

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

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

**Definitions.**

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

A.	PHA Information.																														
A.1	<div> <div>PHA Name: ALBANY HOUSING AUTHORITY</div> <div>PHA Code: NY009</div> <div>PHA Type: <input checked="" type="checkbox"/> High Performer</div> <div>PHA Plan for Fiscal Year Beginning: (MM/YYYY): 07/2023</div> <div>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</div> <div>Number of Public Housing (PH) Units: 1202    Number of Housing Choice Vouchers (HCVs) 2758</div> <div>Total Combined: 3960</div> <div>PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission                      <input type="checkbox"/> Revised Annual Submission</div> </div> <p><b>Availability of Information.</b> In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <div> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) </div> <table border="1"> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>					Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																	
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<b>B.</b>	<b>Plan Elements</b>
<b>B.1</b>	<p><b>Revision of Existing PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last <b>Annual PHA Plan</b> submission?</p> <p>Y   N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Homeownership Programs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Safety and Crime Prevention.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element below:</p> <p style="text-align: center;"><b><i>Statement of Housing Needs and Strategy for Addressing Housing Needs:</i></b></p> <p>Currently AHA has a total of <b>4655</b> families on the Section 8 waiting list. AHA updated its Admin Plan in regard to its housing preference to include families who have been employed 9 out of the last 12 months and who may not be currently employed to assist more families. Of the families currently on the Section 8 Waiting list, <b>10.3%</b> are elderly, and <b>14.8%</b> are families with disabilities. After being closed for 4 years, our Section 8 waiting list was reopened for applications in March 2019. AHA's Section 8 waiting list has been closed since March 27, 2019. The Section 8 waiting lists show a majority of the persons on the waiting lists (<b>84%</b>) are extremely low income (under 30% of AMI).</p> <p>We currently have 2 active Homeownership vouchers issued and 15 of them are currently in use. We continue to provide information in our Section 8 briefings on the benefits of homeownership along with the path on how to achieve that goal. We continue to partner with local agencies to educate participants on the benefits of homeownership.</p> <p>Albany Housing Authority continues to participate in new landlord workshops and provide information as it pertains to partnering with AHA, thus increasing opportunities for our participant families to obtain adequate, affordable housing. Many of these landlords are purchasing property in zip codes with lower poverty levels. We encourage voucher holders to secure housing in these areas and have increased the voucher payment standard in all city areas to match the standard in the lower poverty levels.</p> <p><b><i>Strategy for Addressing Housing Needs:</i></b></p> <p>AHA recognizes the shortage of affordable housing for all eligible populations and plans to maximize the number of affordable units available to AHA within our current resources by taking the following measures:</p> <ul style="list-style-type: none"> <li>• Minimizing the number of public housing units off-line through effective maintenance and management policies.</li> <li>• Reduce turnover time for vacated public housing units.</li> <li>• Reduce time to renovate public housing units.</li> <li>• Seek replacement of public housing units lost to the inventory through mixed finance development.</li> <li>• Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources.</li> </ul> <p>AHA will continue to increase the number of affordable housing units by performing the following:</p> <ul style="list-style-type: none"> <li>• Apply for additional section 8 units should they become available.</li> <li>• Leverage affordable housing resources in the community through the creation of mixed-finance housing.</li> <li>• Pursue housing resources other than public housing or Section 8 tenant-based assistance.</li> </ul> <p>AHA will target available assistance to families at or below 50% of AMI by utilizing admissions preferences aimed at families who are working. AHA will target available assistance to Families with Disabilities by carrying out the modification needed in public housing based on the section 504 Needs Assessment for Public Housing and affirmatively market to local non-profit agencies that assist families with disabilities.</p> <p>AHA will conduct activities to affirmatively further fair housing by counseling section 8 tenants as to location of units outside of areas of poverty or minority concentration. We have implemented higher VPS in areas with low poverty rates to encourage this. This will also be done by marketing the Section 8 program to owners with property outside of areas of poverty/minority concentration. AHA will continue to seek means to maximize this effort.</p>

### ***Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions updates:***

#### **Grievances and Appeals:**

- AHA will continue to evaluate processes and explore opportunities to improve responses to Resident Complaints and or Grievance Requests. Written Request will be reviewed to determine the appropriateness of all tenants related complaints within 3-5 business days. To ensure the necessity of such grievance AHA will attempt to resolve through exchange with onsite Asset Managers and related staff. The AHA will schedule and send written notice of the informal hearing within 10 business days of the family's request.

#### **Collections Updates:**

- To reduce and/or resolve the number of delinquent accounts, AHA will continue to seek opportunities to connect families with resources. In such cases, AHA will also refer families for financial management counseling facilitated.
- AHA will continue to evaluate and improve lease enforcement efforts based on tenants will and compliance in addressing outstanding balances older than 6 months old. chronic cases of noncompliance and or nonpayment of tenant related charges due to excess fees will be enforced through the courts.
- In cases that are related to the pandemic, AHA will work with residents who fell behind. Effected families will be allowed a longer repayment agreement out. This only applies to families who were financially impacted due to the pandemic during the timeframe starting March 2020 to January 15, 2022.

#### **Annual Re-examination Updates:**

- AHA will make a concerted effort to conduct 100% Annual Recertifications for all PH and LIHTC housing programs. To include the training of all department staff to ensure processing is handled in a more efficient and streamlined manner. This may include collaborations amongst other AHA departments and or Community organizations to ensure resident compliance and cooperation. All resources available to us will continue to be explored.

#### **Community Service and Economic Self-Sufficiency Requirement (CSSR) updates:**

- AHA will provide and make accessible a qualified list of Local Community Agencies to applicable families as it relates to the CSSR requirements of eight (8) hours per month of either volunteer work or self-sufficiency program activity, or a combination of the two. Designated staff will actively work together to establish a list to help families be successful in their leasing obligations.

#### **Fraud and/or underreporting of household income updates:**

- AHA will continue to work towards streamlining its process in the prevention, detection and investigation of errors and potential program abuse. We will use all resources available to improve our processes.

#### **AHA admissions and continued occupancy policy (ACOP):**

##### **Purging the waiting list updates:**

- AHA will initially utilize an automated calling system to contact applicants to determine their interest in remaining on the waiting list(s).
- An "are you still interested" letter will be mailed to applicants that failed to respond to our initial automated calls.
- AHA will continue to explore opportunities to streamline all waiting list processes (applications, purging, and selections) to ensure an effective, diverse, and user-friendly experience for our applicants.

##### **Reasonable accommodations updates:**

- *Individual relief for utility allowances:* Tenants can apply to have their utility allowance increased if their utility costs have been impacted using said equipment for medical purposes.

##### **Unit Inspection updates:**

- *Households with pets:* inspections and repairs will not be conducted in a household that has a pet unless a responsible adult is present for the duration of inspection or repair.

##### **EIV updates:**

- HUD EIV records must be kept in tenant file for duration of tenancy.

## Financial Resources

Element #2 Financial Resources		
Albany Housing Authority		
Statement of anticipated PHA Financial Resources		
Anticipated for FYE 6/30/23		
		Planned Uses
Tenant Rental Income	\$ 4,056,000	
Public Housing Operating Fund	8,030,000	
Public Housing Capital Fund	3,986,826	542,970 will be applied to debt service
Housing Choice Voucher Assistance	23,950,000	
Shelter Plus Care Grant	1,130,000	
ROSS Grant	231,000	
Mainstream vouchers	443,500	
Moderate Rehabilitation	220,000	
Emergency Housing Vouchers	120,000	
Summer Food Program	41,650	
Investment Income	22,000	Support public housing needs
Other revenue, including commercial rents	430,000	Support public housing needs
	<u>\$ 42,660,976</u>	

Element #2 Financial Resources		
Albany Housing Authority		
Statement of anticipated PHA Financial Resources		
Anticipated for FYE 6/30/22		
		Planned Uses
Tenant Rental Income	\$ 4,525,000	
Public Housing Operating Fund	6,400,000	
Public Housing Capital Fund	3,742,994	542,970 will be applied to debt service
Housing Choice Voucher Assistance	21,000,000	
Shelter Plus Care Grant	1,201,000	
ROSS Grant	391,500	
Mainstream vouchers	443,500	
Moderate Rehabilitation	169,000	
Summer Food Program	22,600	
Investment Income	32,000	Support public housing needs
Other revenue, including commercial rents	535,000	Support public housing needs
	<u>\$ 38,462,594</u>	

Element #2 Financial Resources		
Albany Housing Authority		
Statement of anticipated PHA Financial Resources		
Anticipated for FYE 6/30/21		
		Planned Uses
Tenant Rental Income	\$ 4,500,000	
Public Housing Operating Fund	6,000,000	
Public Housing Capital Fund	3,319,329	542,970 will be applied to debt service
Housing Choice Voucher Assistance	21,000,000	
Shelter Plus Care Grant	1,263,000	
ROSS Grant	381,000	
Mainstream vouchers	445,000	
Moderate Rehabilitation	214,500	
Summer Food Program	76,000	
Investment Income	40,000	Support public housing needs
Other revenue, including commercial rents	500,000	Support public housing needs
	\$ 37,738,829	

### Rent Determination

**AHA will amend applicable language all applicable policies to remain in compliance and consistent in accordance with the *HOTMA Final Rule* (Vol. 88, No. 302/14/3). AHA will implement all policies by the effective dates outlined in HUDs timeline.**

#### *Program Efficiency and Fiscal Responsibility*

AHA will conduct Public Housing Program Flat Rent Analysis and Annual Utility Allowance Review of All PH Programs in a timely manner.

#### *Over Income families (PIH-2019-11) and HOTMA Final Rule ( Vol. 88, No. 302/14/3)*

**Definition of Over-Income:** The new language in section 16(a)(5) of the 1937 Act sets the over-income limit at **120 percent of the AMI**. However, HUD can adjust the over-income limit if the Secretary determines that it is necessary due to prevailing levels of construction costs or unusually high or low family incomes, vacancy rates, or rental costs. HUD exercised this discretion as described in the 2016 and 2018 FR Notices respectively. HUD currently calculates three declining ranges of income eligibility for the public housing program: low-, very low-, and extremely low-income limits. **The VLI limit was selected because it is calculated for every FMR area and, in certain areas, factors in several adjustments to better align income limits with program requirements.** Since VLI is preliminarily calculated as 50 percent of the estimated AMI for the family, in most cases, multiplying it by 2.4, would result in a figure matching 120 percent. For those areas without an adjustment, the result is an over-income limit of exactly 120 percent of AMI. For areas where HUD has made an adjustment to the VLI limit, the result of the multiplier will be higher or lower than 120 percent of AMI, depending on the adjustments made. (See appendix for examples) The final over-income limit should then be compared to the family's adjusted income and as with the existing ranges of income eligibility, the new over-income limits will also be tiered by family size. HUD's income limits were developed by HUD's Office of Policy Development and Research and are updated annually. Information about HUD's income limits and HUD's methodology for adjusting income limits as part of the income limit calculation can be found at <https://www.huduser.gov/portal/datasets/il.html>.

#### **Effective June 14, 2023 (per HUD Timeline)**

##### **Definition:**

Over-Income Limit is determined by multiplying the applicable income limit for a **VERY LOW-INCOME (VLI)** family by a factor of 2.4:

Limits as of **April 2023** (<https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn>)

Family Size	Very low-income limit	OVER-INCOME
1	\$37,100	\$89,040
2	\$42,400	\$101,760
3	\$47,700	\$114,480
4	\$53,000	\$127,200
5	\$57,250	\$137,400
6	\$61,500	\$147,600
7	\$65,750	\$157,800
8	\$70,000	\$168,000

***First Year:***

If a family's income exceeds the "over-Income" limit as outlined above for **12 consecutive months**, a written notice, and a copy of AHA's over-income policy will be provided no later than **30 days** after determination. Family has an opportunity for a hearing.

***Second Year:***

If a family's income exceeds the "over-Income" limit as outlined above for **24 consecutive months**, a written notice will be provided no later than **30 days** after determination to include notification of lease termination and termination date. Family has an opportunity for a hearing.

***Failure to vacate by the termination date:***

If a family fails to vacate, the Albany Housing Authority may charge the income-based rent (NOT FLAT RENT) and court proceedings will commence.

***Change in Income:***

At any time during the consecutive 24-month period AHA determines that the family's income is below the over-income limit, the family is entitled to a new 24 consecutive month period and new notices.

***The over-income policy is subject to change as HUD provides additional guidance.***

## **Homeownership Programs**

Currently Albany Housing Authority has 30 Homeownership vouchers, 15 of which are active, and 2 families searching for homes to purchase. AHA will also continue its efforts to promote options for homeownership opportunities.

## **Safety and Crime Prevention**

VAWA- AHA is acting in full accordance with the Violence Against Women Act (VAWA) AHA will revise their written VAWA plan to ensure physical safety of victims of actual or threatened domestic violence, or stalking who are assisted by the AHA. This will include brokering and/or referring families to Equinox, Crime Victims Assistance Programs, and/or NYS Family Court system for further support. AHA will provide and maintain housing opportunities for victim through a collaborative effort which may include law enforcement authorities, victim service providers to promote the safety and well-being of victims of actual or threatened domestic violence, dating violence, and stalking. AHA staff has received training about the protections afforded to VAWA and are aware of various circumstances in which tenants may need to be reminded of their protections. AHA also provides all tenants with information about VAWA at the time of admission and at annual reviews and notices of denial of assistance or lease termination. Tenant seeking such protections are encouraged to complete Form HUD 50056 as well as seek further redress from local agencies within service area and/or jurisdiction.

AHA continues to explore opportunities to improve the quality of life and economic vitality for our residents and the community.

AHA will continue its efforts to apply CPTED principles in current and redevelopment projects by also partnering with the Albany Police Department (APD) and other law enforcement agencies to maximize our approach.

AHA continues to work closely with the Albany Police Department Neighborhood Engagement Unit who currently have a presence on our property at 34 Morton Ave and 680 Central Ave. We will continue to explore additional locations.

AHA Police Detail currently has office space at 20 Rensselaer St (Steamboat Sq) to improve asset deployment for Southend properties. We will continue to explore opportunities to provide space in other areas of the city to serve the same purpose.

Updated camera and card access systems in Steamboat Homes and will continue to evaluate and seek opportunities to maximize efforts.

Adjusted Albany Police detail to address quality of life issues in senior properties and to address safety concerns during ongoing redevelopment projects.

Added a civilian security service to Ida Yarbrough Homes to address quality of life issues.

AHA departments continue to work together to address youth issues at various developments and explore opportunities to bring effective and productive activities to the properties.

AHA continues to make the safety and well-being of its residents a top priority. Every issue and concern brought to our attention is taken very seriously and investigated.

Evaluate current camera coverage and research possible solutions to provide coverage continuity and install new camera locations to watch over problem areas. Devise an effective plan to upgrade our entire camera system over the next 3-5 years.

AHA will continue to seek funding opportunities to expand its camera presence across the entire AHA footprint.

AHA will seek funding opportunities to migrate/upgrade its card access systems.

AHA will seek funding opportunities to migrate/upgrade to one type of security alarm for single point of access.

## PET POLICY UPDATES:

Except in emergency situations, inspections and repairs will not be conducted in a household that has a pet unless a responsible adult is present for the duration of inspection or repair.

### Substantial Deviation

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

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

Albany Housing Authority is in the process of analyzing the long-term physical needs and the financial viability of converting each of these developments to RAD. No final decision has been made on any of these developments. All available operating subsidy, capital fund and existing reserves at each location would be utilized in the conversion process, using all options available under RAD (e.g., rent bundling, §18, 25% PBVs, etc.) to maximize the future financial stability of each development. The Housing Authority may dispose of up to 25% of any project's units (and de minimis portions) through Section 18 and replace them with Project-Based Vouchers.

### PBV Resident Rights and Participation.

1. **No Rescreening of Tenants upon Conversion.** Pursuant to the RAD Statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting. With respect to occupancy in the Covered Project, current households in the Converting Project will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion.<sup>1</sup> Post-conversion, the tenure of all residents of the Covered Project is protected pursuant to PBV requirements regarding continued occupancy unless explicitly modified in this Notice (e.g., rent phase-in provisions). 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 of tenants for initial occupancy, will not apply for current households. Once the grandfathered household moves out, the unit must be leased to an eligible family. MTW agencies may not alter this requirement. Further, so as to facilitate the right to return to the assisted property, this provision shall apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR § 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA units.
2. **Right to Return.** See section 1.4.A.5(ii) and the RAD Fair Housing, Civil Rights, and Relocation Notice regarding a resident's right to return.
3. **Renewal of Lease.** Since publication of the PIH Notice 2012-32 Rev 1, the regulations under 24 CFR part 983 have been amended requiring Project Owners to renew all leases upon lease expiration, unless cause exists. MTW agencies may not alter this requirement.
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 specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase-in period at three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

The method described below explains the set percentage-based phase-in a Project Owner must follow according to the phase-in period established. For purposes of this section "Calculated PBV 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. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below.

#### 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 or flat rent and the Calculated PBV TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 3: Year 3 AR and all subsequent recertification's – Full Calculated PBV 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 or flat rent and the Calculated PBV TTP

<sup>1</sup> These protections (as well as all protections in this Notice for current households) also apply when a household is relocated to facilitate new construction or repairs following conversion and subsequently returns to the Covered Project.

- Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 5 AR and all subsequent recertification's – Full Calculated PBV TTP

*Please Note:* In either the three year phase-in or the five-year phase-in, once the Calculated PBV TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. MTW agencies must also implement a three or five-year phase-in for impacted residents, but may alter the terms above as long as it establishes a written policy setting forth the alternative terms.

**Family Self Sufficiency (FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are currently FSS participants will continue to be eligible for FSS once their housing is converted under RAD. The PHA may continue to use any FSS funds already awarded to serve those FSS participants who live in units converted by RAD. At the completion of the FSS grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. If the PHA continues to run an FSS program that serves PH and/or HCV participants, the PHA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding and may use that funding to serve PH, HCV and/or PBRA participants in its FSS program. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the subsequent Appropriation Acts), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g., escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR part 984, the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100.4 Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.

For information on FSS PIC reporting requirements for RAD conversions, see Notice PIH 2016-08 at <http://portal.hud.gov/hudportal/documents/huddoc?id=pih2016-08.pdf>.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can only serve public housing residents. At the completion of the ROSS-SC grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be a non-profit or local Resident Association and this consequence of a RAD conversion may impact those entities.

**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.

**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 reasonable period of time, but not to exceed 30 days:

1. If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
2. In the event of any drug-related or violent criminal activity or any felony conviction;
3. Not less than 14 days in the case of nonpayment of rent; and
4. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

**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:

In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi),<sup>5</sup> 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 requirements that adversely affect the resident's rights, obligations, welfare, or status.



- For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
- For any additional hearings required under RAD, the Project Owner will perform the hearing.

There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.

The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).

The Project Owner provides an opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

**Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in 24 CFR § 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants that move into the property following conversion or tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion due to loss of employment) is covered by this waiver.

**Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant relocation and/or change in building occupancy 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.

**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 must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the gross rent for the unit and if the 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.

**Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR § 983.260 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR § 983.260 is waived. MTW agencies may not modify this requirement.

#### **PBV: Other Miscellaneous Provisions**

**Access to Records, Including Requests for Information Related to Evaluation of Demonstration.** PHAs and the Project Owner must cooperate with any reasonable HUD request for data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility utilization, and rehabilitation work. Please see Appendix IV for reporting units in Form HUD-50058.

**Additional Monitoring Requirement.** The Owner must submit to the administering PHA and the PHA's Board must approve the operating budget for the Covered Project annually in accordance with HUD requirements.<sup>7</sup>

**Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3).** This section has been moved to 1.4.A.13 and 1.4.A.14.

**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. 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. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:

- Transferring an existing site-based waiting list to a new site-based waiting list.
- Transferring an existing site-based waiting list to a PBV program-wide or HCV program-wide waiting list.
- Transferring an existing community-wide public housing waiting list to a PBV program-wide or HCV program-wide waiting list, an option particularly relevant for PHAs converting their entire portfolio under RAD.
- Informing applicants on a community-wide public housing waiting list how to transfer their application to one or more newly created site-based waiting lists.

For any applicants on the public housing waiting list that are likely to be ineligible for admission to a Covered Project converting to PBV because the household's TTP is likely to exceed the RAD gross rent, the PHA shall consider transferring such household, consistent with program requirements for administration of waiting lists, to the PHA's remaining public housing waiting list(s) or to another voucher waiting list, in addition to transferring such household to the waiting list for the Covered Project.

To the extent any wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at other sites.

If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the Covered Project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).8

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the Covered Project in accordance with 24 CFR § 983.251(c).

**Mandatory Insurance Coverage.** The Covered Project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed project property.

**Agreement Waiver.** This section has been moved to 1.6.B.8.

**Future Refinancing.** Project Owners must receive HUD approval for any refinancing or restructuring of secured debt during the HAP Contract term to ensure the financing is consistent with long-term preservation of the Covered Project. With respect to any financing contemplated at the time of conversion (including any permanent financing which is a conversion or take-out of construction financing), such consent may be evidenced through the RCC.

**Administrative Fees for Public Housing Conversions During the Year of Conversion.** For the remainder of the Calendar Year in which the HAP Contract becomes effective (i.e., the "year of conversion"), RAD PBV projects will be funded with public housing funds. For example, if the project's assistance converts effective July 1, 2015, the public housing ACC between the PHA and HUD will be amended to reflect the number of units under HAP Contract, but will be for zero dollars, and the RAD PBV HAP Contract will be funded with public housing money for July through December 2015. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time.

PHAs operating HCV program typically receive administrative fees for units under a HAP Contract, consistent with recent appropriation act references to "section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Work Responsibility Act of 1998" and 24 CFR § 982.152(b). During the year of conversion mentioned in the preceding paragraph, these provisions are waived. PHAs will not receive Section 8 administrative fees for PBV RAD units during the year of conversion.

After the year of conversion, the Section 8 ACC will be amended to include Section 8 funding that corresponds to the units covered by the Section 8 ACC. At that time, the regular Section 8 administrative fee funding provisions will apply.

**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.

If as a result of participation in RAD a significant percentage of the PHA's HCV program becomes PBV assistance, it is possible for most or all of a PHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP Contract administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD.

The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA's administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) of the Act and 24 CFR § 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD. MTW agencies may not alter this requirement.

**Reserve for Replacement.** The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines.

Reference HUD Notice PIH 2014-17 <https://www.hud.gov/sites/documents/PIH2014-17.PDF>

**Significant Amendment/Modification (Next page)**

**AHA will amend applicable language all applicable policies to remain in compliance and consistent in accordance with the HOTMA Final Rule (Vol. 88, No. 302/14/3). AHA will implement all policies by the effective dates outlined in HUDs timeline.**

***Program Efficiency and Fiscal Responsibility***

AHA will conduct Public Housing Program Flat Rent Analysis and Annual Utility Allowance Review of All PH Programs in a timely manner.

***Over Income families (PIH-2019-11) and HOTMA Final Rule ( Vol. 88, No. 302/14/3)***

***Definition of Over-Income:*** The new language in section 16(a)(5) of the 1937 Act sets the over-income limit at **120 percent of the AMI**. However, HUD can adjust the over-income limit if the Secretary determines that it is necessary due to prevailing levels of construction costs or unusually high or low family incomes, vacancy rates, or rental costs. HUD exercised this discretion as described in the 2016 and 2018 FR Notices respectively. HUD currently calculates three declining ranges of income eligibility for the public housing program: low-, very low-, and extremely low-income limits. **The VLI limit was selected because it is calculated for every FMR area and, in certain areas, factors in several adjustments to better align income limits with program requirements.** Since VLI is preliminarily calculated as 50 percent of the estimated AMI for the family, in most cases, multiplying it by 2.4, would result in a figure matching 120 percent. For those areas without an adjustment, the result is an over-income limit of exactly 120 percent of AMI. For areas where HUD has made an adjustment to the VLI limit, the result of the multiplier will be higher or lower than 120 percent of AMI, depending on the adjustments made. (See appendix for examples) The final over-income limit should then be compared to the family's adjusted income and as with the existing ranges of income eligibility, the new over-income limits will also be tiered by family size. HUD's income limits were developed by HUD's Office of Policy Development and Research and are updated annually. Information about HUD's income limits and HUD's methodology for adjusting income limits as part of the income limit calculation can be found at <https://www.huduser.gov/portal/datasets/il.html>.

**Effective June 14, 2023 (per HUD Timeline)**

***Definition:***

Over-Income Limit is determined by multiplying the applicable income limit for a **VERY LOW-INCOME (VLI)** family by a factor of 2.4:

Limits as of **April 2023** (<https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn>)

Family Size	Very low-income limit	OVER-INCOME
1	\$37,100	\$89,040
2	\$42,400	\$101,760
3	\$47,700	\$114,480
4	\$53,000	\$127,200
5	\$57,250	\$137,400
6	\$61,500	\$147,600
7	\$65,750	\$157,800
8	\$70,000	\$168,000

***First Year:***

If a family's income exceeds the "over-Income" limit as outlined above for **12 consecutive months**, a written notice, and a copy of AHA's over-income policy will be provided no later than **30 days** after determination. Family has an opportunity for a hearing.

***Second Year:***

If a family's income exceeds the "over-Income" limit as outlined above for **24 consecutive months**, a written notice will be provided no later than **30 days** after determination to include notification of lease termination and termination date. Family has an opportunity for a hearing.

***Failure to vacate by the termination date:***

If a family fails to vacate, the Albany Housing Authority may charge the income-based rent (NOT FLAT RENT) and court proceedings will commence.

***Change in Income:***

At any time during the consecutive 24-month period AHA determines that the family's income is below the over-income limit, the family is entitled to a new 24 consecutive month period and new notices.

***The over-income policy is subject to change as HUD provides additional guidance.***

(c) The PHA must submit its Deconcentration Policy for Field Office Review. **ATTACHED**

**B.2 New Activities.**

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

Y N

- ☒ ☐ Hope VI or Choice Neighborhoods.
- ☒ ☐ Mixed Finance Modernization or Development.
- ☒ ☐ Demolition and/or Disposition.
- ☒ ☐ Conversion of Public Housing to Tenant Based Assistance.
- ☒ ☐ Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.
- ☒ ☐ Project Based Vouchers.
- ☒ ☐ Units with Approved Vacancies for Modernization.
- ☒ ☐ Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

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

**AHA continues to assess Physical Needs of all properties we own and manage and will seek opportunities for available funding to address identified needs, which may include but not limited to utilizing sources such as RAD, Choice Neighborhoods, or Mix finance Modernization or Development opportunities. AHA will also explore options for sustainability in cases where conversion of Public Housing to Tenant Based Assistance or Project Based Vouchers are deemed feasible.**

**Capital South Plan**

- Explore developing subsidized and unsubsidized homeownership in and around the South End.
- Explore redevelopment opportunities for mixed-finance, mixed-use commercial hub of the South End.
- Explore opportunities for RAD and other funding sources.
- Continue to take advantage of opportunities that promote collaborations with community organizations and the City of Albany that maximizes access and options for economic and workforce development.

**Lincoln Square Homes**

- Continue to explore funding opportunities for demolition of obsolete buildings.
- Continue to explore opportunities for reuse of land.

**Steamboat Square Homes**

- Closed on the 9% RAD redevelopment project for 20 Rensselaer.
- PHASE I Construction began at 20 Rensselaer with an estimated completion in 2024.
- PHASE II - Submitted application for a 4% LIHTC projects with RAD including exterior makeover and retrofit designs of towers, renovating vacant and occupied space.
- Continue to strengthen and build partnerships and support across various levels of government.
- Explore means that may create homeownership conversion opportunities.

**Nutgrove Garden Apartments**

- Continue to develop multiyear plan to replace kitchens, HVAC, lighting, sprinkler and life safety items through operating replacement reserves and/or other funding opportunities.
- Explore 9% and 4% LIHTC projects with RAD to provide major rehab.

**Arbor Hill Neighborhood Plan**

- Continue seek partnership opportunities that may lead to developing a food market on Swan Street
- Continue reinventing and marketing Arbor Hill as an arts district.
- Continue to seek opportunities to partner with various community organizations towards their initiatives.

**Ida Yarbrough Low-Rise Homes**

- Continue to support Phase 3 Homeownership partners Affordable Housing Partnership and Habitat for Humanity for their purchase through section 18 disposition of the former AHA public housing building site; assist their securing of final funding for 6 Habitat Homeownership units.
- Explore development of market rate rental and homeownership on- and off-site
- Explore RAD for Ida Redevelopment Phase I and II

**Whalen Homes**

- Determine next major modernization milestone as way of setting course and timeline for disposition or redevelopment including RAD analysis.
- Begin planning for replacement housing.

**Scattered Sites (3rd and Sherman Streets)**

- Gauge residents' interest in participating in homeownership programs and purchasing their unit.

	<p><b>Westview Homes</b></p> <ul style="list-style-type: none"> <li>Continue to seek all funding opportunities to rehabilitate the building.</li> <li>Explore Phased 9% and 4% LIHTC projects with RAD including exterior makeover and retrofit designs of the tower, and renovations including renewable energy.</li> </ul> <p><b>General Planning and Development Initiatives</b></p> <ul style="list-style-type: none"> <li>Conduct market studies, meet with prospective partners, and seek funding availability.</li> <li>Engage the City of Albany's zoning staff and other relative departments as necessary.</li> <li>Continue to work with our Developer Partner for the next year on strategies for LIHTC projects along with RAD at the public housing sites.</li> <li>AHA is working on ways to increase the use of renewable energy and work with the 2019 NYS Governor's renewable energy goals which includes exploring community solar sourced electricity and other renewables for the Authority and tenant paid utilities.</li> </ul>
<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p>
<b>B.4.</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <ul style="list-style-type: none"> <li><b>B.4.1.A - See Exhibit B.1.1.A - HUD Form 50075.2 for NY06P00950121 approved by HUD on 02/23/2021.</b></li> <li><b>B.4.1.B - See Exhibit B.1.1.B - HUD Form 50075.2 for NY06E00950120 approved by HUD on 04/09/2021.</b></li> </ul>
<b>B.5</b>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<b>C.</b>	<b>Other Document and/or Certification Requirements.</b>
<b>C.1</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N  <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>C.2</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD-50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
<b>C.3</b>	<p><b>Civil Rights Certification/Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p><a href="#">Form 50077-ST-HCV-HP</a>, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations</i></p>

	<p><i>Including PHA Plan Elements that Have Changed</i> must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>			
<b>C.4</b>	<p><b>Challenged Elements.</b> If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y <b>N</b></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>			
<b>D.</b>	<p><b>Affirmatively Furthering Fair Housing (AFFH).</b></p>			
<b>D.1</b>	<p><b>Affirmatively Furthering Fair Housing.</b></p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1"> <tr> <td><b>Fair Housing Goal:</b></td></tr> <tr> <td> <p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> </td></tr> </table> <table border="1"> <tr> <td><b>Fair Housing Goal:</b></td></tr> </table>	<b>Fair Housing Goal:</b>	<p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p>	<b>Fair Housing Goal:</b>
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## Instructions for Preparation of Form HUD-50075-HP Annual Plan for High Performing PHAs

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

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

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

### B. Plan Elements.

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

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the “yes” box. If an element has not been revised, mark “no.”

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



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

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection and Admissions.** Describe the PHA's admissions policy for deconcentration of poverty and income mixing of lower-income families in public housing. The Deconcentration Policy must describe the PHA's policy for bringing higher income tenants into lower income developments and lower income tenants into higher income developments. The deconcentration requirements apply to general occupancy and family public housing developments. Refer to 24 CFR §903.2(b)(2) for developments not subject to deconcentration of poverty and income mixing requirements. (24 CFR §903.7(b)) Describe the PHA's procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists. (24 CFR §903.7(b)) A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV. (24 CFR §903.7(b)) Describe the unit assignment policies for public housing. (24 CFR §903.7(b))

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

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

☐ **Homeownership Programs.** A description of any homeownership programs (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval. For years in which the PHA's 5-Year PHA Plan is also due, this information must be included only to the extent that the PHA participates in homeownership programs under section 8(y) of the 1937 Act. (24 CFR §903.7(k)) and 24 CFR §903.12(b).

☐ **Safety and Crime Prevention (VAWA).** A description of: **1)** Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; **2)** Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and **3)** Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families. (24 CFR §903.7(m)(5))

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

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

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

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

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

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

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

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

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

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

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

- ☐ **Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers. ([24 CFR §983.57\(b\)\(1\)](#)) If using project-based vouchers, provide the projected number of project-based units and general locations and describe how project-basing would be consistent with the PHA Plan.
- ☐ **Units with Approved Vacancies for Modernization.** The PHA must include a statement related to units with approved vacancies that are undergoing modernization in accordance with [24 CFR §990.145\(a\)\(1\)](#).
- ☐ **Other Capital Grant Programs** (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).

- B.3 Progress Report.** For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. ([24 CFR §903.7\(r\)\(1\)](#))
- B.4 Capital Improvements.** PHAs that receive funding from the Capital Fund Program (CFP) must complete this section. ([24 CFR §903.7 \(g\)](#)). To comply with this requirement, the PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan in EPIC and the date that it was approved. PHAs can reference the form by including the following language in the Capital Improvement section of the appropriate Annual or Streamlined PHA Plan Template: "See Capital Fund 5 Year Action Plan in EPIC approved by HUD on XX/XX/XXXX."
- B.5 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. ([24 CFR §903.7\(p\)](#))

## C. Other Document and/or Certification Requirements

- C.1 Resident Advisory Board (RAB) comments.** If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. ([24 CFR §903.13\(c\)](#), [24 CFR §903.19](#))
- C.2 Certification by State of Local Officials.** Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan. ([24 CFR §903.15](#)). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.
- C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. ([24 CFR §903.7\(o\)](#)).
- C.4 Challenged Elements.** If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

## D. Affirmatively Furthering Fair Housing.

### D.1 Affirmatively Furthering Fair Housing.

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

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

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This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year and Annual PHA Plan. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 7.02 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

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