

RESIDENT MEETING

The Albany Housing Authority invites resident to a public meeting to discuss proposed renovations and construction at 20 Rensselaer Street (Steamboat 20)!

AHA would like to update residents and stakeholders and provide a forum to answer questions. This is an opportunity for you to learn more about AHA's exciting plans and what it means for you and your household.

Masks are required during the meeting due to COVID-19.

DATE: MARCH 9TH 2022 TIME: 6:00PM

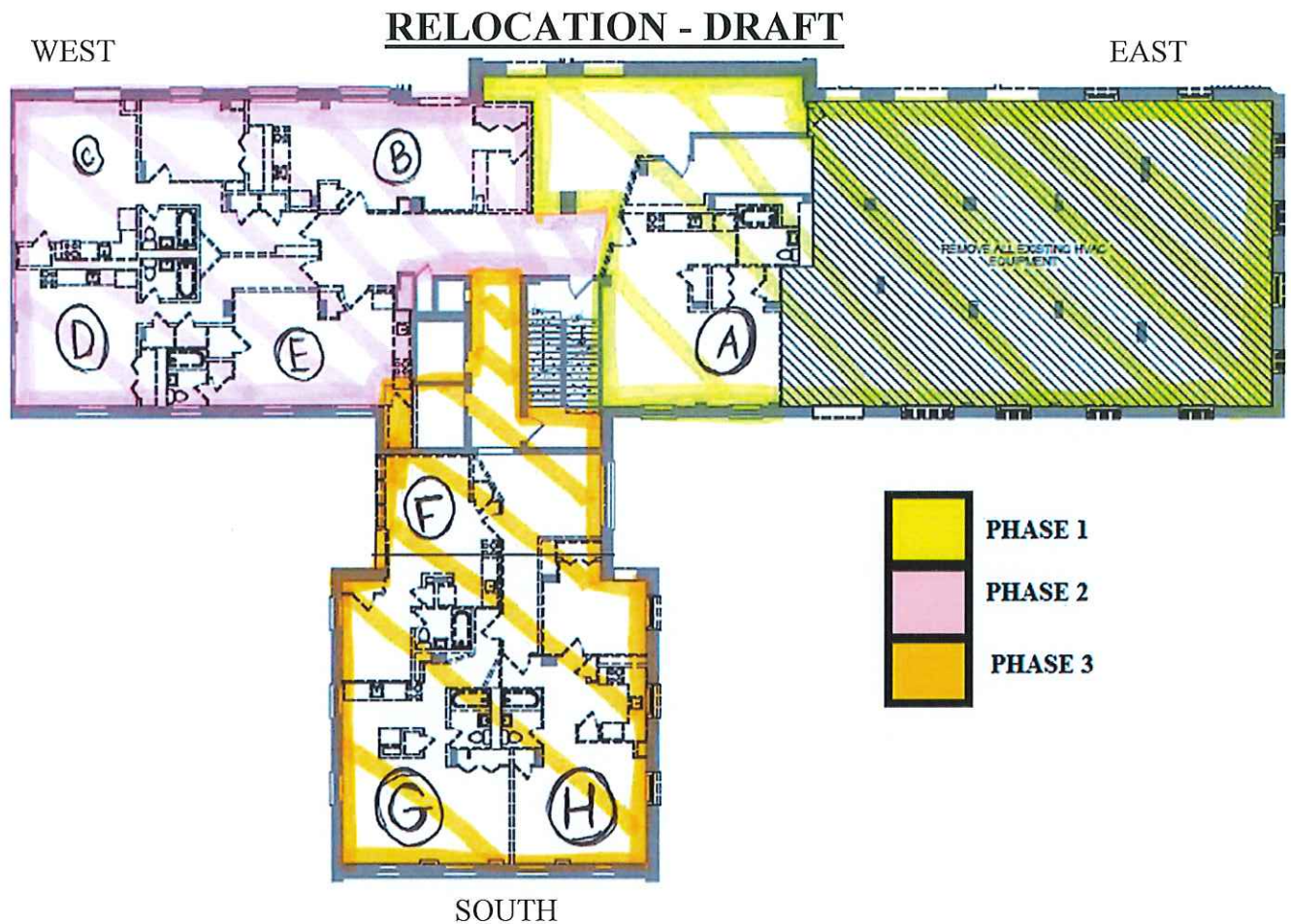


AGENDA

1. Attendance
2. Introduction/Welcome
 - a. Introduce team members & project
 - i. AHA
 - ii. Edgemere
 - iii. SWBR
3. Project Overview/Update
 - a. Funding Award(s)
 - b. Design/proposed improvements
 - c. Timeline/anticipated schedule
4. Relocation
5. RAD Overview
 - a. RAD
 - b. Review of the RAD Resident and Participation Rights
 - c. Rent/utility allowances
6. Q&A

Handouts:

- Proposed Relocation Plan (*page 4*)
- RAD PBV Resident Rights and Participation (*pages 5-10*)
- RAD Resident Rights in Public Housing (*attachment*)
- Rental Assistance Demonstration Fact Sheets (*attachment*)
- Presentation Drawings by SWBR (*attachment*)



Phase 1:

- Households in the “A” units will be temporarily relocated off site during construction. Once this phase has completed all relocated households will be able to return.

Phase 2:

- Households in the “B”, “C”, “D”, and “E” units will be relocated temporarily to the new units constructed during phase 1. Once construction has completed for phase 2 all relocated households will be moved back to a unit within the west wing.

Phase 3:

- Households in the “F”, “G”, and “H” units will be temporarily relocated to available units constructed in phases 1 and 2. Once construction is completed all relocated households will be given the option to move back to the south wing.

All tenants will be updated immediately to any changes and/or updates to this plan.

PBV Resident Rights and Participation

1. **No Re-screening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, 24 CFR § 982.201, concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family.
2. **Right to Return.** Any residents that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved (see Section 1.6.B.7 and Section 1.7.A.8 on conditions warranting a transfer of assistance), residents of the converting development will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a PHA or Owner's offer to permanently relocate to another assisted unit, and thereby waive their right to return to the development after rehabilitation or construction is completed.
3. **Renewal of Lease.** Under current regulations at 24 CFR § 983.257(b)(3), upon lease expiration, a PHA can choose not to renew the lease, without good cause. In such a case, the regulatory consequence is the loss of the assisted unit. Under RAD, the PHA must renew all leases upon lease expiration, unless cause exists. Consequently, 24 CFR § 983.257(b)(3) will not apply. This provision must be incorporated by the PBV owner into the tenant lease or tenancy addendum, as appropriate
4. **Phase-in of Tenant Rent Increases.** If a tenant's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is waiving section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) only to the extent necessary to allow for the phase-in of tenant rent increases.
The below method explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section "standard TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058

Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP and the standard TTP

- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 66% of difference between most recently paid TTP and the standard TTP

- Year 3: Year 3 AR and all subsequent recertifications – Full standard TTP

Five Year Phase in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP and the standard TTP

- Year 2: Year 2 AR and any IR prior to Year 3 AR – 40% of difference between most recently paid TTP and the standard TTP

- Year 3: Year 3 AR and any IR prior to Year 4 AR – 60% of difference between most recently paid TTP and the standard TTP

- Year 4: Year 4 AR and any IR prior to Year 5 AR – 80% of difference between most recently paid TTP and the standard TTP

- Year 5 AR and all subsequent recertifications – Full standard TTP

5. **Public Housing Family Self Sufficiency (PH FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Current PH FSS participants will continue to be eligible for FSS once their housing is converted under RAD, and PHAs will be allowed to use any PH FSS funds granted previously or pursuant to the FY 2013 PH FSS NOFA, to serve those FSS participants who live in units converted by RAD and who will as a result be moving to the HCV FSS program, subject to the following:

a. If a PHA has an HCV FSS program, a PHA must convert the PH FSS program participants at the covered project to their HCV FSS program. Please see future FSS Notices of Funding Availability and other guidance for additional details, including FSS coordinator funding eligibility of PHAs under a RAD conversion.

b. If a PHA does not have an HCV FSS program, the PHA must establish an HCV FSS program and convert the PH FSS program participants at the covered project into their HCV FSS program. PHAs are not required to offer enrollment in FSS to residents in converting projects and other HCV participants, other than to residents in converting projects that were enrolled in the PH FSS program. Please see future FSS Notices of Funding Availability and other guidance for additional details, including FSS coordinator funding eligibility of PHAs under a RAD conversion.

All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984 and in accordance with the participants' contracts of participation. However, residents who were converted from the PH FSS program to the HCV FSS program through RAD may not be terminated from the HCV FSS program or have HCV assistance withheld due to the participant's failure to comply with the contract of participation. Consequently, 24 CFR 984.303(b)(5)(iii) does not apply to FSS participants in converted properties.

6. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of Covered Projects with assistance converted to PBV will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding.

7. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.
 - **Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall be :
 - a. A reasonable period of time, but not to exceed 30 days:
 - i. If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
 - ii. In the event of any drug-related or violent criminal activity or any felony conviction;
 - b. Not less than 14 days in the case of nonpayment of rent; and
 - **Grievance Process.** Pursuant to requirements in the RAD Statute, HUD is establishing additional resident procedural rights to comply with section 6 of the Act.

For issues related to tenancy and termination of assistance, PBV program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease **or** the contract administrator in accordance with RAD PBV

is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project.

10. **When Total Tenant Payment Exceeds Gross Rent.** Under normal PBV rules, the PHA may select an occupied unit to be included under the PBV HAP Contract only if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(c)). Also, a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent)) (24 CFR § 983.258). Since the rent limitation under this Section of the Notice may result in a family's TTP equaling or exceeding the gross rent for the unit, for residents living in the Converting Project prior to conversion and who will return to the Covered Project after conversion, HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP Contract when TTP equals or exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that until such time that the family's TTP falls below the gross rent, the rent to the owner for the unit will equal the lesser of (a) the family's TTP, less the Utility Allowance, or (b) any applicable maximum rent under LIHTC regulations. When the family's TTP falls below the gross rent, normal PBV rules shall apply. As necessary to implement this alternative provision, HUD is waiving the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR § 983.301 as modified by Section 1.6.B.5 of this Notice. In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP Contract. The PHA is required to process these individuals through the Form 50058 submodule in PIC.

Following conversion, 24 CFR § 983.53(d) applies, and any new families referred to the RAD PBV project is fully assisted, HUD is imposing an alternative requirement that the PHA must reinstate the unit after the family has vacated the property. If the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR §983.207 or, where "floating" units have been permitted, Section 1.6.B.10 of this Notice.

11. **Establishment of Waiting List.** 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted.

12. **Choice-Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

Albany Housing Authority HUD Steamboat Tenant Meeting – Minutes

March 9th 2022.

Attendants – See list attached

Meeting commenced at 6:05 pm and was recorded.

Tim O’Byrne, Albany Housing Authority, welcomed and thanked everyone for attending the meeting. Tim O’Byrne introduced everyone from AHA, Edgemere, and SWBR (*Page 2*) and briefly outlined the meeting agenda.

Charlie Oster addressed meeting attendees and gave overview and timeline for the Steamboat Square Revitalization Project.

Charlie Oster outlined the following key timeline elements:

- Funding awards
- Construction is planned to begin in the **spring or summer of 2022**.
- Construction is expected to complete within an 18 month timeframe.
- Changes in utility allowances and rent.

Geoff MacDonald from SWBR, outlined the design and scope of work for the rehab.

Tim O’Byrne discussed the relocation process and anticipated schedule.

Charlie Oster from Edgemere Development Inc. reviewed the RAD Resident and Participation rights outlining the following – detailed description attached. (*Pages 5-10*)

Charlie Oster stated that all residents’ regardless of program will be treated fairly, equitably, and equally. All residents will enjoy the same rights afforded under the RAD program.

Q&A:

Will it cost more to live here?

No.

Will I still pay 30% of my income?

Yes.

Is it possible to move back into my original unit?

We will do our best to move people back into their original units, as long as it does not conflict with accessibility or layout.

How will this disrupt us moving around the building daily?

By working with the GC we will do our best to keep the construction separate to minimize the impact to the resident's everyday life.

Do you know where we will be relocated to?

The first phase will be relocated off site. We are unsure at the moment but we will survey preferences and continue having discussions with residents until a decision is made.

If I decide to stay in my unit will you be able to work around me?

No one will be able to stay in their unit during construction.

Will I have moving assistance?

Yes, there are different options for moving assistance.

When will construction start for the south wing?

The south wing is in phase 3 which should begin a year from construction start. (Spring/summer 2023).

Can I relocate before my phase?

We should discuss different options before making that choice to ensure you keep relocation benefits.

Are floors 9-12 going to be accessible and livable? How will the highway impact those residents? (Noise pollution).

Yes they will be accessible and livable. Via air sealing, energy recovery, new windows and air conditioning it will target any potential problems so residents do not get impact by the nearby highway.

Will there be new plumbing?

Yes.

Will we be able to keep the same electric company? (national grid)

Yes.

Is the building going to be made bigger?

No – but the decommissioned spaces will be redone.