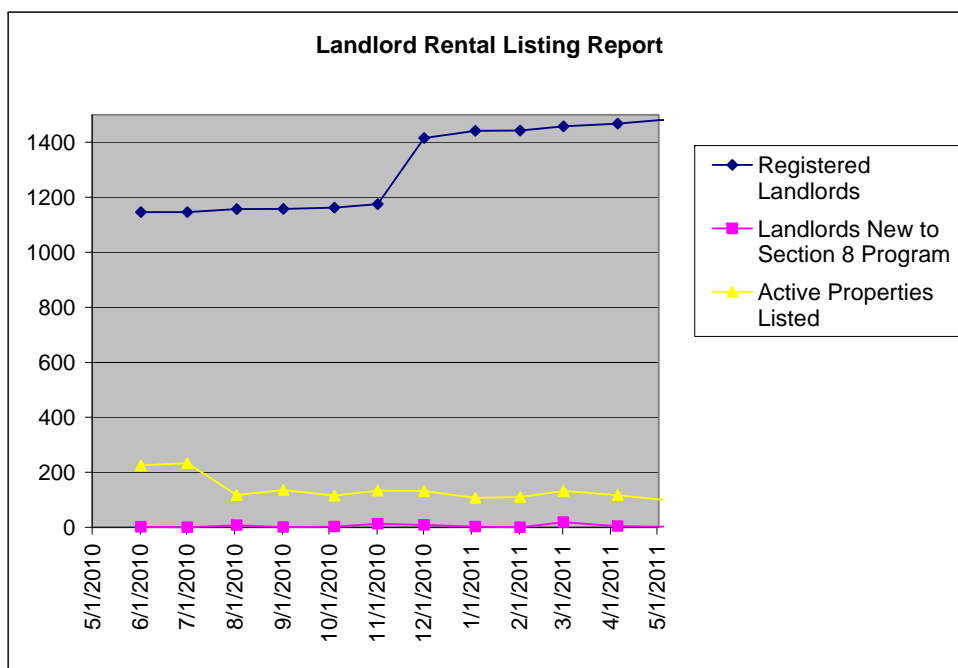
DEBT COLLECTIONS
FYE 06/30/11

	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	GRAND TOTALS
<i>DAMAGE CLAIMS</i>	\$85.64	\$0.00	\$0.00	\$1,280.00	\$0.00	\$49.84	\$0.00	\$0.00	\$0.00	\$30.58	\$0.00		\$1,446.06
<i>FRAUD REPAYMENTS</i>	\$8,469.51	\$5,201.58	\$7,358.33	\$3,688.29	\$5,537.88	\$4,617.49	\$7,252.44	\$4,754.56	\$6,363.96	\$4,811.34	\$7,461.92		\$65,517.30
<i>HAP OVERPAYMENTS</i>	\$339.50	\$383.00	\$1,155.00	\$665.00	\$768.00	\$1,264.00	\$884.00	\$727.00	\$453.00	\$585.00	\$715.00		\$7,938.50
TOTALS	\$8,894.65	\$5,584.58	\$8,513.33	\$5,633.29	\$6,305.88	\$5,931.33	\$8,136.44	\$5,481.56	\$6,816.96	\$5,426.92	\$8,176.92	\$0.00	\$74,901.86

Landlord Rental Listing Report

Monthly

	6/1/2010	7/1/2010	8/2/2010	9/1/2010	10/4/2010	11/1/2010	12/1/2010	1/3/2011	2/1/2011	3/1/2011	4/5/2011	5/2/2011	6/1/2011
Registered Landlords	1146	1146	1157	1158	1162	1175	1416	1442	1443	1458	1468	1481	1484
Landlords New to Section 8 Program	2	0	8	1	3	13	9	3	0	19	4	3	5
Active Properties Listed	225	234	118	136	115	134	132	107	110	132	117	101	89





To: Christine Gouig, Executive Director
From: Sharon DeCray, HAFS Manager
Re: **FSS Program Summary**
CC: Ron Dion, Phyllis Harrison, Mary Sturges, Linda Evans
Date: June 2, 2011

Program Summary	May 2011
Total Clients Under Contract:	195
Graduates:	2
Escrow Disbursed:	\$41,442.13
Ports In:	0
Ports Out:	0
Terminations:	2
New Contracts:	3

FSS PROGRAM NEWS:

Gloria Brown, Life Coach, presented another dynamic round table discussion on “Creating Successful Strategies for Taking Charge of Your Personal Growth-Part II.” The group continued their discussion from the March round table session where they shared strategies on how to stay focused on achieving goals while dealing with every day distractions.

On Saturday, May 21, 2011, Meriwest Credit Union presented a money management workshop on budgets and checking accounts. Participants learned how to:

- Create a monthly budget
- Start “spending smart”
- Plan for financial emergencies
- Use a checking account to manage a budget
- Avoid overdrafts and ChexSystems

On Tuesday, May 24, 2011, FSS staff and various job developers were invited to the Frito Lay plant in Alameda for a tour of the distribution facility and a presentation on their hiring process and open positions. This facility has a very low employee turn over and has not downsized during the recent economic recession. During the coming 12 months, several people will retire. A route sales person starts at about \$1,000 per week and a warehouse worker starts at \$19.00 an hour. We will have direct contact with the hiring manager to converse regarding our clients’ employment possibilities. It seems to be a great place to work and we hope some of our clients will be hired in the future.

Referrals = 49

1 mass mailing

- Office Depot- Fremont Warehouse Associate / Equipment Operator
- Open Enrollment-Certificate program Office Administration for the Logistics Industry
- Sysco-Night Order Selector
- Securitas-Security Officers openings

These mass mailings are appreciated by participants. They often mention to the FSS staff that they followed up on the job leads or referred them to another family member.

ATTACHMENT A

Chapter 4

APPLICATIONS, WAITING LIST AND TENANT SELECTION

4-1.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16, Notice PIH 2009-36]

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits HACA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by HACA. However, HACA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of its application.

HACA Policy

HACA may use a one- or two-step application process. In a one-step process, the family must provide all of the information necessary to establish family eligibility and level of assistance at application. A one-step process may be used for categories of applicants for which the waiting list is always open, and when it is expected that a family will be selected from the waiting list within 120 days of the date of application.

HACA will, typically, use a two-step application process. Under the two-step application process, HACA, initially, will require families to provide only the information needed by HACA to make an initial assessment of the family's eligibility for assistance and its self-certified preference category eligibility (as applicable). Depending on its self-certified preference category eligibility, a family initially determined to be eligible will be placed on the waiting list or in an applicant lottery pool. Those families placed in an applicant lottery pool will be selected by lottery from the applicant lottery pool for placement on the waiting list as HACA has housing assistance available to allocate. Because of limited assistance, not all families in the applicant lottery pool will be selected for placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

When HACA provides public notice that it is accepting applications for housing assistance, the application will be available on-line, at any time of day or night. The applicant may complete the application from any computer with internet access (e.g. home, public library, community-based organization, etc.). If the applicant requires assistance with completing the application, resources for assistance will be listed in waiting list opening announcements.

Completed applications must be submitted to HACA in the method explained in waiting list opening announcements. Applications must be complete in order to be accepted by HACA for processing. If an application is incomplete, HACA will attempt to notify the family of the additional information required.

Deleted: Section 8 HCV

Deleted: While

Deleted: a

Deleted: the waiting list is open

Inserted: the

Deleted: of

Inserted: of housing assistance

Deleted: Families may obtain application forms from HACA's Website, www.haca.net, at any time, or from HACA's office locations designated in waiting list opening announcements during normal business hours. Families may also request – by telephone or by mail – that a form be sent to the family via first class mail CG: why do we have this? Seems like the wait list openings I've seen lately from OHA, etc. don't provide for this.

Inserted: CG: why do we have this? Seems like the wait list openings I've seen lately from OHA, etc. don't provide for this.

Deleted: .

Deleted: returned

Deleted: as

Inserted: as explained in waiting list opening announcements (e.g. on-line submission, mail, fax)

Deleted: (e.g. on-line submission, mail, fax)

Deleted: by mail, by fax, or submitted in person during normal business hours

4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

HACA's waiting list must be organized in such a manner to allow HACA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

Deleted: HCV

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Applicant Social Security Number;
- Family unit size;
- Date and time of application or lottery number, as applicable;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires PHAs to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

HACA Policy

HACA will maintain a single waiting list for the Section 8 HCV program because it does not serve more than one county.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program HACA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

HACA Policy

HACA will merge the Section 8 HCV waiting list with the waiting list for the Section 8 Project-Based Voucher program (PBV), the Section 8 Moderate Rehabilitation program (Mod Rehab), and the Low Income Public Housing Program. Selection for each program is subject to the federal regulations and requirements for the particular program. Selection categories of the waiting list will include:

Deleted: the Section 8 Project-Based Voucher program (PBV), and the Section 8 Moderate Rehabilitation program (Mod Rehab). Selection for each program is subject to the federal regulations and requirements for the particular program.

<u>Name</u>	<u>Program</u>
<u>Arroyo Vista Senior Housing</u>	<u>Project-Based Voucher</u>
<u>Arroyo Vista Family Housing</u>	<u>Project-Based Voucher</u>
<u>Bridgeway East</u>	<u>Project-Based Voucher</u>
<u>Lorenzo Creek</u>	<u>Project-Based Voucher</u>
<u>Magnolia Terrace</u>	<u>Project-Based Voucher</u>
<u>Main Street Village</u>	<u>Project-Based Voucher</u>

<u>Maple Square</u>	<u>Project-Based Voucher</u>
<u>Mayten Manor</u>	<u>Project-Based Voucher</u>
<u>Peppertree Village</u>	<u>Project-Based Voucher</u>
<u>Station District</u>	<u>Project-Based Voucher</u>
<u>Third Street Apartments</u>	<u>Project-Based Voucher</u>
<u>Union City Units</u>	<u>Project-Based Voucher</u>
<u>Nidus and Dyer Units</u>	<u>Project-Based Voucher</u>
<u>Moderate Rehabilitation-Atherton Units</u>	<u>Moderate Rehabilitation</u>
<u>Moderate Rehabilitation-Other</u>	<u>Moderate Rehabilitation</u>
<u>Low Income Public Housing</u>	<u>Low Income Public Housing</u>

4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]

Closing the Waiting List

A PHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the PHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

HACA Policy

The waiting list is open to the extent necessary to assist an otherwise eligible category of applicants that is eligible as set forth by a HUD award of funding to HACA, and/or a HUD designation of assistance, for a targeted category of Section 8 eligible families.

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Except as set forth in the following paragraphs, HACA may close the waiting list at its discretion if it has enough eligible applicants to use the housing assistance resources it has been allotted.

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The waiting list is always open to an otherwise eligible applicant that:

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- is a *Displaced family, or Displaced family—HACA-owned or HACA-managed housing* as set forth in the *Glossary*;
- qualifies for the *Public Housing Mishoused Preference* as set forth in the *Glossary*;
- is eligible as set forth by a HUD award of funding to HACA for a targeted category of Section 8 eligible families (see Section 4-III.B. Targeted Funding);
- is an emancipated youth currently receiving housing assistance from HACA pursuant to HUD's Family Unification Program (FUP) regulations effective 2009 or later who, as determined by the Alameda County Social Services Agency, has successfully graduated from FUP and has been referred to HACA by Alameda County Social Services;
- is a participant of the CHOICES program currently receiving housing assistance from Alameda County Behavioral Health Care Services (BHCS) who, as determined by BHCS, is in good standing and is nearing the end of their participation in CHOICES and will graduate from the program;
- is a *PBV In-Place Family* living in a Project-Based Voucher contract unit approved by HACA after May 1, 2009 as set forth in Section 17-VI.B;
- is a disabled family that is in need of services offered at a particular Project-Based Voucher project approved by HACA after May 1, 2009 if the units are limited to families (including individuals):
 - With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
 - Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and

Deleted: The Project-Based Voucher waiting lists are always open to an otherwise eligible applicant that:¶

- For whom such services cannot be provided in a non-segregated setting as set forth in Chapter 17-VI.D.;
- is referred by an owner of a particular Project-Based Voucher development in instances when HACA has failed to provide sufficient eligible families from its waiting list to fill a vacancy in the development within 30 days of the owner's notification to HACA of the vacancy; or
- is referred by an owner of a particular Moderate Rehabilitation development in instances when HACA has failed to provide sufficient eligible families from its waiting list to fill a vacancy in the development within 30 days of the owner's notification to HACA of the vacancy.

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Deleted: The Moderate Rehabilitation waiting lists are always open to an otherwise eligible applicant that

Reopening the Waiting List

If the waiting list has been closed, it cannot be reopened until HACA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

HACA Policy

HACA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

HACA will give public notice by publishing the relevant information:

- on the HACA website, www.haca.net;
- through public notices and advertisements in the Local or Public Notice Sections of newspapers that serve its jurisdiction;
- in appropriate foreign language publications;
- by sending notices to:
 - community service providers in HACA's service area;
 - City housing departments;
 - housing authorities in the Bay Area;
 - the Alameda County Board of Supervisors and County Administrator; and
 - federal elected officials from HACA's service area;
- on a recorded voice mailbox; and
- in HACA's office.

HACA will attempt to coordinate with a representative selection of social service agencies that serve disabled, elderly and Limited English Proficiency populations in order to ensure equal access for these populations. Through these agencies, applicants will be able to access translation services, [assistance with completion of their application](#) and other specialized services.

4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]

HUD requires HACA to establish policies to use when removing applicant names from the waiting list.

Purging the Waiting List

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a HACA request for information or updates because of the family member's disability, HACA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

HACA Policy

The waiting list will be updated as often as is necessary, generally every other year, to ensure that all applicants and applicant information is current and timely.

To update the waiting list, HACA will send an update request via first class mail [or email](#) to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address [or email address](#) that HACA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list. If the applicant has submitted an update to his/her application within the previous six months HACA may, or may not, send an update request as the applicant's information is current.

The family's response [to the update request](#) must be [submitted on-line \(if available\), or by mail, fax or hand delivered if on-line submission is not available](#). Responses must be postmarked or received by HACA on or before the due date indicated in the update request.

If the family fails to respond by the due date and does not require a reasonable accommodation, the family will be removed from the waiting list without further notice.

If the update request is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the update request is returned by the post office with a forwarding address, the update request will be re-sent to the address indicated. The family will have 10 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, the Manager, Family Assistance & Family Services Unit, or his/her designee may approve reinstatement of the family if s/he determines the lack of response was due to HACA error, or to circumstances beyond the family's control.

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Deleted: and

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4-III.C. SELECTION METHOD (REVISED)

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

HACA Policy

Section 8 Housing Choice Voucher Program (HCV)

HACA applies the following preferences and priority:

- FUP Graduates: Emancipated youth currently receiving housing assistance from HACA pursuant to HUD's Family Unification Program (FUP) regulations effective 2009 or later, who as determined by the Alameda County Social Services Agency, are in good standing, and are nearing the end of their participation in FUP and will graduate from the program and has been referred to HACA by the Alameda County Social Services.
- CHOICES Graduates: Participants of the CHOICES program currently receiving housing assistance from Behavioral Health Care Services (BHCS), who, as determined by BHCS, are in good standing and are nearing the end of their participation in CHOICES and will graduate from the program and has been referred to HACA by BHCS.
- Displaced-HACA: *Displaced family—HACA-owned or HACA-managed housing* as set forth in the *Glossary*.
- Displaced-Other: *Displaced family* as set forth in the *Glossary*.
- PH Mishoused: *Public Housing Mishoused* as set forth in the *Glossary* who are Public Housing tenants currently residing in HACA's jurisdiction whose unit size HACA has determined to have been inappropriate for the size and composition of the family, or designated as restricted to elderly or disabled families where the family is neither elderly nor disabled, for at least 90 days and who has not been offered a transfer to another unit due to unit unavailability.
- Resident: Families that, at the time of selection from the waiting list, reside anywhere in HACA's jurisdiction, or include a member who works, or has been hired to work in the jurisdiction. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.
- Sole Persons Elderly/Disabled: Sole persons:

- 62 years of age or older; or
- *persons with disabilities* as set forth in the *Glossary*
- Veteran: Priority will be given to veterans or servicepersons as set forth in the *Glossary* within each preference category.

HACA will select applicants from its waiting list for HCV assistance in the following order:

Note #1: Prior to assisting applicants in category 3 below, HACA will assist currently housed Project-Based Voucher holders who have priority to receive the next available opportunity for continued tenant-based assistance as outlined in Section 17-VII.C.

Note #2: For the following categories 3 through 10 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Applicants for Targeted Funding as set forth in Section 4-II.B above
2. FUP Graduates and CHOICES Graduates
 - a. FUP Graduates
 - i. HACA will assist applicants in the order of first come, first served except that veterans or servicepersons as set forth in the *Glossary* will be assisted before applicants who are not veterans or servicepersons.
 - ii. HACA will limit the number of applicants that may qualify for this preference such that no more than five applicants from this preference will be selected in any calendar month.
 - b. CHOICES Graduates
 - i. HACA will conduct a lottery of CHOICES graduates referred by BHCS and assist applicants in order of ascending lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) except that veterans or servicepersons as set forth in the *Glossary* will be assisted before applicants who are not veterans or servicepersons.
 - ii. HACA will limit the number of applicants that may qualify for this preference such that no more than 60 applicants from this preference will be selected by the end of the first three-year period of the program and will consider additional allocations of vouchers in three year cycles, depending on resource availability.
3. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled

5. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Resident
6. a.) Displaced-HACA or b.) Displaced-Other and Resident
7. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Sole Persons Elderly/Disabled
8. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
9. Veteran and a.) Displaced-HACA or b.) Displaced-Other
10. a.) Displaced-HACA or b.) Displaced-Other
11. Veteran and PH Mishoused and Resident and Sole persons Elderly/Disabled
12. PH Mishoused and Resident and Sole persons Elderly/Disabled
13. Veteran and PH Mishoused and Resident
14. PH Mishoused and Resident
15. Veteran and PH Mishoused and Sole Persons Elderly/Disabled
16. PH Mishoused and Sole Persons Elderly/Disabled
17. Veteran and PH Mishoused
18. PH Mishoused
19. Veteran and Resident and Sole Persons Elderly/Disabled
20. Resident and Sole Persons Elderly/Disabled
21. Veteran and Resident
22. Resident
23. Veteran and Sole Persons Elderly/Disabled
24. Sole Persons Elderly/Disabled
25. Veteran
26. Applicants without preferences or priority

For categories 3 through 26 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either:

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to categories 3 through 10 and 19 through 26 above); or
- the date and time their complete application is received by HACA (applies to categories 1, 2 and 11 through 18 above).

Section 8 Project-Based Voucher Program (PBV)

HACA selectively applies the following preferences and priorities as set forth in the individual selection categories listed below:

- In-Place Family: A PBV In-Place Family living in a PBV contract unit as set forth in Section 17-VI.B. This preference applies irrespective of whether the family is in need of services offered at a particular PBV project as set forth immediately below in “Supportive Services”.
- Supportive Services: A disabled family that is in need of services offered at a particular PBV project if the units are limited to families (including individuals):
 - With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
 - Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
 - For whom such services cannot be provided in a non-segregated setting as set forth in Section 17-VI.D.
- Displaced-Arroyo Vista: Previous Arroyo Vista Public Housing tenants that were displaced by the demolition/disposition of the Arroyo Vista Public Housing project and are eligible for the program.
- Displaced-Emeryville: Qualified households who have been displaced as a result of the City of Emeryville’s or City of Emeryville Redevelopment Agency’s public projects or the City’s code enforcement activities.
- Displaced-HACA: *Displaced family—HACA-owned or HACA-managed housing* as set forth in the *Glossary*.
- Displaced-Other: *Displaced family* as set forth in the *Glossary*.
- Homeless: Individual applicants or applicant families that verifiably lack housing, including one whose primary residence during the night is a supervised public or private facility that provides temporary living accommodations; an individual who is a resident in transitional housing; or an individual who has as a primary residence a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.
- Resident: Families that, at the time of selection from the waiting list, reside anywhere in HACA’s jurisdiction, or include a member who works, or has been hired to work in the jurisdiction. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.
- Fremont Resident: Families that reside in Fremont, or include a member who works, or has been notified they are hired to work in Fremont. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.
- Sole Persons Elderly/Disabled: Sole persons:
 - 62 years of age or older; or
 - *persons with disabilities* as set forth in the *Glossary*.

- Veteran: Priority will be given to veterans or servicepersons as set forth in the *Glossary* within each preference category.

HACA will select applicants from each selection category for PBV assistance, as follows:

SELECTION CATEGORIES

Arroyo Vista Senior Housing (City of Dublin)

All applicants must be age 62 or older by the date of selection to qualify. HACA will select applicants for the Arroyo Vista Senior Housing selection category in the following order:

Note: For the following categories 2 through 9 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Displaced-Arroyo Vista
2. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
3. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
5. a.) Displaced-HACA or b.) Displaced-Other and Resident
6. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
8. Veteran and a.) Displaced-HACA or b.) Displaced-Other
9. a.) Displaced-HACA or b.) Displaced-Other
10. Veteran and Resident and Sole Persons Elderly/Disabled
11. Resident and Sole Persons Elderly/Disabled
12. Veteran and Resident
13. Resident
14. Veteran and Sole Persons Elderly/Disabled
15. Sole Persons Elderly/Disabled
16. Veteran
17. Applicants without preferences or priority

For categories 2 through 17 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except Displaced-Arroyo Vista); or

- the date and time their complete application is received by HACA (applies to Displaced-Arroyo Vista)

Arroyo Vista Family Housing (City of Dublin)

HACA will select applicants for the Arroyo Vista Family Housing selection category in the following order:

Note: For the following categories 2 through 9 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Displaced-Arroyo Vista
2. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
3. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
5. a.) Displaced-HACA or b.) Displaced-Other and Resident
6. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
8. Veteran and a.) Displaced-HACA or b.) Displaced-Other
9. a.) Displaced-HACA or b.) Displaced-Other
10. Veteran and Resident and Sole Persons Elderly/Disabled
11. Resident and Sole Persons Elderly/Disabled
12. Veteran and Resident
13. Resident
14. Veteran and Sole Persons Elderly/Disabled
15. Sole Persons Elderly/Disabled
16. Veteran
17. Applicants without preferences or priority

For categories 2 through 17 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except Displaced-Arroyo Vista); or
- The date and time their complete application is received by HACA (applies to Displaced-Arroyo Vista)

Bridgeway East (City of Fremont)

HACA will select applicants for the Bridgeway East selection category in the following order:

1. Veteran and Homeless and Resident and Sole Persons Elderly/Disabled
2. Homeless and Resident and Sole Persons Elderly/Disabled
3. Veteran and Homeless and Resident
4. Homeless and Resident
5. Veteran and Homeless and Sole Persons Elderly/Disabled
6. Homeless and Sole Persons Elderly/Disabled
7. Veteran and Resident and Sole Persons Elderly/Disabled
8. Resident and Sole Persons Elderly/Disabled
9. Veteran and Resident
10. Resident
11. Veteran and Sole Persons Elderly/Disabled
12. Sole Persons Elderly/Disabled
13. Veteran
14. Applicants without preferences or priority

For categories 1 through 14 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Lorenzo Creek (Castro Valley)

HACA will select applicants for the Lorenzo Creek selection category in the following order:

1. Veteran and Homeless and Resident and Sole Persons Elderly/Disabled
2. Homeless and Resident and Sole Persons Elderly/Disabled
3. Veteran and Homeless and Resident
4. Homeless and Resident
5. Veteran and Homeless and Sole Persons Elderly/Disabled
6. Homeless and Sole Persons Elderly/Disabled

7. Veteran and Resident and Sole Persons Elderly/Disabled
8. Resident and Sole Persons Elderly/Disabled
9. Veteran and Resident
10. Resident
11. Veteran and Sole Persons Elderly/Disabled
12. Sole Persons Elderly/Disabled
13. Veteran
14. Applicants without preferences or priority

For categories 1 through 14 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Magnolia Terrace (City of Emeryville)

At least one household member must be disabled in order to qualify. HACA will select applicants for the Magnolia Terrace selection category in the following order:

1. Veteran and Supportive Services and Displaced-Emeryville and Resident
2. Supportive Services and Displaced-Emeryville and Resident
3. Veteran and Supportive Services and Displaced-Emeryville
4. Supportive Services and Displaced-Emeryville
5. Veteran and Supportive Services and Resident
6. Supportive Services and Resident
7. Veteran and Supportive Services
8. Supportive Services
9. Veteran and Displaced-Emeryville and Resident
10. Displaced-Emeryville and Resident
11. Veteran and Displaced-Emeryville
12. Displaced-Emeryville
13. Veteran and Resident
14. Resident

15. Veteran

16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Main Street Village (City of Fremont)

All PBV Units (32): At least one family member must participate in a Service Plan Agreement and receive at least one of the following supportive services as stated in the Service Plan as offered by the project to qualify (see Section 17-II.F for more information):

- Transportation for activities such as (but not limited to) grocery shopping, job training, education, attending medical and dental appointments, etc.
- Supervised taking of medications
- Treatment for drug addiction (for recovering and current users)
- Treatment for alcohol addiction (for recovering and current users)
- Training and development of housekeeping and homemaking skills
- Family budgeting
- Child care
- Parenting skills
- Computer access and training
- Library access
- Work skills development, job training and employment counseling
- Educational/vocational opportunities
- Case Management services and/or counseling
- Access to Health and Psychiatric Services, i.e. nurse/medical staff, mental health professional, etc.
- Life skills training
- Access to on-site/off-site social activities

Homeless Units (22): At least one household member must be homeless as defined in Preferences (above) for the Section 8 PBV program in order to qualify. HACA will select applicants for the Main Street Village selection category to fill the 22 Homeless Units in the following order:

1. Veteran and Homeless and Fremont Resident
2. Homeless and Fremont Resident
3. Veteran and Homeless and Resident
4. Homeless and Resident
5. Veteran and Homeless
6. Homeless

For categories 1 through 6 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Special Needs Units (10): At least one household member must be disabled in order to qualify. HACA will select applicants for the Main Street Village selection category to fill the 10 Special Needs Units in the following order:

1. Veteran and Special Needs and Fremont Resident
2. Special Needs and Fremont Resident
3. Veteran and Special Needs and Resident
4. Special Needs and Resident
5. Veteran and Special Needs
6. Special Needs
7. Veteran and Fremont Resident
8. Fremont Resident
9. Veteran and Resident
10. Resident
11. Veteran
12. Applicants without preferences or priority

For categories 1 through 12 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Maple Square (City of Fremont)

HACA will select applicants for the Maple Square selection category in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Soles Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Mayten Manor (City of Hayward)

At least one household member must be age 62 or older or disabled by the date of selection in order to qualify. HACA will select applicants for the Mayten Manor selection category in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Soles Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Peppertree Village (City of Hayward)

HACA will select applicants for the Peppertree Village selection category in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Soles Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one)

(applies to all preferences/priority except applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or

- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Station Center (City of Union City)

HACA will select applicants for the Station Center selection category in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Soles Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except applicants referred by the owner when

HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or

- The date and time their complete application is received by HACA (applies to applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Third Street Apartments (City of Hayward)

HACA will select applicants for the Third Street Apartments selection category in the following order:

Note: For the following categories 3 through 10 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and In-Place Family
2. In-Place Family
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
6. a.) Displaced-HACA or b.) Displaced-Other and Resident
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
8. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
9. Veteran and a.) Displaced-HACA or b.) Displaced-Other
10. a.) Displaced-HACA or b.) Displaced-Other
11. Veteran and Resident and Sole Persons Elderly/Disabled
12. Resident and Sole Persons Elderly/Disabled
13. Veteran and Resident
14. Resident
15. Veteran and Sole Persons Elderly/Disabled
16. Sole Persons Elderly/Disabled
17. Veteran
18. Applicants without preferences or priority

For categories 3 through 18 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one)

(applies to all preferences/priority except In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or

- The date and time their complete application is received by HACA (applies to In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Union City Units

HACA will select applicants for the Union City Units selection category in the following order:

Note: For the following categories 3 through 10 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and In-Place Family
2. In-Place Family
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
6. a.) Displaced-HACA or b.) Displaced-Other and Resident
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
8. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
9. Veteran and a.) Displaced-HACA or b.) Displaced-Other
10. a.) Displaced-HACA or b.) Displaced-Other
11. Veteran and Resident and Sole Persons Elderly/Disabled
12. Resident and Sole Persons Elderly/Disabled
13. Veteran and Resident
14. Resident
15. Veteran and Sole Persons Elderly/Disabled
16. Sole Persons Elderly/Disabled
17. Veteran
18. Applicants without preferences or priority

For categories 3 through 18 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Nidus and Dyer Units (City of Union City)

All applicants must be age 62 or older by the date of selection to qualify. HACA will select applicants for the Nidus and Dyer Units selection category in the following order:

Note: For the following categories 3 through 10 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and In-Place Family
2. In-Place Family
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
4. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
6. a.) Displaced-HACA or b.) Displaced-Other and Resident
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
8. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
9. Veteran and a.) Displaced-HACA or b.) Displaced-Other
10. a.) Displaced-HACA or b.) Displaced-Other
11. Veteran and Resident and Sole Persons Elderly/Disabled
12. Resident and Sole Persons Elderly/Disabled
13. Veteran and Resident
14. Resident
15. Veteran and Sole Persons Elderly/Disabled
16. Sole Persons Elderly/Disabled
17. Veteran
18. Applicants without preferences or priority

For categories 3 through 18 directly above, ties among applicants who have the same preferences/priority are resolved, as applicable, by either;

- **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one) (applies to all preferences/priority except In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List); or
- The date and time their complete application is received by HACA (applies to In Place Family applicants and applicants referred by the owner when HACA fails to provide sufficient eligible families from its waiting list as described in 4-II.C. – Closing the Waiting List).

Section 8 Moderate Rehabilitation Program (Mod Rehab)

HACA applies the following preferences and priorities as set forth in the individual selection categories listed below:

- Displaced-HACA: *Displaced families—HACA-owned or HACA-managed housing* as set forth in the *Glossary*.
- Displaced-Other: *Displaced families* as set forth in the *Glossary*. HACA will select no more than 5 applicants per calendar month from this category (a.k.a. Displaced-Other).
- Resident: Families that, at the time of selection from the waiting list, reside anywhere in HACA’s jurisdiction, or include a member who works, or has been hired to work in the jurisdiction. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family.
- Sole Persons Elderly/Disabled: Sole persons:
 - 62 years of age or older; or
 - *persons with disabilities* as set forth in the *Glossary*.
- Veteran: Priority will be given to veterans or servicepersons as set forth in the *Glossary* within each preference category.

SELECTION CATEGORIES

Moderate Rehabilitation-Atherton Units

All applicants must be disabled by the date of selection to qualify. HACA will select applicants for the Moderate Rehabilitation-Atherton Units selection category as follows:

Except for applicants referred by an owner participating in HACA's Moderate Rehabilitation Program in instances when HACA failed to provide sufficient eligible families from the waiting list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy, HACA will select applicants in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority
 - For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved in **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one).

HACA will select applicants referred by an owner participating in HACA's Moderate Rehabilitation Program in instances when HACA failed to provide sufficient eligible families from the waiting list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy in the order of first come, first served, except that veterans or servicepersons as set forth in the *Glossary* will be selected in the order of first come, first served before applicants who are not veterans or servicepersons.

Moderate Rehabilitation-Other

HACA will select applicants for the Moderate Rehabilitation-Other selection category as follows:

Except for applicants referred by an owner participating in HACA's Moderate Rehabilitation Program in instances when HACA fails to provide sufficient eligible

families from the waiting list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy, HACA will select applicants in the following order:

Note: For the following categories 1 through 8 below, HACA will limit the number of applicants that may qualify for the Displaced-Other preference such that no more than five applicants from this preference will be selected in any calendar month.

1. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
2. a.) Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
3. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Resident
4. a.) Displaced-HACA or b.) Displaced-Other and Resident
5. Veteran and a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
7. Veteran and a.) Displaced-HACA or b.) Displaced-Other
8. a.) Displaced-HACA or b.) Displaced-Other
9. Veteran and Resident and Sole Persons Elderly/Disabled
10. Resident and Sole Persons Elderly/Disabled
11. Veteran and Resident
12. Resident
13. Veteran and Sole Persons Elderly/Disabled
14. Sole Persons Elderly/Disabled
15. Veteran
16. Applicants without preferences or priority

For categories 1 through 16 directly above, ties among applicants who have the same preferences/priority are resolved in **order of ascending** lottery “tiebreaker” number (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one).

HACA will select applicants referred by an owner participating in HACA's Moderate Rehabilitation Program in instances when HACA fails to provide sufficient eligible families from the waiting list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy in the order of first come, first served, except that veterans or servicepersons as set forth in the *Glossary* will be selected in the order of first come, first served before applicants who are not veterans or servicepersons.

Low Income Public Housing Program (LIPH)

HACA will select applicants for the Low Income Public Housing Program selection category in accordance with Chapter 12 of HACA's Admissions and Continued Occupancy Policy Governing HUD-Aided Public Housing.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during HACA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, a PHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of a mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

HACA Policy

HACA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

Order of Selection

The PHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list PHAs are required to use targeted funding to assist only those families who meet the specified criteria, and PHAs are not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

HACA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with HACA's hierarchy of preferences, if applicable. Ties among applicants in the same preference category are resolved:

- first, in favor of veterans or servicepersons as set forth in the *Glossary*; and
- then, as applicable, by either:
 - **increasing order** of a randomly assigned “tiebreaker” number (that is, applicants with a lower “tiebreaker” number are selected before applicants with a higher one); or
 - the date and time their complete application is received by HACA.

Documentation will be maintained by HACA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that HACA does not have to ask higher placed families each time targeted selections are made.

4-III.C. SELECTION METHOD (CURRENTLY INFORCE)

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the PHA will use [24 CFR 982.202(d)].

Local Preferences [24 CFR 982.207; HCV p. 4-16]

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the PHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the PHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

HACA Policy

Section 8 Housing Choice Voucher Program (HCV)

Except for a member of any specified category of families for which HUD may award funding to HACA as set forth in Section 4-III.B above (for example, an emancipated youth currently receiving housing assistance from HACA pursuant to HUD's Family Unification Program (FUP) regulations effective 2009 or later who, as determined by the Alameda County Social Services Agency, has successfully graduated from the Family Unification Program (FUP) and has been referred to HACA by the Alameda County Social Services Agency), HACA will select applicants from its wait list for HCV assistance in declining order of total preference points (that is, an applicant with more points is selected before an applicant with fewer points; the lowest possible number of preference points for an eligible applicant is "0"). Preference points are assigned as follows:

- **60 Points:** *Displaced families—HACA-owned or HACA-managed housing* as set forth in the *Glossary*;
- **40 Points:** *Displaced families* as set forth in the *Glossary*. HACA will select no more than 5 applicants per calendar month from this category.
- **20 Points:** Public Housing tenants currently residing in HACA's jurisdiction whose unit size HACA has determined to have been inappropriate for the size and composition of the family for at least 90 days and who has not been offered a transfer to another unit due to unit unavailability.
- **8 Points:** Families that reside anywhere in HACA's jurisdiction, or include a member who works, or has been hired to work in the jurisdiction. Use of this preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family;
- **4 Points:** Sole persons:
 - 62 years of age or older; or
 - *persons with disabilities* as set forth in the *Glossary*

Ties among applicants who have the same number of preference points are resolved:

- first, in favor of veterans or servicepersons as set forth in the *Glossary*; and then

- in **order of ascending** lottery “tiebreaker” number as set forth above (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one).

For any specified category of families for which HUD may award funding to HACA, HACA will select the applicant for assistance in the following order:

- If set forth by the HUD funding award, in that order;
- If not set forth by the HUD funding award, in the order of first come, first served.

As to one such specified category of families for which HUD may award funding to HACA, emancipated youth, in any calendar month, HACA will select no more than 5 applicants who are emancipated youths who, as determined by the Alameda County Social Services Agency, have successfully graduated from the Family Unification Program (FUP) and have been referred to HACA by the Alameda County Social Services Agency

Section 8 Project-Based Voucher Program (PBV)

HACA will select applicants from its wait list, for PBV assistance, as follows:

All Category 1 applicants will be selected before any Category 2 applicant is selected. To the extent applicable to a vacancy at a particular Project Based Voucher project approved by HACA after May 1, 2009, all Category 2 applicants will be selected before any Category 3 applicant is selected. Within each category, HACA will select applicants from its wait list for PBV assistance in the order of first come, first served, except that veterans or servicepersons as set forth in the *Glossary* will be selected in the order of first come, first served before applicants who are not veterans or servicepersons.

- **Category 1.** A *PBV In-Place Family* living in a Project-Based Voucher contract unit approved after May 1, 2009 as set forth in Chapter 17-VI.B.
- **Category 2.** a disabled family that is in need of services offered at a particular Project Based Voucher project approved by HACA after May 1, 2009 if the units are limited to families (including individuals):
 - With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
 - Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and
 - For whom such services cannot be provided in a non-segregated setting as set forth in Chapter 17-VI.C.
- **Category 3.** Any other applicant including applicants referred by an owner participating in HACA's Project-Based Voucher Program in instances when HACA failed to provide sufficient eligible families from the wait list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy.

Section 8 Moderate Rehabilitation Program (Mod Rehab)

HACA will select applicants from its wait list for Mod Rehab assistance in the order of first come, first served, except that veterans or servicepersons as set forth in the *Glossary*

will be selected in the order of first come, first served before all other applicants, including applicants referred by an owner participating in HACA's Mod Rehab Program in instances when HACA failed to provide sufficient eligible families from the wait list to fill a vacancy within 30 days of the owner's notification to HACA of the vacancy.

Income Targeting Requirement [24 CFR 982.201(b)(2)]

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during HACA's fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, a HACA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

HACA Policy

HACA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

Order of Selection

The PHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list PHAs are required to use targeted funding to assist only those families who meet the specified criteria, and PHAs are not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

HACA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with HACA's hierarchy of preferences, if applicable. Ties among applicants in the same preference category are resolved:

- first, in favor of veterans or servicepersons as set forth in the *Glossary*; and
- then, as applicable, by either:
 - **increasing order** of a randomly assigned “tiebreaker” number (that is, applicants with a lower “tiebreaker” number are selected before applicants with a higher one; or
 - the date and time their complete application is received by HACA.

Documentation will be maintained by HACA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not qualified or not interested in targeted funding, there will be a notation maintained so that HACA does not have to ask higher placed families each time targeted selections are made.

Chapter 10

MOVING WITH CONTINUED ASSISTANCE AND PORTABILITY

10-I.B. RESTRICTIONS ON MOVES

A family's right to move is generally contingent upon the family's compliance with program requirements [24 CFR 982.1(b)(2)]. HUD specifies two conditions under which a PHA may deny a family permission to move and two ways in which a PHA may restrict moves by a family.

Denial of Moves

HUD regulations permit HACA to deny a family permission to move under the following conditions:

Insufficient Funding

HACA may deny a family permission to move if HACA does not have sufficient funding for continued assistance [24 CFR 982.314(e)(1)]. However, Notices PIH 2008-43 and PIH 2011-3 (HA) significantly restrict the ability of PHAs to deny permission to move under portability due to insufficient funding. The requirements found in these notices are mandatory. **For moves outside the PHA's jurisdiction under portability, no policy decisions are required.**

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HACA Policy

HACA may deny a family permission to move on grounds that HACA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or HACA; (b) HACA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) HACA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs. If HACA denies a family permission to move on grounds that HACA does not have sufficient funding for continued assistance, HACA will so notify the family in writing at the time the move is denied. The family's request to move will remain open for HACA's consideration for 3 months from the family's request. HACA will notify a family with an open request in writing if and when HACA determines that it has sufficient funds to allow the move. This policy applies to moves within HACA's jurisdiction as well as to moves outside it under portability.

Before denying a family's request to move due to insufficient funding under portability, HACA must contact the receiving PHA and confirm that the receiving PHA will not absorb the family. If the receiving PHA is willing to absorb the family, there are no grounds to deny the portability move (PIH 2008-43).

If HACA denies a family's request to move under portability, it may not subsequently admit any additional families to its voucher program until HACA has determined that sufficient funding exists to approve the move and has notified the family that the family may now exercise its portability move (PIH 2008-43).

Chapter 11

REEXAMINATIONS

11-II.B. CHANGES IN FAMILY AND HOUSEHOLD COMPOSITION

HACA must adopt policies prescribing when and under what conditions the family must report changes in family composition. However, due to family obligations under the program, HACA has limited discretion in this area.

HACA Policy

HACA will conduct interim reexaminations to account for any changes in household composition that occur between annual reexaminations.

New Family Members Not Requiring Approval

The addition of a family member as a result of birth, adoption, or court-awarded custody does not require HACA approval. However, the family is required to promptly notify HACA of the addition [24 CFR 982.551(h)(2)].

HACA Policy

The family must inform HACA of the birth, adoption or court-awarded custody of a child within 10 business days. Upon HACA's receipt of the required documentation, children who join the family as a result of birth, adoption, or court-awarded custody will be added to the family.

New Family and Household Members Requiring Approval

With the exception of children who join the family as a result of birth, adoption, or court-awarded custody, a family must request HACA approval to add a new family member [24 CFR 982.551(h)(2)] or other household member (live-in aide or foster child) [24 CFR 982.551(h)(4)].

When any new family member is added, HACA must conduct a reexamination to determine any new income or deductions associated with the additional family member and to make appropriate adjustments in the family share of the rent and the HAP payment [24 CFR 982.516(e)].

If a change in family size causes a violation of HACA subsidy standards (see Chapter 5), HACA must issue the family a new voucher, and the family and HACA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, HACA must terminate the family's HAP contract in accordance with its terms [24 CFR 982.403].

HACA Policy

Except for the addition of a family member as a result of birth, adoption, or court-awarded custody, families must request HACA approval to add any other new family or household member. Requests must be made in writing and approved by HACA prior to the individual moving into the unit.

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Additions to the family or household are at HACA's discretion and will not be unreasonably denied.

HACA will not approve the addition of a new family or household member unless the individual meets HACA's eligibility criteria (see Chapter 3) and documentation requirements (see Chapter 7, Part II), and will not receive duplicate assistance.

Except for elderly persons or persons with a disability, HACA will not approve the addition of a family member if it will cause a violation of HACA subsidy standards (see Chapter 5).

If , as set forth in Part VIII of Chapter 16, HACA determines that it lacks adequate funds to continue subsidizing all current participants, in accordance with HUD requirements, HACA will not approve the addition of a new family member if it will cause a violation of HACA subsidy standards.

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HACA will not approve the addition of a foster child or foster adult if it will cause a violation of HACA subsidy standards (see Chapter 5).¶
If , as set forth in Part VIII of Chapter 16, HACA determines that it lacks adequate funds to continue subsidizing all current participants, in accordance with HUD requirements, HACA will not approve the addition of a new family member if it will cause a violation of HACA subsidy standards.¶

When HACA's approval of a new family or household member does not cause a violation of HACA's subsidy standards, and the family intends to remain in place, HACA will require the landlord's written approval of the added family or household member. If the landlord fails to provide that written approval, the

family will be issued a new voucher and required to move before adding the family or household member.

When HACA's approval of a new family or household member will cause overcrowding according to HACA subsidy standards, the family will be issued a new voucher with an additional bedroom and will be required to move.

If HACA determines that an individual does not meet HACA's eligibility criteria or documentation requirements, HACA will notify the family in writing of its decision to deny approval of the new family or household member and the reasons for the denial.

HACA will make its determination within 10 business days of receiving all information required to verify the individual's eligibility.

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Chapter 17

PROJECT-BASED VOUCHERS

17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51]

HACA must select PBV proposals in accordance with the selection procedures in HACA's administrative plan. HACA must select PBV proposals by either of the following two methods.

- HACA request for PBV Proposals. HACA may solicit proposals by using a request for proposals to select proposals on a competitive basis in response to HACA's request. HACA may not limit proposals to a single site or impose restrictions that explicitly or practically preclude owner submission of proposals for PBV housing on different sites.
- HACA may select proposals that were previously selected based on a competition. This may include selection of a proposal for housing assisted under a federal, state, or local government housing assistance program that was subject to a competition in accordance with the requirements of the applicable program, community development program, or supportive services program that requires competitive selection of proposals (e.g., HOME and units for which competitively-awarded LIHTCs have been provided), where the proposal has been selected in accordance with such program's competitive selection requirements within three years of the PBV proposal selection date, and the earlier competitive selection proposal did not involve any consideration that the project would receive PBV assistance.

Solicitation and Selection of PBV Proposals [24 CFR 983.51(b) and (c)]

HACA procedures for selecting PBV proposals must be designed and actually operated to provide broad public notice of the opportunity to offer PBV proposals for consideration by HACA. The public notice procedures may include publication of the public notice in a local newspaper of general circulation and other means designed and actually operated to provide broad public notice. The public notice of HACA's request for PBV proposals must specify the submission deadline. Detailed application and selection information must be provided at the request of interested parties.

HACA Policy

HACA Request for Proposals for Rehabilitated and Newly Constructed Units

HACA will advertise its request for proposals (RFP) for rehabilitated and newly constructed housing in the following newspapers:

- **Oakland Tribune**
- **Argus**
- **Daily Review**
- **Tri-Valley Herald**

In addition, HACA will post the RFP and proposal submission and rating and ranking procedures on its electronic web site.

The advertisement will specify the number of units HACA estimates that it will be able to assist under the funding that HACA is making available and the date proposals will be due.

In order for the proposal to be considered, the owner must submit the proposal to HACA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

HACA will rate and rank proposals for rehabilitated and newly constructed housing using the following criteria:

- Owner experience and capability to build or rehabilitate housing as identified in the RFP;
- Extent to which the project furthers the HACA goal of deconcentrating poverty and expanding housing and economic opportunities;
- If applicable, the extent to which services for special populations are provided on site or in the immediate area for occupants of the property; and
- Other criteria stated in the RFP.

HACA Requests for Proposals for Existing Housing Units

HACA will advertise its request for proposals (RFP) for existing housing in the following newspapers:

- **Oakland Tribune**
- **Argus**
- **Daily Review**
- **Tri-Valley Herald**

In addition, HACA will post the notice inviting such proposal submission and the rating and ranking procedures on its electronic web site.

The advertisement will specify the number of units HACA estimates that it will be able to assist under the funding HACA is making available and the date proposals will be due.

In order for the proposal to be considered, the owner must submit the proposal to HACA by the published deadline date, and the proposal must respond to all requirements as outlined in the RFP. Incomplete proposals will not be reviewed.

HACA will rate and rank proposals for existing housing using the following criteria:

- Experience as an owner in the tenant-based voucher program and owner compliance with the owner's obligations under the tenant-based program;
- Extent to which the project furthers the HACA goal of deconcentrating poverty and expanding housing and economic opportunities;
- If applicable, extent to which services for special populations are provided on site or in the immediate area for occupants of the property;
- Extent to which units are occupied by families that are eligible to participate in the PBV program; and

- Other criteria stated in the RFP.

HACA Selection of Proposals Subject to a Previous Competition under a Federal, State, or Local Housing Assistance Program

HACA will accept proposals for PBV assistance from owners that were competitively selected under another federal, state or local housing assistance program, including projects that were competitively awarded Low-Income Housing Tax Credits.

HACA may directly contact specific owners that have already been selected for federal, state, or local housing assistance based on a previously held competition, to inform them of available PBV assistance.

Proposals will be reviewed and HACA will evaluate each proposal on its merits using the following factors:

- Extent to which the project furthers the HACA goal of deconcentrating poverty and expanding housing and economic opportunities; and
- Extent to which the proposal complements other local activities (such as the redevelopment of a public housing site, the HOME program, CDBG activities, redevelopment project area activities, etc.).

HACA-owned Units [24 CFR 983.51(e) and 983.59]

HACA-owned units may be assisted under the PBV program only if the HUD field office or HUD-approved independent entity reviews the selection process and determines that the HACA-owned units were appropriately selected based on the selection procedures specified in HACA's administrative plan. If HACA selects a proposal for housing that is owned or controlled by HACA, HACA must identify the entity that will review the HACA proposal selection process and perform specific functions with respect to rent determinations and inspections.

In the case of HACA-owned units, the initial contract rent must be approved by an independent entity based on an appraisal by a licensed, state-certified appraiser. In addition, housing quality standards inspections must be conducted by an independent entity.

The independent entity that performs these program services may be the unit of general local government for the HACA jurisdiction (unless HACA is itself the unit of general local government or an agency of such government) or another HUD-approved public or private independent entity.

HACA Policy

HACA may submit, accept and process a proposal for project-based housing that is owned or controlled by HACA, including public housing that is in the process of being disposed of. HACA may conditionally select public housing units or projects while they are going through the disposition process and while HUD approves HACA's proposal selection process. HACA will not finally select public housing units or projects until disposition approval has been received from HUD's Special Applications Center and HUD has approved the proposal selection process. If the proposal for HACA-owned housing is selected, HACA will use HUD or a HUD approved entity, to review the HACA selection. HACA will also use a standard or high performer housing authority in or adjacent to Alameda County to establish the initial contract rent, based on an appraisal

by a licensed, state certified appraiser, and to perform HQS inspections of the HACA selection, prior to approving the proposal for HACA-owned housing.

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17-IL.D. PROHIBITION OF ASSISTANCE FOR CERTAIN UNITS

Ineligible Housing Types [24 CFR 983.53]

HACA may not attach or pay PBV assistance to shared housing units; units on the grounds of a penal reformatory, medical, mental, or similar public or private institution; nursing homes or facilities providing continuous psychiatric, medical, nursing services, board and care, or intermediate care (except that assistance may be provided in assisted living facilities); units that are owned or controlled by an educational institution or its affiliate and are designated for occupancy by students; manufactured homes; and transitional housing. In addition, HACA may not attach or pay PBV assistance for a unit occupied by an owner and HACA may not select or enter into an AHAP contract or HAP contract for a unit occupied by a family ineligible for participation in the PBV program.

Subsidized Housing [24 CFR 983.54]

HACA may not attach or pay PBV assistance to units in any of the following types of subsidized housing:

- A public housing unit (HACA will accept proposals for public housing units and those proposals may be finally selected so long as the public housing is approved for disposition by HUD. No PBV assistance will be attached or paid to a public housing unit. PBV assistance will be attached to a unit only after disposition has occurred and the unit is no longer a public housing unit.);
- A unit subsidized with any other form of Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (except that HACA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
- A Section 202 project for non-elderly with disabilities;
- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance;
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or HACA in accordance with HUD requirements.

17-IV.B. AGREEMENT TO ENTER INTO HAP (AHAP) CONTRACT

In order to offer PBV assistance in rehabilitated or newly constructed units, HACA must enter into an AHAP contract with the owner of the property. The AHAP must be in the form required by HUD [24 CFR 983.152(a)].

In the AHAP the owner agrees to develop the PBV contract units to comply with HQS and other requirements stated in the RFP, and HACA agrees that upon timely completion of such development in accordance with the terms of the AHAP, HACA will enter into a HAP contract with the owner for the contract units [24 CFR 983.152(b)].

Content of the AHAP [24 CFR 983.152(c)]

At a minimum, the AHAP must describe the following features of the housing to be developed and assisted under the PBV program:

- Site and the location of the contract units;
- Number of contract units by area (size) and number of bedrooms and bathrooms;
- Services, maintenance, or equipment to be supplied by the owner without charges in addition to the rent;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner and utility services to be paid by the tenant;
- An indication of whether or not the design and construction requirements of the Fair Housing Act and section 504 of the Rehabilitation Act of 1973 apply to units under the AHAP. If applicable, any required work item resulting from these requirements must be included in the description of work to be performed under the AHAP;
- Estimated initial rents to owner for the contract units;
- Description of the work to be performed under the AHAP. For rehabilitated units, the description must include the rehabilitation work write up and, where determined necessary by HACA, specifications and plans. For new construction units, the description must include the working drawings and specifications;
- Any additional requirements for quality, architecture, or design over and above HQS.

Execution of the Agreement (AHAP) [24 CFR 983.153, FR Notice 11/24/08]

The AHAP must be executed promptly after HACA has given notice of proposal selection to the selected owner. Generally, HACA may not enter into an AHAP with the owner until the subsidy layering review is complete. Likewise, HACA may not enter into an AHAP with the owner until the environmental review is complete and HACA has received environmental approval. However, HACA does not need to conduct a subsidy layering review in the case of a HAP contract for an existing structure or if the applicable state or local agency has conducted such a review. Similarly, environmental reviews are not required for existing structures unless otherwise required by law or regulation.

HACA Policy

HACA will enter into an AHAP with the selected owner promptly, after receiving 1.) environmental approval, 2.) notice that the subsidy layering requirements, if applicable, have been met, and 3.) Authority to Use Grant Funds, if applicable. The AHAP must be executed before construction or rehabilitation work is started.

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17-V.B. HAP CONTRACT REQUIREMENTS

Contract Information [24 CFR 983.203, FR Notice 11/24/08]

The HAP contract must specify the following information:

- The total number of contract units by number of bedrooms;
- The project's name, street address, city or county, state and zip code, block and lot number (if known), and any other information necessary to clearly identify the site and the building;
- The number of contract units in each building, the location of each contract unit, the area of each contract unit, and the number of bedrooms and bathrooms in each contract unit;
- Services, maintenance, and equipment to be supplied by the owner and included in the rent to owner;
- Utilities available to the contract units, including a specification of utility services to be paid by the owner (included in rent) and utility services to be paid by the tenant;
- Features provided to comply with program accessibility requirements of Section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8;
- The HAP contract term;
- The number of units in any project that will exceed the 25 percent per project cap, which will be set-aside for occupancy by qualifying families; and
- The initial rent to owner for the first 12 months of the HAP contract term.

Execution of the HAP Contract [24 CFR 983.204]

HACA may not enter into a HAP contract until each contract unit has been inspected and HACA has determined that the unit complies with the Housing Quality Standards (HQS). For existing housing, the HAP contract must be executed promptly after HACA selects the owner proposal and inspects the housing units. For newly constructed or rehabilitated housing the HAP contract must be executed after HACA has inspected the completed units and has determined that the units have been completed in accordance with the AHAP, and the owner furnishes all required evidence of completion.

HACA Policy

For existing housing, the HAP contract will be executed promptly, pursuant to HACA determining that all units pass HQS.

For rehabilitated or newly constructed housing, the HAP contract will be executed promptly, pursuant to HACA determining that the units have been completed in accordance with the AHAP (in addition to completing other requirements stated in the RFP) and that all units meet HQS; in addition to the owner having submitted all required evidence of completion.

Term of HAP Contract [FR Notice 11/24/08]

HACA may enter into a HAP contract with an owner for an initial term of no less than one year and no more than fifteen years.

HACA Policy

All PBV HAP contracts will be negotiated with the owner for a fifteen year term.

At any time before expiration of the HAP contract, HACA may extend the term of the contract for any additional period of time deemed appropriate by HACA (additional terms of up to fifteen years but not more than one fifteen year additional term at a time) if HACA determines an extension is appropriate to continue providing affordable housing for low-income families or to expand housing opportunities. Subsequent extensions are subject to the same limitations. All extensions must be on the form and subject to the conditions prescribed by HUD at the time of the extension. HACA can commit to an extension of the term, at any time, including at the time of the initial contract.

HACA Policy

When determining whether or not to extend an expiring PBV contract, HACA will consider several factors including, but not limited to, as applicable:

- The cost of extending the contract and the amount of available budget authority;
- The condition of the contract units;
- The owner’s record of compliance with obligations under the HAP contract and lease(s);
- Whether the location of the units continues to support the goals of deconcentrating poverty and expanding housing opportunities;
- Whether the extension is appropriate to achieve long-term affordability of the housing; and
- Whether the funding could be used more appropriately for tenant-based assistance.

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17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]

HACA may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. HACA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by HACA. If HACA chooses to offer a separate waiting list for PBV assistance, HACA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If HACA decides to establish a separate PBV waiting list, HACA may use a single waiting list for HACA’s whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or for sets of such units. The type of waiting list selected for the PBV program will be stated in HACA’s Request for Proposal.

HACA Policy

HACA will use one waiting list for the tenant-based voucher program, project-based voucher program, Moderate Rehabilitation program, and the Low Rent Public Housing Program. Selection for each program is subject to the federal regulations and requirements for the particular program.

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17-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]

Applicants who will occupy units with PBV assistance must be selected from HACA’s HCV waiting list. HACA may establish selection criteria or preferences for occupancy of particular PBV units. HACA may place families referred by the PBV owner on its HCV waiting list, if it is open to such families.

Income Targeting [24 CFR 983.251(c)(6)]

At least 75 percent of the families admitted to HACA’s tenant-based and project-based voucher programs during HACA fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

Units with Accessibility Features [24 CFR 983.251(c)(7)]

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, HACA must first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d), FR Notice 11/24/08]

HACA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. HACA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

Although HACA is prohibited from granting preferences to persons with a specific disability, HACA may give preference to disabled families who need services offered at a particular project or site if the preference is limited to families (including individuals):

- With disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;
- Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and

- For whom such services cannot be provided in a non-segregated setting.

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If HACA has projects with more than 25 percent of the units receiving project-based assistance because those projects include “excepted units” (units specifically made available for elderly or disabled families, or families receiving supportive services), HACA must give preference to such families when referring families to these units [24 CFR 983.261(b)].

HACA Policy

HACA will provide a selection preference when required by the regulations (e.g., eligible in-place families, qualifying families for “excepted units,” mobility impaired persons for accessible units). Additional preferences have been established for the projects, buildings, or sets of units listed in section 17-VI.C. above and can be found in section 4-III.C-Local Preferences-Section 8 Project-Based Voucher Program (PBV).

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Overcrowded, Under-Occupied, and Accessible Units [24 CFR 983.259]

If HACA determines that a family is occupying a wrong size unit, based on HACA's subsidy standards, or a unit with accessibility features that the family does not require, and the unit is needed by a family that does require the features, HACA must promptly notify the family and the owner of this determination, and HACA must offer the family the opportunity to receive continued housing assistance in another unit.

HACA Policy

HACA will notify the family and the owner of the family's need to move based on the occupancy of a wrong-size or accessible unit within 10 business days of HACA's determination. HACA will offer the family the following types of continued assistance in the following order, based on the availability of assistance:

- PBV assistance in the same building or project;
- PBV assistance in another project; and
- Tenant-based voucher assistance.

If HACA offers the family a tenant-based voucher, HACA must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by HACA).

If HACA offers the family another form of assistance that is not a tenant-based voucher, and the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by HACA, or both, HACA must terminate the housing assistance payments for the unit at the expiration of a reasonable period as determined by HACA.

HACA Policy

When HACA offers a family another form of assistance that is not a tenant-based voucher, the family will be given 60 days from the date of the offer to accept the offer and move out of the PBV unit. If the family does not move out within this 60-day time frame, HACA will terminate the housing assistance payments at the expiration of this 60-day period.

HACA may make exceptions to this 60-day period if needed for reasons beyond the family's control such as death, serious illness, or other medical emergency of a family member.

Family Right to Move [24 CFR 983.260]

The family may terminate the lease at any time after the first year of occupancy. The family must give advance written notice to the owner in accordance with the lease and provide a copy of such notice to HACA. If the family wishes to move with continued tenant-based assistance, the family must contact HACA to request the rental assistance prior to providing notice to terminate the lease.

If the family terminates the lease in accordance with these requirements, HACA is required to offer the family the opportunity for continued tenant-based assistance, in the form of a voucher

or other comparable tenant-based rental assistance. If voucher or other comparable tenant-based assistance is not immediately available upon termination of the family's lease in the PBV unit, HACA must give the family priority to receive the next available opportunity for continued tenant-based assistance.

HACA Policy

Prior to assisting currently housed Project-Based Voucher holders who have priority to receive the next available opportunity for continued tenant-based assistance, HACA will set aside PBVs committed for new projects coming on-line (if applicable) and assist applicants for 1.) Targeted Funding and 2.) FUP Graduates and CHOICES Graduates as described in section 4-III.C.-Local Preferences-Section 8 Housing Choice Voucher Program (HCV) as these forms of tenant-based assistance have previously been committed and are not available.

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If the family terminates the assisted lease before the end of the first year, the family relinquishes the opportunity for continued tenant-based assistance.

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17-VIII.B. RENT LIMITS [24 CFR 983.301]

Except for certain tax credit units (discussed below), the rent to owner must not exceed the lowest of the following amounts:

- An amount determined by HACA, not to exceed 110 percent of the applicable fair market rent (or any HUD-approved exception payment standard) for the unit bedroom size minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

Certain Tax Credit Units [24 CFR 983.301(c) , FR Notice 11/24/08]

For certain tax credit units, the rent limits are determined differently than for other PBV units. These different limits apply to contract units that meet all of the following criteria:

- The contract unit receives a low-income housing tax credit under the Internal Revenue Code of 1986;
- The contract unit is not located in a qualified census tract;
- There are comparable tax credit units of the same bedroom size as the contract unit in the same building, and the comparable tax credit units do not have any form of rental assistance other than the tax credit; and
- The tax credit rent exceeds HACA-determined amount (not to exceed 110 percent of the fair market rent or any approved exception payment standard);

For contract units that meet all of these criteria, the rent to owner must not exceed the lowest of:

- The tax credit rent minus any utility allowance;
- The reasonable rent; or
- The rent requested by the owner.

However, PHAs are permitted to use the higher Section 8 rent for a tax credit unit if the tax credit rent is less than the amount that would be permitted under Section 8. In these cases, Section 8 rent reasonableness requirements must continue to be met.

Definitions

A *qualified census tract* is any census tract (or equivalent geographic area defined by the Bureau of the Census) in which at least 50 percent of households have an income of less than 60 percent of Area Median Gross Income (AMGI), or where the poverty rate is at least 25 percent and where the census tract is designated as a qualified census tract by HUD.

Tax credit rent is the rent charged for comparable units of the same bedroom size in the project that also receive the low-income housing tax credit but do not have any additional rental assistance (e.g., tenant-based voucher assistance).

Use of FMRs, Exception Payment Standards, and Utility Allowances [24 CFR 983.301(f)]

When determining the initial rent to owner, HACA must use the most recently published FMR in effect and the utility allowance schedule in effect at execution of the HAP contract. When redetermining the rent to owner, HACA must use the most recently published FMR and the utility allowance schedule in effect at the time of redetermination. At its discretion, HACA may for initial rent, use the amounts in effect at any time during the 30-day period immediately before the beginning date of the HAP contract, or for redeterminations of rent, the 30-day period immediately before the redetermination date.

Any HUD-approved exception payment standard amount under the tenant-based voucher program also applies to the project-based voucher program. HUD will not approve a different exception payment standard amount for use in the PBV program.

Likewise, HACA may not establish or apply different utility allowance amounts for the PBV program. The same utility allowance schedule applies to both the tenant-based and project-based voucher programs.

HACA Policy

Upon written request by the owner, HACA will consider using the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent. The owner must explain the need to use the previous FMRs or utility allowances and include documentation in support of the request. HACA will review and make a decision based on the circumstances and merit of each request.

In addition to considering a written request from an owner, HACA may decide to use the FMR or utility allowances in effect during the 30-day period before the start date of the HAP, or redetermination of rent, if HACA determines it is necessary due to HACA budgetary constraints.

Redetermination of Rent [24 CFR 983.302, FR Notice 11/24/08]

HACA must redetermine the rent to owner upon the owner's request or when there is a five percent or greater decrease in the published FMR.

Rent Increase

If an owner wishes to request an increase in the rent to owner from HACA, it must be requested at the annual anniversary of the HAP contract (see Section 17-V.D.). The request must be in writing and in the form and manner required by HACA. HACA may only make rent increases in accordance with the rent limits described previously. There are no provisions in the PBV

program for special adjustments (e.g., adjustments that reflect increases in the actual and necessary expenses of owning and maintaining the units which have resulted from substantial general increases in real property taxes, utility rates, or similar costs).

HACA Policy

An owner's request for a rent increase must be submitted to HACA 90 days prior to the anniversary date of the HAP contract, and must include the new rent amount the owner is proposing.

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ATTACHMENT B

1. INTRODUCTION

1.1. USAGE NOTES

- 1.1.1. Except as otherwise indicated, “days” is calendar days, not business days.
- 1.1.2. The most commonly used *definitions* in this ACOP follow in Section 1.2, **DEFINITIONS**. Other definitions are in Section 42, **GLOSSARY**.
- 1.1.3. *Family share* and *Total tenant payment* are used interchangeably.
 - 1.1.3.1. *HACA or the Housing Authority* is The Housing Authority of the County of Alameda.
 - 1.1.3.2. *HUD* is The federal Department of Housing and Urban Development.
 - 1.1.3.3. RESERVED

1.2. DEFINITIONS

- 1.2.1. **Admission** is the date on which the family becomes a tenant.
- 1.2.2. **Applicant** means a person or a family that has applied for housing assistance. Applicant (applicant family):
 - 1.2.2.1. includes all family members:
 - 1.2.2.1.1. on the original application for housing assistance; or
 - 1.2.2.1.2. added to the application for housing assistance as a member of the family by a Family Notice of Change as set forth in Section 12.6.2 below.
 - 1.2.2.2. does not include any family member removed from the application for housing assistance as a member of the family by a Family Notice of Change as set forth in Section 12.6.2 below.
- 1.2.3. **Break-Up of an applicant family** is the separation of an applicant family into two or more successor families.
- 1.2.4. **Dating Violence** has the same meaning given the term in section 40002 of the Violence Against Women Act of 1994.
- 1.2.5. **Domestic Violence** has the same meaning given the term in section 40002 of the Violence Against Women Act of 1994.
- 1.2.6. ~~**Displaced family—HACA-owned or HACA-managed housing. (A) Displaced person(s), residing in a dwelling owned or managed by HACA and is eligible as a continuously assisted family.**~~
- 1.2.7. **Displaced family. (A) Displaced person(s) that:**
 - 1.2.7.1. ~~Has submitted an online or paper application to HACA for housing assistance within 120 days after the date of displacement, or, in the case of a binding written governmental notice, within 120 days before or after the mandatory vacate date; and~~
 - 1.2.7.2. ~~As of the date that HACA selects it for housing assistance contingent on HACA’s verification of its application information, is not living in standard, permanent replacement housing.~~
- 1.2.8. **Displaced person(s) A person or persons whose dwelling, as determined by HACA:**
 - 1.2.8.1. ~~has been destroyed, rendered uninhabitable or projected to be uninhabitable for at least 120 days from the date of displacement as a result of;~~

Deleted: from a federally-declared disaster area

Deleted: is a public housing resident from an area where a federally-declared disaster (e.g., fire, flood, earthquake, etc.) has made the applicant’s dwelling unit uninhabitable.

Deleted: is one whose dwelling unit

Deleted: by a disaster (e.g., fire, flood, earthquake, etc.), declared or otherwise formally recognized pursuant to Federal disaster relief laws; or

- 1.2.8.1. A Federally-declared disaster in any state; or
- 1.2.8.2. A disaster declared by the State of California; or
- 1.2.8.3. In HACA’s jurisdiction, action or inaction by a landlord in response to a disaster declared by the Federal Government or the State of California-provided that the family was meeting all conditions of occupancy at the time of its occurrence; or
- 1.2.8.2. In HACA’s jurisdiction, has been, or will be, rendered legally or functionally uninhabitable for, at least, 120 days from the date of displacement as a result of the
- 1.2.8.3. Is owned or managed by HACA and has been or is slated to be demolished, disposed of and/or voluntarily converted.
- 1.2.9. RESERVED
- 1.2.10. A **Family**:
 - 1.2.10.1. Is:
 - 1.2.10.1.1. a sole citizen, eligible emigrant, or VAWA self-petitioner, other than one set forth in Section 1.2.9.3 below; or
 - 1.2.10.2. more than one person, as determined by HACA, at least one of which is a citizen, eligible emigrant, or VAWA self-petitioner;
 - 1.2.10.3. approved to reside in a unit with assistance under the program.
 - 1.2.10.2. Includes:
 - 1.2.10.1. Children:
 - 1.2.10.2.1.1. temporarily absent from the home due to placement in foster care;
 - 1.2.10.2.1.2. subject to a joint custody agreement but who live with one parent at least 183 days of the year (51%), whether consecutively or not.
 - 1.2.10.2.1.3. as solely determined by HACA if both parents are separate applicants, and both claim the same school-age child. In such an instance:
 - 1.2.10.2.1.3.1. the parent whose address is listed in the school records will be allowed to claim the child as a dependent.
 - 1.2.10.2.1.3.2. If school records are inconclusive, or if the child is not school-age, other pertinent records, such as doctor, hospital, criminal, and court records will be utilized.
 - 1.2.10.2. The fetus of a pregnant woman who has:
 - 1.2.10.2.2.1. no other family members;
 - 1.2.10.2.2.2. other family members in the household and is in her documented third trimester.
 - 1.2.10.3. Family does not include:
 - 1.2.10.1. RESERVED
 - 1.2.10.3.1.1. RESERVED
 - 1.2.10.3.1.2. RESERVED
 - 1.2.10.3.1.3. RESERVED
 - 1.2.10.3.1.3.1. RESERVED
 - 1.2.10.3.1.3.1.1. RESERVED

Deleted: within six months from the date of verification will become uninhabitable due to federal, state or local government action related to code enforcement, public improvement, or development.

10. WHEN AND HOW APPLICANTS MAY APPLY

10.1. INTRODUCTION

10.1.1. Because demand for housing assistance far exceeds what HACA has the resources to provide, assistance is provided only to eligible families on HACA's merged wait list. HACA's merged wait list merges the Section 8 HCV waiting list with the waiting list for the Section 8 Project-Based Voucher program (PBV), the Section 8 Moderate Rehabilitation program (Mod Rehab), and the Low Income Public Housing Program. Selection for each program is subject to the federal regulations and requirements for the particular program. Except for applicants set forth in Sections 10.1.2. below, access to the wait list is through:

Deleted: Public Housing

10.1.1.1. wait list openings conducted by HACA as described in Section 10.1.3. below.

Deleted: periodic

Deleted: lotteries

10.1.2. As to applicants:

Deleted: this Section; and¶
unscheduled, ad hoc wait list openings as set forth in

10.1.2.1. set forth in Sections 11.1, 12.3.2.1.1. and 12.3.2.1.2. below;

10.1.2.2. RESERVED

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10.1.2.3. The wait list is always open.

Deleted: ; and

10.1.3. When HACA gives public notice that it is accepting applications for housing assistance the application will be available on-line, at any time of day or night.

Deleted: <#>Such applicants are not subject to a lottery.¶

10.1.4. HACA will open the waiting list, and may keep the waiting list open at its discretion, when its existing wait list for a unit bedroom count category has decreased to approximately six to twelve month's worth of applicants based on:

<#>As to applicants from targeted classes of Section 8 eligible families for which HUD has awarded funding to HACA as set forth in Section 11.1 below;¶
<#>The wait list is open as set forth by HUD with regard to the funding award; and¶

10.1.4.1. current unit availability;

10.1.4.2. program turnover; and

10.1.4.3. HUD funding.

<#>Such applicants are not subject to a lottery.¶
Lotteries ensure that all families who express an interest in assistance are given an equal opportunity to apply and are treated fairly and consistently

10.1.5. RESERVED

Deleted: conduct a wait list lottery by unit bedroom count category

10.1.5.1. RESERVED

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10.1.5.2. RESERVED

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10.2. WAIT LIST OPENING NOTICE

10.2.1. Prior to conducting a wait list opening, HACA will advertise the opening:

Deleted: <#>A lottery is conducted by:¶
<#>unit bedroom count category as set forth in Section 13; and¶

10.2.1.1. on the HACA website, www.haca.net;

10.2.1.2. through public notices and advertisements in the Local or Public Notice Sections of newspapers that serve its jurisdiction; and

<#>RESERVED¶
<#>designation of available units as accessibility enhanced or not enhanced (for example, one-bedroom public housing units for elderly or disabled persons).¶

10.2.1.3. in appropriate foreign language publications;

10.2.1.4. on a recorded voice mail box;

10.2.1.5. in HACA's office; and

Deleted: lottery

10.2.1.6. by sending notices to:

Deleted: lottery

10.2.1.1. community service providers in HACA's service area;

Deleted: and

10.2.1.2. City housing departments;

Deleted: social

- 10.2.1.3. ~~housing~~ authorities in the Bay Area;
- 10.2.1.4. the Alameda County Board of Supervisors ~~and County Administrator~~; and
- 10.2.1.5. federal elected officials from HACA's service area
- 10.2.2. HACA will work closely with a representative selection of social service agencies that serve disabled, elderly and Limited English Proficiency populations in order to ensure equal access for these populations. Through these agencies, ~~applicants~~ will be able to access translation services, ~~assistance with completion of their application~~ and other specialized services.
- 10.2.3. HACA's published wait list ~~opening~~ notices/advertisements will contain:
- 10.2.3.1. The dates, times ~~the application will be available on-line~~;
- 10.2.3.2. The unit bedroom count category for which ~~applications~~ will be accepted;
- 10.2.3.3. The method(s) by which families may submit ~~applications~~;
- 10.2.3.4. A brief description of the public housing program;
- 10.2.3.5. ~~Limitations, if any, on whom may submit applications~~;
- 10.2.3.6. Income limits, by family size, for the program(s);
- 10.2.3.7. Non-income qualification criteria; and
- 10.2.3.8. The deadline by which to submit an ~~application~~.
- 10.2.4. To ensure maximum access for all, ~~applications~~ will be available ~~on-line at any time of day or night~~. ~~The applicant may complete the application from any computer with internet access (e.g. home, library)~~. ~~If the applicant requires assistance with completing the application, resources for assistance will be listed in waiting list opening announcements~~.
- 10.2.5. The ~~application~~ will contain:
- 10.2.5.1. Instructions for completing the ~~application~~, including:
- 10.2.5.1.1. The location(s) to which ~~applications~~ must be submitted;
- 10.2.5.1.2. The method by which ~~applicants~~ may prove they submitted an ~~application~~;
- 10.2.5.2. The information set forth in Sections 10.2.3.1. through 10.2.3.8. above.
- 10.2.5.3. A description of how the ~~waiting list works~~; and
- 10.2.5.4. Any special provisions.
- 10.2.6. Minimum information needed from each applicant:
- 10.2.6.1. Name;
- 10.2.6.2. Social Security Number;
- 10.2.6.3. Gross income;
- 10.2.6.4. Race and ethnicity of the head of household;
- 10.2.6.5. ~~Family unit size~~
- 10.2.6.6. ~~Qualification for any local preference~~
- 10.2.7. All ~~applications~~ will be date and time stamped upon receipt.
- 10.2.8. ~~All applications will receive a random lottery "tiebreaker" number~~.
- 10.2.9. To ensure that each family has an equal chance, ~~applicants~~ will be screened by applicant name and Social Security Number to ensure that the same applicant has not submitted more than one application.

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Deleted: <#>A statement that applicants on the wait list of another of HACA's programs, or participants in any other of HACA's programs, must submit a separate lottery entry if they want to apply for this program;¶

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10.2.10. Duplicate entries will be deleted.

10.3. SELF-CERTIFICATION/VERIFICATION

10.3.1. Information regarding an applicant's income-eligibility and qualification for any of HACA's ranking preferences is self-certified on the application.

10.3.2. Any application which, based on the entrant's self-certified income-eligibility and non-income qualification, does not, on its face, meet the stated application qualifications, will not be included in the waiting list or applicant lottery pool.

10.3.3. Actual verification of an applicant family's income and preference status is not conducted until the family reaches the top of the wait list and prior to issuance of an offer of a unit.

10.4. NOTIFICATION OF WAITING LIST STATUS

10.4.1. HACA will provide applicants the following written notices or confirmations:

10.4.1.1. Receipt of their application.

10.4.1.2. Receipt of an acceptance of their application.

10.4.1.3. Receipt and denial of their application if it was determined by HACA to be ineligible for placement in the applicant lottery pool or waiting list.

11. RESERVED

11.1. RESERVED

11.1.1. RESERVED

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11.2.2.7. RESERVED

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Deleted: <#>CONDUCT OF THE LOTTERY¶

<#>The lottery is computerized and conducted using random number generator software.¶

<#> At least 40% of newly admitted families in each fiscal year must have an income no higher than 30% of the Area Median Income (AMI), adjusted for family size. Consequently:¶

<#>All accepted lottery applications will be divided into two income groups;¶

<#>One group will contain all applicants with incomes greater than 30% of AMI;¶

<#>The other group will contain all applicants with incomes less than or equal to 30% of AMI.¶

<#>RESERVED¶

<#>Separate lotteries will be conducted within each income group set forth in Section 10.4.2.1. above.¶

<#>The number of applications to be chosen from any specific income group will be determined by applying HUD's 40% minimum income targeting requirement to the total number of applicants that will be placed on the wait list.¶

<#>A second lottery will then be conducted among the entire lottery entry pool to assign each lottery entry a tiebreaker number from 1 to *n*, where *n* is the total number of entries in the lottery pool.¶

<#>This number will be used to determine the order in which families will be called from the wait list in instances where two or more families have the same preference status.¶

<#>In cases where two or more applicants have the same preference status, the applicant with the lower tiebreaker number will be called from the wait list first.¶

<#>All applications within each of the two income groups will be grouped back together within those two income

... [1]

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Deleted: <#>Advice of whether or not they were selected in the lottery.¶

<#>If wait-list ranking criteria were not included in the lottery entry, HACA will mail lottery winners a ranking

... [2]

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12.2.1.2.3.2. above the overall average for all tenants are offered a unit in a development whose average is lower than the overall housing authority average.

12.3. APPLICANT SELECTION ORDER

12.3.1. Applicants are selected within:

- 12.3.1.1. Each unit bedroom count category as set forth in Section 13 below;
- 12.3.1.2. For purposes of income deconcentration as set forth in Section 12.2 above, the applicant's income designation as set forth in Sections 12.2.1.2.3.1. and 12.2.1.2.3.2 above; and
- 12.3.1.3. As applicable, the applicant's designation by the Housing Authority as being able to benefit from accessibility enhancements as set forth in Section 12.1. above.

12.3.2. Applicants:

12.3.2.1. Are assigned preferences **and priorities** as follows:

12.3.2.1. **Displaced-HACA:** *Displaced family—HACA-owned or HACA-managed housing as set forth in Section 1.2.6 above,*

12.3.2.2. **Displaced-Other:** *Displaced family as set forth in Section 1.2.6 above,*

12.3.2.3. RESERVED

12.3.2.1.3.1. RESERVED

12.3.2.1.3.2. RESERVED

12.3.2.4. **Resident:**

12.3.2.1.4.1. *Families that, at the time of selection from the waiting list, reside anywhere in HACA's jurisdiction, or include a member who works, or has been hired to work in the jurisdiction.*

12.3.2.5. **Sole Persons Elderly/Disabled:** A sole person:

12.3.2.1.5.1.1. 62 years of age or older; or

12.3.2.1.5.1.2. with disabilities as set forth in Section 1.2.24 above.

12.3.2.6. **Veteran:** *Priority will be given to veterans as set forth in Section 1.2.33,*

12.3.2.7. **RESERVED**

12.3.3. Applicants are selected in the following order:

- 12.3.3.1. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Resident and Sole Persons Elderly/Disabled
- 12.3.3.2. a. Displaced-HACA or b.) Displaced-Other and Resident and Sole Persons Elderly/Disabled
- 12.3.3.3. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Resident
- 12.3.3.4. a.) Displaced-HACA or b.) Displaced-Other and Resident
- 12.3.3.5. a.) Veteran and Displaced-HACA or b.) Veteran and Displaced-Other and Sole Persons Elderly/Disabled
- 12.3.3.6. a.) Displaced-HACA or b.) Displaced-Other and Sole Persons Elderly/Disabled
- 12.3.3.7. Veteran and a.) Displaced-HACA or b.) Displaced-Other

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Deleted: 60 Points: public housing residents who, as set forth in Section 1.2.6 above, are displaced from a federally-declared disaster area and not currently living in standard, permanent replacement housing

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Deleted: other displaced families as set forth in Section 1.2.9.4.2 above who are not currently living in standard, permanent replacement housing as set forth in Section 1.2.25 above

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Deleted: as set forth in Section 1.2.9.1.2 above; or

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Deleted: Residents; and

Deleted: 1 Point: Working or Educational Preference.

- 12.3.3.8. [a.\) Displaced-HACA or b.\) Displaced-Other](#)
- 12.3.3.9. [Veteran and Resident and Sole Persons Elderly/Disabled](#)
- 12.3.3.10. [Resident and Sole Persons Elderly/Disabled](#)
- 12.3.3.11. [Veteran and Resident](#)
- 12.3.3.12. [Resident](#)
- 12.3.3.13. [Veteran and Sole Persons Elderly/Disabled](#)
- 12.3.3.14. [Sole Persons Elderly/Disabled](#)
- 12.3.3.15. [Veteran](#)
- 12.3.3.16. [Applicants without preferences or priority](#)
- 12.3.4. Ties among applicants who have the same number of preferences/priority, are resolved, [as applicable, by either:](#)
 - 12.3.4.1. [order of ascending lottery “tiebreaker” number \(that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one\); or](#)
 - 12.3.4.2. [the date and time their complete application is received by HACA.](#)

Deleted: declining order of total preference points (that is, applicants with more points are selected before applicants with fewer points).

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Deleted: first, in favor of veterans or servicepersons as set forth in Section 1.2.31 above; and then

Deleted: <#>in increasing order of lottery “tiebreaker” number as set forth in Sections 10.4 and 10.6 above (that is, applicants with a lower lottery “tiebreaker” number are selected before applicants with a higher one).¶

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Deleted: <#>The preference points set forth in Section 12.3.2.1.4.1 above, are not given to a pregnant woman who has no other person in her household.¶

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Deleted: <#>given to applicants whose Head of Household or spouse/significant other lives, works or has been hired to work in HACA’s jurisdiction;¶ <#>not subject to update or change;¶

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12.4. QUALIFICATIONS REGARDING ASSIGNMENT OF PREFERENCE POINTS

- 12.4.1. [Based on the information supplied on the applicant’s lottery entry form, the resident preference set forth in Section 12.3.2.1.4 above is:](#)
 - 12.4.1.1. [verified at the time of application interview; and](#)
 - 12.4.1.2. [not dependent upon how long the applicant has lived or worked in HACA’s jurisdiction.](#)
- 12.4.2. [The resident preference set forth in Section 12.3.2.1.4 above will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability or age of any member of an applicant family.](#)
- 12.4.3. [HACA will not deny a local preference, nor otherwise exclude or penalize a family in admission to the program, solely because the family resides in a public housing project.](#)

Deleted: <#>The working or educational preference set forth in Section 12.3.2.1.6 above is given to an applicant whose Head of Household, spouse/significant other or sole member is any of the following:¶ <#>employed;¶ <#>62 years of age or older;¶ <#>a person with disabilities as set forth in Section 1.2.22 above; or¶ <#>currently enrolled in, or a graduate in the last six months of, a school or training program designed to prepare enrollees for the job market.¶

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12.5. VERIFICATION OF PREFERENCE POINTS

- 12.5.1. [Applicants will self-certify their eligibility for preference points on their lottery entry forms.](#)
- 12.5.2. [HACA will verify an applicant’s preference status when the applicant appears to be within three \(3\) months of being offered housing assistance.](#)
- 12.5.3. [Applicants who are determined not to be eligible for a local preference will be notified in writing of HACA’s determination of ineligibility.](#)
 - 12.5.3.1. [Such applicants will be provided with a brief statement of the reasons for their ineligibility and will be advised of their right to an informal review.](#)
 - 12.5.3.2. [Once the time for a review has expired, or if the applicant is unsuccessful in the review process, the applicant will be returned to the wait list with his or her points corrected.](#)

- 12.5.3.3. If the applicant successfully challenges HACA's decision, he or she will proceed to the next phase of the income and family composition verification process.

12.6. APPLICANT REPORTING AND RESPONDING REQUIREMENTS

- 12.6.1. Changes in an applicant's circumstances while on the wait list may affect the applicant's entitlement to a preference and thus, ranking on the wait list.
- 12.6.2. Applicants must take the following actions in a timely manner:
 - 12.6.2.1. Submit a HACA Wait List Update form, or update their on-line application, as applicable, to report any change in:
 - 12.6.2.1.1. mailing address; or
 - 12.6.2.1.2. family composition.
 - 12.6.2.2. Respond to any requests from HACA to:
 - 12.6.2.2.1. update the information on the family's application; or
 - 12.6.2.2.2. confirm the family's continued interest in assistance.
 - 12.6.2.3. Applicants who do not comply with these reporting and responding requirements may be denied assistance.

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12.7. REMOVAL FROM THE WAIT LIST

- 12.7.1. If a mailing from HACA is returned by the Post Office:
 - 12.7.1.1. without a forwarding address, the applicant will be removed without further notice and the returned mailing will be maintained in the file.
 - 12.7.1.2. with a forwarding address, it will be re-mailed to the address indicated.
- 12.7.2. If an applicant fails to respond to any of HACA's mailings, the applicant will:
 - 12.7.2.1. either be sent written notification that s/he is being removed from the wait list and given 14 days to request an informal review; or
 - 12.7.2.2. given a 14-day grace period in which to supply requested information or be removed from the wait list.
 - 12.7.2.3. The applicant will be removed from the waiting list if s/he fails to respond within 14 days.
- 12.7.3. If an applicant is removed from the wait list for failure to respond, with two possible exceptions, s/he will not be reinstated to the wait list:
 - 12.7.3.1. Consideration will be given to the disabled to determine if an accommodation is warranted; and
 - 12.7.3.2. Consideration will also be given to families who failed to respond due to an emergency situation such as hospitalization or disaster (fire, etc.).
 - 12.7.3.3. An applicant will be required to prove his/her claim conclusively to get such consideration.

12.8. PURGING THE WAIT LIST

- 12.8.1. HACA will update and purge its waiting list as often as necessary, generally every other year, to ensure that the pool of applicants reasonably

Deleted: at least annually

represents the interested families for whom HACA has current information, i.e. applicant's address, family composition, income category, and preferences.