



**Rice County  
Housing and Redevelopment  
Authority**

**HRA REGULAR MEETING –AGENDA**

Meeting Date: October 24, 2017

Immediately following the regular Rice County Board meeting

Meeting Location: Commissioner's Room / Government Services Building

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- I. Call to Order**
1. Roll Call
- II. Action Items**
1. Minutes
  2. Tax Forfeited Land Policy
  3. Homeownership Policy Update
  4. HRA Administrative Policy
- III. Program Reports & Updates**
1. Quarterly Report
- IV. Adjourn**

SPECIAL NEEDS: If you require special services to attend or participate in a public meeting, please call the County's Administration Office at 507.332.6101 or e-mail [slangevin@co.rice.mn.us](mailto:slangevin@co.rice.mn.us). TDD users can call 507.332.6248. Please call 24 hours before the meeting, if possible.



**OFFICIAL PROCEEDINGS OF THE  
RICE COUNTY HOUSING & REDEVELOPMENT AUTHORITY  
Commissioner's Room / Government Services Building  
Tuesday, September 5, 2017 at 10:32 a.m.**

**I. Call to Order**

1. Roll Call - The meeting was called to order by Commissioner Jake Gillen, Chairperson. Members present were: Gillen, Malecha, Docken, Miller and Bauer. Tjosaas was absent.

**II. Action Items**

1. **Motion by Malecha, seconded by Bauer, 2675 : Habitat for Humanity Land Request**

<b>RESULT:</b>	Approved [Unanimous]
<b>AYES:</b>	Gillen, Malecha, Miller, Bauer, Docken
<b>ABSENT:</b>	Tjosaas

**III. Adjourn**

1. **Motion by Gillen, seconded by Bauer, Motion to Adjourn - Committee Meeting**

<b>RESULT:</b>	Adopted [Unanimous]
<b>AYES:</b>	Gillen, Malecha, Miller, Bauer, Docken
<b>ABSENT:</b>	Tjosaas

Approved by the Rice County Board of Commissioners this 24th day of October, 2017.

**COMMISSIONERS**

**RICE COUNTY HRA BOARD OF**

\_\_\_\_\_  
Jake Gillen, Chairperson

**ATTEST:**

\_\_\_\_\_  
Sara Folsted, County Administrator

Attachment: 9-5-17 minutes (2732 : Minutes)



# Rice County Housing and Redevelopment Authority

## Memo

To: Rice County Housing & Redevelopment Authority

From: Joy Watson, Executive Director

Date:

Item # II-2 Tax-Forfeited Land Policy Update

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### BACKGROUND -

In 2013, the Rice County HRA established the tax-forfeited land policy to allow the HRA to acquire tax-forfeited land for the purpose of removing blight, stabilizing market values, and developing and redeveloping the tax-forfeited land in a manner consistent with the 2012 Comprehensive Rice County Housing Study. Because the HRA intends to conduct an updated study soon, and to avoid the need to update the policy in the future, the HRA would like to change the language in the policy, removing all references to the 2012 Housing Study and replacing it with less specific language.

Current language:

2012 Comprehensive Rice County Housing Study

Proposed language:

Most recent Rice County Housing Study

### ACTION REQUESTED

The HRA is requesting that the Rice County HRA Board pass a motion pass a motion to update the tax-forfeited land policy.



# Rice County Housing and Redevelopment Authority

## Memo

To: Rice County Housing & Redevelopment Authority (RCHRA)  
 From: Joy Watson, Executive Director  
 Date: October 24, 2017  
 Item # II-3 Homeownership Program

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### BACKGROUND -

The HRA administers the Homeownership Program, which allows current participants to use their voucher to purchase a home. The program is only available to participants who meet income and employment requirements, families whose head, co-head or spouse work at least 30 hours per week and earn at least \$14,500.00 per year; income used to qualify for the program must be from employment. The income and employment requirements do not apply to families whose head, co-head, or spouse is elderly or disabled. For families who are not elderly or disabled, the maximum term of assistance is 15 years.

Eligible families must secure their own financing and must pay all purchase related costs, including down payment, closing costs, and home inspection. The HRA's current policy requires participants to utilize FHA approved lenders; however, the federal regulations for the program allow the HRA to accept lenders that meet the HRA's guidelines for an affordable mortgage product. In order to increase participants' choices, the HRA would like to allow non-FHA approved lenders to participate in the Homeownership program. Three Rivers Community Action provides down payment assistance funded through several state agencies, so they have existing policies on what factors make a mortgage product affordable. The HRA's proposed policy is modeled after the policy Three Rivers is currently utilizing. The proposed additions to the policy are underlined below:

### Approval of Financing

The PHA will only approve financing through FHA approved lenders, which will be subject to FHA mortgage insurance requirements, or lenders that meet the PHA guidelines for an affordable mortgage product. The PHA will not approve a mortgage that includes a balloon payment as part of the terms of the loan.

The PHA may review lender qualifications and the loan terms before authorizing homeownership assistance. The PHA may disapprove proposed financing, refinancing or other debt if the PHA determines that the debt is unaffordable, or if the PHA determines that the lender or the loan terms do not meet PHA qualifications. In making this determination, the PHA may take into account other family expenses, such as child care, unreimbursed medical expenses, homeownership expenses, and other family expenses as determined by the PHA.

### Affordable Mortgage Product Requirements

Affordable first mortgages must meet all of the following requirements:

- Fixed-rate loan, maximum amortization of 30 years, and a minimum term of 15 years.

- Downpayment required by product cannot exceed 5 percent of sale price. (Note: This guideline does not preclude a buyer from making a larger downpayment if additional personal funds are available.)
- Preference is for below-market or market-rate loan products. The buyer's first mortgage interest rate cannot exceed current market rate plus 1 percent.
- Housing expense and debt to income ratios of at least 28/36 allowed by the loan product (e.g., 29/41 is acceptable). Lenders are encouraged to use community homebuyer products with flexible underwriting guidelines.
- Closing costs (excluding prepaids) cannot exceed 3.5% percent of the loan amount. Note: This does not preclude buyers with liquid assets above \$5,000 from using their excess funds to buy down the interest rate.
- Roll over loans are not acceptable. Roll over loans have a fixed interest rate, short maturity, and a term to be negotiated.
- Contract for deed sales are not eligible.
- Seller-financed loans are not eligible.

#### **ACTION REQUESTED**

The HRA is requesting that the Rice County HRA Board pass a motion approving the update of the Home Ownership policy.

3890.txt

Document reads minimum amortization of 30 years minimum of 15  
Should be changed to maximum of 30.



# Rice County Housing and Redevelopment Authority

## Memo

To: Rice County Housing & Redevelopment Authority (RCHRA)  
 From: Joy Watson, Executive Director  
 Date: October 24, 2017  
 Item # II-4 Policy Updates

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### BACKGROUND

The HRA's Administrative Policy serves as a guide for how the HRA operates the Housing Choice Voucher (Section 8) Program. The HRA is funded by the Department of Housing and Urban Development (HUD) and is required to operate by HUD's rules; HUD recently updated several regulations, so the HRA's policies must be updated to reflect those changes; the HRA would also like to add two discretionary changes. Below is a summary of the changes.

#### Independent Students

- Updating the definition of an independent student.

#### Payment Standards

- Updating when decreases in the payment standard will be effective.

#### Inspections

- Expanding the definition of what conditions are considered life-threatening failed items.

#### Insufficient Funding

- Updating language regarding how the PHA will operate in case it has insufficient funding.

#### Scheduling Annual Reexaminations-Discretionary

- Adding language to state that a family may reschedule an annual reexamination for good cause, which is defined as circumstances that seriously affects or affected the health, safety or welfare of the family.

#### Changes in Household Composition-Discretionary

- Removing language that only allowed minor children to be added to the household through birth, adoption, or court-awarded custody.

#### Manufactured Homes

- Updating language regarding the rent calculations for manufactured homes.

## Representation and Interpretive Services

- Removing language requiring families to pay for the cost of an interpreter at hearings.

## Violence Against Women Act (VAWA) policies

- Updating language regarding the Violence Against Women Act

## Emergency Transfer Plan

- Adding an emergency transfer plan for victims of domestic violence, dating violence, sexual assault, or stalking. The HRA has added discretionary language stating that if the perpetrator is a household member, the perpetrator will be removed from the household prior to the transfer.

## **ACTION REQUESTED**

The HRA is requesting that the Rice County HRA Board approve the changes to the HRA policy manual.

## 1-Mandatory

### Independent Student

The individual is an orphan, in foster care, or a ward of the court ~~through the age of 18~~, or was an orphan, in foster care, or ward of the court at any time when the individual was 13 years of age or older -

## 2-Mandatory

### *Decreases*

If a PHA changes its payment standard schedule, resulting in a lower payment standard amount, during the term of a HAP contract, the PHA is not required to reduce the payment standard used to calculate subsidy for families under HAP contract as long as the HAP contract remains in effect [FR Notice 11/16/16].

However, if the PHA does choose to reduce the payment standard for families currently under HAP contract, the initial reduction to the payment standard may not be applied any earlier than the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard amount. At that point, the PHA may either reduce the payment standard to the current amount in effect on the PHA's payment standard schedule, or may reduce the payment standard to another amount that is higher than the normally applicable amount on the schedule. The PHA may also establish different policies for designated areas within their jurisdiction (e.g., different zip code areas).

~~If the amount on the payment standard schedule is decreased during the term of the HAP contract, the lower payment standard generally will be used beginning at the effective date of the family's second regular reexamination following the effective date of the decrease in the payment standard. The PHA will determine the payment standard for the family as follows:~~

~~**Step 1:** At the first regular reexamination following the decrease in the payment standard, the PHA will determine the payment standard for the family using the lower of the payment standard for the family unit size or the size of the dwelling unit rented by the family.~~

~~**Step 2:** The PHA will compare the payment standard from step 1 to the payment standard last used to calculate the monthly housing assistance payment for the family. The payment standard used by the PHA at the first regular reexamination following the decrease in the payment standard will be the higher of these two payment standards. The PHA will advise the family that the application of the lower payment standard will be deferred until the second regular reexamination following the effective date of the decrease in the payment standard.~~

~~Step 3: At the second regular reexamination following the decrease in the payment standard, the lower payment standard will be used to calculate the monthly housing assistance payment for the family unless the PHA has subsequently increased the payment standard, in which case the payment standard will be determined in accordance with procedures for increases in payment standards described below.~~

- Reviewing the student's prior year income tax returns to verify the student is independent or verifying the student meets the U.S. Department of Education's definition of independent student (see section 3-II.E) ~~whether a parent has claimed the student as a dependent~~
- Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0, except in cases in which the PHA determines that the student is a vulnerable youth (see section 3-II.E)
- ~~Reviewing prior year income tax returns to verify whether a parent has claimed the student as a dependent~~
- ~~Requesting and obtaining written certification directly from the student's parents identifying the amount of support they will be providing to the student, even if the amount of support is \$0.~~

~~All units must pass an HQS inspection prior to the approval of a lease and at least once every 24 months during the term of the contract, and at other times as needed, to determine that the unit meets HQS. Effective July 1, 2014, PHAs may establish a policy for performing unit inspections biennially rather than annually. This policy could apply to some or all assisted units. PHAs still have the option to inspect every unit annually. See Section 8 II.G for further details.~~

~~All units must pass an HQS inspection prior to the approval of a lease and at least annually during the term of the contract.~~

### 3-Mandatory

#### 8-I.C. LIFE-THREATENING CONDITIONS [24 CFR 982.404(a)]

HUD requires the PHA to define life-threatening conditions and to notify the owner or the family (whichever is responsible) of the corrections required. The responsible party must correct life-threatening conditions within 24 hours of PHA notification.

The following are considered life-threatening conditions:

- Any condition that jeopardizes the security of the unit
- Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling
- Natural or LP gas or fuel oil leaks
- A fuel storage vessel, fluid line, valve, or connection that supplies fuel to a HVAC unit is leaking or a strong odor is detected with potential for explosion or fire or that results in a health risk if inhaled
- Any electrical problem or condition that could result in shock or fire

- A light fixture is readily accessible, is not securely mounted to the ceiling or wall, and electrical connections or wires are exposed
  - A light fixture is hanging by its wires
  - A light fixture has a missing or broken bulb, and the open socket is readily accessible to the tenant during the day-to-day use of the unit
  - A receptacle (outlet) or switch is missing or broken and electrical connections or wires are exposed
  - An open circuit breaker position is not appropriately blanked off in a panel board, main panel board, or other electrical box that contains circuit breakers or fuses
  - A cover is missing from any electrical device box, panel box, switch gear box, control panel, etc., and there are exposed electrical connections
  - Any nicks, abrasions, or fraying of the insulation that exposes conducting wire
  - Exposed bare wires or electrical connections
  - Any condition that results in openings in electrical panels or electrical control device enclosures
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- Water leaking or ponding near any electrical device
  - Any condition that poses a serious risk of electrocution or fire and poses an immediate life-threatening condition
  - Absence of a working heating system when outside temperature is below 60 degrees Fahrenheit.
  - Utilities not in service, including no running hot water
  - Conditions that present the imminent possibility of injury
  - Obstacles that prevent safe entrance or exit from the unit
  - Any components that affect the function of the fire escape are missing or damaged
  - Stored items or other barriers restrict or prevent the use of the fire escape in the event of an emergency
  - The building's emergency exit is blocked or impeded, thus limiting the ability of occupants to exit in a fire or other emergency
  - Absence of a functioning toilet in the unit
  - Inoperable or missing smoke detectors
  - Missing or inoperable carbon monoxide detector
  - Missing, damaged, discharged, overcharged, or expired fire extinguisher (where required)
  - Gas/oil-fired water heater or heating, ventilation, or cooling system with missing, damaged, improper, or misaligned chimney venting
  - The chimney or venting system on a fuel- fired water heater is misaligned, negatively pitched, or damaged, which may cause improper or dangerous venting or gases
  - A gas dryer vent is missing, damaged, or is visually determined to be inoperable, or the dryer exhaust is not vented to the outside
  - A fuel -fired space heater is not properly vented or lacks available combustion air
  - A non-vented space heater is present
  - Safety devices on a fuel-fired space heater are missing or damaged
  - The chimney or venting system on a fuel-fired heating, ventilation, or cooling system is misaligned, negatively pitched, or damaged, which may cause improper or dangerous venting of gas

- Deteriorating paint as defined at 24 CFR 35.110 in a unit built before 1978 that is to be occupied by a family with a child under six years of age if it would prevent the family from moving into the unit

#### 4-Mandatory

##### *Insufficient Funding*

The PHA will deny a family permission to move on grounds that the PHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or the PHA; (b) the PHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) the PHA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs; and (d) for portability moves, the receiving PHA is not absorbing the voucher.

If the PHA does not have sufficient funding for continued assistance, but the family must move from their unit (e.g., the unit failed HQS), the family may move to a higher cost unit if the move is within the PHA's jurisdiction. The PHA, however, will not allow the family to move under portability in this situation if the family wishes to move to a higher cost area.

For both moves within the PHA's jurisdiction and outside under portability, the PHA will not deny a move due to insufficient funding if the PHA previously approved the move and subsequently experienced a funding shortfall if the family cannot remain in their current unit. The PHA will rescind the voucher in this situation if the family will be allowed to remain in their current unit.

The PHA will create a list of families whose moves have been denied due to insufficient funding. The PHA will keep the family's request open indefinitely, and ~~W~~when funds become available, the families on this list will take precedence over families on the waiting list. The PHA will use the same procedures for notifying families with open requests to move when funds become available as it uses for notifying families on the waiting list (see section 4-III.D).

~~The PHA may deny a family permission to move either within or outside the PHA's jurisdiction if the PHA does not have sufficient funding for continued assistance [24 CFR 982.314(e)(1)]. However, Notice PIH 2012-42 significantly restricts the ability of PHAs to deny permission to move due to insufficient funding and places further requirements on PHAs regarding moves denied due to lack of funding. The requirements found in this notice are mandatory.~~

~~The PHA will deny a family permission to move on grounds that the PHA does not have sufficient funding for continued assistance if (a) the move is initiated by the family, not the owner or the PHA; (b) the PHA can demonstrate that the move will, in fact, result in higher subsidy costs; and (c) the PHA can demonstrate, in accordance with the policies in Part VIII of Chapter 16, that it does not have sufficient funding in its annual budget to accommodate the higher subsidy costs.~~

~~The PHA will create a list of families whose moves have been denied due to insufficient funding. When funds become available, the families on this list will take precedence over families on the waiting list. The PHA will use the same procedures for notifying families with open requests to~~

~~move when funds become available as it uses for notifying families on the waiting list (see section 4-III.D).~~

## 5-Discretionary

### 11-I.B. SCHEDULING ANNUAL REEXAMINATIONS

Families generally are required to participate in an annual reexamination interview, which must be attended by an adult family member. If participation in an in-person interview poses a hardship because of a family member's disability or good cause, the family should contact the PHA to request a reasonable accommodation (see Chapter 2 ). Good cause is defined only as circumstances that seriously affects or affected the health, safety or welfare of the family.

## 6-Mandatory

### 11-I.D. DETERMINING ONGOING ELIGIBILITY OF CERTAIN STUDENTS [24 CFR 982.552(b)(5)]

Section 327 of Public Law 109-115 established new restrictions on the ongoing eligibility of certain students (both part- and full-time) who are enrolled in institutions of higher education.

If a student enrolled in an institution of higher education is under the age of 24, is not a veteran, is not married, does not have a dependent child, and is not a person with disabilities receiving HCV assistance as of November 30, 2005, the student's eligibility must be reexamined along with the income eligibility of the student's parents on an annual basis. In these cases, both the student and the student's parents must be income eligible for the student to continue to receive HCV assistance. If, however, a student in these circumstances is determined independent from his or her parents or is considered a vulnerable youth in accordance with PHA policy, the income of the student's parents will not be considered in determining the student's ongoing eligibility.

## 7-Discretionary

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

~~The PHA will not approve the addition of a foster child or foster adult or any other family members (other than birth, adoption or court awarded custody) if it will cause a violation of HQS space standards or will result in the PHA issuing a larger voucher.~~

~~In order for a minor child to be added to a unit, the addition must only be through birth, adoption or court awarded custody. The PHA will not approve the addition of minors in any other cases such as the submission of a Delegation of Powers by Parent or Guardian form. In cases where a family is in the process of obtaining court awarded custody of a minor child, the PHA may make an exception to its guest policy and allow the child to temporarily stay in the unit if the family submits evidence that they are in the process of seeking custody. However, under no circumstances will the child be added to the unit as a family member if the family has not received court awarded custody.~~

## 8-Mandatory

### PART VI: MANUFACTURED HOMES

(2) HUD also permits an otherwise eligible family that owns a manufactured home to rent a space for the manufactured home and receive HCV assistance with the rent for the space as well as certain other housing expenses. PHAs may, but are not required to, provide assistance for such families.

#### 15-VI.B. SPECIAL POLICIES FOR MANUFACTURED HOME OWNERS WHO LEASE A SPACE

##### Family Income

In determining the annual income of families leasing manufactured home spaces, the value of the family's equity in the manufactured home in which the family resides is not counted as a family asset.

##### Lease and HAP Contract

There is a separate Tenancy Addendum (Form 52642-a) and separate HAP Contract (Form 52642) for this special housing type.

#### 15-VI.C. PAYMENT STANDARD, UTILITY ALLOWANCE AND HAP CALCULATION

##### Payment Standards

The PHA payment standard for manufactured homes is determined in accordance with 24 CFR 982.505 and is the payment standard used for the PHA's HCV program. It is based on the applicable FMR for the area in which the manufactured home space is located.

The payment standard for the family is the lower of the family unit size (voucher size) or the payment standard for the number of bedrooms in the manufactured home.

~~The FMR for a manufactured home space is generally 40 percent of the published FMR for a two-bedroom unit or, where approved by HUD, the 40th percentile of the rental distribution of manufactured home spaces for the FMR area. The PHA may establish a payment standard for manufactured home spaces that is between 110 percent of the FMR for manufactured home spaces.~~

##### Utility Allowance

The PHA must establish utility allowances for manufactured home space rental. For the first 12 months of the initial lease term only, the allowance must include an amount for a utility hook-up charge if the family actually incurred a hook-up charge because of a move. This allowance will not be given to a family that leases in place. Utility allowances for manufactured home space must not include the costs of digging a well or installing a septic system.

If the amount of the monthly assistance payment for a family exceeds the monthly rent for the manufactured home space (including the owner's monthly management and maintenance charges), the PHA may pay the remainder to the family, lender, or utility company.

##### Space Rent

The rent for the manufactured home space (including other eligible housing expenses) is the total of:

- The rent charged for the manufactured home space;
- Owner maintenance and management charges for the space;
- The monthly payments made by the family to amortize the cost of purchasing the manufactured home, including any required insurance and property taxes; and
- The applicable allowance for tenant-paid utilities.

The monthly payment made by the family to amortize the cost of purchasing the manufactured home is the debt service established at the time of application to a lender for financing the purchase of the manufactured home if monthly payments are still being made. Any increase in debt service due to refinancing after purchase of the home may not be included in the amortization cost. Debt service for set-up charges incurred by a family may be included in the monthly amortization payments made by the family. In addition, set-up charges incurred before the family became an assisted family may be included in the amortization cost if monthly payments are still being made to amortize the charges.

~~The space rent is the sum of the rent to the owner for the manufactured home space, any charges for maintenance and management provided by the owner, and the utility allowance for tenant-paid utilities.~~

### **Housing Assistance Payment**

The HAP for a manufactured home space under the housing choice voucher program is the lower of the payment standard minus the TTP or the (gross) manufactured home space rent (including other eligible housing expenses) minus the TTP.

## **9-Mandatory**

### **Representation and Interpretive Services**

The family is entitled to request an interpreter. Upon request, the PHA will provide competent interpretation services, free of charge. ~~arrange for an interpreter to attend the hearing, at the expense of the family, or the PHA, as may be agreed upon by the two parties.~~

~~The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the PHA, as may be agreed upon by the two parties.~~

~~The family is entitled to arrange for an interpreter to attend the hearing, at the expense of the family, or the PHA, as may be agreed upon by the two parties.~~

At the family's request or when the PHA deems an interpreter necessary, the PHA will provide an interpreter for the family. If the family decides to furnish their own interpreter in addition to the interpreter provided by the PHA, the family will be responsible for the cost of the additional interpreter.

## **10-Mandatory**

## Notification to Public

The PHA adopts the following policy to help ensure that all actual and potential beneficiaries of its HCV program are aware of their rights under VAWA.

The PHA will post the following information regarding VAWA in its offices and on its Web website. It will also make the information readily available to anyone who requests it.

A summary of the rights and protections provided by notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (see sample notices in Exhibits 16-1 and 16-2) Form HUD-5380, see Exhibit 16-1)

The definitions of domestic violence, dating violence, sexual assault, and stalking provided in VAWA (included in Exhibits 16-1 and 16-2)

An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)

A copy of form HUD-500665382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2)

A copy of the PHA's emergency transfer plan (Exhibit 16-3)

A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)

A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)

The PHA will make the following information readily available to anyone who requests it.

~~A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (see sample notices in Exhibits 16-1 and 16-2)~~

~~The definitions of domestic violence, dating violence, sexual assault, and stalking provided in VAWA (included in Exhibits 16-1 and 16-2)~~

~~An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA (included in Exhibits 16-1 and 16-2)~~

~~A copy of form HUD-50066, Certification of Domestic Violence, Dating violence, sexual assault, or Stalking~~

~~A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it~~

~~needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information (included in Exhibits 16-1 and 16-2)~~

- The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)
- Contact information for local victim advocacy groups or service providers

#### **Notification to Program Applicants and Participants [24 CFR 5.2005(a)(1)]**

PHAs are required to inform program participants of their rights under VAWA, including their right to confidentiality and the limits thereof. Since VAWA provides protections for applicants as well as participants, PHAs may elect to provide the same information to applicants.

The PHA will provide all applicants with information about VAWA at the time they fill out a full application for housing assistance. The PHA will also include information about VAWA in the briefing packet.

The PHA will provide all participants with information about VAWA at annual reexamination.

#### **Notification to Owners and Managers [24 CFR 5.2005(a)(2)]**

While PHAs are no longer required by regulation to notify owners and managers participating in the HCV program of their rights and obligations under VAWA, the PHA may still choose to inform them.

~~PHAs are required to notify owners and managers participating in the HCV program of their rights and obligations under VAWA.~~

~~The PHA will provide owners and managers with information about their rights and obligations under VAWA on the landlord section of the PHA's website and on the PHA's cover sheet to the RTA.~~

#### **16-IX.D. DOCUMENTATION [24 CFR 5.2007]**

##### **Conflicting Documentation [24 CFR 5.2007(e)]**

In cases where the PHA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, the PHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3) within 30 calendar days of the date of the request for third-party documentation . The PHA must honor any court orders issued to protect the victim or to address the distribution of property.

If presented with conflicting certification documents (two or more forms HUD-50066) from members of the same household, the PHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR

5.2007(b)(2) or (3) and by following any HUD guidance on how such determinations should be made.

### **11-Mandatory, except for underlined language**

#### **EXHIBIT 16-3: EMERGENCY TRANSFER PLAN FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

Attachment: Certification form HUD-5382

Rice County HRA,

Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

Housing Choice Voucher Program

#### **Emergency Transfers**

The PHA is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA), the PHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation. The ability of the PHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether the PHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that oversees that the public housing and housing choice voucher (HCV) programs are in compliance with VAWA.

#### **Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L, is eligible for an emergency transfer if the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify the PHA's management office and submit a written request for a transfer to any PHA office. The PHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under the PHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

### **Confidentiality**

The PHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives the PHA written permission to release the information on a time-limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence against Women Act for All Tenants for more information about the PHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Transfer Timing and Availability**

The PHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. The PHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. The PHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If the PHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, the PHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, the PHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan. If the

perpetrator is a household member, the perpetrator will be removed from the household prior to the transfer.

### **Emergency Transfers: Housing Choice Voucher (HCV) Program**

Tenant-based assistance: If you are a participant in the tenant-based HCV program and request an emergency transfer as described in this plan, the PHA will assist you to move to a safe unit quickly using your existing voucher assistance. The PHA will make exceptions to program regulations restricting moves as required.

At your request, the PHA will refer you to organizations that may be able to further assist you.

Project-based assistance: If you are assisted under the project-based voucher (PBV) program, you may request an emergency transfer under the following programs for which you are not required to apply:

Tenant-based voucher, if available

Project-based assistance in the same project (if a vacant unit is available and you determine that the vacant unit is safe)

Project-based assistance in another development owned by the PHA

Emergency transfers under VAWA will take priority over waiting list admissions for these types of assistance.

You may also request an emergency transfer under the following programs for which you are required to apply:

Public housing program

PBV assistance in another development not owned by the PHA

Emergency transfers will not take priority over waiting list admissions for these programs. At your request, the PHA will refer you to organizations that may be able to further assist you.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse, and Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at: <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at: <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.



# Rice County Housing and Redevelopment Authority

## Memo

To: Rice County Housing & Redevelopment Authority  
 From: Joy Watson, Executive Director  
 Date: October 24, 2017  
 Item #: III-1 Quarterly Report

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### Third Quarter 2017

The HRA is authorized 329 vouchers

- During the time period of July through September, the average numbers of vouchers leased was 290
- The average housing assistance payment for July through September was a \$481.00
- HUD funded average housing assistance payment is \$390.00
- The average total housing assistance payment per month was \$139,559.00
- The total housing assistance payments issued for July through September were \$418,677.00
- Total housing assistance payments funded by HUD for July through September were \$378,565.00

	JULY	AUG	SEPT	Total	Average
<b>Budget Authority</b>	128,409	128,409	128,409	\$378,565	\$126,188
<b>Actual Spent</b>	\$135,897	\$137,515	\$143,647	\$418,677	\$139,559
<b>Actual leased</b>	293	288	294	870	290
<b>Per Unit Cost</b>	\$463.81	\$477.48	\$488.60	\$1,444	\$481

**Step 1: Save blank master. Step 2: Save again with PHA file name and date. Step 3: Enter data in Yellow Fields as column 'O' indicates. Step 3: Enter data monthly. Only enter data in yellow fields.**

	12	11	10	9	8	7	6	5	4	3	2	1		
	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL	
<b>BUDGET TO ACTUAL</b>														
<b>HAP</b>														Enter Annual HAP Budget Authority <b>B</b> here
HAP Budget Authority even spread	128,409	128,409	128,409	128,409	128,409	128,409	128,409	128,409	128,409	128,409	128,409	124,310	\$1,540,910	
Variance to even spread	3,744	\$7,188	\$842	\$6,339	\$5,784	\$4,521	\$7,488	\$9,106	\$15,238	\$0	\$0	\$0	-\$324,979	
YTD Variance to even spread		\$10,932	\$11,774	\$18,112	\$23,896	\$28,417	\$35,905	\$45,011	\$60,249	\$60,249	\$60,249	\$60,249		
Actual HAP (inc port outs & FSS)	132,153	\$135,597	\$129,251	\$134,748	\$134,193	\$132,930	\$135,897	\$137,515	\$143,647				\$1,215,931	
YTD Actual	132,153	\$267,750	\$397,001	\$531,749	\$665,942	\$798,872	\$934,769	\$1,072,284	\$1,215,931	\$1,215,931	\$1,215,931	\$1,215,931	-\$324,979	Enter Allocated Units <b>A</b> here
HAP Budget Authority respread	128,409	\$128,069	\$127,316	\$127,101	\$126,145	\$124,995	\$123,673	\$121,228	\$117,157	\$108,326	\$108,326	\$108,326	\$1,540,910	
Variance to respread	3,744	\$7,528	\$1,935	\$7,647	\$8,048	\$7,935	\$12,224	\$16,287	\$26,491	\$0	\$0	\$0		
YTD HAP remaining @ 1st of month	1,540,910	\$1,408,757	\$1,273,160	\$1,143,909	\$1,009,161	\$874,968	\$742,038	\$606,141	\$468,626	\$324,979	\$324,979	\$324,979		
<b>PUC</b>														
HUD-Funded PUC	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	\$390.30	329
Actual PUC	\$440.51	\$451.99	\$442.64	\$452.17	\$453.35	\$453.69	\$463.81	\$477.48	\$488.60				\$458.15	Note: if add'l units are awarded, figures in row 17 may need to be entered manually
Variance	\$50.21	\$61.69	\$52.34	\$61.87	\$63.05	\$63.38	\$73.51	\$87.18	\$98.29				\$67.85	
<b>UNITS</b>														
HUD Baseline Units	329	329	329	329	329	329	329	329	329	329	329	329	3,948	
Funded Units @ prev mo PUC			282	287	279	276	282	261	245	222				
Actual Leased (inc port outs)	300	300	292	298	296	293	293	288	294				2,654	Avail. Unit
Variance to baseline	-29	-29	-37	-31	-33	-36	-36	-41	-35				1,294	
YTD Variance to baseline		-58	-95	-126	-159	-195	-231	-272	-307					
<b>PORTABILITY</b>														
<b>PORTABILITY OUT</b>														
Units	20	21	21	23	24	24	24	24	23					Enter port in and out data in yellow fields monthly
HAP	13,288	\$13,540.00	\$13,531.00	\$16,617.00	\$16,971.00	\$17,011.00	\$16,734.00	\$18,673.00	\$17,365.00					
Actual PUC port outs	664	\$644.76	\$644.33	\$722.48	\$707.13	\$697.25	\$778.04	\$755.00						
<b>PORTABILITY IN</b>														
Units													0	
HAP														
Actual PUC port ins	#VALUE!												#DIV/0!	

	JULY	AUG	SEPT	Total	Average
Budget Authority	128,409	128,409	128,409	\$378,565	\$126,188
Actual Spent	\$135,897	\$137,515	\$143,647	\$418,677	\$139,559
Actual leased	293	288	294	870	290
Per Unit Cost	\$463.81	\$477.48	\$488.60	\$1,444	\$481

Attachment: 9-17 budget tracking (2731 : Quarterly Report)