

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

HOUSING COMMISSION SPECIAL MEETING AGENDA

Special Meeting Date/Time: July 23, 2025 at 8:00 a.m.

Special Meeting Location: HACA Board Room, 22941 Atherton Street Hayward, CA 94541-6633

Teleconference Location: Privada Terazas No.1, Boulevard Guanajuato, Guanajuato, GTO, Mexico

Remote Participation Link: <https://us02web.zoom.us/j/88460095724>

MEETING AGENDA

Item No. 1: Call to Order and Roll Call

Item No. 2: Election of Officers

Item No. 3: Public Comment
On matters not on the agenda

Item No. 4: Approval of the Minutes of the June 11, 2025 Regular Meeting

Item No. 5: Executive Director's Report (Information Only)

Item No. 6: New Business

Item No.6-1: Adopt Resolution No. 05-25 Approving the Section Eight Management Assessment Program Certification and Authorizing Submission to the U.S. Department of Housing and Urban Development (Action)

Item No.6-2: Approve HACA's Housing Choice Voucher Administrative Plan Policy Revisions (Action)

Item No.6-3: Approve the 2025 HACA Scholarship and the Donald C. Biddle Memorial Scholarship Awards (Action)

Item No.6-4: Appoint a HACA Housing Commissioner to the Preserving Alameda County Housing, Inc. Board of Directors (Action)

Item No.6-5: Quarterly Investment Portfolio Report for the Quarter Ended June 30, 2025 (Information Only)

Item No.6-6: Programs Activity Report (Information Only)

Item No.7: Communications (Information Only)

Item No.8: Commissioner Reports (Information Only)

Item No.9: Adjournment

As a courtesy, and technology permitting, members of the public may continue to participate virtually by Zoom. However, HACA does not guarantee that the public's access to teleconferencing or videoconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Should Zoom not be available, or become non-functioning, or should the Housing Commission otherwise encounter technical difficulties that make Zoom unavailable, the Housing Commission will proceed with business in person unless otherwise prohibited by law. In-person attendees who wish to speak on a matter should request a speaker slip from the Housing Commission Clerk, fill it out and return it to the clerk before the start of the meeting. Remote attendees should submit their written comment(s) to: melissat@haca.net. If emailing a written comment on a specific agenda item, please include your full name and the agenda item number. In-person and remote attendees who wish to comment on a matter NOT on the Housing Commission's agenda must wait until the Chairperson calls for PUBLIC COMMENT. Comments on specific agenda items will not take place until the Chairperson calls for public comments on that agenda item. There is a time limit of 3 minutes for each public speaker. The Chairperson has the discretion to further limit this time if warranted by the number of public speakers. The Brown Act restricts the Housing Commission from discussing and/or acting on any matters that are not on the meeting agenda. Therefore, matters not on the agenda that are raised during public comment will be referred to staff.

ELECTION OF OFFICERS

July 23, 2025

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.2: Election of Officers

Exhibits Attached: None

Recommendation: Elect Officers to the Chairperson and Vice Chairperson Positions for
FY 2025-2026

DISCUSSION

In accordance with the Housing Commission's bylaws, the HACA Housing Commission must elect, by a majority vote, a Chairperson and Vice-Chairperson for a term of one (1) year. At the June Housing Commission meeting, Commissioners Gerry, Mayfield, McCorriston, and McQuaid were appointed to a Nominating Committee to select candidates for these positions.

The Nominating Committee will formally present the candidates that it recommends for the Chairperson and Vice-Chairperson positions and an election will be held. The newly-elected officers will take their seats immediately following the Housing Commission's approval of this item.

HOUSING COMMISSION
MEETING MINUTES
June 11, 2025

**HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA
HOUSING COMMISSION REGULAR MEETING
SUMMARY ACTION MINUTES**

Regular Meeting Date and Time: June 11, 2025 at 8:00 a.m.

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

Remote Participation Link: <https://us02web.zoom.us/j/88460095724>

MEETING AGENDA

Item No. 1: Call to order and Roll Call

Chairperson McCorriston called the meeting to order at 8:01 a.m.

Roll Call:

Present:

Commissioner Pete Ballew
Commissioner Seema Chawla
Commissioner Mark Gerry
Commissioner Daniel Goldstein (Vice Chairperson)
Commissioner Helen Mayfield
Commissioner Michael McCorriston (Chairperson)
Commissioner Peggy McQuaid
Commissioner Scott Sakakihara
Commissioner Yang Shao

Excused:

Commissioner Angela Finley
Commissioner Terrence Grindall
Commissioner Courtney Welch

Item No. 2: Public Hearing: Amendment to HACA's Annual PHA Plan for the July 1, 2025-June 30, 2026 Fiscal Year

Chairperson McCorriston opened a public hearing at 8:02 a.m.

Public Hearing Comments

There were no public comments.

Commission Discussion

None.

Chairperson McCorriston closed the public hearing at 8:04 a.m.

Item No. 3: Public Comment - On Matters Not on the Agenda

None.

Item No. 4: Approval of the Minutes of the May 14, 2025 Regular Meeting

Report was received with no questions or comments from the Housing Commission.

Recommendation:

Approve the minutes of the May 14, 2025 Regular meeting as presented.

Motion and Second:

Commissioners McQuaid (motion) and Goldstein (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.5: Executive Director's Report (Information Only)

Laura Broussard Rosen, Executive Director, updated the Housing Commission on HACA's current management position recruitments. She reported the application period for the Purchasing and Procurement Manager has closed, and initial interviews will be scheduled in the coming weeks. Ms. Broussard Rosen also reported that a new recruitment for the Administrative Analyst position is set to start in June.

Ms. Broussard Rosen also provided an update on the Emergency Housing Voucher (EHV) Program funding situation. She reported that as previously mentioned at the May Housing Commission meeting, HUD has announced that they will sunset the EHV program earlier than anticipated and that HUD's funding for this program is exhausted. Ms. Broussard Rosen indicated that final allocations have been issued to housing authorities, and HACA is assessing how long it can continue supporting families. She indicated that HACA currently projects that it can continue to support the EHV families through calendar year 2025 or February 2026 at most. Ms. Broussard Rosen shared data on subsidy costs and the number of households the EHV Program currently serves. She added that HACA is working with partners to explore options and will begin communicating with affected families about the funding situation. Ms. Broussard Rosen stated that she will keep the Housing Commission updated on this matter.

Ms. Broussard Rosen announced that the Family Self-Sufficiency (FSS) Program's annual Resource Fair is scheduled for Saturday, June 28 and encouraged all commissioners to attend.

Commission Discussion:

Vice Chairperson Goldstein and Ms. Broussard Rosen discussed the potential for letters of support to advocate for continued funding for the EHV Program. Ms. Broussard Rosen stated that letters of support are always helpful and indicated that some members of Congress are already advocating for additional funding but that there has been no movement.

Commissioner Shao inquired about the qualification for the EHV Program and if the program was intended to be temporary. Ms. Broussard Rosen explained that the program was initiated under the American Rescue Plan Act of 2021 during the pandemic to provide support for very vulnerable populations. She further explained that the program was initially intended to be a 10-year program but that HUD exhausted its funding earlier than anticipated.

Commissioner McQuaid also asked about letters of support. Ms. Broussard Rosen stated that she will work on a letter that commissioners can send if they are interested.

Item No.6 New Business

Item No.6-1: Approve Amendment to HACA's Annual PHA Plan for the July 1, 2025-June 30, 2026 Fiscal Year (Action)

Jennifer Cado, Senior Administrative Analyst, presented the staff report. Ms. Cado reported that revisions to nearly all chapters of HACA's Housing Choice Voucher (HCV) Administrative Plan (Admin Plan) are necessary to reflect regulatory changes and discretionary policies tied to the implementation of the Housing Opportunity Through Modernization Act of 2016 (HOTMA). Ms. Cado explained that some of these revisions to the Admin Plan impact HACA's Annual Public Housing Agency Plan (Annual Plan) that the Housing Commission approved on March 12 and that the Annual Plan requires a formal amendment. She highlighted the chapters and summarized the proposed revisions to the Admin Plan that impact the Annual Plan.

Ms. Cado also reported that HACA met with the Resident Advisory Board (RAB) on May 28 and 29 to provide the RAB members with an opportunity to share their comments on the amended Annual Plan. She noted that the staff report includes a summary of those meetings. Ms. Cado noted that the Housing Commission conducted a public hearing at the start of today's meeting and that no comments from the public were received during the public hearing. Ms. Cado recommended that the Housing Commission approve an amendment to HACA's Annual Plan for the July 1 2025-June 30, 2026 fiscal year.

Recommendation:

Approve amendment to HACA's Annual PHA Plan for the July 1, 2025 to June 30, 2026 fiscal year and authorize submittal to HUD.

Commission Discussion:

Commissioner Mayfield, Ms. Broussard Rosen, and Finance Director Mansoorali Hudda

discussed the Housing Choice Voucher (HCV) Payment Standards. Commissioner Mayfield asked why an increase in the Payment Standards was not considered considering rents have increased in many communities. Ms Broussard Rosen explained that HACA was unable to implement any increases to the Payment Standards due to HUD funding projections and potential shortfall. Mr. Hudda commented that staff continues to monitor the funding situation and will adjust based on the funding.

Motion and Second:

Commissioner McQuaid (motion) and Commissioner Goldstein (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.6-2: Approve Revisions to HACA's Housing Choice Voucher Administrative Plan (Action)

Meranda Jones, Administrative Analyst, presented the staff report. Ms. Jones reiterated that revisions to HACA's Admin Plan are needed to reflect regulatory changes under HOTMA and to incorporate other authorized policy updates. She summarized the proposed revisions, focusing on chapters not previously addressed by Ms. Cado in Agenda Item 6-1. Ms. Jones recommended that the Housing Commission approve the proposed revisions to the Admin Plan.

Recommendation:

Approve revisions to HACA's Housing Choice Voucher Administrative Plan as presented.

Commission Discussion:

Vice Chairperson Goldstein and Ms. Jones discussed special housing types and shared housing. Ms. Jones gave some examples of what is considered shared housing and how vouchers can be used for these housing types. She noted the requirement that the owner of the property and the program participant cannot be related but that the property owner could otherwise live in the property with the voucher holder.

Motion and Second:

Commissioner Goldstein (motion) and Commissioner Shao (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.6-3: Adopt Resolution No. 03-25 Approving HACA's Operating Budget and Budgeted Positions for the July 1, 2025-June 30, 2026 Fiscal Year (Action)

Mansoorali Hudda presented the staff report. Mr. Hudda summarized HACA's proposed operating budget for the July 1, 2025 – June 30, 2026 fiscal year. He described the income and expenses for 4 major program budgets and reported that staff met with the members of the Budget/Audit/Negotiations (BAN) Committee on May 22 to review the proposed operating budget. He noted that information from the BAN's discussion was included in the staff report and that the BAN Committee recommends approval of the proposed operating budget.

Commission Discussion:

Commissioner Mayfield inquired about the May 22nd BAN Committee meeting and, while acknowledging that a summary of the meeting was included in the staff report, asked whether meeting minutes would be shared with the Housing Commission. Melissa Taesali, Executive Assistant/Housing Commission Clerk, confirmed that meeting minutes will be prepared and included in the next BAN Committee meeting agenda packet, which will be distributed to the Commission.

Commissioner Mayfield also inquired about the significant increase in the budgeted amount for waitlist expenses, noting it is nearly double compared to the previous year. Ms. Broussard Rosen explained that HACA is planning for multiple waitlist openings in the 2025–2026 fiscal year and is exploring alternative options, including potentially using other software to manage the process.

Commissioner Mayfield and Ms. Broussard Rosen discussed monthly Housing Assistance Payments (HAP) expenses and how these expenses are considered when making these budget projections. Mr. Hudda indicated that staff also must consider the budget authority that HUD has granted versus how much money is already committed to anticipate the number of vouchers that can be issued. He commented that there are a lot of moving parts and that staff monitors these factors on a month-to-month basis.

Commissioner Ballew and Mr. Hudda discussed attrition rates. Mr. Hudda indicated the attrition rate is somewhere around 8%-13% and described the 2-year tool that staff uses to analyze the data and variables that are considered for issuing vouchers and that monitoring attrition rates is a factor.

Commissioner McQuaid and Mr. Hudda discussed the Atherton building and how it relates to the Housing Development Fund.

Chairperson McCorriston and Mr. Hudda discussed the allocation for administrative salaries. Mr. Hudda explained the changes in percentage allocations, noting that the compensation limits for the Executive Director, Deputy Executive Director, and Finance Director impact how these salaries are distributed.

Commissioner Sakakihara inquired about the income and loss figures for the Housing Development

and Ocean Avenue funds. Mr. Hudda provided an explanation of how these amounts were calculated.

Motion and Second:

Commissioner Shao (motion) and Commissioner Chawla (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.6-4: Adopt Resolution No. 04-25 Approving the Contribution to the Alameda County Employees' Retirement Association (ACERA) for the July 1, 2025-June 30, 2026 Fiscal Year (Action)

Mansoorali Hudda, Finance Director, presented the staff report. Mr. Hudda reported that as a participating employer in the Alameda County Employees' Retirement Association (ACERA) pension system, HACA contributes to ACERA each year to fund a 401(h) account that ACERA has established for the purpose of providing healthcare benefits to retirees on a tax-exempt basis. He reported that the contribution amount for the July 1, 2025 – June 30, 2026 fiscal year is \$362,625.00 and recommended that the Commission adopt the resolution approving this contribution

Commission Discussion:

None.

Motion and Second:

Commissioner Ballew (motion) and Commissioner Shao (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.6-5: Appoint a Nominating Committee for the Housing Commission Chair and Vice Chair Positions

Laura Broussard Rosen presented the staff report. Ms. Broussard Rosen reported that the Housing Commission must appoint a Nominating Committee to select candidates for the positions of Housing Commission Chairperson and Vice Chairperson. After a brief discussion, Commissioners Gerry, Mayfield, McCorriston, and McQuaid, agreed to serve on the committee.

Commission Discussion:

None.

Motion and Second:

Commissioner McQuaid (motion) and Commissioner Chawla (second).

Upon a roll call of the votes being taken, the votes were:

Ayes: Commissioners Ballew, Chawla, Gerry, Goldstein, Mayfield, McCorriston, McQuaid, Sakakihara, and Shao.

Motion passed. **APPROVED AS RECOMMENDED.**

Item No.6-6: Programs Activity Report (Information Only)

Report received with no questions or comments from the Housing Commission.

Item No.7: Communications (Information Only)

Ms. Broussard Rosen reminded the Housing Commission that the July Regular meeting will be cancelled, a Special meeting will be scheduled for July 23, and that staff intends to cancel the August meeting but will pause on doing so until it is closer to the August meeting date just in case any issues arise.

Item No.8: Commissioner Reports (Information Only)

Commissioner McQuaid and Ms. Broussard Rosen discussed the timing for the Executive Director's performance evaluation. Commissioner McQuaid also asked if HACA plans to prepare a communication for its participants to address the current activities that are being carried out by the federal government. The commission discussed possible ways HACA could consider communicating about this topic.

Commissioner Gerry introduced a guest that he brought to the meeting.

Commissioner Mayfield shared that she brought a plant for her FSS Coordinator, Vanessa.

Item No.9: Adjournment

There being no further business to discuss, Chairperson McCorriston adjourned the meeting at 9:24 a.m.

Respectfully submitted,

Melissa Taesali
Executive Assistant/Housing Commission Clerk

EXECUTIVE DIRECTOR'S
REPORT

July 23, 2025

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

EXECUTIVE DIRECTOR'S REPORT

Meeting Date: July 23, 2025

HACA Management Position Recruitments

Unfortunately, the most recent Procurement & Purchasing Manager recruitment was unsuccessful. HACA is assessing options and a timeline for another recruitment. The recruitment for the Administrative Analyst position is in process and applications are due July 18. in mid-June. Once applications are reviewed, HACA will proceed with planning for the initial round of interviews.

Emergency Housing Voucher (EHV) Program Funding Update

HACA continues to evaluate the duration of final HUD funding for the Emergency Housing Voucher (EHV) Program and the impact on approximately 200 EHV families. On 6/20/25, HUD released guidance for housing authorities to transition EHV families into HCV or Mainstream programs, if housing authorities have availability in these other programs. HACA is evaluating options and taking initial steps based on HUD guidance. HACA also sent an initial letter to EHV families on 6/24/25 to notify them of the current status of the EHV program and will provide further updates as information is available.

NEW BUSINESS

July 23, 2025

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-1: Adopt Resolution No. 05-25 Approving the Section Eight Management Assessment Program (SEMAP) Certification and Authorizing Submission to the U.S. Department of Housing and Urban Development (HUD)

Exhibits Attached: Resolution 05-25

Recommendation: Adopt the Attached Resolution Authorizing Submission of the SEMAP Certification to HUD

Financial Statement: None

BACKGROUND

The Section Eight Management Assessment Program (SEMAP) measures 14 key performance indicators of public housing agencies (PHAs) that administer the Housing Choice Voucher program. By doing so, SEMAP helps HUD target monitoring and assistance to PHAs that need the most improvement.

The 14 indicators of performance show whether PHAs help eligible families to afford decent rental units at a reasonable subsidy cost as intended by federal housing legislation. The 14 key indicators of PHA performance are:

1. Proper selection of applicants from the Housing Choice Voucher waiting list
2. Sound determination of reasonable rent for each unit leased
3. Accurate verification of family income
4. Maintenance of a current schedule of allowances for tenant-paid utilities
5. Performance of quality control inspections to ensure HUD's Housing Quality Standards (HQS) are met
6. Assurance that landlords and tenants promptly correct HQS deficiencies
7. Expansion of housing choice outside areas of poverty or minority concentration
8. Establishment of Payment Standards within the required range of the HUD Fair Market Rents
9. Timely annual reexamination of family income
10. Correct calculation of the tenant share of the rent and the housing assistance payment (HAP) made to the landlord
11. Assurance that units comply with HQS before families enter into leases and PHAs enter into HAP contracts
12. Timely annual HQS inspections
13. Assurance that all available Housing Choice Vouchers are used
14. Enrollment of families into the Family Self-Sufficiency (FSS) Program and the number of families with escrow accounts

While HACA continues to operate a Family Self Sufficiency (FSS) program voluntarily, HACA is no longer required by HUD to operate the program. Therefore, Indicator 14 is no longer part of the SEMAP assessment for HACA.

SEMAP scores are based on PHA self-certification, HUD's national database of tenant information, and information from audits conducted annually by independent auditors. Each indicator has points assigned to it, with a total possible point score of 135. HUD annually assigns each PHA a rating on each of the 14 indicators and generates an overall performance ratio of high (90-100%), standard (60-89%), or troubled (less than 60%). Metropolitan PHAs like HACA are also able to earn bonus points for their achievements in encouraging assisted families to choose housing in low poverty areas.

Every PHA must submit its SEMAP Certification within 60 days of the end of its fiscal year. HACA's is due by August 29, 2025, as our fiscal year ended June 30th.

DISCUSSION AND ANALYSIS

The attached SEMAP Certification is a product of random sampling done internally by staff for the fiscal year July 1, 2024, through June 30, 2025, and data from HUD's national database of tenant information. HACA's overall rating is "standard" with 81% (110 points). This is an improvement from the previous fiscal year in which HACA's overall performance ratio was 74% (100 points).

HACA lost points for the following indicators as described below:

Indicator #2, Rent Reasonableness: HACA Score – 15 out of 20 points

This indicator is scored 20, 15, or 0 points. It measures whether HACA follows the written method and documents its reasonable rent determinations at the time of initial leasing and prior to approving any increase in rent to owner. While 96% of sample cases met the requirement, earning a score of 15 points, 98% is required to receive 20 points. HACA continues to work with staff and provide training to achieve full points for this indicator in the coming year.

Indicator #6, Housing Quality Standards (HQS) Enforcement: HACA Score – 0 out of 10 points

This indicator is scored 10 points or 0 points. It measures whether any cited life-threatening HQS deficiencies were corrected within 24 hours of the inspection, whether all other cited HQS deficiencies were corrected within 30 days of the HQS inspection or any HACA-approved extension, and whether HACA abated housing assistance payments if HQS deficiencies were not corrected timely. All applicable requirements must be met to receive 10 points. While the majority of the sample cases met at least one criteria for this indicator and were ultimately resolved, only 53% percent of the cases met all criteria for compliance and therefore HACA scored 0 points. HACA is conducting re-inspections of deficiencies in a timely manner but continues to have challenges with the timely processing of abatements. HACA is working on streamlining procedures and updating policies to improve efficiency in the abatement process. HACA anticipates scoring points for this indicator in the coming year with the implementation of new procedures and policies.

Indicator #9, Annual Reexaminations: HACA Score – 5 out of 10 points

This indicator is scored 10, 5, or 0 points. It measures whether HACA conducts required annual reexaminations timely. HACA had 9% late reexaminations and therefore scored 5 points. This is an improvement from the previous fiscal year in which HACA had 19% late reexaminations and scored 0 points. HACA continues to improve its performance and anticipates scoring additional points for this indicator in the coming year.

Indicator # 12, Annual HQS Inspections: HACA Score – 5 out of 10 points

This indicator is scored, 10, 5, or 0 points. It measures whether HACA conducts required annual and biennial HQS inspections timely. HACA had 5% late inspection and therefore scored 5 points. This is an improvement from the previous fiscal year in which HACA had 8% late inspections, with the same score of 5 points. HACA has increased the number of inspections conducted monthly to reduce late inspections and anticipates scoring full points for this indicator in the coming year.

The table on the following page provides you with a review of HACA's performance under SEMAP for the last four years for which SEMAP was scored.

SEMAP Certification Review 2019 to 2025*						
Indicator	Indicator Description	Maximum Number of Possible Points	2019 Final Earned Points	2023 Final Earned Points	2024 Final Earned Points	2025 Certification
1	Wait List	15	15	15	15	15
2	Reasonable Rent	20	15	20	15	15
3	Determination of Adjusted Income	20	15	20	20	20
4	Utility Allowance Schedule	5	5	5	5	5
5	HQS Quality Control Inspections	5	5	5	5	5
6	HQS Enforcement	10	10	0	0	0
7	Expanding Housing Opportunities	5	5	5	5	5
8	Payment Standards	5	5	5	5	5
9	Annual Reexaminations	10	10	0	0	5
10	Correct Tenant Rent Calculations	5	5	5	5	5
11	Pre-Contract HQS Inspections	5	5	5	5	5
12	Annual HQS Inspections	10	10	10	5	5
13	Lease-Up	20	20	15	20	20
14	FSS Enrollment & Escrow Accounts	10	10	N/A	N/A	N/A
Earned Points			135	115	100	110
Deconcentration Bonus – Extra 5 Points		5	0	0	0	0
Total Earned Points		145	135	115	100	110
Maximum Number of Points Possible		145	145	135	135	135
FINAL SCORE as a Percentage		100%	93%	85%	74%	81%
SEMAP RATING			High	Standard	Standard	Standard

*Due to the pandemic, PHAs were not required to complete SEMAP certifications for fiscal years 2019-20, 2020-21, 2021-22.

RECOMMENDATION

Staff recommends that the Commission adopt the Resolution to approve the SEMAP certification, including any necessary final adjustments, and authorize submission of the SEMAP certification to HUD.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

RESOLUTION NO.: 05-25

**RESOLUTION APPROVING SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM
CERTIFICATION AND AUTHORIZING SUBMITTAL OF CERTIFICATION TO THE U.S. DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT**

WHEREAS, the U. S. Department of Housing and Urban Development (HUD) has established a Section Eight Management Assessment Program (SEMAP) to measure the performance of housing authorities that administer the Section 8 Housing Choice Voucher Program; and

WHEREAS, SEMAP requires that housing authorities self-certify performance in connection with the 14 SEMAP indicators; and

WHEREAS, HUD reviews the self-certification and other data available from on-line reporting systems and financial submissions to rank a housing authority's performance and issues a score; and

WHEREAS, the Housing Authority of the County of Alameda has completed its SEMAP analysis for the July 1, 2024 – June 30, 2025 fiscal year and is prepared to submit its certification to HUD;

NOW, THEREFORE, BE IT RESOLVED, that the Housing Commission does hereby approve and accept the SEMAP certification as presented, including any necessary final adjustments, and authorizes the Executive Director to submit it and any other information HUD may require to process the certification.

PASSED, APPROVED, AND ADOPTED by the Housing Commission of the Housing Authority of the County of Alameda on this 23rd day of July 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

EXCUSED:

ABSENT:

Attest:

Laura Broussard Rosen
Executive Director/Housing Commission Secretary

Housing Commission Chairperson

Adopted: July 23, 2025

Field Office: 9APH SAN FRANCISCO HUB OFFICE
Housing Agency: CA067 Alameda County
PHA Fiscal Year End: 6/30/2025

OMB Approval No. 2577-0215

SEMAP CERTIFICATION (Page 1)

Public reporting burden for this collection of information is estimated to average 12 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

This collection of information is required by 24 CFR sec 985.101 which requires a Public Housing Agency (PHA) administering a Section 8 tenant-based assistance program to submit an annual SEMAP Certification within 60 days after the end of its fiscal year. The information from the PHA concerns the performance of the PHA and provides assurance that there is no evidence of seriously deficient performance. HUD uses the information and other data to assess PHA management capabilities and deficiencies, and to assign an overall performance rating to the PHA. Responses are mandatory and the information collected does not lend itself to confidentiality.

Check here if the PHA expends less than \$300,000 a year in federal awards ☐

Indicators 1 - 7 will not be rated if the PHA expends less than \$300,000 a year in Federal awards and its Section 8 programs are not audited for compliance with regulations by an independent auditor. A PHA that expends less than \$300,000 in Federal awards in a year must still complete the certification for these indicators.

Performance Indicators

1 Selection from Waiting List (24 CFR 982.54(d)(1) and 982.204(a))

a. The HA has written policies in its administrative plan for selecting applicants from the waiting list.

PHA Response ☒ Yes ☐ No

b. The PHA's quality control samples of applicants reaching the top of the waiting list and admissions show that at least 98% of the families in the samples were selected from the waiting list for admission in accordance with the PHA's policies and met the selection criteria that determined their places on the waiting list and their order of selection.

PHA Response ☒ Yes ☐ No

2 Reasonable Rent (24 CFR 982.4, 982.54(d)(15), 982.158(f)(7) and 982.507)

a. The PHA has and implements a reasonable written method to determine and document for each unit leased that the rent to owner is reasonable based on current rents for comparable unassisted units (i) at the time of initial leasing, (ii) before any increase in the rent to owner, and (iii) at the HAP contract anniversary if there is a 5 percent decrease in the published FMR in effect 60 days before the HAP contract anniversary. The PHA's method takes into consideration the location, size, type, quality, and age of the program unit and of similar unassisted units and any amenities, housing services, maintenance or utilities provided by the owners.

PHA Response ☐ Yes ☒ No

b. The PHA's quality control sample of tenant files for which a determination of reasonable rent was required to show that the PHA followed its written method to determine reasonable rent and documented its determination that the rent to owner is reasonable as required for (check one):

PHA Response ☐ At least 98% of units sampled ☒ 80 to 97% of units sampled
☐ Less than 80% of units sampled

3 Determination of Adjusted Income (24 CFR part 5, subpart F and 24 CFR 982.516)

The PHA's quality control sample of tenant files show that at the time of admission and reexamination, the PHA properly obtained third party verification of adjusted income or documented why third party verification was not available; used the verified information in determining adjusted income; properly attributed allowances for expenses; and, where the family is responsible for utilities under the lease, the PHA used the appropriate utility allowances for the unit leased in determining the gross rent for (check one):

PHA Response ☒ At least 90% of files sampled ☐ 80 to 89% of files sampled
☐ Less than 80% of files sampled

4 Utility Allowance Schedule (24 CFR 982.517)

The PHA maintains an up-to-date utility schedule. The PHA reviewed utility rate data that it obtained within the last 12 months, and adjusted its utility allowance schedule if there has been a change of 10% or more in a utility rate since the last time the utility allowance schedule was revised.

PHA Response ☒ Yes ☐ No

5 HQS Quality Control (24 CFR 982.405(b))

The PHA supervisor (or other qualified person) reinspected a sample of units during the PHA fiscal year, which met the minimum sample size required by HUD (see 24 CFR 985.2), for quality control of HQS inspections. The PHA supervisor's reinspected sample was drawn from recently completed HQS inspections and represents a cross section of neighborhoods and the work of cross section of inspectors.

PHA Response ☒ Yes ☐ No

6 HQS Enforcement (24 CFR 982.404)

The PHA's quality control sample of case files with failed HQS inspections shows that, for all cases sampled, any cited life-threatening HQS deficiencies were corrected within 24 hours from the inspection and, all other cited HQS deficiencies were corrected within no more than 30 calendar days from the inspection or any PHA-approved extension, or, if HQS deficiencies were not corrected within the required time frame, the PHA stopped housing assistance payments beginning no later than the first of the month following the correction period, or took prompt and vigorous action to enforce the family obligations for (check one):

PHA Response ☐ At least 98% of cases sampled ☒ Less than 98% of cases sampled

7 Expanding Housing Opportunities.

(24 CFR 982.54(d)(5), 982.153(b)(3) and (b)(4), 982.301(a) and 983.301(b)(4) and (b)(12))

Applies only to PHAs with jurisdiction in metropolitan FMR areas

Check here if not applicable ☐

a. The PHA has a written policy to encourage participation by owners of units outside areas of poverty or minority concentration which clearly delineates areas in its jurisdiction that the PHA considers areas of poverty or minority concentration, and which includes actions the PHA will take to encourage owner participation.

PHA Response ☒ Yes ☐ No

b. The PHA has documentation that shows that it took actions indicated in its written policy to encourage participation by owners outside areas of poverty and minority concentration.

PHA Response ☒ Yes ☐ No

c. The PHA has prepared maps that show various areas, both within and neighboring its jurisdiction, with housing opportunities outside areas of poverty and minority concentration; the PHA has assembled information about job opportunities, schools and services in these areas; and the PHA uses the maps and related information when briefing voucher holders.

PHA Response ☒ Yes ☐ No

d. The PHA's information packet for certificate and voucher holders contains either a list of owners who are willing to lease, or properties available for lease, under the voucher program, or a list of other organizations that will help families find units and the list includes properties or organizations that operate outside areas of poverty or minority concentration.

PHA Response ☒ Yes ☐ No

e. The PHA's information packet includes an explanation of how portability works and includes a list of neighboring PHAs with the name, address and telephone number of a portability contact person at each.

PHA Response ☒ Yes ☐ No

f. The PHA has analyzed whether voucher holders have experienced difficulties in finding housing outside areas of poverty or minority concentration and, where such difficulties were found, the PHA has considered whether it is appropriate to seek approval of exception payment standard amounts in any part of its jurisdiction and has sought HUD approval when necessary.

PHA Response ☒ Yes ☐ No

Performance Indicators

8 Payment Standards(24 CFR 982.503)

The PHA has adopted current payment standards for the voucher program by unit size for each FMR area in the PHA jurisdiction and, if applicable, for each PHA-designated part of an FMR area, which do not exceed 110 percent of the current applicable FMR and which are not less than 90 percent of the current FMR (unless a lower percent is approved by HUD). (24 CFR 982.503)

PHA Response ☒ Yes ☐ No

FMR Area Name

FMR 1 of 2



Enter current FMRs and payment standards (PS)

0-BR FMR	<input type="text" value="1937"/>	1-BR FMR	<input type="text" value="2201"/>	2-BR FMR	<input type="text" value="2682"/>	3-BR FMR	<input type="text" value="3432"/>	4-BR FMR	<input type="text" value="4077"/>	
PS	<input type="text" value="1790"/>	PS	<input type="text" value="2111"/>	PS	<input type="text" value="2589"/>	PS	<input type="text" value="3494"/>	PS	<input type="text" value="3949"/>	
								<input type="button" value="Save"/>	<input type="button" value="Add"/>	<input type="button" value="Delete"/>

FMR Area Name

FMR 2 of 2



Enter current FMRs and payment standards (PS)

0-BR FMR	<input type="text" value="1937"/>	1-BR FMR	<input type="text" value="2201"/>	2-BR FMR	<input type="text" value="2682"/>	3-BR FMR	<input type="text" value="3432"/>	4-BR FMR	<input type="text" value="4077"/>	
PS	<input type="text" value="1808"/>	PS	<input type="text" value="2233"/>	PS	<input type="text" value="2761"/>	PS	<input type="text" value="3609"/>	PS	<input type="text" value="4217"/>	
								<input type="button" value="Save"/>	<input type="button" value="Add"/>	<input type="button" value="Delete"/>

If the PHA has jurisdiction in more than one FMR area, and/or if the PHA has established separate payment standards for a PHA-designated part of an FMR area, add similar FMR and payment standard comparisons for each FMR area and designated area.

9 Timely Annual Reexaminations(24 CFR 5.617)

The PHA completes a reexamination for each participating family at least every 12 months.(24 CFR 5.617)

PHA Response ☐ Yes ☒ No

10 Correct Tenant Rent Calculations(24 CFR 982, Subpart K)

The PHA correctly calculates tenant rent in the rental certificate program and the family rent to owner in the rental voucher program (24 CFR 982,Subpart K)

PHA Response ☒ Yes ☐ No

11 Pre-Contract HQS Inspections(24 CFR 982.305)

Each newly leased unit passes HQS inspection before the beginning date of the assisted lease and HAP contract.(24 CFR 982.305)

PHA Response ☒ Yes ☐ No

12 Continuing HQS Inspections(24 CFR 982.405(a))

The PHA inspects each unit under contract as required (24 CFR 982.405(a))

PHA Response ☐ Yes ☒ No

13 Lease-Up

The PHA executes assistance contracts on behalf of eligible families for the number of units that has been under budget for at least one year. The PHA executes assistance contracts on behalf of eligible families for the number of units that has been under budget for at least one year

PHA Response ☒ Yes ☐ No

14 Family Self-Sufficiency (24 CFR 984.105 and 984.305)

14a. Family Self-Sufficiency Enrollment. The PHA has enrolled families in FSS as required. Applies only to PHAs required to administer an FSS program.

Check here if not applicable ☒

a. Number of mandatory FSS slots (Count units funded under the FY 1992 FSS incentive awards and in FY 1993 and later through 10/20/1998. Exclude units funded in connection with Section 8 and Section 23 project-based contract terminations; public housing demolition, disposition and replacement; HUD multifamily property sales; prepaid or terminated mortgages under section 236 or section 221(d)(3); and Section 8 renewal funding. Subtract the number of families that successfully completed their contracts on or after 10/21/1998.)

Or, Number of mandatory FSS slots under HUD-approved exception (If not applicable, leave blank)

b. Number of FSS families currently enrolled

c. Portability: If you are the initial PHA, enter the number of families currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

Percent of FSS slots filled (b+c divided by a) (This is a nonenterable field. The system will calculate the percent when the user saves the page)

0

14b. Percent of FSS Participants with Escrow Account Balances. The PHA has made progress in supporting family self-sufficiency as measured by the percent of currently enrolled FSS families with escrow account balances.(24 CFR 984.305)

Applies only to PHAs required to administer an FSS program

Check here if not applicable ☒

PHA Response ☐ Yes ☐ No

Portability: If you are the initial PHA, enter the number of families with FSS escrow accounts currently enrolled in your FSS program, but who have moved under portability and whose Section 8 assistance is administered by another PHA

15 Deconcentration Bonus

The PHA is submitting with this certification data which show that :

(1) Half or more of all Section 8 families with children assisted by the PHA in its principal operating area resided in low poverty census tracts at the end of the last PHA FY;

(2) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area during the last PHA FY is at least two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the last PHA FY; or

(3) The percent of Section 8 mover families with children who moved to low poverty census tracts in the PHA's principal operating area over the last two PHA FY is at least two percentage points higher than the percent of all Section 8 families with children who resided in low poverty census tracts at the end of the second to last PHA FY.

PHA Response ☐ Yes ☒ No

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-2: Approve HACA's Housing Choice Voucher Administrative Plan Policy Revisions

Exhibits: Attachment A: Proposed HCV Administrative Plan Revisions

Recommendation: Approve Proposed Policy Revisions to HCV Administrative Plan

Financial Statement: None

BACKGROUND

HACA's Section 8 Housing Choice Voucher (HCV) Program Administrative Plan (Admin Plan) sets forth HACA's policies for administering the HCV Program in a manner consistent with HUD requirements and HACA's PHA Plan. When necessary, HACA amends the Admin Plan in order to incorporate new or changed HUD regulations or guidance, new or revised HACA policies or program initiatives, or to make clarifications or corrections. Only substantive policy changes require Housing Commission approval, and in general, only substantive policy changes are redlined for your review. HACA's Admin Plan is available for public review.

DISCUSSION and ANALYSIS

A summary of the substantive changes by chapter follows:

4-III.C. SELECTION METHOND – Local Preferences (page 4-12)

Updated policy to change the "One-Time EHV to HCV" preference to allow HACA to potentially assist Emergency Housing Voucher (EHV) participants once EHV funding is exhausted, depending on program eligibility and funding availability in other voucher programs. The previous wording of the preferences is no longer needed or applicable.

Chapter 8 – Introduction and Part I

Effective October 1, 2025, HUD is revising the housing quality inspection standards for the Housing Choice Voucher (HCV) program and transitioning to NSPIRE (National Standards for the Physical Inspection of Real Estate). Revisions to this chapter reflect the required changes.

8-I.C. MODIFICATIONS TO PROVIDE ACCESSIBILITY (page 8-4)

New policy was added requiring PHA review of any tenant restoration agreement or escrow account created to restore a unit to its original condition when unit modifications are made through reasonable accommodation.

8-I.D. ADDITIONAL LOCAL REQUIREMENTS (page 8-5)

New policy added indicating that HACA has not requested any HUD-approved variations to NSPIRE standards.

8-I.E. LIFE-THREATENING DEFICIENCIES (pages 8-6 to 8-8)

New policy added to ensure “utilities not in service” is deemed a life-threatening deficiency.

8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT - Notification of Corrective Actions (page 8-19 to 8-20)

Added language to clarify that the potential abatement effective date will be included in the notice of inspection results.

8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT - Reinspections (page 8-21 to 8-22)

Added language to clarify when HACA will accept written self-certifications. Also clarified that if a unit passes reinspection, HACA will consider the corrective action verified as of the date of notification by the owner or family that it was ready for reinspection.

8-II.G. ENFORCING OWNER COMPLIANCE - HAP Abatement (page 8-22 to 8-23)

Added language to clarify that if an owner notifies HACA that deficiencies have been corrected but HACA is unable to schedule a reinspection prior to the scheduled effective date of abatement, if the unit passes reinspection, HACA will consider the corrective action verified as of the date of notification by the owner.

9-I.B. REQUESTING TENANCY APPROVAL (pages 9-3 to 9-4)

Added clarifying language on making corrections to the Request for Tenancy Approval (RTA) form and/or proposed lease to bring this policy in alignment with other similar sections.

9-I.E. LEASE AND TENANCY ADDENDUM – Separate Non-Lease Agreements between Owner and Tenant (pages 9-8 to 9-10)

Added clarifying language on how HACA will handle non-lease agreements.

12-I.E. MANDATORY POLICIES AND OTHER AUTHORIZED TERMINATIONS – Insufficient Funding (pages 12-10 to 12-12)

Updated policy to incorporate HUD guidance on issuing special purpose vouchers when HACA resumes issuing vouchers after having stopped issuing vouchers due to shortfall. Also updated the criteria and instructions for recalling issued vouchers and terminating Housing Assistance Payments contracts due to insufficient funding from a lottery to a first in, first out approach.

15-VII.I CONTINUED ASSISTANCE REQUIREMENTS; FAMILY OBLIGATIONS (page 15-32)

Added language clarifying that for participants using their HCV under the Homeownership option HACA will provide after the initial inspection will be done on an advisory basis and the participant will be encouraged to make the repairs but will not be required to do so as a condition of ongoing assistance.

17-VI.C. ORGANIZATION OF THE WAITING LIST (pages 17-64 to 17-65)

Added language clarifying that when an individual PBV waiting list does not have sufficient applicants to fill vacancies, HACA will use the Housing Choice Voucher waiting list to fill vacancies until the individual waiting list is reopened.

18-V.D. ORGANIZATION OF THE WAITING LIST (page 18-34)

Added language clarifying that when an individual PBV waiting list does not have sufficient applicants to fill vacancies, HACA will use the Housing Choice Voucher waiting list to fill vacancies until the individual waiting list is reopened.

RECOMMENDATION

Staff recommends that the Housing Commission approve the proposed revisions to the HCV Administrative Plan. Once approved, staff training will be conducted, and the revised Admin Plan will be implemented.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6- Approve the 2025 HACA Scholarship and the Donald C. Biddle
3: Memorial Scholarship Awards

Exhibits Attached: 2025 HACA Scholarship Committee Award Recommendations

Recommendation: Approve the 2025 scholarship awards

BACKGROUND

Every year, the HACA Scholarship Program provides an opportunity for participants of the Family Self-Sufficiency (FSS) program and for tenants of the HACA-managed properties owned by Preserving Alameda County Housing, Inc. (PACH), to apply for a scholarship that can be used to pay eligible expenses related to their education.

DISCUSSION AND ANALYSIS

This year, staff received 12 applications for the 2025 HACA Scholarship and 4 applications for the 2025 Donald C. Biddle Memorial Scholarship. The applications, shown below by city of residence, were submitted to the Housing Commission's Scholarship Committee (Commissioners Chawla, Gerry, Goldstein, and Grindall) for their review.

2025HACA SCHOLARSHIP

CITY OF RESIDENCE	# OF APPLICATIONS
Castro Valley	1
Emeryville	1
Fremont	1
Hayward	2
Newark	1
Pleasanton	1
San Leandro	3
Union City	2

**2025 DONALD C. BIDDLE
MEMORIAL SCHOLARSHIP**

CITY OF RESIDENCE	# OF APPLICATIONS
Emeryville	2
Fremont	2

A virtual meeting with the Scholarship Committee is scheduled for July 17 to discuss the committee's selections and recommendations for awards. Staff will present the Scholarship Committee's award recommendations at the Housing Commission meeting on July 23.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-4: Appoint a Housing Commissioner to the Preserving Alameda County Housing, Inc. (PACH) Board of Directors

Exhibits Attached: None

Recommendation: Appoint a Housing Commissioner to the PACH Board of Directors for FY 2025-2026

BACKGROUND

On February 9, 2011, HACA's Housing Commission approved the formation of Preserving Alameda County Housing, Inc. (PACH), a non-profit instrumentality of HACA organized under the Nonprofit Public Benefit Corporation Law for the purpose of providing affordable housing. HACA transferred ownership of 230 former public housing units to PACH which were converted to Section 8 Project-Based Voucher (PBV) units. The units that HACA has transferred to PACH are managed by HACA under the terms of a property management agreement.

DISCUSSION AND ANALYSIS

The PACH bylaws state that PACH's activities and affairs shall be managed by a five-member board of directors consisting of three HACA Commissioners, the HACA Executive Director and the HACA Finance Director.

Traditionally, the chair of HACA's Housing Commission serves as the PACH president, the vice-chair of HACA's Commission as the PACH vice-president, and a Housing Commissioner as the PACH 2nd vice-president. The Housing Commission must appoint the PACH 2nd vice-president on an annual basis.

The office of PACH 2nd vice-president is currently held by Commissioner Mark Gerry. There are no limits to the number of terms a HACA Housing Commissioner can serve on the PACH Board. The Housing Commission may reappoint Commissioner Gerry if the Housing Commission chooses or select another commissioner to appoint to the PACH Board of Directors.

The PACH Board of Directors will meet following this Housing Commission meeting to elect the Housing Commission's newly elected Chairperson and Vice Chairperson to the offices of president and vice-president respectively, as well as the Housing Commission's appointee to the office of 2nd vice-president.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-5:	Quarterly Investment Portfolio Report for the Quarter Ended June 30, 2025
Exhibits Attached:	Investment Portfolio Report for Quarter ended June 30, 2025
Recommendation:	Receive Report
Financial Statement:	\$33,054,312.60 invested at an Average Annual Yield of 4.4% (excluding FSS Escrow Participant Accounts)

BACKGROUND

Public agencies are required to file an investment policy with their governing boards, provide quarterly financial reports on the status of the agency's investments, and certify their compliance with the approved investment policy.

DISCUSSION AND ANALYSIS

The attached investment portfolio report reflects the investments as of the quarter ending June 30, 2025 for each program that HACA administers. 100%, or \$33.05M, of the portfolio is invested in the State of California Local Agency Investment Fund (LAIF). LAIF is managed by the California State Treasurer's Office and provides local agencies with the opportunity to participate in a major portfolio which invests billions of dollars using the investment expertise of the State Treasurer's office. It has its own oversight board and investment policy with an emphasis on safety and liquidity. HACA's investments earned a total of \$358,220.91 in investment income for the quarter.

The Housing Choice Voucher Program had no funds invested at the end of the reported quarter. The re-establishment of HUD-held program reserves and the dwindling balance of Unrestricted Net Position (UNP) has made even short-term investment infeasible.

Ocean Avenue has a total investment of about \$418.38K, which is 1% of the total investment portfolio.

Park Terrace has a total investment of about \$1.7M, which is 5% of the total investment portfolio.

The Housing Development Fund has a total investment of \$9.36M, which is 28% of the total investment portfolio.

PACH has a total investment of about \$15.51M, which is 47% of the total investment portfolio.

The Health Care Services Agency (HCSA) Flexible Housing Subsidy Program has \$6.07M, which is 18% of the total investment.

The FSS Participant Escrow Accounts are maintained in a savings account, in accordance with HUD regulations, at US Bank.

**Housing Authority of Alameda County
Investment Portfolio
For the Quarter Ended June 30, 2025**

PROGRAM NAME	TYPE OF ACCOUNT	AMOUNT	INTEREST RATE	INTEREST AMOUNT	MATURITY DATE
Ocean	State of CA Local Agency Investment Fund	\$ 418,383.14	4.40%	\$ 4,534.16	N/A
PACH		\$ 15,510,276.66	4.40%	\$ 168,090.18	N/A
Housing Dev Fund		\$ 9,362,202.48	4.40%	\$ 101,461.40	N/A
Park Terrace		\$ 1,696,307.98	4.40%	\$ 18,383.47	N/A
HCSA		\$ 6,067,142.34	4.40%	\$ 65,751.70	N/A
GRAND TOTAL		\$ 33,054,312.60		\$ 358,220.91	

The above investment portfolio is in compliance with the policy approved by the Housing Commission.

PROGRAMS ACTIVITY
REPORT
July 23, 2025

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-6: Programs Activity Report

Exhibits Attached: Section 8 Contract and Housing Assistance Payments (HAP) Report; Section 8 Average Contract Rent Report; FSS Program Monthly Report

Recommendation: Receive Report

SECTION 8 HOUSING CHOICE VOUCHERS (HCV)

- **Lease-Up:** The below chart provides the number of Section 8 HCV program units under contract. This number includes HACA vouchers and portability clients for which we are being billed by the receiving housing authority but excludes portability clients for which we are billing the initial housing authority.

7/1/2025	7/1/2024	7/1/2023
6,998	6,970	6,841

- **HCV Program Utilization:** The below chart provides the average HAP subsidy, average tenant-paid portion, and average contract rent. These amounts include HACA vouchers, but do not include incoming and outgoing portability clients.

	7/1/2025	7/1/2024	7/1/2023
Average HAP Subsidy	\$1,939	\$1,848	\$1,774
Average Tenant-Paid Rent	\$590	\$612	\$618
Average Contract Rent	\$2,529	\$2,460	\$2,392

- ❖ The below chart provides the outgoing billed portability contracts (i.e., HACA voucher holders who are housed in another housing authority's jurisdiction) and incoming portability contracts where HACA billed other housing authorities.

	7/1/2025	7/1/2024	7/1/2023
Outgoing Billed Portability Contracts	76	86	95
Incoming Portability Contracts	188	70	61

- ❖ PACH has 230 project-based voucher (PBV) units. The chart below provides the number of these units that are leased.

7/1/2025	7/1/2024	7/1/2023
219	218	219

- **Section 8 Contract Reports:** Copies of the Contract Reports are attached. The Section 8 Contract and HAP Report includes HACA certificates, HACA vouchers and portability clients for which we are billing the initial housing authority. The Section 8 Average Contract Rent Report includes HACA vouchers and portability clients for which we are billing the initial housing authority.
- **Landlord Rental Listings:** As of July 7, 2025, there were 66 active properties listed.

	4/29/24	6/3/24	7/15/24	9/3/24	9/30/24	11/4/24
Units	64	49	68	63	92	80
	12/2/24	1/28/25	3/3/25	5/5/25	6/2/25	7/7/25
Units	92	84	65	55	68	66

- **HCV Housing Quality Standards (HQS) Inspections and Abatements:** The below chart provides quarterly information on HQS inspections and HQS abatements.

	Q2 2025		Q1 2025		Q4 2024	
Scheduled Annual Inspections	1665		758		807	
Passed the Day Inspected	1121	67%	472	62%	503	62%
Failed Inspection	272	16%	36	5%	102	13%
No Shows or Deferred Due to COVID-19	235	14%	22	30%	180	22%
Moved Out Prior to Inspection	37	2%	23	3%	22	3%
HAP Abatements for Non-Compliance with HQS	102		34		30	

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA
Section 8 Contract and HAP Report for the month of June 2025

	Certificates		Vouchers		JUNE 2025 TOTAL			
City	Number	HAP*	Number	HAP**	Number	HAP	JUNE 2024	JUNE 2023
		based on avg		based on avg				
		\$ 2,159		\$ 1,926				
Albany	0	\$0	17	\$32,742	17	\$32,742	11	11
Castro Valley	5	\$10,795	280	\$539,280	285	\$550,075	250	240
Dublin	7	\$15,113	496	\$955,296	503	\$970,409	444	424
Emeryville	0	\$0	202	\$389,052	202	\$389,052	166	169
Fremont	21	\$45,339	1,258	\$2,422,908	1,279	\$2,468,247	1,254	1,277
Hayward	33	\$71,247	1,984	\$3,821,184	2,017	\$3,892,431	1,957	1,937
Newark	5	\$10,795	265	\$510,390	270	\$521,185	284	234
Pleasanton	3	\$6,477	346	\$666,396	349	\$672,873	319	301
San Leandro	15	\$32,385	1,455	\$2,802,330	1,470	\$2,834,715	1,464	1,418
San Lorenzo	1	\$2,159	174	\$335,124	175	\$337,283	175	178
Union City	9	\$19,431	721	\$1,388,646	730	\$1,408,077	694	722
TOTALS	99	213,741	7,198	13,863,348	7,297	14,077,089	7,018	6,911

* Based on an average June Housing Assistance Payment (HAP) of \$2,159 per certificate contract

**Based on an average June Housing Assistance Payment (HAP) of \$1,926 per voucher contract

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA
Section 8 Average Contract Rent Report for the Month of June 2025

City	Number of HAP Contracts (HCV Only)	Average Contract Rent	Average HAP Paid by HACA	Average Rent Paid by Family	Average Family-Paid Rent as a Percentage of Average Contract Rent
Albany	17	\$2,165	\$1,614	\$551	25%
Castro Valley	280	\$2,485	\$1,915	\$570	23%
Dublin	496	\$2,657	\$2,026	\$625	24%
Emeryville	202	\$2,128	\$1,579	\$550	26%
Fremont	1,258	\$2,694	\$2,088	\$606	23%
Hayward	1,984	\$2,420	\$1,817	\$603	25%
Newark	265	\$2,715	\$2,129	\$586	22%
Pleasanton	346	\$2,382	\$1,887	\$495	21%
San Leandro	1,455	\$2,419	\$1,839	\$580	24%
San Lorenzo	174	\$2,680	\$1,994	\$686	26%
Union City	721	\$2,722	\$2,089	\$633	23%

*Some rents may vary by \$1 due to rounding

This report includes HACA vouchers and portability clients for which we are billing the initial housing authority.

HOUSING AUTHORITY OF THE COUNTY OF ALAMEDA

AGENDA STATEMENT

Meeting Date: July 23, 2025

Agenda Item No.6-6: Family Self-Sufficiency (FSS) Program Summary

Exhibits Attached: None

Recommendation: Receive Report



FAMILY SELF-SUFFICIENCY (FSS) PROGRAM NEWS

FSS PROGRAM ACTIVITIES

Program Coordinating Committee (PCC)

On Wednesday, June 18, 2025, the FSS team held its quarterly PCC meeting. The PCC includes representatives from agencies in Alameda County, nonprofit organizations, and FSS participants. Its purpose is to offer guidance and strengthen the FSS program. During the meeting, PCC members shared updates about their respective agencies and exchanged valuable information. Our next PCC meeting is scheduled for Wednesday, September 17, 2025, from 3:00 p.m. to 4:30 p.m.

FSS Resource Fair

The FSS program hosted its annual Resource Fair on Saturday, June 28, 2025. Thirty-nine families attended the fair and received information. Fourteen community partners, including the City of Fremont Family Resource Center, City of Hayward, BMO Bank and Habitat for Humanity. Topics covered ranged from career services and mental health resources to financial education. A representative of HACA's Housing Choice Voucher (HCV) Homeownership program was in attendance along with a current program participant, who shared insights and information about the path to homeownership. A new highlight this year was Curbie, the Hayward Public Library's mobile library service, which provided families with library cards, books, and other resources. Attendees enjoyed ice cream, participated in raffles, and took photos at a selfie station. The FSS team extends sincere thanks to the HACA staff who volunteered their time, and to Commissioners McQuaid and Mayfield for their attendance and support. A special thank you goes to the Albany Rotary Foundation for its generous donation in support of the event.

FSS PROGRAM SUMMARY

Program Summary	June 2025
Total Clients Under Contract:	194
Graduates:	1
Escrow Disbursed:	\$31,921.69
Ports In:	0
Ports Out:	0
Terminations:	4
New Contracts:	4
Case Management Referrals:	30
Job Referrals:	22

ATTACHMENT A

**Agenda Item 6-2.: Approve HACA's Housing Choice Voucher
Administrative Plan Policy Revisions**

4-III.C. SELECTION METHOD

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; CA Health & Safety Code Section 34322.2(a) and (b)]

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

The following preferences apply to HCV families:

One-Time EHV to HCV (350 points): ~~Applicants who received a HACA Emergency Housing Voucher (EHV) but have not yet initially leased the EHV when HACA utilized all its EHV allocation. Currently assisted HACA Emergency Housing Voucher (EHV) participants leased in HACA's jurisdiction or in the jurisdiction of another PHA where the receiving PHA is billing HACA whose assistance is at risk of termination due to lack of program funding. These families will be served either through the regular tenant-based Housing Choice Voucher program or the Mainstream voucher program as described in Chapter 19, depending on program eligibility and available funding of those programs.~~

Families will be added to the waitlist as follows. In each category, families will be served based on the amount of time on the EHV program from shortest to longest amount of time on the program:

1. Families that include elderly or disabled family members
2. Families that do not include elderly or disabled family members

Emergency Transfers (300 points): Participants approved to transfer from a HACA-owned or managed unit due to a verifiable emergency (includes families approved for an emergency transfer under VAWA, or due to other life-threatening situations, such as a family under threat of real and imminent violent/criminal attack).

Shortfall Terminated (250 points): Participants of HACA's HCV program that were terminated due to insufficient funding.

Shortfall Recalled (130 points): Applicants on HACA's HCV waiting list who received a voucher but had not yet utilized the voucher when it was recalled and were returned to the waiting list due to insufficient funding.

Chapter 8.B.

NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE AND RENT REASONABLENESS DETERMINATIONS

[24 CFR 5 Subpart G and Notice PIH 2024-26]

INTRODUCTION

Owners must maintain all units occupied by families receiving Housing Choice Voucher (HCV) and Project Based Voucher (PBV) assistance in accordance with housing quality standards. Units assisted under the program must comply with HUD's National Standards for the Physical Inspection of Real Estate (NSPIRE) regulations and standards no later than October 1, 2025. The inspection performance standards and procedures for conducting NSPIRE inspections must be included in the administrative plan [Notice PIH 2024-26].

All units must pass an inspection prior to the approval of a lease (with some exceptions) and at least once every 24 months (or 36 months for small rural PHAs) during the term of the HAP contract, and at other times as needed, to determine that the unit meets housing quality standards. HUD also requires PHAs to determine that rents for units under the program are reasonable when compared to comparable unassisted units in the market area.

Provided they meet certain requirements, HUD permits PHAs to establish some additional local requirements in their administrative plans. The use of the term *NSPIRE standards* in this plan refers to the combination of both HUD and PHA-established requirements. However, state and local codes, compliance is not part of the determination of whether a unit passes the NSPIRE standards.

This chapter explains HUD and PHA requirements related to physical inspections and rent reasonableness as follows:

Part I. Physical Standards. This part discusses NSPIRE standards required of units occupied by HCV and PBV-assisted families. It also identifies affirmative habitability requirements for all units and life-threatening conditions that must be corrected in 24 hours.

Part II. The Inspection Process. This part describes the types of inspections the PHA will make and the steps that will be taken when units do not meet NSPIRE standards.

Part III. Rent Reasonableness Determinations. This part discusses the policies the PHA will use to make rent reasonableness determinations.

Special requirements for homeownership, manufactured homes, and other special housing types are discussed in Chapter 15 to the extent that they apply in this jurisdiction. Special requirements for the PBV and RAD PBV programs (if applicable) are discussed in Chapters 17 and 18, respectively.

NSPIRE and HQS

Even once the HQS inspection standard has sunset, the regulations at 24 CFR Part 982 and 983 governing the HCV and PBV programs will continue to use the terms *HQS* and *housing quality standards* rather than *NSPIRE*. This is because the definition of *housing quality standards (HQS)* at 24 CFR 982.4 means the minimum quality standards developed by HUD in accordance with 24 CFR 5.703 for the HCV program, including any variations approved by HUD for the PHA. As such, the model policy uses the term *housing quality standards* whenever applicable regulations use this term. Except in the chapter describing HQS, the acronym *HQS* is not used in the model policy in order to avoid confusion between the umbrella term meaning housing standards and the specific inspection protocol. The model policy only uses the term *NSPIRE* when referring to specific NSPIRE standards.

PART I: NSPIRE STANDARDS

NSPIRE standards are published on HUD's NSPIRE website as well as in the NSPIRE Final Rule [FR Notice 5/1//2023].

8-I.A. INSPECTABLE AREAS [24 CFR 5.703(a)(1) and 24 CFR 5.705(a)(2)]

NSPIRE defines the inspectable areas for inspection under the standards as inside, outside and unit. However, the inspection requirement for the HCV and PBV programs only applies to units occupied or to be occupied by HCV or PBV participants and common areas and exterior areas which either service or are associated with such units.

8-I.B. AFFIRMATIVE HABITABILITY REQUIREMENTS [24 CFR 5.703(b), (c), and (d)]

NSPIRE provides for minimum, or affirmative, habitability requirements for each area (unit, inside, outside). These areas must meet these requirements for habitability, which are listed in Exhibit 8-1.

The inside, outside and unit must be free of health and safety hazards that pose a danger to residents. Types of health and safety concerns include, but are not limited to carbon monoxide, electrical hazards, extreme temperature, flammable materials or other fire hazards, garbage and debris, handrail hazards, infestation, lead-based paint, mold, and structural soundness [24 CFR 5.703(e).

The NSPIRE Smoke Alarm Standard does not require that smoke alarms have a sealed battery; however, upon the effective date of the Public and Federally Assisted Housing Fire Safety Act of 2022 on December 29, 2024, sealed batteries *will* be required.

8-I.C. MODIFICATIONS TO PROVIDE ACCESSIBILITY [24 CFR 100.203; Notice 2003-31; and Notice PIH 2014-02]

Under the Fair Housing Act of 1988 an owner must make reasonable accommodations in rules, policies, practices, or services if necessary for a person with disabilities to use the housing and must not refuse the request of a family that contains a person with a disability to make necessary and reasonable modifications to the unit if such modification is necessary to afford the person with a disability full enjoyment of the premises. Such modifications are at the family's expense. The owner may, where it is reasonable to do so, require restoration of the unit to its original condition (reasonable wear and tear excepted) if the modification would interfere with the owner or next occupant's full enjoyment of the premises. The owner may not increase a customarily required security deposit. However, the landlord may negotiate a restoration agreement that requires the family to restore the unit and, if necessary to ensure the likelihood of restoration, may require the tenant to pay a reasonable amount into an interest- bearing escrow account over a reasonable period of time. The interest in any such account accrues to the benefit of the tenant. The owner may also require reasonable assurances that the quality of the work will be acceptable and that any required building permits will be obtained. [24 CFR 100.203; Notice 2003-31].

Modifications to units to provide access for a person with a disability must meet all applicable NSPIRE requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR 35.151(c) and Notice 2003-31] See Chapter 2 of this plan for additional information on reasonable accommodations for persons with disabilities.

PHA Policy

Any owner that intends to negotiate a restoration agreement or require an escrow account must submit the agreement(s) to the PHA for review.

8-I.D. ADDITIONAL LOCAL REQUIREMENTS [24 CFR 5.705(a)(3) and Notice PIH 2024-26]

The PHA may impose variations to the NSPIRE standards as long as the additional criteria are not likely to adversely affect the health or safety of participant families or severely restrict housing choices for families. HUD approval is required for variations to NSPIRE standards and approved variations must be added to the administrative plan.

HUD may approve inspection criteria variations if the variations apply standards in local housing codes or other codes adopted by the PHA or because of local climatic or geographic conditions. Acceptability criteria variations may only be approved by HUD if such variations either meet or exceed the performance requirements or significantly expand affordable housing opportunities for families assisted under the program.

PHA Policy

The PHA has not requested any HUD-approved variations to NSPIRE standards.

8-I.E. LIFE-THREATENING DEFICIENCIES [Notice PIH 2024-26]

HUD previously required the PHA to define life-threatening conditions in the administrative plan. The NSPIRE standards now describe those conditions which are considered life-threatening and must be corrected within 24 hours.

The following are a list of life-threatening deficiencies under NSPIRE:

<u>Inspectable Item</u>	<u>Deficiency</u>
<u>Call-for-Aid System</u>	<u>System is blocked, or pull cord is higher than 6 inches off the floor.</u>
	<u>System does not function properly</u>
<u>Carbon Monoxide Alarm</u>	<u>Carbon monoxide alarm is missing, not installed, or not installed in a proper location.</u>
	<u>Carbon monoxide alarm is obstructed.</u>
	<u>Carbon monoxide alarm does not produce an audio or visual alarm when tested.</u>
<u>Chimney</u>	<u>A visually accessible chimney, flue, or firebox connected to a fireplace or wood-burning appliance is incomplete or damaged such that it may not safely contain fire and convey smoke and combustion gases to the exterior.</u>
	<u>Chimney exhibits signs of structural failure.</u>
<u>Clothes Dryer Exhaust Ventilation</u>	<u>Electric dryer transition duct is detached or missing.</u>
	<u>Gas dryer transition duct is detached or missing.</u>
	<u>Electric dryer exhaust ventilation system has restricted airflow.</u>
	<u>Dryer transition duct is constructed of unsuitable material.</u>
	<u>Gas dryer exhaust ventilation system has restricted airflow.</u>
<u>Door – Entry</u>	<u>Entry door is missing.</u>
<u>Door – Fire Labeled</u>	<u>Fire labeled door is missing.</u>
<u>Egress</u>	<u>Obstructed means of egress.</u>
	<u>Sleeping room is located on the third floor or below and has an obstructed rescue opening.</u>
	<u>Fire escape is obstructed.</u>
<u>Electrical – Conductor, Outlet, and Switch</u>	<u>Outlet or switch is damaged.</u>
	<u>Exposed electrical conductor.</u>
	<u>Water is currently in contact with an electrical conductor.</u>
<u>Electrical – Service Panel</u>	<u>The overcurrent protection device is damaged.</u>
<u>Exit Sign</u>	<u>Exit sign is damaged, missing, obstructed, or not adequately illuminated.</u>

<u>Inspectable Item</u>	<u>Deficiency</u>
<u>Fire Escape</u>	<u>Fire escape component is damaged or missing.</u>
<u>Fire Extinguisher</u>	<u>Fire extinguisher pressure gauge reads over or under-charged.</u>
	<u>Fire extinguisher service tag is missing, illegible, or expired.</u>
	<u>Fire extinguisher is damaged or missing.</u>
<u>Flammable and Combustible Items</u>	<u>Flammable or combustible item is on or within 3 feet of an appliance that provides heat for thermal comfort or a fuel-burning water heater; OR</u> <u>Improperly stored chemicals.</u>
<u>Guardrail</u>	<u>Guardrail is missing or not installed.</u>
	<u>Guardrail is not functionally adequate.</u>
<u>Heating, Ventilation, and Air Conditioning (HVAC)</u>	<u>The inspection date is on or between October 1 and March 31 and the permanently installed heating source is not working or the permanently installed heating source is working and the interior temperature is below 64 degrees Fahrenheit.</u>
	<u>Unvented space heater that burns gas, oil, or kerosene is present.</u>
	<u>Combustion chamber cover or gas shutoff valve is missing from a fuel burning heating appliance.</u>
	<u>Fuel burning heating system or device exhaust vent is misaligned, blocked, disconnected, improperly connected, damaged, or missing.</u>
<u>Leak – Gas or Oil</u>	<u>Natural gas, propane, or oil leak.</u>
<u>Mold-like Substance</u>	<u>Presence of mold-like substance at extremely high levels is observed visually.</u>
<u>Smoke Alarm</u>	<u>Smoke alarm is not installed where required.</u>
	<u>Smoke alarm is obstructed.</u>
	<u>Smoke alarm does not produce an audio or visual alarm when tested.</u>
<u>Sprinkler Assembly</u>	<u>Sprinkler head assembly is encased or obstructed by an item or object that is within 18 inches of the sprinkler head.</u>
	<u>Sprinkler assembly component is damaged, inoperable, or missing and it is detrimental to performance.</u>
	<u>Sprinkler assembly has evidence of corrosion.</u>
	<u>Sprinkler assembly has evidence of foreign material that is detrimental to performance.</u>
<u>Structural System</u>	<u>Structural system exhibits signs of serious failure.</u>
<u>Toilet</u>	<u>Only 1 toilet was installed, and it is missing.</u>

<u>Inspectable Item</u>	<u>Deficiency</u>
<u>Water Heater</u>	<u>Chimney or flue piping is blocked, misaligned, or missing.</u>
	<u>Gas shutoff valve is damaged, missing, or not installed.</u>

However, PHAs may add additional deficiencies which the PHA considers life-threatening provided they are described in the administrative plan.

PHA Policy

In addition to those listed under the NSPIRE standards, the following are considered life-threatening conditions:

Utilities not in service, including no running hot water

8-I.F. OWNER AND FAMILY RESPONSIBILITIES [24 CFR 982.404]

Owner Obligation

The owner must maintain the unit in accordance with housing quality standards. A unit is not in compliance with housing quality standards if the PHA or other inspector authorized by the state or local government determines that the unit has housing quality standards deficiencies based upon an inspection, notifies the owner in writing of the deficiencies, and the deficiencies are not remedied within the appropriate time frame.

In the case of a housing quality standards deficiency that the PHA determines is caused by the tenant, any member of the household, or any guest or other person under the tenant's control (other than damage resulting from ordinary use), the PHA may waive the owner's responsibility to remedy the violation. The HAP to the owner may not be withheld or abated if the owner responsibility has been waived. However, if the family's actions constitute a serious or repeated lease violation, the owner may take legal action to evict the family. In addition, the PHA may terminate the family's assistance because of a housing quality standards breach (beyond damage resulting from ordinary use) caused by any member of the household, guest, or other person under the tenant's control.

PHA Policy

The PHA will waive the owner's responsibility for housing quality standards deficiencies that have been determined to have been caused by the tenant, any member of the household, or any guest or other person under the tenant's control, to the extent the tenant can be held responsible for ensuring that the deficiencies are corrected: the tenant must take all necessary steps permissible under the lease and state and local law to remedy the deficiency. This may include paying the owner for the cost of the necessary repairs in accordance with the lease.

Family Responsibilities

The family may be held responsible for a breach of housing quality standards caused by any of the following:

- Tenant-paid utilities not in service;
- Failure to provide or maintain appliances owned by the family; and
- Damage to the dwelling unit or premises caused by a household member or guest beyond ordinary wear and tear.

PHA Policy

Damages beyond ordinary wear and tear will be considered to be damages which could be assessed against the security deposit under state law or in court practice.

If the PHA has waived the owner's responsibility to remedy the violation as outlined under the owner obligations above, the following applies:

- If the housing quality standards breach caused by the family is life-threatening, the family must take all steps permissible under the lease and state and local law to ensure the deficiency is corrected within 24 hours of notification.
- For other family-caused deficiencies, the family must take all steps permissible under the lease and state and local law to ensure the deficiency is corrected within 30 calendar days of notification (or any PHA-approved extension).

If the family has caused a breach of housing quality standards, the PHA must take prompt and vigorous action to enforce the family obligations. The PHA may terminate assistance for the family in accordance with 24 CFR 982.552.

8-I.G. LEAD-BASED PAINT

PHAs and owners must comply with the requirements and timelines in 24 CFR Part 35 Subpart M—Tenant-Based Rental Assistance and Subpart H—Project-Based Assistance. PHAs and owners are reminded that any deteriorated paint in target housing, or other lead-based paint hazard identified through a lead-based paint risk assessment or lead-based paint inspection is considered a violation of NSPIRE standards.

For the HCV program, Subpart M applies to units where a child under age six resides or is expected to reside, common areas that service that unit, and exterior painted surfaces associated with that unit or common areas. For project-based programs, Subpart H applies to assisted units and common areas of the property regardless of whether a child under age six resides or is expected to reside in the unit. NSPIRE does not alter any of the lead-based paint requirements in Part 35 for these programs.

Special Requirements for Children with Elevated Blood Lead Level [24 CFR 35.1225; FR Notice 1/13/17; Notice PIH 2017-13]

If a PHA is notified by a public health department or other medical health care provider, or verifies information from a source other than a public health department or medical health care provider, that a child of less than six years of age, living in an HCV-assisted unit has been identified as having an elevated blood lead level, the PHA must complete an environmental investigation of the dwelling unit within 15 calendar days after being notified by a public health department or other medical health care provider. The environmental investigation must be completed in accordance with program requirements, and the result of the environmental investigation must be immediately provided to the owner of the dwelling unit. In cases where the public health department has already completed an evaluation of the unit, this information must be provided to the owner.

Within 30 days after receiving the environmental investigation report from the PHA, or the evaluation from the public health department, the owner is required to complete the reduction of identified lead-based paint hazards in accordance with the lead-based paint regulations [24 CFR 35.1325 and 35.1330; 40 CFR 745.227]. If the owner does not complete the “hazard reduction” as required, the dwelling unit is in violation of NSPIRE and the PHA will take action in accordance with Section 8-II.G.

PHA reporting requirements, and data collection and record keeping responsibilities related to children with an elevated blood lead level are discussed in Chapter 16.

8-I.H. VIOLATION OF SPACE STANDARDS [24 CFR 5.703(d)(5)]

Units assisted under the HCV or PBV programs must have at least one bedroom or living/sleeping room for each two persons. A living room may be used as sleeping (bedroom) space, but no more than two persons may occupy the space [HCV GB p. 10-6]. Each habitable room must have two working outlets or one working outlet and a permanent light. HUD defines a *habitable room* as a room in a building for living, sleeping, eating, or cooking, but excluding bathrooms, toilet rooms, closets, hallways, storage or utility spaces, and similar areas [FR Notice 5/11/23].

A unit that does not meet these space standards is defined as *overcrowded*.

If the PHA determines that a unit is overcrowded because of an increase in family size or a change in family composition, the PHA must issue the family a new voucher, and the family and PHA must try to find an acceptable unit as soon as possible. If an acceptable unit is available for rental by the family, the PHA must terminate the HAP contract in accordance with its terms.

PART II: THE INSPECTION PROCESS

8-II.A. OVERVIEW [24 CFR 982.405]

Types of Inspections

The PHA conducts the following types of inspections as needed. Each type of inspection is discussed in the paragraphs that follow.

- *Initial Inspections.* The PHA conducts initial inspections in response to a request from the family to approve a unit for participation in the HCV program.
- *Periodic Inspections.* HUD requires the PHA to inspect each unit under lease at least annually or biennially (or triennially for small rural PHAs as defined in 24 CFR 982.305(b)(2)), depending on PHA policy, to confirm that the unit still meets housing quality standards.
- *Interim Inspections.* A special inspection may be requested by the owner, the family, or a third party as a result of problems identified with a unit between annual inspections.
- *Supervisory Control Inspections.* HUD requires that a sample of units be inspected by a supervisor or other qualified individual to evaluate the work of the inspector(s) and to ensure that inspections are performed in compliance with housing quality standards.

Inspection of PHA-Owned Units [24 CFR 982.352(b)]

The PHA must obtain the services of an independent entity to perform all inspections in cases where an HCV family is receiving assistance in a PHA-owned unit as defined in 24 CFR 982.4. The independent entity must communicate the results of each inspection to the family and the PHA. The independent agency must be approved by HUD and may be the unit of general local government for the PHA jurisdiction (unless the PHA is itself the unit of general local government or an agency of such government). The PHA must inform the family, both orally and in writing, that the family has the right to select any eligible unit available for lease. PHA-owned unit is freely selected by the family, without PHA pressure or steering.

For information on the inspection of PHA-owned units in the PBV program, see Chapters 17 and 18.

Inspection Costs [Notice PIH 2016-05 and 24 CFR 5.705(h)]

The PHA may not charge the family for unit inspections or reinspections [24 CFR 982.405(g)].

In the case of inspections of PHA-owned units, the PHA may compensate the independent agency from ongoing administrative fees (including fees credited to the administrative fee reserve) for inspections performed. The PHA and the independent agency may not charge the family any fee or charge for the inspection [24 CFR.982.352(b)(1)(v)(B)].

The PHA may not charge the owner for the inspection of the unit prior to the initial term of the lease or for a first inspection during assisted occupancy of the unit. However, the PHA may charge a reasonable fee to owners for reinspections if an owner notifies the PHA that a repair has been made or the allotted time for repairs has elapsed and a reinspection reveals that any deficiency cited in the previous inspection that the owner is responsible for repairing, pursuant to 24 CFR 982.404(a), was not corrected. Fees may not be imposed for tenant-caused damages, for cases in which the inspector could not gain access to the unit, or for new deficiencies discovered during a reinspection.

The owner may not pass the cost of a reinspection fee to the family. Reinspection fees must be added to the PHA's administrative fee reserves and may only be used for activities related to the provision of tenant-based assistance.

PHA Policy

The PHA will not charge a fee for failed reinspections.

Remote Video Inspections (RVIs) [Notice PIH 2020-31]

As an alternative to some or all on-site inspections, the PHA may, but is not required to, perform NSPIRE inspections from a remote location using video streaming technology and a proxy at the inspection site. Since there may be some circumstances in which the application of technology provides insufficient information or evidence to allow the PHA to make appropriate determinations about whether a condition violates NSPIRE standards, Notice PIH 2020-31 requires that if a PHA chooses to implement RVIs, the PHA should have policies and procedures in place to address such limitations.

PHA Policy

The PHA will not conduct any inspection using RVI.

Notice and Scheduling

The family must allow the PHA to inspect the unit at reasonable times with reasonable notice [24 CFR 982.551(d)].

PHA Policy

Both the family and the owner will be given reasonable notice of all inspections. Except in the case of a life-threatening emergency, reasonable notice is considered to be not less than 48 hours. Inspections will be conducted during normal business hours. In the case of a life-threatening emergency, the PHA will give as much notice as possible, given the nature of the emergency.

Owner and Family Inspection Attendance

HUD permits the PHA to set policy regarding family and owner presence at the time of inspection [HCV GB p. 10-27].

PHA Policy

When a family occupies the unit at the time of inspection an authorized adult must be present for the inspection. The presence of the owner or the owner's representative is encouraged but is not required.

At initial inspection of a vacant unit, the PHA will inspect the unit in the presence of the owner or owner's representative. The presence of a family representative is permitted but is not required.

8-II.B. INITIAL INSPECTION [24 CFR 982.405(a)]

HUD regulations require that units assisted under the HCV program be inspected to determine that the units meet housing quality standards before the PHA approves assisted tenancy. However, PHAs have two options for bringing units under HAP contract (or, in the case of PBV, approving occupancy and the execution of a lease) more quickly. The PHA may, but is not required to approve assisted tenancy and start HAP if the unit:

- Fails the initial inspection, but only if no life-threatening deficiencies are identified; and/or
- Passed an alternative inspection in the last 24 months.

If the PHA adopts the alternative inspection option in combination with the non-life-threatening deficiencies option, the PHA must follow family and owner notification requirements listed at 24 CFR 982.406(f). Otherwise, if neither of the above provisions are adopted, the PHA must determine that the unit the family selects meets NSPIRE standards prior to approving tenancy.

Approving Units with Non-Life-Threatening Deficiencies [FR Notice 1/18/17; Notice PIH 2017-20; FR Notice 5/7/24; and 24 CFR 982.405(j)]

The PHA may approve assisted tenancy, execute a HAP contract, and begin paying HAP if a unit fails an initial inspection, but only if the deficiencies identified are non-life threatening. This is known as the "NLT option." A PHA that implements the NLT option may apply the option to all of the PHA's initial inspections or may limit it to certain units. If the NLT option is adopted, the PHA must follow requirements listed at 24 CFR 982.405(j) for family and owner notification.

The PHA's administrative plan must specify the circumstances under which the PHA will exercise the NLT option, if any.

PHA Policy

The PHA will not use the NLT option. All units must pass the initial inspection on or before the effective date of the HAP contract.

Approving Units Using Alternative Inspections [FR Notice 1/18/17; Notice PIH 2017-20; FR Notice 5/7/24; and 24 CFR 982.406]

The PHA may approve assisted tenancy, execute a HAP contract, and begin paying HAP if a unit passed an alternative inspection (i.e., an inspection conducted for another housing program) conducted in the last 24 months provided the PHA is able to obtain the results of the alternative inspection, the property received a “pass” score (if applicable), and the inspection meets the requirements at 24 CFR 982.406(c) and (d). The PHA may implement the use of alternative inspections for both initial and periodic inspections or may limit the use of alternative inspections to either initial or periodic inspections. If alternative inspections are used, the PHA must follow requirements listed at 24 CFR 982.406(e)(2) for family and owner notification.

A PHA relying on an alternative inspections must identify the alternative inspection method being used in the PHA’s administrative plan.

PHA Policy

The PHA will not rely on alternative inspections and will conduct an initial inspection for each unit prior to executing a HAP contract with the owner.

Timing of Initial Inspections [24 CFR 982.305(b)(2)(i)]

Unless the PHA relies on alternative inspections, HUD requires PHAs with fewer than 1,250 budgeted units to complete the initial inspection, determine whether the unit satisfies housing quality standards, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA). For PHAs with 1,250 or more budgeted units, to the extent practicable such inspection and determination must be completed within 15 days. The 15-day period is suspended for any period during which the unit is not available for inspection.

PHA Policy

The PHA will complete the initial inspection, determine whether the unit satisfies NSPIRE standards, and notify the owner and the family of the determination within 15 days of submission of the Request for Tenancy Approval (RTA).

Inspection Results and Reinspections

For new units proposed for the HCV program, life-threatening deficiencies must be resolved before the HAP contract is executed and the family moves into the unit.

PHA Policy

If any deficiencies are identified, the owner will be notified of the deficiencies and be given a time frame to correct them. If requested by the owner, the time frame for correcting the deficiencies may be extended by the PHA for good cause. The PHA will reinspect the unit within five business days of the date the owner notifies the PHA that the required corrections have been made.

If the time period for correcting the deficiencies (or any PHA-approved extension) has elapsed, or the unit fails at the time of the reinspection, the PHA will notify the owner and the family that the unit has been rejected and that the family must search for another unit. The PHA may agree to conduct a second reinspection, for good cause, at the request of the family and owner.

Following a failed reinspection, the family may submit a new Request for Tenancy Approval for the same unit after the owner has made repairs, if they are unable to locate another suitable unit.

Utilities

Generally, at initial lease-up the owner is responsible for demonstrating that all utilities are in working order including those utilities that the family will be responsible for paying.

PHA Policy

If utility service is not available for testing at the time of the initial inspection, the PHA will allow the utilities to be placed in service after the unit has met all other NSPIRE requirements. The PHA will reinspect the unit to confirm that utilities are operational before the HAP contract is executed by the PHA.

Appliances

PHA Policy

If the family is responsible for supplying the stove and/or refrigerator, the PHA will allow the stove and refrigerator to be placed in the unit after the unit has met all other NSPIRE requirements. The required appliances must be in place before the HAP contract is executed by the PHA. HACA will reinspect the unit to confirm that appliances are in place and operational before the HAP contract is executed by HACA.

8-II.C. PERIODIC INSPECTIONS [24 CFR 982.405(b) and Notice PIH 2016-05]

HUD requires the PHA to inspect each unit under HAP contract at least biennially (or triennially for small rural PHAs), to confirm that the unit still meets NSPIRE standards. The inspection may be conducted in conjunction with the family's annual reexamination but also may be conducted separately.

PHA Policy

Each unit under HAP contract must be inspected biennially within 24 months of the last full inspection. The PHA reserves the right to require annual inspections of any unit or owner at any time.

HACA will accept the results of inspections performed by HUD or for other housing programs such as HOME or LIHTC.

Scheduling the Inspection

PHA Policy

If an adult cannot be present on the scheduled date, the family should request that the PHA reschedule the inspection. The PHA and family will agree on a new inspection date that generally should take place within 30 business days of the originally scheduled date. The PHA may schedule an inspection more than 30 business days after the original date for good cause.

If the family misses the first scheduled appointment without requesting a new inspection date, the PHA will automatically schedule a second inspection. If the family misses two scheduled inspections without PHA approval, the PHA will consider the family to have violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

8-II.D. INTERIM INSPECTIONS [24 CFR 982.405(d)]

If a participant family or government official notifies the PHA of a potential deficiency, the following applies:

- If the reported deficiency is life-threatening, the PHA must, within 24 hours of notification, both inspect the housing unit and notify the owner if the life-threatening deficiency is confirmed. The owner must then make the repairs within 24 hours of PHA notification.
- If the reported deficiency is non-life-threatening, the PHA must, within 15 days of notification, both inspect the unit and notify the owner if the deficiency is confirmed. The owner must then make the repairs within 30 days of notification from the PHA or within any PHA-approved extension.

PHA Policy

During an interim inspection, the PHA generally will inspect only those deficiencies that were reported. However, the inspector will record any additional deficiencies that are observed and will require the responsible party to make the necessary repairs.

If the periodic inspection has been scheduled or is due within 90 days of the date the interim inspection is scheduled the PHA may elect to conduct a full inspection.

8-II.E. SUPERVISORY QUALITY CONTROL INSPECTIONS [24 CFR 982.405(b); 24 CFR 985.3(e); HCV GB, p. 10-32]

HUD requires a PHA supervisor or other qualified person to conduct quality control inspections of a sample of units to ensure that each inspector is conducting accurate and complete inspections and that there is consistency in the application of the NSPIRE standards.

The unit sample must include only units that have been inspected within the preceding three months. The selected sample should be drawn to represent a cross section of neighborhoods and the work of a cross section of inspectors.

8-II.F. INSPECTION RESULTS AND REINSPECTIONS FOR UNITS UNDER HAP CONTRACT

Correction Timeframes

Each deficiency is identified in the NSPIRE standards as either life-threatening, severe, moderate, or low.

For units under HAP contract, life-threatening deficiencies must be corrected within 24 hours after notice has been provided. All other non-life-threatening deficiencies (severe and moderate) must be corrected within 30 days (or a PHA-approved extension) after notice has been provided. If low deficiencies are present in a unit, these deficiencies result in a pass and would only be noted by the inspector for informational purposes.

Notification of Corrective Actions [24 CFR 982.404(d)(1)]

The owner must maintain the unit in accordance with housing quality standards. The unit is in noncompliance with housing quality standards if:

- The PHA or authorized inspector determines the unit has housing quality standards deficiencies based upon an inspection
- The PHA notified the owner in writing of the unit housing quality standards deficiencies; and
- The unit's housing quality standards deficiencies are not corrected within the required timeframes.

A PHA may withhold assistance payments for units that have deficiencies once the owner has been notified in writing of the deficiencies. The PHA's administrative plan must identify the conditions under which the PHA will withhold HAP. In this case, if the unit is brought into compliance during the applicable cure period, the PHA must resume assistance payments and provide payments to cover the time period for which the payments were withheld.

The PHA must abate the HAP, including amounts that had been withheld, if the owner fails to make the repairs within the applicable cure period. The PHA must notify the family and the owner that it is abating payments and, if the unit does not meet housing quality standards within 60 days (or a reasonable longer period established by the PHA), the PHA will terminate the HAP contract for the unit and the family will have to move to receive continued assistance.

PHA Policy

The owner and the family will be notified in writing of the results of all inspections. When an inspection identifies housing quality standards failures, the PHA will determine (1) whether or not the failure is a life-threatening condition and (2) whether the family or owner is responsible.

The PHA will not withhold assistance payments upon notification of the deficiencies to the owner.

When life-threatening conditions are identified, the PHA will immediately notify both parties by telephone or email. The notice will specify who is responsible for correcting the violation. The corrective actions must be taken within 24 hours of the PHA's notice.

When failures that are not life-threatening are identified, the PHA will send the owner and the family a written notification of the inspection results within five business days of the inspection. The written notice will specify who is responsible for correcting the violation, and the time frame within which the failure must be corrected. Generally, not more than 30 days will be allowed for the correction.

If the owner is responsible for correcting the deficiency, the notice of inspection results will inform the owner that if life-threatening conditions are not corrected within 24 hours, and non-life-threatening conditions are not corrected within the specified time frame (or any PHA-approved extension), the owner's HAP will be abated in accordance with PHA policy (see 8-II.G.). The effective date of such abatement will be included in the notice.

Likewise, if the family is responsible for correcting the deficiency, the notice will inform the family that if corrections are not made within the specified time frame (or any PHA-approved extension, if applicable) the family's assistance will be terminated in accordance with PHA policy (see Chapter 12).

Extensions

For life-threatening deficiencies, the PHA cannot grant an extension to the 24-hour corrective action period. For conditions that are severe or moderate, the PHA may grant an exception to the required time frames for correcting the violation, if the PHA determines that an extension is appropriate.

PHA Policy

Request for extensions must be in writing. Extensions will be granted in cases where the PHA has determined that the owner has made a good faith effort to correct the deficiencies and is unable to for reasons beyond the owner's control. Reasons may include, but are not limited to:

A repair cannot be completed because required parts or services are not available.

A repair cannot be completed because of weather conditions.

A reasonable accommodation is needed because the family includes a person with disabilities.

The length of the extension will be determined on a case-by-case basis, but will not exceed 60 days, except in the case of delays caused by weather conditions. In the case of weather conditions, extensions may be continued until the weather has improved sufficiently to make repairs possible. The necessary repairs must be made within 15 calendar days, once the weather conditions have subsided.

Reinspections [24 CFR 982.405(i)]

When a PHA must verify correction of a deficiency, the PHA may use verification methods other than another on-site inspection.

PHA Policy

The PHA must verify the completion of corrective actions. At the PHA's discretion, verification will be by either written self-certification by both the owner and the family (non-life threatening fails only) or by PHA reinspection.

Failure of the owner and family to submit the signed self-certification form by the PHA-specified due date will generally result in reinspection of the unit. However, at its discretion, the PHA may accept a self-certification form received after the due date but before the abatement processing date.

If the owner and/or family notifies the PHA prior to the specified due date that deficiencies have been corrected without submitting a self-certification, the PHA will schedule the reinspection. If the unit passes the reinspection, the PHA will consider the corrective action verified as of the date of notification by the owner or family. The family will be given reasonable notice of any reinspection appointment. If the deficiencies have not been corrected by the time of the reinspection, HACA will send a notice of abatement to the owner, or in the case of family caused violations, a notice of termination to the family, in accordance with HACA policies. If HACA is unable to gain entry to the unit in order to conduct the scheduled reinspection, HACA will consider the family to have

violated its obligation to make the unit available for inspection. This may result in termination of the family's assistance in accordance with Chapter 12.

8-II.G. ENFORCING OWNER COMPLIANCE

If the owner fails to maintain the dwelling unit in accordance with NSPIRE standards, the PHA must take prompt and vigorous action to enforce the owner obligations.

HAP Withholding [24 CFR 982.404(d)(1)]

A PHA may withhold assistance payments for units that have housing quality standards deficiencies once the PHA has notified the owner in writing of the deficiencies. The PHA's administrative plan must identify the conditions under which the PHA will withhold HAP. In this case, if the unit is brought into compliance during the applicable cure period, the PHA resumes assistance payments and provides assistance payments to cover the time period for which the payments were withheld.

PHA Policy

The PHA will not withhold assistance payments upon notification to the owner of the deficiencies.

HAP Abatement [24 CFR 982.404(d)(2)]

The PHA must abate the HAP, including amounts that had been withheld, if the owner fails to make the repairs within the applicable cure period. In this case, the PHA must notify the family and the owner that it is abating payments and, if the unit does not meet housing quality standards within 60 days (or a reasonable longer period established by the PHA), the PHA will terminate the HAP contract for the unit and the family will have to move to receive continued assistance.

The owner may not terminate the tenancy of any family due to the withholding or abatement of assistance.

PHA Policy

The PHA will make all HAP abatements effective the first of the month following the expiration of the PHA-specified correction period (including any extension).

If the owner notifies the PHA that deficiencies have been corrected, and the PHA cannot schedule a reinspection prior to the scheduled effective date of negative action, if the unit passes reinspection HACA will consider the corrective action verified as of the date of notification by the owner and any abated dollars will be released retroactively. If, however, the unit fails the reinspection, the abatement will stand.

The PHA will inspect abated units in accordance with the PHA's inspection schedule, and as quickly as possible after the owner's notification that the work has been completed.

If the unit passes inspection, the PHA will consider the corrective action verified as of the date of notification by the owner and payment will resume effective on the day the owner notified the PHA that the corrective action had been taken.

If the deficiency has not been corrected, the PHA will not lift the abatement, but will notify the owner in writing that the abatement will continue, and will continue processing in accordance with this chapter.

During any abatement period the family continues to be responsible for its share of the rent.

For PHA policies on family moves when units are in abatement and termination of the HAP contract when a family moves due to deficiencies, see Section 10-I.B.

HAP Contract Termination

The PHA must decide how long any abatement period will continue before the HAP contract will be terminated. If the unit does not meet housing quality standards within 60 days (or a reasonable longer period established by the PHA), the PHA will terminate the HAP contract for the unit and the family will have to move to receive continued assistance. In this case, the PHA must issue the family its voucher to move at least 30 days prior to the termination of the HAP contract.

PHA Policy

The maximum length of time that HAP may be abated is 90 days. However, if the owner completes corrections and notifies the PHA before the termination date of the HAP contract, the PHA may rescind the termination notice if (1) the family still resides in the unit and wishes to remain in the unit and (2) the unit passes inspection.

Reasonable notice of HAP contract termination by the PHA is 30 days. The PHA will issue a voucher to permit the family to move to another unit as described in Chapter 10.

8-II.H. ENFORCING FAMILY COMPLIANCE [24 CFR 982.404(b)]

If the PHA waived the landlord responsibility for housing quality standards deficiencies that have been determined to have been caused by the tenant, any member of the household, or any guest or other person under the tenant's control, (see section 8-I.D), the family is responsible for correcting any housing quality standards violations listed in paragraph 8.I.D. If the family fails to correct a violation within the period allowed by the PHA (and any extensions), the PHA will terminate the family's assistance, according to the policies described in Chapter 12.

If the owner carries out a repair for which the family is responsible under the lease, the owner may bill the family for the cost of the repair and may enter into a repayment agreement with the family.

<u>EXHIBIT 8-1: AFFIRMATIVE HABITABILITY REQUIREMENTS</u>
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<u>Affirmative Habitability Requirements: Inside</u>

<u>Must include at least 1 battery-operated or hard-wired smoke detector, in proper working condition, on each level of the property.</u>

<u>Must meet or exceed the carbon monoxide detection standards set by the Secretary through <i>Federal Register</i> notification.</u>

<u>Any outlet installed within 6 feet of a water source must be GFCI protected.</u>

<u>Must have a guardrail when there is an elevated walking surface with a drop off of 30 inches or greater measured vertically.</u>

<u>Must have permanently mounted light fixtures in any kitchens and each bathroom.</u>
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<u>May not contain unvented space heaters that burn gas, oil or kerosene.</u>

<u>Affirmative Habitability Requirements: Outside</u>
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<u>Any outlet installed within 6 feet of a water source must be GFCI-protected.</u>

<u>Must have a guardrail when there is an elevated walking surface with a drop off of 30 inches or greater measured vertically.</u>

<u>Affirmative Habitability Requirements: Unit</u>
<u>Must have hot and cold running water in the bathroom and kitchen, including an adequate source of safe drinking water in the bathroom and kitchen.</u>
<u>Must include its own bathroom or sanitary facility that is in proper operating condition and usable in privacy. It must contain a sink, a bathtub or shower, and an interior flushable toilet.</u>
<u>Must have at least one battery-operated or hard-wired smoke detector, in proper working condition, in the following locations:</u> <ul style="list-style-type: none"> • <u>On each level of the unit AND</u> • <u>Inside each bedroom or sleeping area AND</u> • <u>With 21 feet of any door to a bedroom measured along a path of travel AND</u> • <u>Where a smoke detector is installed outside a bedroom is separated from an adjacent living area by a door, a smoke detector must also be installed in the living area side of the door.</u>
<u>If the unit is occupied by a hearing-impaired person, the smoke detectors must have an alarm system designed for hearing-impaired persons.</u>
<u>Must have a living room and a kitchen area with a sink, cooking appliance, refrigerator, food preparation area and food storage area.</u>
<u>Must have two working outlets or one working outlet and one permanent light fixture within all habitable rooms.</u>
<u>Must have a permanently mounted light fixture in each bathroom and in the kitchen.</u>
<u>Outlets within 6 feet of water source must be GFCI-protected.</u>
<u>Must have permanently installed heating source.</u>
<u>No units may contain unvented space heaters that burn gas, oil or kerosene.</u>
<u>Must have a guard rail when there is an elevated walking surface with a drop off of 30 inches or greater measured vertically.</u>
<u>Must have at least one bedroom or living/sleeping room for each two persons.</u>

9-I.B. REQUESTING TENANCY APPROVAL [Form HUD-52517 and 24 CFR 982.302]

After the family is issued a voucher, the family must locate an eligible unit, with an owner or landlord willing to participate in the voucher program. Once a family finds a suitable unit and the owner is willing to lease the unit under the program, the owner and the family must request the PHA to approve the assisted tenancy in the selected unit.

The owner and the family must submit two documents to the PHA:

- Completed Request for Tenancy Approval (RTA) – Form HUD-52517
- Copy of the proposed lease, including the HUD-prescribed Tenancy Addendum – Form HUD-52641-A

The RTA contains important information about the rental unit selected by the family, including the unit address, number of bedrooms, structure type, year constructed, utilities included in the rent, and the requested beginning date of the lease, necessary for the PHA to determine whether to approve the assisted tenancy in this unit.

Owners must certify to the most recent amount of rent charged for the unit and provide an explanation for any difference between the prior rent and the proposed rent.

Owners must certify that they are not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA has granted a request for reasonable accommodation for a person with disabilities who is a member of the tenant household.

For units constructed prior to 1978, owners must either 1) certify that the unit, common areas, and exterior have been found to be free of lead-based paint by a certified inspector; or 2) attach a lead-based paint disclosure statement.

Both the RTA and the proposed lease must be submitted no later than the expiration date stated on the voucher. [HCV GB p.8-15].

The PHA must identify in the administrative plan whether the family will be permitted to submit more than one RTA at a time [24 CFR 982.54(d)(25)].

PHA Policy

The RTA must be signed by both the family and the owner.

The owner may submit the RTA on behalf of the family.

Completed RTA (including the proposed dwelling lease) must be submitted as hard copies, in-person, by mail, or by email.

The family may not submit, and the PHA will not process, more than one RTA at a time.

When the family submits the RTA the PHA will review the RTA for completeness.

If the RTA is incomplete (including lack of signature by family, owner, or both), or if the dwelling lease is not submitted with the RTA, the PHA will notify the family and the owner of the deficiencies.

Missing information and/or missing documents will only be accepted as hard copies, in-person, by mail, by email, with approval of the unit Manager, by fax followed by the original copy. The PHA will accept missing information over the phone if subsequently confirmed in writing.

When the family submits the RTA and proposed lease, the PHA will also review the terms of the RTA for consistency with the terms of the proposed lease.

If the terms of the RTA are not consistent with the terms of the proposed lease, the PHA will notify the family and the owner of the discrepancies.

Corrections to the terms of the RTA and/or the proposed lease will only be accepted as hard copies, in-person, by mail, by email, or, with approval of the unit Manager, by fax followed by the original copy. The PHA will accept corrections over the phone if subsequently confirmed in writing.

Because of the time sensitive nature of the tenancy approval process, the PHA will attempt to communicate with the owner and family by phone, or email. The PHA will use mail when the parties cannot be reached by phone, or email.

9-I.C. OWNER PARTICIPATION

The PHA does not formally approve an owner to participate in the HCV program. However, there are a number of criteria where the PHA may deny approval of an assisted tenancy based on past owner behavior, conflict of interest, or other owner-related issues. There are also criteria for which the PHA must disapprove an owner. No owner has a right to participate in the HCV program [24 CFR 982.306(e)]

See Chapter 13 for a full discussion of owner qualification to participate in the HCV program.

9-I.E. LEASE AND TENANCY ADDENDUM

The family and the owner must execute a written dwelling lease agreement for the assisted unit. This written lease is a contract between the tenant family and the owner; the PHA is not a party to this contract.

The tenant must have legal capacity to enter a lease under State and local law. 'Legal capacity' means that the tenant is bound by the terms of the lease and may enforce the terms of the lease against the owner [24 CFR 982.308(a)]

Lease Form and Tenancy Addendum [24 CFR 982.308]

If the owner uses a standard lease form for rental to unassisted tenants in the locality or the premises, the lease must be in such standard form. If the owner does not use a standard lease form for rental to unassisted tenants, the owner may use another form of lease. The HAP contract prescribed by HUD contains the owner's certification that if the owner uses a standard lease form for rental to unassisted tenants, the lease for the assisted tenants is in such standard form.

All provisions in the HUD-required Tenancy Addendum must be added word-for-word to the owner's standard lease form. The Tenancy Addendum includes the HUD requirements for the tenancy. Because it is a part of the lease, the tenant shall have the right to enforce the Tenancy Addendum against the owner. If there is a conflict between the owner's lease and the Tenancy Addendum, the terms of the Tenancy Addendum shall prevail over any other provisions of the lease.

PHA Policy

The PHA does not provide a model or standard dwelling lease for owners to use in the HCV program.

Lease Information [24 CFR 982.308(d)]

The assisted dwelling lease must contain all of the required information as listed below:

- The names of the owner and the tenant:
- The unit rented (address, apartment number, and any other information needed to identify the contract unit)
- The term of the lease (initial term and any provisions for renewal)
- The amount of the monthly rent to owner
- A specification of what utilities and appliances are to be supplied by the owner, and what utilities and appliances are to be supplied by the family

Term of Assisted Tenancy

The initial term of the assisted dwelling lease must be for at least one year [24 CFR 982.309]. The initial lease term is also stated in the HAP contract.

The HUD program regulations permit the PHA to approve a shorter initial lease term if certain conditions are met.

PHA Policy

HACA accepts month-to-month through one-year lease terms. Lease terms presented by owners must be consistent with their usual and customary business practices, generally accepted practices in the community, and California law.

During the initial term of the lease, the owner may not raise the rent to owner [24 CFR 982.309].

Any provisions for renewal of the dwelling lease will be stated in the dwelling lease [HCV Guidebook, pg. 8-22]. There are no HUD requirements regarding any renewal extension terms, except that they must be stated in the dwelling lease if they exist.

The PHA may execute the HAP contract even if there is less than one year remaining from the beginning of the initial lease term to the end of the last expiring funding increment under the consolidated ACC. [24 CFR 982.309(b)].

Security Deposit [24 CFR 982.313 (a) and (b)]

The owner may collect a security deposit from the tenant. The PHA may prohibit security deposits in excess of private market practice, or in excess of amounts charged by the owner to unassisted tenants. However, if the PHA chooses to do so, language to this effect must be added to Part A of the HAP contract [Form HUD-52641].

PHA Policy

The owner may collect a security deposit from the tenant in accord with State and local law and in an amount not in excess of amounts charged in private market practice and not in excess of amounts charged by the owner to unassisted tenants..

Separate Non-Lease Agreements between Owner and Tenant

Owners may not demand or accept any rent payment from the family in excess of the rent to the owner as approved by the PHA minus the PHA's housing assistance payments to the owner [24 CFR 982.451(b)(4)].

The owner may not charge the tenant extra amounts for items customarily included in rent in the locality, or provided at no additional cost to unsubsidized tenants in the premises [24 CFR 982.510(c)].

PHA Policy

The PHA permits owners and families to execute separate, non-lease agreements for services, appliances (other than range and refrigerator) and other items that are not included in the lease.

Any items, appliances, or other services that are customarily provided to unassisted families as part of the dwelling lease with those families, or are permanently installed in the dwelling unit must be included in the dwelling lease for the assisted family. These items, appliances or services cannot be placed under a separate non-lease agreement between the owner and family. Side payments for additional rent, or for items, appliances or services customarily provided to unassisted families as part of the dwelling lease for those families, are prohibited.

Any items, appliances, or other services that are not customarily provided to unassisted families as part of the dwelling lease with those families, are not permanently installed in the dwelling unit and where the family has the sole option of not utilizing the item, appliance or service, may be included in a separate non-lease agreement between the owner and the family.

The family is not liable and cannot be held responsible under the terms of the assisted dwelling lease for any charges pursuant to a separate non-lease agreement between the owner and the family. Non-payment of any charges pursuant to a separate non-lease agreement between the owner and the family cannot be a cause for eviction or termination of tenancy under the terms of the assisted dwelling lease.

Separate non-lease agreements that involve additional items, appliances or other services may be considered amenities offered by the owner and may be taken into consideration when determining the reasonableness of the rent for the property.

Insufficient Funding [24 CFR 982.454]

The PHA may terminate HAP contracts if the PHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for families in the program. The PHA must identify in the administrative plan, in the event of insufficient funding, taking into account any cost saving measures taken by the PHA, a description of the factors the PHA will consider when determining which HAP contracts to terminate first [24 CFR 982.54(d)(26)].

PHA Policy

The PHA will determine whether there is sufficient funding to pay for currently assisted families according to the policies in Part VIII of Chapter 16. If the PHA determines there is a shortage of funding, prior to terminating any HAP contracts, the PHA will determine if any other actions can be taken to reduce program costs.

If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, the PHA will terminate HAP contracts as a last resort.

Prior to terminating any HAP contracts, the PHA will inform the local HUD field office. The PHA will terminate the minimum number needed in order to reduce HAP costs to a level within HACA's annual budget authority.

In the event that the PHA decides to stop issuing vouchers as a result of a funding shortfall, and the PHA is not assisting the required number of special purpose vouchers (Non-Elderly Disabled program (NED) families, HUD-Veterans Affairs Supportive Housing (VASH) families, Mainstream families, and family unification program (FUP) families including Foster Youth to Independence Initiative (FYI) families), when the PHA resumes issuing vouchers, the PHA will issue vouchers first to the special purpose voucher families on its waiting list until it has reached the required number of special purpose vouchers, when applicable.

If HACA must recall vouchers or terminate HAP contracts due to insufficient funding, the PHA will do so in accordance with the following criteria and instructions: ~~as described in steps 1 through 8 below.~~

The Project-Based Voucher Program, ~~and the Moderate Rehabilitation Program~~ ~~are~~is excluded from participation in these ~~voucher~~ reductions.

Families comprising the required number of special purpose vouchers, including NED, HUD-VASH, Mainstream, and FUP including FYI will be the last to be recalled or terminated.

Families who have been issued an HCV voucher but have not yet utilized it will have their voucher recalled.

Families who have been assisted in the HCV program the longest will be the first to be terminated, excluding families that include elderly or

disabled family members.

~~Order of Voucher Terminations due to Insufficient Funds:~~

- ~~1. HACA will recall those vouchers issued to applicants from the Section 8 Housing Choice Voucher waiting list who received a voucher but have not yet utilized it, provided that:
 - ~~a. the applicant is not a HUD VASH, NED, or FUP family;~~
 - ~~b. the applicant does not qualify for the HACA “Displaced Families — HACA-owned or HACA-managed housing” selection preference; or~~
 - ~~c. the applicant’s voucher is not a “Preservation” or “Enhanced” voucher as set forth in the United States Housing Act of 1937(as amended).~~~~
- ~~2. In the event that HACA determines that funding remains insufficient after HACA has recalled the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of non-elderly, non-disabled single member families provided that:
 - ~~a. the family is not a HUD VASH, NED, or FUP family;~~
 - ~~b. the family was not selected for assistance as a result of receiving the HACA “Displaced Families — HACA-owned or HACA-managed housing” selection preference; or~~
 - ~~c. the applicant’s voucher is not a “Preservation” or “Enhanced” voucher as set forth in the United States Housing Act of 1937 (as amended).~~~~
- ~~3. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of non-elderly, non-disabled families with no children under the age of 18 provided that:
 - ~~a. the family is not a HUD VASH, NED, or FUP family;~~
 - ~~b. the family was not selected for assistance as a result of receiving the HACA “Displaced Families — HACA-owned or HACA-managed housing” selection preference; or~~
 - ~~c. the applicant’s voucher is not a “Preservation” or “Enhanced” voucher as set forth in the United States Housing Act of 1937(as amended).~~~~
- ~~4. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of non-elderly, non-disabled families with children under the age of 18 provided that:
 - ~~a. the family is not a HUD VASH, NED, or FUP family;~~
 - ~~b. the family was not selected for assistance as a result of receiving the HACA “Displaced Families — HACA-owned or HACA-managed housing” selection preference; or~~
 - ~~c. the applicant’s voucher is not a “Preservation” or “Enhanced” voucher as set forth in the United States Housing Act of 1937(as amended).~~~~

- ~~5. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of elderly and disabled families provided that:
 - ~~a. the family is not a HUD VASH, NED, or FUP family;~~
 - ~~b. the family was not selected for assistance as a result of receiving the HACA “Displaced Families—HACA-owned or HACA-managed housing” selection preference; or~~
 - ~~c. the applicant’s voucher is not a “Preservation” or “Enhanced” voucher as set forth in the United States Housing Act of 1937(as amended).~~~~
- ~~6. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of families with “Preservation” or “Enhanced” vouchers as set forth in the United States Housing Act of 1937 (as amended).~~
- ~~7. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of families who were selected for assistance as a result of receiving the HACA “Displaced Families—HACA-owned or HACA-managed housing” selection preference.~~
- ~~8. In the event that HACA determines that funding remains insufficient after HACA has terminated the vouchers described immediately above, HACA will conduct a lottery to terminate the assistance of HUD VASH, NED, and FUP families.~~

Families who have had their HAP contract terminated, or voucher recalled, will be placed at the top of the waiting list to await the next available voucher, and will be served in the reverse order that their voucher has been recalled or terminated.

Upon the PHA’s HOTMA 102/104 compliance date, the below section on the asset limitation is added:

Asset Limitation [24 CFR 5.618; Notice PIH 2023-27]

The PHA has discretion with respect to the application of the asset limitation at annual and interim reexamination. The PHA may adopt a written policy of total nonenforcement, enforcement, or limited enforcement as well as adopting exception policies.

PHA Policy

The PHA has adopted a policy of total nonenforcement of the asset limitation for all program participants. The asset limitation only applies to initial eligibility determinations for new admissions to the PHA’s HCV program.

15-VII.I. CONTINUED ASSISTANCE REQUIREMENTS; FAMILY OBLIGATIONS [24 CFR 982.633]

Homeownership assistance may only be paid while the family is residing in the home. If the family moves out of the home, the PHA may not continue homeownership assistance after the month when the family moves out. The family or lender is not required to refund to the PHA the homeownership assistance for the month when the family moves out.

Before commencement of homeownership assistance, the family must execute a statement of family obligations in the form prescribed by HUD [Form HUD-52649]. In the statement, the family agrees to comply with all family obligations under the homeownership option.

The family must comply with the following obligations:

- The family must comply with the terms of the mortgage securing debt incurred to purchase the home, or any refinancing of such debt.
- The family may not convey or transfer ownership of the home, except for purposes of financing, refinancing, or pending settlement of the estate of a deceased family member. Use and occupancy of the home are subject to 24 CFR 982.551 (h) and (i).
- The family must supply information to the PHA or HUD as specified in 24 CFR 982.551(b). The family must further supply any information required by the PHA or HUD concerning mortgage financing or refinancing, sale or transfer of any interest in the home, or homeownership expenses.
- The family must notify the PHA before moving out of the home.
- The family must notify the PHA if the family defaults on the mortgage used to purchase the home.
- The family must provide the PHA with information on any satisfaction or payment of the mortgage debt.
- No family member may have any ownership interest in any other residential property.
- The family must comply with the obligations of a participant family described in 24 CFR 982.551, except for the following provisions which do not apply to assistance under the homeownership option: 24 CFR 982.551(c), (d), (e), (f), (g) and (j).

PHA Policy

Any inspection the PHA conducts after the initial inspection will be done on an advisory basis. The family will be encouraged to make the repairs but will not be required to do so as a condition of ongoing assistance.

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

Applicants who will occupy units with PBV assistance must be selected from the waiting list for the PBV program. The PHA or owner (as applicable) may establish selection criteria or preferences for occupancy of particular PBV units. The PHA may place families referred by the PBV owner on its PBV waiting list. The PHA must establish in the administrative plan the options it will use to structure the PBV waiting list. The PHA may:

- Use a separate, central, waiting list comprised of more than one or all PBV projects;
- Use the same waiting list for both tenant-based and some or all PBV projects;
- Use a separate waiting list for PBV units in individual projects or buildings (or for sets of such units) (which may be used in combination with either of the above options and may be maintained by the owner); or
- Merge the PBV waiting list with a waiting list for other assisted housing programs offered by the PHA.

If the PHA chooses to offer a separate waiting list for PBV assistance, the PHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance. The PHA must specify the name of the PBV projects in its administrative plan.

PHA Policy

HACA will establish and manage separate waiting lists for individual projects or buildings that are receiving PBV assistance. HACA currently has waiting lists for the following PBV projects:

Carlow Court
Cedar Community Apts.
City Center
Crescent Grove
Downtown Hayward Senior
Dyer St
Eden Commons
Estrella Vista
Flanders House
Howard Collins Bridgeway
Kottinger Gardens
La Vereda
Lorenzo Creek
Loro Landing
Magnolia Terrace
Main Street Village
Maple Square
Mayten Manor
Mission Paradise
Nidus Court
Pauline Weaver
Peppertree Village
Rotary Bridgeway East
Station Center

Stevenson Terrace
Third Street Apartments
Timber Senior
Union City Units (58 Scattered)
Verana Hill
Wexford Way

HACA will give priority to participants moving under a VAWA emergency transfer from one PBV development to another in accordance with Section 17-VII.C.

[When an individual project or building waiting list does not have sufficient applicants, HACA will use the Housing Choice Voucher waiting list to fill vacancies until the individual waiting list is reopened.](#)

PHA Waiting List Preferences [24 CFR 983.251(c)(3)]

The PHA may establish in its administrative plan any preferences for occupancy of particular units including the name of the projects and the specific preferences that are to be used by project. Criteria for occupancy of units (e.g., elderly families) may also be established, however, selection of families must be done through admission preference. The PHA 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. The PHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above. For both excepted units and units under the increased program cap, 24 CFR 983.262(b)(2) requires that the PHA must select families from the waiting list though an admission preference for these types of units.

PHA Policy

HACA will provide a selection preference when required by the regulations (e.g., eligible in-place families, elderly families or units with supportive services, or mobility impairments for accessible units). The following additional preferences/priority apply:

PBV Owner Referral Preference (300 points): Applicants referred by the development owner, but only 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.

Emergency Transfers (300 points): Participants approved for emergency transfer under VAWA and transfers from a HACA-owned or managed unit due to a verifiable emergency (including life-threatening situations, such as a family under threat of real and imminent violent/criminal attack).

Displaced-HACA (50 points): Families displaced through no fault of their own, as determined by HACA, from HACA-owned or managed housing, other than those families qualifying for the Emergency Transfer preference.

Extremely Low-Income Preference (30 points): Families whose annual income does not exceed the higher of, by family size,

18-V.D. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c); Notice PIH 2019-23]

The standard PBV regulations at 24 CFR 983.251 set out program requirements related to establishing and maintaining a waiting list from which residents will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. Any legacy non-RAD PBV units located in the same project are also subject to these requirements.

Applicants who will occupy units with PBV assistance must be selected from the waiting list for the PBV program. The PHA or owner (as applicable) may establish selection criteria or preferences for occupancy of particular PBV units. The PHA may place families referred by the PBV owner on its PBV waiting list.

The PHA must establish in the administrative plan the options it will use to structure the PBV waiting list. The PHA may:

- Use a separate, central, waiting list comprised of more than one or all PBV projects;
- Use the same waiting list for both tenant-based and some or all PBV projects;
- Use a separate waiting list for PBV units in individual projects or buildings (or for sets of such units) (which may be used in combination with either of the above options and may be maintained by the owner); or
- Merge the PBV waiting list with a waiting list for other assisted housing programs offered by the PHA.

If the PHA chooses to offer a separate waiting list for PBV assistance, the PHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance. The PHA must specify the name of the PBV projects in its administrative plan.

PHA Policy

The PHA will establish a single community-wide waiting list for HACA's entire RAD PBV program.

The PHA will give priority to participants moving under a VAWA emergency transfer from one PBV development to another in accordance with Section 18-VI.E.

[When an individual project or building waiting list does not have sufficient applicants, HACA will use the Housing Choice Voucher waiting list to fill vacancies until the individual waiting list is reopened.](#)