

**A REGULAR MEETING OF THE
BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF
SAN BERNARDINO**

TO BE HELD TELEPHONICALLY
November 10, 2020 AT 3:00 P.M.

Zoom Meeting – Board of Commissioners will be forwarded instructions
Members of the public may call:
Call In Number (669) 900-6833
Meeting ID: 871 8983 1045
Password: 171529

This meeting is being held in accordance with the Brown Act as currently in effect under the State of Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Order N-29-20 issued on March 17, 2020, that allows attendance by the Board of Commissioners, Housing Authority staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to participate should call in using the teleconference information stated above. Public comments, limited to 250 words or less, can only be submitted via web at <http://ww2.hacsb.com/contact/public-comments-for-board-meetings> and/or via email at publiccomment@hacsb.com and will be read into the record, limited to 3 minutes per comment. Some comments may not be read due to time limitations.

AGENDA

PUBLIC SESSION

- 1) Call to Order and Roll Call
- 2) Additions or deletions to the agenda
- 3) General Public Comment - Any member of the public may address the Board of Commissioners on any matter not on the agenda that is within the subject matter jurisdiction of the Board. To make a comment on a specific agenda item, please submit your comments via email or online by 1:00 p.m. on the Tuesday of the Board meeting. Comments should be limited to 250 words or less. Please submit your comments via web at <http://ww2.hacsb.com/contact/public-comments-for-board-meetings> and email at publiccomment@hacsb.com. Your comments will be placed into the record at the meeting. Efforts will be made to read the comments into the record, but some comments may not be read due to time limitations.

DISCUSSION CALENDAR

(Public comment is available for each item on the discussion calendar)

- 4) Receive the Executive Director's Report dated November 10, 2020. (Page 1)
- 5) Receive the board building presentation for November 10, 2020 regarding an overview of the Housing Authority of the County of San Bernardino's pilot homeless programs. (Page 2)
- 6) Adopt Resolution No. 100 approving revisions to the Administrative Plan governing the Housing Authority of the County of San Bernardino's rental assistance programs. (Pages 3-45)
- 7) 1 - Approve Amendment No. 2 to Contract No. PC973 with Kimball, Tirey & St. John LLP, for Eviction and Non-Eviction services increasing the current contract amount by \$66,000 for a total contract amount not to exceed \$266,000 through December 31, 2021.

2 – Authorize and direct the Executive Director to execute and deliver the contract amendment to Kimball, Tirey & St. John LLP, and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction. (Pages 46-49)
- 8) 1 - Approve Amendment No. 2 to Contract No. PC1041, effective December 1, 2020, with Reliant Asset Management Solutions for Housing Quality Standards inspection services, increasing the current contract amount by \$404,000, for a total contract amount not to exceed \$1,212,000 and extending the contract by one year through November 30, 2021.

2 – Authorize Executive Director to execute and deliver the contract amendment to Reliant Asset Management Solutions and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction. (Pages 50- 62)

CONSENT CALENDAR

- 9) APPROVAL OF CONSENT ITEMS: # 10 - 14
- 10) **CONTINUED FROM TUESDAY, October 13, 2020, ITEM NO. 13**
Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on September 8, 2020. (Pages 63-71)
- 11) Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on October 13, 2020. (Pages 72- 79)
- 12) Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in August 2020. (Pages 80-84)

- 13) Approve the vacated tenant account for the Affordable Housing Program to be written off as collection loss for the month ending in August 2020. (Pages 85-87)
- 14) Approve and file Agency-wide Financial Statements through July 2020. (Pages 88-90)
- 15) Individual Board member Comments
- 16) Adjourn

This agenda contains a brief description of each item of business to be considered at the meeting. In accordance with the Ralph M. Brown Act, this meeting agenda is posted at least 72 hours prior to the regularly scheduled meeting at the Housing Authority of the County of San Bernardino (HACSB) Building located at 715 East Brier Drive, San Bernardino, California, 92408. The agenda and its supporting documents can be viewed online at <http://www.hacsb.com>. However, the online agenda may not include all available supporting documents or the most current version of documents.

If you challenge any decision regarding any of the above proposal in court, you may be limited to raising only those issues you or someone else raised during the public testimony period regarding that proposal or in written correspondence delivered to the Board of Commissioners at, or prior to, the public hearing.

It is the intention of the HACSB to comply with the Americans with Disabilities Act (ADA). If you require special assistance, HACSB will attempt to accommodate you in every reasonable manner. Please contact Sylvia Robles at (909) 890-6318 at least 48 hours prior to the meeting to inform us of your particular needs.

HACSB ofrece asistencia idiomática gratis. Para ayuda con este documento, por favor llámenos al (909) 890-0644.

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Executive Director's Report for November 10, 2020

RECOMMENDATION(S)

Receive the Executive Director's Report for November 10, 2020.
(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in a financial impact to the Housing Authority of the County of San Bernardino (HACSB) as there is no financial impact associated with this item.

BACKGROUND INFORMATION

The Executive Director's report summarizes ongoing initiatives of HACSB's strategic plan, Moving to Work activities, overall agency updates, as well as other initiatives federally regulated by the United States Department of Housing and Urban Development.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 21, 2020.

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Board Building Presentation for November 10, 2020

RECOMMENDATION(S)

Receive the board building presentation for November 10, 2020 regarding an overview of the Housing Authority of the County of San Bernardino's pilot homeless programs.
(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

Approval of this item will not result in a financial impact to the Housing Authority of the County of San Bernardino (HACSB) as there is no financial impact associated with this item.

BACKGROUND INFORMATION

Per the United States Department of Housing and Urban Development (HUD) Commissioner Lead the Way Training, board building is required to provide the Board of Commissioners with information regarding ongoing initiatives of HACSB's strategic plan, Moving to Work activities, overall agency updates, as well as other initiatives federally regulated by HUD.

This month's board building presentation will include an overview of HACSB's pilot homeless programs.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 21, 2020.

REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Revisions to the Administrative Plan Governing the Housing Authority of the County of San Bernardino's Rental Assistance Programs

RECOMMENDATION(S)

Adopt Resolution No. 100 approving revisions to the Administrative Plan governing the Housing Authority of the County of San Bernardino's rental assistance programs.
(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB has secured the resources needed for accomplishing its mission.

HACSB communication is open, honest and consistent.

HACSB clients, programs, and properties are embraced by all communities.

HACSB clients live in safe and desirable homes and communities where they can develop and prosper.

FINANCIAL IMPACT

Approval of the proposed revisions to the Administrative Plan will have no direct financial impact to the Housing Authority of the County of San Bernardino's (HACSB) annual budget.

BACKGROUND INFORMATION

HACSB's Housing Choice Voucher (HCV) Administrative Plan outlines the adopted policies that govern the HCV program as well as other HACSB rental assistance programs. These programs provide rental subsidies for low-income families leasing homes in the private rental market. The Administrative Plan is required of all housing authorities administering an HCV program and is reviewed and updated as needed to maintain compliance with Public and Indian Housing Notices, Federal Register Notices as issued by the United States Department of Housing and Urban Development (HUD), and HACSB's Moving to Work (MTW) activities.

The primary reason for updating the Administrative Plan at this time is to revise emergency operations policies under the COVID-19 pandemic and program procedures related to the implementation of the applicant and resident portals. In addition, other updates have been made throughout the Administrative Plan to promote consistent application of policies and procedures. Attached is a table summarizing the proposed revisions along with the corresponding sections from the Administrative Plan with the redline changes.

To ensure alignment with HUD regulations and HACSB's MTW Annual Plan, it is recommended the Board of Commissioners adopt the resolution to approve the proposed changes to the Administrative Plan.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 22, 2020.

HOUSING AUTHORITY RESOLUTION NO. 2020-100

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE
COUNTY OF SAN BERNARDINO APPROVING REVISIONS TO THE ADMINISTRATIVE PLAN
GOVERNING THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO'S RENTAL
ASSISTANCE PROGRAMS**

RECITALS

WHEREAS, the Housing Authority of the County of San Bernardino (HACSB) is required to maintain an Administrative Plan which outlines regulations necessary to administer the Housing Choice Voucher subsidized programs on behalf of the United States Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires public housing agencies to amend their Administrative Plan to incorporate changes and define policy relative to administration of the Housing Choice Voucher subsidized programs; and

WHEREAS, HACSB desires to amend its policies and procedures as they relate to emergency operations under COVID-19 and implementation of applicant and resident portals, and update language in other sections.

OPERATIVE PROVISIONS

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY
OF THE COUNTY OF SAN BERNARDINO DOES RESOLVE AS FOLLOWS:**

Section 1. The Board of Commissioners finds that all of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

Section 2. The Board of Commissioners hereby approves the revisions to the Administrative Plan governing the Housing Authority of the County of San Bernardino's rental assistance programs, attached hereto as Exhibit "A" and incorporated by reference herein.

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Commissioners of the Housing Authority of the County of San Bernardino, by the following vote:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSENT: COMMISSIONER:

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, _____, Secretary of the Board of Commissioners of the Housing Authority of the County of San Bernardino, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Commissioners, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of Tuesday, _____, 20__.

Secretary

By _____
Deputy

Summary of Proposed Administrative Plan Changes, November 2020

Section	Topic	Change
1.5.2 & through-out	Transitional Assistance for MTW Families	Removed the Transitional Assistance for MTW Families program from the list of Housing Services programs. The program was designed to transition MTW families to the appropriate streamlined lease assistance program starting with participants with a recertification effective date prior to February 1, 2015. The families were transitioned to the streamlined lease assistance programs at their next recertifications. The transition process was completed, and the program is now closed. Throughout the plan, policies related to the Transitional Assistance for MTW Families program were also removed.
2	Waiting List and Initial Eligibility	Updated entire chapter to reflect changes to waiting list and eligibility procedures resulting from implementation of the applicant portal. Section 2.2.7.1 was added to describe the process of removing or transferring applications on the project-based waiting list if the household composition or occupancy standard changes. Section 2.3.3.1 was updated to correctly indicate that only the head of household signs an ITSP upon determination that the family is eligible for the program.
3.3	Applicant Family Break Up	Revised this section to remove inconsistencies with Section 8.7 which describes the process of continuing assistance when a participant family breaks up. Section 3.3 now only describes policy when an applicant family breaks up. Additionally, a priority order was established to determine which new family would retain the application.
4.9	Live-in Aides	Clarified that a spouse, registered domestic partner and current household member are not eligible to become a live-in aide based on HUD guidance and adds a policy for handling marriage between a participant and live-in aide.
6.5.1	Minimum Rent for Streamlined Lease Assistance	Added minimum rent policy that was implemented with the \$125 minimum rent but was not memorialized in the Administrative Plan. The language concerning the minimum rent waiver granted zero income families under the Sponsor-Based Project-Based was also clarified.
8.2	Briefings	Added alternative methods to conduct the HUD required oral briefing to include in-person, telephone and video conference.
8.7	Determination for Split Participant Households	Revised this section to remove references to applicant households, which is detailed in Section 3.3, ensure domestic violence victims receive priority in a family break-up and provide clear guidance concerning priority order to determine who retains the assistance.

Summary of Proposed Administrative Plan Changes, November 2020 (continued)

Section	Topic	Change
8.8	Residual Assistance for Remaining Members	Added policy that prohibits the head of household from leaving the assistance to the remaining household members when the family is determined to be over-income.
11.5	Payment Standards for the Housing Services Program	Revised implementation process for adoption of the local payment standards for VASH participants.
12.2	Scheduling Recertifications	Added Resident Portal, email and other means of contacting participants and collecting Recertification packets.
16.4	Notice of Termination of Assistance	Added that requests for informal hearing must be made in writing and received within ten (10) business days of the date on the letter. This is consistent with current practice.
16.6	Informal Hearings for Participants	Revised this section to indicate that a pre-termination meeting may be conducted over the telephone.
16.6.2	Notice of Informal Hearing Policies to Participants	Revised this section to indicate that a pre-termination meeting may be conducted over the telephone.
16.6.3	Notice of Scheduled Informal Hearing to Participant	Added that the location of the hearing may be either in-person or remote.
20.13.1	Alternative Occupancy Standards	Added policy allowing use of the alternative occupancy standards for project-based voucher developments when the waiting list for a bedroom size has been exhausted. Removed maximum alternative occupancy standard because the purpose of the alternative occupancy standard is to permit fewer occupants per bedroom.
Chapter 22	Emergency Operations	Updated expiration dates for COVID-19 waivers that have been extended through a HUD notice and added policy granting more time for applicants and participants to submit documents for new and continuing eligibility. More search time was added for families searching for units. Also, the use of Remote Video Inspections (RVI) was added. This inspection method can substitute for an in-person inspection. Alternative methods for conducting an oral briefing were moved from the Emergency Operations chapter and incorporated within standard policies. Clarified the COVID-19 hardship exemption policy which allows approval of more than one hardship exemption during a 12-month period and added that extensions of COVID-19 hardship exemptions may be approved.

continues to make payments to the owner as long as the family is eligible and the housing unit continues to qualify under the program.

To administer the Housing Services program, the Housing Authority enters into a contractual relationship with HUD. The Housing Authority also enters into contractual relationships with the assisted family and the owner or landlord of the housing unit. For the program to work and be successful, all parties involved – HUD, the Housing Authority, the owner, and the family – have important roles to play. The roles and responsibilities of all parties are defined in federal regulations and in legal documents that parties execute to participate in the program.

1.5.2 Housing Services Program Types

The Housing Authority administers ~~eleven~~ten distinct types of Housing Services programs. All of the types, except for Term-Limited Lease Assistance, may be either tenant-based or project-based. Term-Limited Lease Assistance is only available in the tenant-based program.

- **Term-Limited Lease Assistance** – Participants in the Term-Limited Lease Assistance program execute a Family Obligations Agreement (FOA) with the Housing Authority.¹ Each participant receives five years of housing assistance as long as they remain compliant with the FOA and continue to remain eligible for the program. This program became effective for all new non-elderly/non-disabled, tenant-based participants on January 1, 2012, including the former Upland Housing Authority waiting list applicants who are pulled on or after July 1, 2017, and all port-in families, families exercising mobility through the Project-Based Voucher program, and non-legacy families in Rental Assistance Demonstration (RAD) units exercising mobility who are briefed on or after November 1, 2017.
- **Streamlined Fixed Lease Assistance for Elderly/Disabled Families** – Elderly/Disabled families who become participants after November 1, 2014 or were existing participants admitted to the program prior to November 1, 2014 and who have a recertification effective date of February 1, 2015 or later² will participate in the Streamlined Fixed Lease Assistance program.³ This also applies to the former

¹ The FY 2011 Moving to Work Annual Plan included Activity 20: Term-Limited Lease Assistance program.

² The recertification process for families with a February 1, 2015 or later effective date will be commenced in November, 2014.

³ The FY 2013 Moving to Work Annual Plan included Activity 22: Streamlined Lease Assistance programs. The Streamlined Fixed Lease Assistance program serves elderly/disabled families and the Streamlined Tiered Lease Assistance program serves Career Focused Families. Participants, who were not Term-Limited Lease Assistance program participants and who had a recertification effective date prior to February 1, 2015, participated in the

Upland Housing Authority (UHA) elderly/disabled families as a result of the voluntary transfer on July 1, 2017 with a recertification date of January 1, 2018 or later; future Plan references to Streamlined Fixed Lease Assistance families will also apply to these former UHA families. Each participant family has their income calculated based on gross income and receives no allowances or deductions. Rent is determined based on a set percentage of income throughout participation in the program.

- **Streamlined Tiered Lease Assistance for Career-Focused Families** – Existing participants who received assistance prior to January 1, 2012 and are not elderly/disabled households but who have a recertification effective date of February 1, 2015 or later are part of the Streamlined Tiered Lease Assistance for Career Focused Families program. This also applies to the former Upland Housing Authority (UHA) career focused families as a result of the voluntary transfer on July 1, 2017 with a recertification date of January 1, 2018 or later; future Plan references to Streamlined Tiered Lease Assistance families will also apply to these former UHA families. Each participant family has their income calculated on gross income and receives no allowances or deductions. Rent is determined based on an increasing percentage of income at each recertification.
- **Streamlined Fixed Lease Assistance for Career-Focused Families** – All non-elderly and non-disabled families admitted under the project-based voucher program and sponsor-based project-based voucher program after January 1, 2017, will participate in the Streamlined Fixed Lease Assistance for Career-Focused Families program.
- **Veteran's Affairs Supportive Housing (VASH)** – Assists homeless veterans with severe psychiatric or substance abuse disorders. The Housing Authority and Veterans Administration Medical Center have partnered to provide rental voucher and supportive services to eligible veterans. Except as otherwise specified in this document, the policies for HACSB's Moving to Work program shall apply to this program.
- **Local Disaster Short-Term Rental Assistance Program** – Assistance through this program will be limited to families displaced as the direct result of a local

Transitional Assistance for MTW Families program until their next recertification, at which time they were transitioned to the Streamlined Lease Assistance program that they were determined to be eligible for. These participants were subject to HACSB rules that were implemented for MTW families. These specific rules were noted in the prior versions of the Administrative Plan. The Transitional Assistance for MTW Families results from the creation of this program to transition families who were on the program prior to the implementation of the Streamlined Programs into the applicable Streamlined Lease Assistance program.

disaster. A local disaster is an event that occurs within the County of San Bernardino and may include a natural disaster, an act of terrorism, or other event as determined by the Housing Authority. The qualification of a local disaster shall be declared by the Housing Authority through its governing board. The income and rental subsidy for this program shall align with the Streamlined Lease Assistance program methodologies. Except as otherwise specified in this policy, the policies for HACSB's Housing Choice Voucher Program shall apply to this program.

- **Family Unification** - The Family Unification Program (FUP) is administered in partnership with the San Bernardino County Department of Children and Family Services (DCS). Tenant-Based Voucher (TBV) rental assistance is provided to families for which the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care. Applications from residents of San Bernardino County are referred through DCS. The income and rental subsidy for this program shall align with the Streamlined Lease Assistance program methodologies. Except as otherwise specified in this policy, the policies for HACSB's Housing Choice Voucher Program shall apply to this program.
- **Mainstream Vouchers** (formally Mainstream 5 and Mainstream 811) - Provides rental assistance for a family containing a member who is a person with disabilities between the ages of 18 – 61 to enable the family to rent suitable and accessible housing in the private market. Effective October 1, 2020, Mainstream 5 participants will transition to the Streamlined Lease Assistance for Elderly and Disabled at recertification.
- ~~**Transitional Assistance for MTW Families** – Existing participants who are not Term-Limited Lease Assistance program participants, and who have a recertification effective date prior to February 1, 2015 will participate in the Transitional Assistance for MTW Families program until their next recertification, at which time they will transition to the Streamlined Lease Assistance program that they are determined to be eligible for. These participants are subject to HACSB rules that were implemented for MTW families. These specific rules will be noted in each Administrative Plan chapter. Each of these families will transition to the applicable Streamlined Assistance program at their next regularly scheduled recertification.~~
- **Traditional, Regulatory Assistance for Special Purpose Programs** – Certain HUD programs are not eligible for inclusion in the Moving to Work Demonstration. These programs are administered in accordance with federal regulations and the specific criteria established by the special purpose program. HACSB's MTW

- There are no ADA/504 units available to accommodate the family's needs (i.e., customized wheelchair exceeds normal dimensions, other specialized equipment needs, etc.)
- There are no affordable units/communities that meet a medically necessary restriction or requirement
- There is a significant, identified barrier to that participant in the private market to finding and securing stable private sector housing that meets their disability needs, including but not limited to ADA compliant and mobility accessible units.

2.2 Overview of the Initial Application Process [HCV GB, pp. 4-11 – 4-16, Notice PIH 2009-36]

Any family that wants to receive Housing Services program assistance must apply for admission to the program. Families who wish to apply for the Housing Authority's tenant-based programs or project-based programs must apply electronically through ~~the~~ HACSB's ~~authorized website~~applicant portal when the waiting list is open. Applications may be taken over the phone to accommodate applicants who do not have access to the applicant portal or as a reasonable accommodation. Applications will be made available in an accessible format for persons with disabilities ~~upon request~~as a reasonable accommodation.

The application process is comprised of two phases. The first phase is the initial application for assistance, which is also known as the pre-application. After completion of the pre-application, the Housing Authority will determine a household's placement or denial of placement on the waiting list.

The second phase of the application process is the final determination of eligibility, also known as the full application. A household will be required to complete a full application when the family reaches the top of the waiting list. The full application is completed on the applicant portal. At this time the Housing Authority ensures that verification of all HUD and HACSB eligibility factors are current in order to determine the family's eligibility for the issuance of ~~an assistance document to search for a unit~~a tenant-based voucher or placement in a project-based unit.

2.2.1 Opening of the Waiting List [24 CFR 982.206 and 982.54(d)(1)]

The Housing Authority will advertise the opening of the waiting list through public notice in newspapers of general circulation, minority publications, and other media entities. This process shall not apply to the waiting list for the Local Disaster Short-Term Rental Assistance Program, which shall be open only to families referred by partnering agencies

not already on the wait list must be added to the wait list by order of referral. The Housing Authority may open the wait list only to accept DCS referrals.

2.2.6 Change in Applicant Circumstances

Applicants are required to inform the Housing Authority in writing of changes in mailing address and household size via the applicant portal. Applicants are also required to respond to requests from the Housing Authority to update information on their pre-application and to determine their continued interest in assistance.

2.2.7 Removal from the Waiting List and Purging [24 CFR 982.204]

The Housing Authority may request each applicant to respond to a request for current information and/or confirmation of continued interest to ensure that the waiting list is current and accurate. This process will be conducted through the applicant portal and by mail. The Housing Authority is authorized to remove the names of applicants who do not respond to requests for information or periodic updates. An applicant who fails to respond to a Housing Authority mailing within the time frame indicated will be removed from the waiting list without further notice. An extension may be considered as a reasonable accommodation if requested in advance by a person with a disability. Notices will be made available in accessible format upon the request of a person with a disability.

The family's response must be in writing and may be delivered in person, by mail, through the applicant portal or by fax. Responses should be postmarked or received by the HACSB no later than the due date on the HACSB notification letter. If the family fails to respond by the due date, the family will be removed from the waiting list without further notice.

If an email notification from the applicant portal returns a delivery error or no response is received, a notification will be mailed to the applicant. If the notification letter is returned by the Post Office, the applicant will be removed from the waiting list without further notice. The returned envelope and original letter will be maintained in the file.

When a family is removed from the waiting list during the update process for failure to respond, no informal review will be offered. Such failures to act on the part of the applicant prevent the HACSB from making an eligibility determination; therefore no informal review is required.

Applicants who are removed from the waiting list for failure to respond are not entitled to reinstatement on the waiting list, unless:

- The Housing Authority verifies a family/health/work emergency, or
- The applicant failed to respond because of a family member's disability

Periodically, applicants will call to check their status on the waiting list and learn that they have been ~~cancelled—removed~~ because mail was returned as undeliverable. In extenuating circumstances, such as a long-term illness or other family emergency, the applicant may be reinstated. However, the registrant must be able to provide documentation of the circumstances. Such requests will be reviewed and approved (or denied) on a case-by-case basis.

2.2.7.1 Project-Based Waiting List Bedroom Size Changes

For the project-based waiting list, the application may be removed if the household no longer qualifies for the available bedroom size due to changes in household composition. However, if the waiting list for the bedroom size for which the household is now eligible was open at the time of the original application, the household will be placed on the waiting list for the eligible bedroom size using the original date and time of application. If an applicant is no longer eligible for a bedroom size due to changes in occupancy standards, the application will be updated with the appropriate bedroom size if available at the development regardless of whether the waiting list was open at the time of application.

2.2.8 Selection from the Waiting List [24 CFR 982.204]

When funding is available, families will be selected from the waiting list in their determined sequence, regardless of family size, subject to income targeting and comparable mix under the Moving to Work demonstration requirements. When there is insufficient funding available for the applicant at the top of the list, the Housing Authority will not admit any other applicant until funding is available for the first applicant.

Based on the Housing Authority's turnover and the availability of funding, groups of families will be selected from the waiting list to form a final eligibility "pool."

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

In accordance with the Housing Authority's Moving To Work Agreement, each fiscal year the Housing Authority will reserve a minimum of seventy-five percent (75%) of its Housing Services program new admissions for families whose income does not exceed fifty percent (50%) of the area median income. HUD refers to these families as "very low-income families." The Housing Authority will admit families who qualify under the very low-income limit to meet the income targeting requirement, regardless of preference.

Authority will notify the applicant in writing of the reasons why the preference was denied and return the applicant to the waiting list without the benefit of the preference. Families who are returned to the waiting list for not meeting the claimed preference are not entitled to an informal review as they have not been found ineligible. Applicants may exercise other rights if they believe they have been discriminated against.

2.3 Completion of a Full Application and Required Initial Eligibility Interview [HCV GB, p. 4-16]

After an applicant is selected from the waiting list, and any preference is verified (if applicable), the applicant will be contacted through email and mail to complete a full application ~~will be mailed to the applicant in advance of a required interview for completion in the applicant portal or on HACSB supplied forms provided through the mail.~~ All adult members of an applicant's household will be required to ~~participate in a full application interview with a Housing Authority representative. During this interview, the household will be required to furnish complete and accurate information verbally as requested by the interviewer~~ complete and sign forms and submit required documentation.

The Housing Authority uses the full application process ~~and eligibility interview to discuss to document~~ the family's circumstances in greater detail, ~~to and verify clarify~~ information which has been provided by the family and to ensure that the information is complete. ~~The interview is also used as a vehicle to meet the informational needs of the family by providing information about the application and verification process, as well as to advise the family of other Housing Authority services or programs which may be available.~~

Correspondence during the full application process Interviews will be ~~conducted~~ in English. For limited English proficient applicants, the Housing Authority will provide translation services in accordance with the Housing Authority's Language Access Plan.

~~The head of household and all adult family members are required to attend the interview and sign the full application form. Exceptions may be made for students attending school out of state or for members for whom attendance would be a hardship.~~

Applicants who fail to appear respond to the full application and documentation request, with good cause, and want to reschedule a missed appointment an extension must make the request to reschedule for extension no later than ten (10) business days from the original appointment due date of the documents. If an applicant fails to ~~appear for their interview~~ respond to the full application by the due date, without notifying the Housing Authority, their application will be ~~denied removed from the waiting list without further~~

notice, unless they can provide acceptable documentation to the Housing Authority that an emergency prevented them from contacting the Housing Authority within the ten (10) day time frame. However, if the applicant responds but does not complete the entire full application nor submit the additional documents needed by the due date, the Housing Authority will send a denial letter.

Upon request, reasonable accommodation will be made for persons with a disability who requires an advocate or accessible offices. A designee will be allowed to participate in the full application interview process, but only with permission from the person with a disability. If an application is denied due to failure to ~~attend the full application interview~~complete the full application and supporting documentation, the applicant will be notified in writing.

In addition to the full application, all adult members must sign the HUD-9886, "Authorization for the Release of Information/Privacy Act Notice", the full application, the declarations and consent forms related to citizenship/immigration status, and any other documents required by the Housing Authority. Applicants will be required to sign specific verification forms for information which is not covered by the HUD-9886. Every adult household member also must sign a consent form to release criminal conviction records and to allow the Housing Authority to receive records and use them in accordance with HUD regulations. Failure to sign all required forms will be cause for denial of the application.

Assistance cannot be provided to the family until all Social Security Number documentation requirements are met. However, if the Housing Authority determines that an applicant family is otherwise eligible to participate in the program, they will have ten (10) days to provide the SSN documentation. Documentation may include the Social Security card or other documentation issued by the Social Security Administration or a Federal, State or local government agency that includes the name and SSN of the individual. If the information is not supplied ~~in this~~within the required time period, the Housing Authority will provide the family a written notification of denial for assistance.

If the Housing Authority determines ~~at during~~ or after the ~~interview~~review of the full application that additional information or document(s) are needed, the Housing Authority will request the information or document(s) in writing. The notification will include if information is not received within the specified timeframe, the applicant will be denied assistance. The family will be given ten (10) business days to supply the information.

2.3.1 Term-Limited Lease Assistance Program

Families will be required to sign a statement that they are aware that they will only receive rental assistance for a maximum of five (5) years. The head of household will also be required to sign an Individual Training and Services Plan (ITSP) committing to participation in self-sufficiency related activities, programs and services during the five years of rental assistance.

2.3.2 Verification

Information provided by the applicant will be verified, using the verification policies outlined in Chapter 7 of this Administrative Plan.

2.3.3 Final Determination and Notification of Eligibility [24 CFR 982.201]

After the verification process is completed, the Housing Authority will make a final determination of eligibility. This decision is based upon information provided by the family, the verification completed by the Housing Authority, and the current eligibility criteria in effect. If the family is determined to be eligible, the Housing Authority will mail or email a notification of eligibility. A briefing will be scheduled and the family will receive ~~their assistance documents to search for a unit at that time~~ a tenant-based voucher or placement in a project-based unit.

If the family is determined to be ineligible, the Housing Authority will provide a written notification to the applicant of denial of assistance. The notice will specify the reasons for ineligibility and will inform the family of its right to request an informal review as well as the process for requesting an informal review. Persons with disabilities may request to have an advocate attend the informal review as an accommodation.

2.3.3.1 Term-Limited Lease Assistance Program

If the family is determined to be eligible, the Housing Authority will mail a notification of eligibility and ensure that the head of household ~~each adult household~~ signs an ITSP.

2.4 Insufficient Funding

If at any time through the waiting list selection or initial eligibility process the Housing Authority determines that insufficient funding is available to provide assistance to eligible households, the Housing Authority will return the family to their original placement on the waiting list for selection until such time that funding becomes available.

3.2.1.3 Group of Persons

A group of persons is considered a family. This includes two (2) or more persons sharing residency, who are not categorized as an elderly or disabled family, whose income and resources are available to meet family needs. A single person who is pregnant or in the process of adopting or securing legal custody of any individual under the age of eighteen (18) is considered a group of two (2) for the purpose of this definition.

3.2.1.4 A Single Person

A single person family is one comprised of a single person who lives alone, or intends to live alone, who is not categorized as elderly, disabled, or the remaining member of a tenant family.

3.3 **Applicant** Family Break Up [24 CFR 982.315]

~~Except under the following conditions, the Housing Authority has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up:~~

- ~~• If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, or stalking, the Housing Authority must ensure that the victim retains assistance.~~
- ~~• If a court determines the disposition of property between members of the assisted family in a divorce or separation decree, the Housing Authority is bound by the court's determination of which family members continue to receive assistance.~~

When a family on the waiting list breaks up into two (2) otherwise eligible families, only one (1) of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open. ~~If a family breaks up into two (2) otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.~~

In the absence of a judicial decision or an agreement among the original family members concerning the disposition of the application, the Housing Authority will determine which family will retain their placement on the waiting list ~~or continue to receive assistance~~. In making its determination, the Housing Authority will ~~take into consideration the following factors~~ review which family member(s) will retain the application in the following priority order:

1. The domestic violence victim if separation is due to actual or threatened incidents of domestic violence, dating violence, sexual assault or stalking.

0.2. Which family member applied as head of household.;

3. Which members were part of the household at the time of application.

4. Which family member retains the ~~children-youngest child.~~
or any disabled or elderly members;

- ~~• Which members were part of the household at the time of application;
Any restrictions that were in place at the time the family applied;
Recommendation of social service agencies or qualified professionals.~~

If the head of household dies while on the waiting list, the Housing Authority may ~~provide assistance to the remaining household members at its sole discretion using the factors for consideration above~~ transfer the application to a spouse, cohead or other adult household member if that person is listed on the application.

The Housing Authority may request supporting documentation for any of the above ~~consideration~~ factors.

3.4 Multiple Families in the Same Household

When families consisting of two (2) families living together (such as a mother and father, and a daughter with her own husband or children), apply together as a family, they will be treated as a one (1) family unit.

3.5 Joint Custody of Children

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family fifty-one percent (51%) or more of the time. When more than one (1) applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or recertification will be able to claim the dependents. If there is a dispute about which family should claim them, the Housing Authority will make the determination based on available documents such as court orders, school records or an IRS return showing which family has claimed the child for income tax purposes. Under no circumstances will a family member be permitted to reside in multiple properties assisted under the 1937 Housing Act.

3.6 Income Limitations [24 CFR 982.201(b) and 24 CFR 5.603(b)]

HUD is required by law to set income limits that determine the eligibility of applicants for the Housing Services programs. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

A guest can remain in the assisted unit no more than a total of thirty (30) cumulative calendar days during any twelve (12) month period.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the assisted household more than fifty percent (50%) of the time, are not subject to the time limitations of guests as described above.

4.9 Live-In Aides [24 CFR §982.316 and 24 CFR §5.403]

A family may include a live-in aide if the live-in aide meets the following stipulations:

- Is determined by the Housing Authority to be essential to the care and well-being of an elderly person or a person with the disability;
- Is not obligated for the support of the person(s);
- Would not be living in the unit except to provide care for the person(s); and
- Must submit a signed Criminal Background Consent Form and social security number

A live-in aide is different from a family member in the following:

- An aide's income will not be used to determine eligibility of the family;
- An aide is not subject to citizenship/eligible immigrant requirements; and
- An aide is not considered a remaining member of the family, which means that they are not entitled to retain housing assistance should the family no longer participate in the program

At any time the Housing Authority may refuse to approve a particular person as a live-in aide or may withdraw such approval if:

- The person commits fraud, Grand Theft Housing, bribery, or any other corrupt or criminal act in connection with any federal housing program;
- The person commits drug-related or violent criminal activity; or
- The person currently owes rent or other amounts to the HACSB, to another Housing Authority in connection with rental housing assistance or public housing assistance under the Housing Act of 1937.

A live-in aide may only reside in the unit with the approval of the Housing Authority. HACSB will require written verification from a reliable, knowledgeable professional, such as a doctor, social worker, or caseworker. The verification provider must certify that a live-

in aide is needed for the care of the family member who is elderly and/or disabled. The live-in aide will be subject to a criminal background check and must meet the same standard as an applicant. The Housing Authority will not increase the family's subsidy to accommodate the family of a live-in aide.

Under limited circumstances, a relatives, except for a Spouse or registered Domestic Partner, may be approved to be a live-in aide but they must meet all the stipulations in the live-in aide definition described above. In particular, a relative who previously was living in the unit and wants to become a live-in aide must provide documentation that they would not be living in the unit except to provide the necessary supportive services and is not obligated for the support of the persons. By definition, a current household member is not eligible to become a live-in aide.

If a live-in aide marries or enters into a formal domestic arrangement with the participant, the live-in aide will be given ten (10) business days to submit an application for occupancy to be added to the household as a spouse or cohead. The live-in aide will no longer be referred to as a live-in aide, but rather as an applicant. During that time, the applicant will be treated as a guest. If the marriage or formal domestic arrangement is not reported to HACSB within ten (10) business days, the family may be terminated. An individual classified by the Housing Authority as a live-in aide or guest when the sole family member passes away or vacates the unit is not entitled to the housing assistance as a remaining family member.

4.10 Absent Family Members

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order. The family must report any absences anticipated to be longer than thirty (30) calendar days to HACSB within ten (10) business days of the start of the absence. If the entire family is absent from the unit for longer than thirty (30) calendar days, the unit will be considered to be vacated, regardless if the family has moved out of the unit.

Generally an individual who is absent or expected to be absent from the assisted unit for one-hundred and eighty (180) consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is absent or expected to be absent from the assisted unit for more than one-hundred and eighty (180) consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

6.5 Minimum Rent [24 CFR 5.630 and 5.630]

6.5.1 Streamlined Lease Assistance ~~and Transitional Assistance for MTW Families Programs~~

The Minimum Rent for the Streamlined Lease Assistance ~~and Transitional Assistance for MTW Families~~ programs is \$125.00.²¹ A policy has been established for a temporary waiver from the minimum rent for families who demonstrate a hardship in paying the required minimum amount. Families may request a temporary waiver to the minimum rent by completing the Minimum Rent Waiver Request Form and providing documentation that supports the hardship for the family. ~~In order to qualify for a temporary waiver, the family's income must have decreased due to a no fault loss of income or the death of a household member with income.~~

A temporary waiver of minimum rent may be granted as follows:

- Decrease in Income – The total household income has decreased due to a 'No Fault' loss of employment. Supporting documentation may include the notice of loss of employment, legal documentation indicating that family member with income has vacated the unit or other such documentation requested by HACSB.
- Death in the Immediate Family – The total household income has decreased due to the death of an immediate family member. Supporting documentation must include verification of the actual loss of income and verification of the relationship to the deceased family member. Immediate family members include current spouse, cohead, child, legal guardian, sibling, grandparent, grandchild, or mother-, father-, sister-, brother-, son-, or daughter-in-law, or registered domestic partner.

The waiver, if approved, shall be provided on a month to month basis not to exceed a total period of three months. A waiver will be provided only once for each incident that occurs in the household.

Upon approval of the waiver, the total tenant payment shall be calculated at 30% of monthly adjusted income and shall be effective on the first of the month following the month in which the family submitted the waiver request form with all supporting documentation.

²¹ The FY 2009 Moving to Work Annual Plan included Activity 10: Minimum Rent which established a minimum rent of \$125 for all Housing Services programs except Traditional, Regulatory Assistance for Special Purpose Programs.

~~The A temporary waiver of the minimum rent~~ will also be applied automatically to zero income families who are initially moving into a Sponsor-Based Project-Based program. ~~The Housing Authority will exempt the family from the minimum rent requirement until the regularly scheduled recertification, and the A family granted the automatic waiver under the Sponsor-Based Project-Based program~~ will not be required to repay the minimum rent.

6.5.2 Traditional, Regulatory Assistance for Special Purpose Programs

The minimum rent is \$50 for Traditional, Regulatory Assistance for Special Purpose Programs. If a family is unable to pay the minimum rent because of financial hardship, the Housing Authority must grant an exemption from the minimum rent. To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's rent share is higher than the minimum rent, the family is not eligible for a hardship exemption. If the Housing Authority determines that a hardship exists, the family share is the highest of the remaining components of the family's calculated rent share.

Financial hardship includes the following situations:

1. The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.
 - a. A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.
 - i. For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following: (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.
2. The family would be evicted because it is unable to pay the minimum rent.

CHAPTER 8: FAMILY OBLIGATIONS AGREEMENT AND VOUCHER ISSUANCE

8. Introduction

This chapter covers the Housing Authority's process for applicants to search for a unit, including the contents of the briefing that is conducted for families.

8.1 Issuance of Assistance Documents

Applicants and participants of the Housing Services program are issued a document that allows them to search for a unit. This assistance document is known as the Family Obligations Agreement for the Term-Limited Lease Assistance program and the Streamlined Lease Assistance programs. The document is known as a Voucher for the ~~Transitional Assistance for MTW Families and the~~ Traditional, Regulatory Assistance for Special Purpose programs.

When funding is available, the Housing Authority will issue assistance documents to applicants who have been determined to be eligible for the Housing Services program. In addition, move documents may be issued to households that are either required to move or approved to move in accordance with the Housing Authority's Program Moves policies.

8.2 Briefings [24 CFR 982.301]

All households must attend an oral briefing in order to be issued a Family Obligations Agreement or Voucher, whichever is applicable, for initial lease-up or for a program move. An oral briefing may be conducted in-person, on the telephone or via video conference. If a briefing is conducted over the telephone or video conference, written materials will be mailed or emailed to the family and the family may be instructed to watch an informational video prior to the oral portion of the briefing.

8.2.1 Applicant Briefings

When an applicant family, including portability and special program admissions, is initially issued a Family Obligation Agreement or a Voucher, depending on the program the family is eligible for, the Housing Authority conducts a mandatory briefing session, as required by HUD. The head of household must attend the briefing session. These briefings may be conducted in groups or as individual meetings. All briefings will be conducted in English, however, for Limited English Proficient (LEP) applicants, the Housing Authority will provide translation services in accordance with the Agency's LEP plan.

the family. If the family is recalled, the Housing Authority will return the family to the waiting list to await new eligibility when funds become available.

The Family Obligations Agreement and Voucher are valid for a period of sixty (60) calendar days from the date of issuance. The family must submit a Request For Tenancy Approval (RFTA) within the sixty (60) calendar-day period. When a Request for Tenancy Approval is received, the term of the voucher will be suspended while the Housing Authority processes the request.

8.6.1 Extensions [24 CFR 982.303(b)]

The Housing Authority may grant extensions to Family Obligations Agreements and Vouchers. A family may request an extension. All requests for extensions must be received, in writing, prior to the expiration date.

Extensions may be granted in thirty (30), or sixty (60) day increments, up to a maximum search term of one-hundred and twenty (120) calendar days (initial sixty (60) days plus a maximum sixty (60) day extension), if necessary for the family to locate a suitable unit. The Housing Authority may make an exception of up to one-hundred and eighty (180) days for extenuating circumstances or up to a maximum term of two-hundred and seventy (270) calendar days for hospitalization or as a reasonable accommodation. Such matters will be considered on an individual basis and must be supported by verifiable third-party documentation.

8.6.2 Expirations [24 CFR 982.303(a)]

If the Family Obligations Agreement or Voucher search term has expired, and has not been suspended or extended by the Housing Authority or expires after an extension, the family will be denied assistance. The family will not be entitled to a review or hearing. If the family is currently assisted and remains eligible for participation, they may remain as a participant in their unit if there is an assisted lease/contract in effect and the unit remains eligible.

8.7 Determination for Split Participant Households [24 CFR §982.315]

~~When a family breakup occurs while a family is on the waiting list due to divorce or legal separation, it is the responsibility of the two (2) families to decide which will take the placement on the waiting list. If no decision or court determination is made, the Housing Authority will make the decision, taking into consideration the following:~~

- ~~• Which family member applied as head of household;~~
- ~~• Which family member retains the children or any disabled or elderly members;~~

- ~~Any restrictions that were in place at the time the family applied;~~
- ~~Whether domestic violence was involved in the breakup. If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, or stalking, the Housing Authority must ensure that the victim retains assistance; and~~
- ~~Recommendation of social service agencies or qualified professionals.~~

~~In those instances w~~When a family assisted under the Housing Services program becomes divided into two (2) otherwise eligible families due to divorce, legal separation, or the division of the family, and the new families cannot agree as to which new family unit should continue to receive the assistance, and there is no determination by a court, the Housing Authority ~~shall consider the following factors to determine which of the families will continue to be assisted~~will review which family unit retains the assistance in the following priority order:

1. The domestic violence victim if separation is due to actual or threatened incidents of domestic violence, dating violence, sexual assault, or stalking.
2. Which family members remain in the unit (only if no domestic violence).
3. Which of the two new family units has custody of ~~dependent~~ the youngest child.children;
4. Which family member was the head of household when the Family Obligations Agreement or Voucher was initially issued (listed on the initial application).
- ~~2. The composition of the new family units and which unit contains elderly or disabled members;~~
- ~~Whether domestic violence was involved in the breakup. If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, or stalking, the Housing Authority must ensure that the victim retains assistance~~
~~Which family members remain in the unit; and~~
- ~~3. Recommendations of social service professionals.~~

Documentation of these factors will be the responsibility of the requesting parties. If neither family unit meets any of the above criteria, assistance will be terminated.

8.8 Residual Assistance for Remaining Members

The head of household may designate a new head of household or relinquish the assistance to remaining household members with HACSB approval, except when the family has been determined to be over-income. In the event the head of household no longer resides in the assisted unit, the remaining adult household member must have

been previously approved by the Housing Authority to be living in the unit and to receive continued housing assistance. If the remaining eligible adult household member is disabled or fifty-seven (57) years or older, the family member will be eligible to receive a Voucher until November 1, 2014. After November 1, 2014, the remaining eligible family member who is disabled or fifty-seven (57) years or older will be eligible to receive a Family Obligations Agreement to participate in the Streamlined Fixed Lease Assistance Program. If the remaining family member is not disabled or fifty-seven (57) years of age or older, the remaining adult household member will be processed for eligibility and participation in the Housing Authority's Term-Limited Lease Assistance program and sign a Family Obligations Agreement. The time limit would begin following the processing of the family composition change.

A live-in aide, by definition, is not a member of the family and will not be considered a remaining member of the family. Foster Children and Foster Adults are not considered a remaining family member. In order for a minor child to continue to receive assistance as a remaining family member:

- The court has to have awarded emancipated minor status to the minor; or
- The Housing Authority has to have verified that social services and/or the Juvenile Court has arranged for another adult to be brought into the assisted unit to care for the child/children for an indefinite period.

8.9 Family Voluntarily Relinquishes Housing Services Program Assistance

The family may voluntarily relinquish their assistance at any time. In such cases, the Housing Authority will provide the owner of the property with a thirty (30) calendar day notice indicating that rental assistance will terminate based on the family's request. The family will become fully responsible for the contract rent after thirty (30) calendar days.

Generally, the Housing Authority will not reinstate a family once a request for voluntary termination has been received. However, as a reasonable accommodation, the Housing Authority will review requests for reinstatements received within six (6) months and make a determination on a case-by-case basis. However, households will have their income eligibility re-determined in accordance with HUD guidelines.

If a family voluntarily relinquishes their assistance in lieu of facing termination, the Housing Authority will continue to seek to recover any monies that may be due to the Housing Authority as a result of misrepresentation or other breach of program in accordance with Chapter 18 of this Administrative Plan.

11.5 Payment Standards for the Housing Services Program [24 CFR 982.4]]

The payment standard is used to calculate the housing assistance payment for a family. *Payment standard* is defined as “the maximum monthly assistance payment for a family assisted in the program (before deducting the total tenant payment by the family).”

The payment standard for a family is the lower of (1) the payment standard for the family unit size, which is defined as the appropriate number of bedrooms for the family under the Housing Authority’s subsidy standards or (2) the payment standard for the size of the dwelling unit rented by the family. The payment standard for space rent is calculated by using forty percent (40%) of the 2 bedroom fair market rent with utilities.

11.5.1 Term-Limited Lease Assistance, Streamlined Lease Assistance, ~~Transitional Assistance for MTW Families~~, and Veterans Affairs Supportive Housing (VASH) Programs

This section applies to new admissions and changes of unit under the Veterans Affairs Supportive Housing (VASH) program effective January 1, ~~2019~~2021, or as soon as practicable thereafter.

The Housing Authority has established a comprehensive payment standard schedule that is based on rental submarkets in the County of San Bernardino.³⁵

On an annual basis the Housing Authority will review the local payment standards. The agency may subsequently increase or decrease the payment standards. Adjustments to the payment standards will generally be applied at the participant’s first recertification which occurs after the Housing Authority adjustment. However, an increase to the Local Payment Standards will not be automatically applied at recertification if the participant has leased a unit that is larger than their approved voucher subsidy size (“over-housed” participants). Increases to the Local Payment Standards will apply to over-housed participants only if a rent increase is requested by the landlord and approved in accordance with HACSB’s rent reasonableness policies. For operational or fiscal purposes the Housing Authority may apply the redetermined payment standards prior to the next recertification.

Before increasing the payment standard, the Housing Authority may review the budget to determine the impact projected subsidy increases would have on funding available for the program and the number of families served. For this purpose, the Housing Authority will

³⁵ The FY 2009 Moving to Work Annual Plan including Activity 12: Local Payment Standards which authorized the creation of local payment standards for the County of San Bernardino.

compare the number of families who could be served under a higher payment standard with the number assisted under current payment standards.

11.5.2 Traditional, Regulatory Assistance for Special Purpose Programs

This section does not apply to participants of the Veterans Affairs Supportive Housing (VASH) program [admitted or changing units effective January 1, 2021](#) (see 11.5.2).

For participants in Traditional, Regulatory Assistance for Special Purpose Programs the payment standard schedule is based on HUD's Fair Market Rents. The payment standard schedule is updated annually. Increases in the payment standard will be applied at the participant's next annual recertification. Decreases in the payment standard will be applied at the participant's second annual recertification after the effective date of the decrease.

For special purpose program families the Housing Authority may approve a payment standard of up to 120 percent of FMR if required as a reasonable accommodation for a family that includes a person with disabilities per Notice PIH 2013-26.

11.6 Rent to Owner Increases

As stated in the Tenancy Addendum, the owner must notify the Housing Authority at least sixty (60) days before the proposed effective date of any intended rent increase. The tenant must be notified in writing, and a copy of the written notice to the tenant must be submitted to the Housing Authority.

As authorized by the contract between the Housing Authority and the owner, the Housing Authority will not approve a rent increase if the contract is in abatement for owner-related inspection deficiencies. In accordance with the Tenancy Addendum and the contract, the Housing Authority will disapprove requests made during the initial term of a lease.

The Housing Authority will use the payment standards criteria as defined in 11.3 and rent reasonableness to determine the approval of a request for a rent increase. If necessary to ensure financial viability of the of the program, the Housing Authority may limit the value of approvable rent increases, in its voucher programs, to an amount less than the average value of previously approved rent increases. For example, if the average value of rent increases in the previous fiscal year was 10% of the previous contract rent, the Housing Authority will cap the rent increase at a value less than 10% of the previous contract rent.

and VASH programs will be recertified on a triennial basis in accordance with the policies outlined in this chapter³⁷. An elderly-only fixed-income family is one that has no members under the age of 57 and has at least 90% of its income from fixed sources.

All other participants in the Streamlined Lease Assistance, ~~Transitional Assistance for MTW Families,~~ and VASH programs will be recertified on a biennial basis in accordance with the policies outlined in this Chapter.

Interim reporting requirements are described in Section 12.8.

12.1.3 Traditional, Regulatory Assistance for Special Purpose Programs Except Veterans Affairs Supportive Housing (VASH)

This section does not apply to participants of the Veterans Affairs Supportive Housing (VASH) program (see 12.1.2).

All participants in the Traditional, Regulatory Assistance for Special Purpose Programs will be recertified on an annual basis in accordance with the policies outlined in this Chapter. Interim reporting requirements are described in Section 12.8.

12.2 Scheduling Recertifications

The Housing Authority will notify participants by mail and/or email of their upcoming recertification generally between ninety (90) days to one-hundred and twenty (120) days in advance of their anniversary date. Participants will be provided with a Recertification Packet that they must complete and return within the required time frame either by mail, in person, drop box or Resident Portal. If the Recertification Packets are not returned or are not completed appropriately, the family may be scheduled for a telephone or in-person interview ~~at the Housing Authority~~. All adult household members will be required to attend the recertification interview. If the head of household is unable to attend the interview, the appointment will be rescheduled.

If requested as an accommodation by a person with a disability, the Housing Authority will provide the notices in an accessible format. The Housing Authority will also mail the notice to a third party, if requested as reasonable accommodation for a person with disabilities. These accommodations will be granted upon verification that they meet the need presented by the disability.

³⁷ HACSB's MTW Activity 4: Biennial and Triennial Recertifications allows elderly-only fixed-income families to be recertified every three years.

In addition, persons with disabilities who are unable to come to the Housing Authority's office will be granted an accommodation by conducting the interview at the person's home, or by mail, ~~emailer~~ by or phone upon verification that the accommodation requested meets the need presented by the disability.

12.3 Interview Requirements

Families who are required to participate in a recertification interview will follow the guidelines outlined in the section below.

12.3.1 *Term-Limited Lease Assistance and Streamlined Lease Assistance Programs*³⁸

In the interview notification letter to the family, the Housing Authority will include instructions for the family to bring the following:

- Disclosure Questionnaire
- Documentation of income for all family members
- "Authorization for the Release of Information/Privacy Act Notice"
- Declaration of 214 Status when necessary
- Zero Tolerance Policy
- Crime Free Form
- And any other required documents

12.3.2 ~~Transitional Assistance for MTW Families and Traditional, Regulatory Assistance for Special Purpose Programs~~

In the interview notification letter to the family, the Housing Authority will include instructions for the family to bring the following:

- Disclosure Questionnaire
- Documentation of income for all family members
- Documentation of any deductions/allowances
- "Authorization for the Release of Information/Privacy Act Notice"
- Declaration of 214 Status when necessary
- Zero Tolerance Policy
- Crime Free Form

³⁸ The FY 2012 and FY 2013 MTW Plans created the Term-Limited Lease Assistance and Streamlined Assistance programs, respectively. These programs do not provide allowances or deductions to participants.

4. Limitation on Profit-making Activity in Unit [24 CFR §982.551(h)(5)]: If the business activity area results in the inability of the family to use any of the critical living areas, such as bedroom utilized for a business which is not available for sleeping, it will be considered a violation. If the Housing Authority determines that the use of the unit as a business is not incidental to its use as a dwelling unit, it will be considered a violation of family obligations.
5. Interest in Unit [24 CFR §982.551(j)]: The family must not own or have any interest in the unit. Additionally, the owner may not reside in the assisted unit, under any circumstances, including as a live-in aide, regardless of whether the owner is a member of the assisted family, unless assistance is being provided for a mobile home and the family owns the mobile home and rents the pad under the HCV program.
6. Misrepresentation in Collusion with Owners: If the family willingly and knowingly commits fraud, Grand Theft Housing or is involved in any other illegal scheme with the owner, the Housing Authority will terminate assistance.

16.4 Notice of Termination of Assistance

In any case where the Housing Authority decides to terminate assistance to the family, the Housing Authority must give the family written notice which states:

- The reason(s) for the proposed termination;
- The effective date of the proposed termination;
- The family's right, if they disagree, to request an informal hearing to be held before termination of assistance; and
- The date by which a request for an informal hearing must be received by the Housing Authority. Informal hearing requests must be made in writing and received within ten (10) business days of the date on the letter.

If the Housing Authority proposes to terminate assistance for criminal activity as shown by a criminal record, the Housing Authority will provide the subject of the record with a copy of the criminal record if requested.

16.4.1 Notice of Termination of Assistance: Rental Assistance Demonstration Units

Per the RAD Public and Indian Housing (PIH) Notice 2012-32 Households that occupy RAD conversion units have additional protections in regard to termination of tenancy and eviction. For further protections in regard to RAD household termination of tenancy and eviction, see Chapter 20, Section 20.9.2.2.

disclosure (a) is requested or consented to by the individual in writing, (b) is required for use in an eviction proceeding, or (c) is otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, the Housing Authority will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

16.6 Informal Hearings for Participants [24 CFR 982.555]

Circumstances for which the Housing Authority must give a participant family an opportunity for an informal hearing are as follows:

- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the Housing Authority utility allowance schedule
- A determination of the family unit size under the Housing Authority's subsidy standards
- A determination that a family is residing in a unit with a larger number of bedrooms than appropriate for the family unit size under the Housing Authority's subsidy standards, or the Housing Authority determination to deny the family's request for exception from the standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under Housing Authority policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

The Housing Authority may also offer participants the opportunity for a telephone or in-person discussion of any concerns prior to the informal hearing. At this in-person During this discussion the Housing Authority will again communicate to the participant their opportunity to request an informal hearing for the above described circumstances.

16.6.1 Reasons an Informal Hearing is Not Required

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the Housing Authority, including Housing Services Program type determinations
- General policy issues or class grievances
- Establishment of the Housing Authority schedule of utility allowances
- A Housing Authority determination not to approve an extension or suspension of a voucher or family obligations agreement term
- A Housing Authority determination not to approve a unit or tenancy
- A Housing Authority determination that a unit selected by the applicant is not in compliance with inspection standards
- A Housing Authority determination that the unit is not in accordance with occupancy standards because of family size
- A determination by the Housing Authority to exercise or not to exercise any right or remedy against an owner under a contract

The Housing Authority will only offer participants the opportunity for an informal hearing when required to by the regulations.

16.6.2 Notice of Informal Hearing Policies to Participants [24 CFR 982.555(c)]

When the Housing Authority makes a decision that is subject to informal hearing procedures, the Housing Authority must inform the family of its right to an informal hearing at the same time that it informs the family of the decision.

For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, the Housing Authority must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to the Housing Authority's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

In cases where the Housing Authority makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

- The proposed action or decision of the Housing Authority;

- A brief statement of the reasons for the decision;
- The date the proposed action will take place;
- A statement of the family's right to an explanation of the basis for the Housing Authority's decision;
- A statement that if the family does not agree with the decision the family may request an informal hearing of the decision;
- A deadline for the family to request the informal hearing;
- To whom the hearing request should be addressed; and
- A copy of the Housing Authority's hearing procedures.

The Housing Authority may also offer participants the opportunity for a telephone or in-person discussion of any concerns prior to the informal hearing. ~~At this in-person~~ During this discussion the Housing Authority will again communicate to the participant their opportunity to request an informal hearing.

16.6.3 Notice of Scheduled Informal Hearing to Participant [24 CFR 982.555(d)]

When the Housing Authority receives a written request for an informal hearing, a hearing shall be scheduled. The notification of hearing will contain:

- The date and time of the hearing;
- The location where the hearing will be held (in-person or remote);
- The family's right to introduce evidence, witnesses, legal, or other representation at the family's expense;
- The right to view any documents or evidence in the possession of the Housing Authority upon which the Housing Authority based the proposed action and, at the family's expense, to obtain a copy of such documents prior to the hearing. Requests for such documents or evidence must be received by the Housing Authority no later than ten (10) business days before the hearing date; and
- A notice to the family that the Housing Authority requires copies of any documents or evidence the family will use at the hearing. Copies of all written evidence the family will provide to the hearing officer at the hearing as evidence must be received by the Housing Authority no later than ten (10) business days before the hearing date.

20.13.1 Alternative Occupancy Standards⁶⁶

Project-based voucher units are subject to HACSB's traditional occupancy standards, which are currently set at a minimum of two person per bedroom. However, in certain circumstances, HACSB will permit certain project-based units to be occupied using alternative occupancy standard of up to two persons per bedroom. This flexibility will allow a family to be over-housed by occupying a larger unit than would normally be permitted under the occupancy standards.

Example: a two-person family may lease a two-bedroom unit.

GUIDELINES FOR DETERMINING ALTERNATIVE OCCUPANCY STANDARD		
Subsidy Standard	Minimum Persons in Household	Maximum Persons in Household
1 Bedroom	1	2
2 Bedrooms	2	4
3 Bedrooms	3	6
4 Bedrooms	6	8
5 Bedrooms	8	10
6 Bedrooms	10	12

Prior to exercising this flexibility, HACSB and the PBV property owner/manager will enter into a written agreement which specifies the circumstances under which the alternative occupancy standards may be used, including a requirement for the owner/manager to first undertake and demonstrate a reasonable effort, as defined by HACSB, to lease the subject unit to a family using the traditional occupancy standards.

The Assistant Director of Housing Services or Housing Manager may also approve alternative occupancy standards on a unit by unit basis when a waiting list for a particular bedroom size has been exhausted and opening the waiting list has not resulted in any eligible applicants to fill a vacant unit. In the event that the alternative occupancy standards are applied, the HAP for the subject project-based unit will be based on the actual unit size.

20.14 Lease [24 CFR 983.256]

The tenant must have legal capacity to enter a lease under state and local law. The tenant and owner must enter into a written lease agreement that is signed by both parties. If an

⁶⁶ The modification to HACSB's MTW Activity 11 made through the FY 2019 MTW Plan allows the Agency to apply alternative occupancy standards only upon Housing Authority management approval.

CHAPTER 22: EMERGENCY OPERATIONS

22. Introduction

On January 31, 2020, Secretary of Health and Human Services Alex M. Azar II declared a public health emergency for the United States in response to an outbreak of a respiratory disease caused by a novel (new) coronavirus, “Coronavirus Disease 2019” (COVID-19). On March 13, 2020, President Trump declared the COVID-19 pandemic a national emergency. In compliance with the recommendations of the Center for Disease Control (CDC), the “stay-at-home” Executive Order issued by California Governor Gavin Newsom on March 19, 2020, and other guidance from local, state and federal agencies, HACSB took steps to reduce contact between individuals, including closing offices to the public and reducing the number of employees in the office through telework and alternative work schedules. As a result, HACSB modified some operations and deferred some functions to a later time. The revisions to the Administrative Plan implemented in response to the emergency are summarized below. The regulatory waivers provided by HUD are specific to the COVID-19 emergency and have sunset dates. The emergency provisions authorized through Amendment 2 of the FY 2020 Moving to Work Plan may be reactivated in response to any future local disaster, emergency, or crisis situation.

22.1 Administrative Plan

The following paragraph is added to Section 1.1 Purpose of the Plan:

In light of the COVID-19 emergency, HUD is temporarily waiving the requirement that any revisions to the Administrative Plan must be formally adopted by the Board of Commissioners. Any informally adopted policy revisions as result of Notice PIH 2020-05 must be formally adopted by the Board of Commissioners as soon as practical, but no later than ~~July 31~~December 31, 2020. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13) Additionally, on April 14, 2020, the HACSB Board of Commissioners granted emergency authority to the Executive Director under Resolution No. 84 to waive policies and procedures within the Administrative Plan and to allow for implementation of policies and procedures without formal Board approval. The authorization was retroactive to March 4, 2020 and remains in effect until December 31, 2020, unless extended or rescinded by the Board.

22.2 Waiting List and Initial Eligibility

The following paragraph is added to Section 2.3 Completion of a Full Application:

During a local disaster, emergency, or crisis situation, HACSB will extend deadlines for applicants to provide records and documents needed to determine initial eligibility for the program. If documents are missing from the Full Application packet, an applicant will be given at least two (2) notices to submit the requested items. Applicants requesting

extensions will be granted at least ten (10) additional days or other reasonable extension on a case by case basis.

22.23 Definition of Household Members

The following paragraph is added to Section 4.10.8 Absence of Entire Family:

During the COVID-19 emergency but no later than December 31, 2020, a family may be absent from the unit for more than 180 days due to extenuating circumstances related to the emergency, including, but not limited to, hospitalization, extended stays at nursing homes, and caring for family members. (Waiver authority under Notice PIH 2020-05)

22.34 Annual Income, Adjusted Annual Income and Family Share Calculation

The following paragraphs are added to Section 6.4.7.2 Temporary Hardship Exemption:

During the COVID-19 emergency, SLA families experiencing a significant loss of income as a result of the current crisis may be approved for a hardship exemption for six months. This new hardship exemption category will follow the application, review and approval policies and procedures currently in place for other hardship categories. (Activity 22: Streamlined Lease Assistance Program, 2020 MTW Plan Amendment No. 2)

The loss of income as a result of the current crisis could include but is not limited to:

- Closure of place of work;
- Reduced hours;
- Unable to work due to lack of child care or school closure;
- Developing symptoms or being hospitalized;
- Being quarantined; or
- Caring for a sick family member.

Effective March 19, 2020, the following policies apply to the COVID-19 Hardship Exemptions and the period of applicability is subject to available COVID-19 funding:

- A COVID-19 hardship request will be accepted even if the family was already approved for another hardship exemption within the last twelve months. This may include more than one COVID-19 hardship exemption for two separate events, such as reduction in hours followed by layoff.
- If a family has an approved hardship exemption for loss of income that is expiring between April 1 and July 31 (unless further extended), the family may request a COVID-19 hardship exemption to extend the existing hardship rent for 6 more months if they have been unable to secure new employment or secured new employment but were laid off again due to COVID-19. This “extension” will be processed as a new COVID-19 hardship exemption.
- Approved COVID-19 hardship exemptions may be extended for up to six additional months subject to available funding if the resident's circumstances have not changed at the end of the first exemption period.

- ~~Hardship requests for COVID-19 will be accepted for up to 60 days following the lifting of any Federal, State or County stay at home order.~~
- Rent adjustments will be made the 1st of the month following the date of the receipt of the written request with the exception of requests received on the 1st of the month immediately following a weekend or holiday. Those requests will be processed effective the 1st of that particular month.
- Third party written documentation of a COVID-19 related income loss will be requested. If documentation is not available, the HSS will attempt to obtain a verbal verification. If a verbal verification cannot be obtained, a tenant declaration will be accepted.

22.45 Family Obligations Agreement/Voucher Term

The following paragraph is added to Section 8.2 Briefings:

~~During the COVID-19 emergency but no later than July 31, 2020 or HUD extension, briefings will not be conducted in-person but will be conducted via mail, video, and/or webcast with an accompanying conference call or one-on-one telephone call to review the briefing presentation/materials and answer questions. (Waiver authority under Notice PIH 2020-05)~~

The following paragraph is added to Section 8.6.1 Extensions:

During the COVID-19 emergency, the Family Obligations Agreement/Voucher will be placed on temporary suspense. The suspense period will begin March 19, 2020 and end when any state or local “stay-at-home” order is lifted or July-December 31, 2020, whichever is earlier. The time that elapsed during the “stay-at-home” period will be added to the voucher from the voucher expiration date or the date the “stay-at-home” order was lifted, whichever is later. Extensions beyond July-December 31, 2020 may be provided if circumstances involving the COVID-19 emergency change, such as reversal of reopening plan. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13)

22.56 Request for Tenancy Approval & Contract Execution

The following paragraph is added to Section 9.20 Changes in Lease or Rent:

During the COVID-19 emergency, HACSB will defer processing of rent increases to the earliest practical and feasible date. (Activity 22: Streamlined Lease Assistance Program, 2020 MTW Plan Amendment 2)

22.67 Inspections Standards

The following paragraphs are added to Section 10.1.1 Initial Inspection:

During the COVID-19 emergency, HACSB will defer in-person initial HQS inspections unless a lock-box is installed at the unit or a Remote Video Inspection (RVI) can be conducted. An RVI is equivalent to an in-person HQS inspection. An RVI is a regular HQS inspection performed remotely via a live audio and video connection by an HQS inspector directing a “proxy” inspector during the inspection. In lieu of the in-person inspection or

RVI, HACSB will accept self-certification by the property owner/manager that the unit meets all HQS requirements and that there are no life-threatening deficiencies. HACSB may require photographs to accompany the self-certification for some HQS components.

For Term-Limited Lease Assistance, Streamlined Lease Assistance and Traditional Assistance for MTW Families, as soon as it is safe, feasible, and practical to do so, HACSB will conduct an RVI or in-person HQS inspection to confirm that the unit meets HQS requirements. For these families, the deferred initial HQS inspections will be prioritized for processing as soon as HACSB is able to resume processing ~~in-person~~ inspections. In the event that the unit does not pass the ~~in-person~~ HQS inspection, HACSB will follow the same policies and procedures applicable to failed biennial inspections. (Activity 13: Local Inspection Policies, 2020 MTW Plan Amendment 2)

For Traditional, Regulatory Assistance for Special Purpose Programs including VASH, HACSB will conduct the RVI or in-person inspection no later than ~~October~~ December 31, 2020 or HUD approved extension. A deferred initial inspection where a self-certification was used will be inspected no later than one year following the date of the owner's certification (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13) In the event that the unit does not pass the ~~in-person~~ HQS inspection, HACSB will follow the same policies and procedures applicable to failed biennial inspections.

For HOPWA and CoC programs, an in-person inspection will be conducted no later than three (3) months after health officials determine special measures to prevent the spread of COVID-19 are no longer necessary. (Waiver authority under HUD CPD Memorandum dated March 31, 2020)

The following paragraph is added to Section 10.1.2 Annual and Biennial Inspections:
During the COVID-19 emergency, HACSB will postpone in-person annual and biennial HQS inspections. For Term-Limited Lease Assistance, Streamlined Lease Assistance, and Traditional Assistance for MTW families, HACSB may extend the validity of a family's most recently completed biennial HQS inspection by one year. If the HQS inspection is postponed by one year,- ~~t~~The due date of the family's next biennial HQS inspection will be one year from the original due date. (Activity 13: Local Inspection Policies, 2020 MTW Plan Amendment 2)

For Traditional, Regulatory Assistance for Special Purpose Programs including VASH, the annual or biennial inspection will be postponed until it is safe to resume in-person inspections but no later than October 31, 2020 or HUD approved extension. Deferred inspections must be conducted within one year following the due date of the inspection or HUD approved extension. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13)

For the CoC and HOPWA programs, the in-person inspection will be conducted no later than three (3) months after health officials determine special measures to prevent the spread of COVID-19 are no longer necessary. (Waiver authority under HUD CPD Memorandum dated April 1, 2020)

The following paragraph is added to Section 10.1.3 Reinspection:

During the COVID-19 emergency, HACSB will not conduct in-person reinspections. In lieu of the in-person reinspection, HACSB ~~will~~may conduct an RVI or accept a certification of repairs from the tenant and owner along with photographs, invoices, or receipts to document the completion of the repairs requested by HACSB. No in-person reinspections will be conducted at a later date to confirm the repairs. (24 CFR 982.405 does not require in-person confirmatory reinspections)

The following paragraph is added to Section 10.1.4 Special/Complaint Inspections:

During the COVID-19 emergency but no later than ~~July 31~~December 31, 2020 or HUD approved extension, HACSB will not conduct in-person special/complaint inspections. In lieu of the in-person inspection, HACSB will conduct an RVI or notify the owner of the deficiencies, and the owner must either correct the deficiencies with 30 days or 24 hours for life threatening deficiencies or provide documentation that the reported deficiency does not exist. HACSB will accept a certification along with photographs or other documentation to support the correction of the deficiencies. (Waiver authority under Notice PIH 2020-05; extended under PIH 2020-13)

The following paragraph is added to Section 10.1.5 Quality Control Inspections:

During the COVID-19 emergency and through the remainder of the Fiscal Year, HACSB may not conduct in-person HQS Quality Control Inspections. Quality Control Inspections will resume ~~at the start of the new Fiscal Year~~after December 31, 2020 (October 1, 2020) or ~~when it is determined to be safe to do so~~HUD approved extension. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13)

22.78 Owner Rents, Rent Reasonableness and Payment Standards

The following paragraph is added to Section 11.5.1 Term-Limited Lease Assistance; Streamlined Lease Assistance Transitional Assistance for MTW Families, and Veterans Affairs Supportive Housing (VASH) Programs:

The Local Payment Standards will be ~~updated~~reviewed each fiscal year unless extenuating circumstances prevent the update from taking place. In the event of a delay, HACSB will update the Local Payment Standards as soon as circumstances permit. (Activity 12: Local Payment Standards and Alternative Flat Rents, 2020 MTW Plan Amendment No. 2)

The following paragraph is added to Section 11.6 Rent to Owner Increases:

During the COVID-19 emergency, HACSB will defer processing of rent increases to the earliest practical and feasible date. (Activity 22: Streamlined Lease Assistance Program, 2020 MTW Plan Amendment 2, implemented 6/10/2020)

22.89 Recertifications

The following paragraph is added to Section 12.1.1 Term-Limited Lease Assistance:

Due to the COVID-19 emergency, HASCBS may extend the validity of a family's most recently completed biennial or triennial recertification by one year. The due date of the family's next biennial recertification will be one year from the original due date, and future recertifications will follow the biennial schedule. (Activity 4: Biennial and Triennial Recertifications, 2020 MTW Plan Amendment No. 2)

The following paragraph is added to Section 12.1.2 Streamlined Lease Assistance; ~~Transitional Assistance for MTW Families~~ and Veterans Affairs Supportive Housing (VASH) Programs:

Due to the COVID-19 emergency, HASCBS may extend the validity of a family's most recently completed biennial or triennial recertification by one year. The due date of the family's next biennial or triennial recertification will be one year from the original due date, and future recertifications will follow the biennial/triennial schedule. (Activity 4: Biennial and Triennial Recertifications, 2020 MTW Plan Amendment No. 2)

The following paragraph is added to Section 12.2 Scheduling Recertifications:

During a local disaster, emergency, or crisis situation, HACSB will extend deadlines for participants to provide records and documents needed to determine ongoing eligibility for the program. If documents are missing from the Recertification packet, a participant will be given at least two (2) notices to submit the requested items. Participants requesting extensions will be granted at least ten (10) additional days or other reasonable extension on a case by case basis.

The following paragraph is added to Section 12.9.5 Traditional, Regulatory Assistance for Special Purpose Programs:

During the COVID19 emergency, zero HAP families whose six month grace period is ending between April 1, 2020 and September 30, 2020 will be granted a six month extension up to December 31, 2020. (Waiver authority under Notice PIH 2020-05)

The following paragraph is added to Section 12.10.1 Hardship Exemption of Over-Income Families:

During the COVID-19 emergency, HACSB will extend the grace period for another six months for over-income families whose end of term is scheduled between April 1, 2020

and September 30, 2020. (Activity 24: Transition of Over-Income Public Housing/Housing Choice Voucher, 2020 MTW Plan Amendment No. 2)

22.910 Contract Terminations

The following footnotes are added to Section 14.3 Termination of the Contract by the Housing Authority:

(1) During the COVID-19 emergency but no later than December 31, 2020, a family may be absent from the unit for more than 180 days due to extenuating circumstances related to the emergency, including, but not limited to, hospitalization, extended stays at nursing homes, and caring for family members. (Waiver authority under Notice PIH 2020-05)

(2) During the COVID-19 emergency, over-income SLA, TLA, and MTW families scheduled to expire between April 1 and September 30, 2020 will be extended six months. (Activity 24: Transition of Over-Income Public Housing/Housing Choice Voucher Families, 2020 MTW Plan Amendment No. 2) Zero HAP Contracts for all other programs will be extended six months but such extensions shall not extend beyond December 31, 2020. (Waiver authority under Notice PIH 2020-05)

22.119 Termination of Assistance and Informal Hearing Policies

The following paragraph is added to Section 16.2.2.1 Term-Limited Lease Assistance Program:

During the COVID-19 emergency, the end of term (EOT) for any TLA participant with an EOT or extension EOT scheduled to occur between April 1 and September 30, 2020, will be delayed by six months. This timeframe may be extended to comply with local, state, and federal guidance/requirements surrounding the current crisis (Activity 20: Term-Limited Lease Assistance, 2020 MTW Plan Amendment No. 2)

The following paragraph is added to Section 16.2.2.1.5 Total Term of Assistance:

During the COVID-19 emergency, the end of term (EOT) for any TLA participant with an EOT or extension EOT scheduled to occur between April 1 and September 30, 2020, will be delayed by six months. The seven (7) year limitation on assistance is lifted for COVID-19 extensions only. (Activity 20: Term-Limited Lease Assistance, 2020 MTW Plan Amendment No. 2)

22.124 Portability

The following paragraph is added to Section 19.5 Incoming Portability Families:

During the COVID-19 emergency, HACSB temporarily suspended acceptance of Housing Choice Voucher Program port-ins (excluding VASH) from other housing authorities effective April 9, 2020. HACSB will resume processing of incoming portability requests as soon as it is safe, feasible, and practical to do so. (Activity 8: Local Policies for Portability, 2020 MTW Plan Amendment No. 2)

22.132 Project-Based Assistance Program

The following paragraphs are added to Section 20.4.2 Turnover Inspections:

During the COVID-19 emergency, HACSB will defer in-person PBV unit turnover HQS inspections unless an RVI can be conducted or a lock-box is installed at the unit. In lieu of the ~~in-person~~HQS inspection, HACSB will accept self-certification by the family and property owner/manager that the unit meets all HQS requirements and that there are no life-threatening deficiencies. HACSB will require photographs to accompany the self-certification for some HQS components.

For Term-Limited Lease Assistance, Streamlined Lease Assistance and Traditional Assistance for MTW Families, as soon as it is safe, feasible, and practical to do so, HACSB will conduct an ~~in-person~~ HQS inspection to confirm that the unit meets HQS requirements. For these families, the deferred initial HQS inspections will be prioritized for processing as soon as HACSB is able to resume processing ~~in-person~~ inspections. In the event that the unit does not pass the ~~in-person~~ HQS inspection, HACSB will follow the same policies and procedures applicable to failed biennial inspections. (Activity 13: Local Inspection Policies, 2020 MTW Plan Amendment 2)

For VASH PBV, HACSB will conduct the ~~in-person~~ inspection no later than ~~October~~ December 31, 2020 or HUD approved extension. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13) In the event that the unit does not pass the ~~in-person~~ HQS inspection, HACSB will follow the same policies and procedures applicable to failed biennial inspections.

The following paragraph is added to Section 20.4.3 Annual Inspections:

During the COVID-19 emergency, HACSB ~~will~~ may postpone ~~in-person~~ PBV annual HQS inspections. The annual inspection will be postponed until it is safe to resume in-person inspections but no later than ~~October~~ December 31, 2020 or HUD approved extension. Deferred inspections must be conducted within 1 year following due date of the inspection. (Waiver authority under Notice PIH 2020-05; extended under Notice PIH 2020-13)

The following paragraph is added to Section 20.6.2 Determining Contract Rent to Owner:
During the COVID-19 emergency, HACSB will defer processing of rent increases to the earliest practical and feasible date. (Activity 22: Streamlined Lease Assistance Program, 2020 MTW Plan Amendment 2)

The following paragraph is added to Section 20.7.2.1 No Child Left Unsheltered (NCLU):
During the COVID-19 emergency, supportive services provided to NCLU families may be reduced and/or deferred based on the availability and ability of HACSB staff and partners to provide those services. Services will resume as soon as it is safe, feasible, and practical

to do so. (Activity 23: No Child Left Unsheltered (NCLU), 2020 MTW Plan Amendment No. 2)

20.143 Homeownership Program

The following paragraph is added to Section 21.7 Home Inspections, Contract Of Sale, and Housing Authority Disapproval of Seller:

During the COVID-19 emergency but no later than ~~July~~December 31, 2020 or HUD approved extension, HACSB will conduct an RVI ~~the or in-person~~ HQS inspection if the home is vacant and a lock box is provided. Otherwise, HACSB will review the independent inspection and may disapprove the unit if information in the inspection report lists HQS violations. (Waiver authority under Notice PIH 2020-05: extended under Notice PIH 2020-13)

REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Contract Amendment with Kimball, Tirey & St. John LLP for Eviction and Non-Eviction Services.

RECOMMENDATION(S)

1. Approve Amendment No. 2 to Contract No. PC973 with Kimball, Tirey & St. John LLP, for Eviction and Non-Eviction services increasing the current contract amount by \$66,000 for a total contract amount not to exceed \$266,000 through December 31, 2021.
2. Authorize and direct the Executive Director to execute and deliver the contract amendment to Kimball, Tirey & St. John LLP, and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction.

(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB leaders and supporters are innovative policy makers and influencers of legislation.

HACSB has secured the resources needed for accomplishing its mission.

HACSB communication is open, honest and consistent.

HACSB clients, programs, and properties are embraced by all communities.

FINANCIAL IMPACT

This contract amendment is not expected to exceed \$266,000 for the term of the contract through December 31, 2021 and is funded by the Housing Authority of the County of San Bernardino's (HACSB) property operations budget.

BACKGROUND INFORMATION

HACSB requires assistance from qualified consultants and firms to provide eviction services for our affordable housing program.

Eviction Services may consist of assisting and advising HACSB on property management/lease enforcement issues, including, but not limited to: rent collection, lease terminations and evictions, fair housing compliance, interacting with and counseling tenants, representing the housing authority in grievance hearings, mediation sessions and in court proceedings, following through with vacating of units, collections resulting from terminations and/or evictions, and fraud recovery.

PROCUREMENT

HACSB previously issued a Request for Proposal (RFP) PC973 on October 26, 2017, which resulted in the receipt of three proposals. Outreach efforts included invitations to seven vendors, advertising in local newspapers, and posting on the agency's website. Proposals were evaluated per the requirements of the RFP and Kimball Tirey & St. John was selected to provide services to HACSB as the most qualified and responsive vendor.

As authorized under the previous HACSB structure, a contract was awarded, effective January 1, 2018, to Kimball, Tirey & St. John for Eviction and Non-Eviction Services in an amount not to

exceed \$100,000 for a three-year base term beginning January 1, 2018 through December 31, 2021, with one additional two-year term through December 31, 2023.

Effective August 8, 2019, Amendment No. 1 was approved to increase the total not to exceed amount by \$100,000 for a total contract amount of \$200,000.

Amendment No. 2 will increase the total not to exceed amount of the contract to \$266,000.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 22, 2020.

THIS SECOND AMENDMENT TO LEGAL SERVICES AGREEMENT (EVICTION AND NON-EVICTION SERVICES) ("Second Amendment") is made as of the 11th day of November, 2020 ("Effective Date"), by and between KIMBALL, TIREY & ST. JOHN LLP, a California Limited Liability Partnership ("Attorneys"), and the HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO, a California public corporation ("HACSB").

RECITALS

WHEREAS, Attorneys and HACSB have entered into that certain Legal Services Agreement, dated as of January 1, 2018 (the "Agreement") for the provision of eviction and non-eviction legal services in a total sum not to exceed One Hundred Thousand Dollars (\$100,000); and

WHEREAS, Attorneys and HACSB entered into a First Amendment to the Agreement increasing the total sum not to exceed amount to Two Hundred Thousand Dollars (\$200,000); and

WHEREAS, Attorneys and HACSB desire to increase the contract by Sixty-Six Thousand Dollars (\$66,000).

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the foregoing Recitals, which Recitals are incorporated herein by this reference, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and for the mutual covenants contained herein, Attorneys and HACSB hereby agree as follows:

SECTION 1. Article 6, subsection a, is amended to read as follows:

ARTICLE 6. Price.

- a. Unless otherwise specified in the Statement of Work, HACSB agrees to pay Attorneys for the provision of Eviction and Non-Eviction Services at the hourly rates as stated in the Schedule of Fees for a total contract sum not to exceed Two Hundred Sixty-Six Thousand Dollars (\$266,000) ("Agreement Price"); in consideration for the Work and the performance by Attorneys of all of its obligations hereunder.

SECTION 2. All other terms and conditions of the Agreement remain in full force and effect.

SECTION 3. This Second Amendment may be executed in multiple counterparts, and when so executed by each of the parties shall constitute a single agreement binding upon all of the parties hereto.

[END – SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, HACSB and Attorneys have entered into this Second Amendment as of the Effective Date.

ATTORNEYS

By: _____ (Affix seal if a corporation)
Name: _____
Its: _____
Date: _____

CERTIFICATE OF CORPORATE AUTHORITY

I, _____, certify that I am the _____ of the corporation named as Attorneys herein; that _____ who signed this Agreement on behalf of Attorneys, was then _____ of said corporation; that said Contract was duly signed for and in behalf of said corporation and its governing body and is within the scope of its corporate powers.

By: _____
Name: _____
Its: _____
Date: _____

HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO

By: _____
Maria Razo
Executive Director

Date: _____

REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Contract Amendment with Reliant Asset Management Solutions for Housing Quality Standards Inspection Services

RECOMMENDATION(S)

1. Approve Amendment No. 2 to Contract No. PC1041, effective December 1, 2020, with Reliant Asset Management Solutions for Housing Quality Standards inspection services, increasing the current contract amount by \$404,000, for a total contract amount not to exceed \$1,212,000 and extending the contract by one year through November 30, 2021.
 2. Authorize and direct the Executive Director to execute and deliver the contract amendment to Reliant Asset Management Solutions and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction.
- (Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB is a leading developer and provider of affordable housing in the County of San Bernardino.

HACSB residents live in safe and desirable homes and communities where they can develop and prosper.

HACSB has secured the resources needed for accomplishing its mission.

FINANCIAL IMPACT

Approval of this amendment will increase the current contract amount by \$404,000 for a total contract amount not to exceed \$1,212,000, which is included in the Housing Authority of the County of San Bernardino's (HACSB) approved FY 2020-2021 annual budget.

BACKGROUND INFORMATION

HACSB contracts with Reliant Asset Management Solutions (Reliant) to fulfill requirements by the United States Department of Housing and Urban Development (HUD) to conduct Housing Quality Standards (HQS) inspections, determine rent reasonableness, and serve as the Project Based Voucher (PBV) contract administrator for all HACSB owned properties.

Public Housing Agencies (PHAs) are required to conduct Housing Quality Standards (HQS) inspections of all Housing Choice Voucher (HCV) units to ensure they are decent, safe, and sanitary. On behalf of HACSB, Reliant conducts HQS inspections for all HCV units at initial lease up and annually or biannually thereafter. All Reliant inspectors are trained and certified to perform these inspections. HUD also requires that PHAs ensure that rents charged by landlords to HCV program participants are reasonable. Therefore, Reliant inspectors must compare the rent for the HCV unit to rents for similar unassisted units in the marketplace, as well as, compare the rent to rents for similar units on the premises. This process is called rent reasonableness because it ensures that the rents are fair and reasonable for the area. Inspectors also use rent reasonableness to negotiate rents with the various landlords as required. Also, Reliant, as the

PBV contract administrator, conducts rent reasonableness and Housing Assistance Payment monitoring and auditing for PBV properties owned by HACSB pursuant to HUD's requirements.

PROCUREMENT

The Procurement and Contracts Department previously released a Request for Proposal (RFP) PC1041 on August 8, 2018. Outreach efforts included invitations to six vendors, advertising in local newspapers, and posting on the agency's website. Two proposals were received and evaluated per the requirements of the RFP in which Reliant Asset Management Solutions was the most qualified and most responsive vendor selected to provide these services to the HACSB.

On November 13, 2018 (Item No. 9), HACSB's Housing Commission awarded a contract to Reliant for Housing Quality Standards Inspection and Project Based Voucher Contract Administration in an amount not to exceed \$404,000 for a one year base term beginning December 1, 2018 through November 30, 2019 with four single year options to extend through November 30, 2023.

On November 19, 2019 (Item No. 4), HACSB's Board of Governors approved Amendment No. 1 to Contract No. PC 1041 with Reliant for Housing Quality Standards Inspection services to increase the current contract amount by \$404,000, for a total contract amount not to exceed \$808,000 and to extend the contract by one year for a total contract term of December 1, 2018 through November 30, 2020.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 22, 2020.



HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO

AMENDMENT #2 TO CONTRACT FOR HQS INSPECTION SERVICES (PC1041)

BETWEEN

**THE HOUSING AUTHORITY OF THE
COUNTY OF SAN BERNARDINO**

And

RELIANT ASSET MANAGEMENT SOLUTIONS

This Amendment No. 2, dated December 1, 2020 ("Second Amendment"), to Contract for HQS Inspection Services (PC1041), is entered into by and between the Housing Authority of the County of San Bernardino, a California public body, ("Authority") and Reliant Asset Management Solutions, a California Non-Profit Organization ("Contractor").

RECITALS

WHEREAS, the Authority and Contractor entered into Consulting, Services, and Non-Routine Maintenance Related Services Agreement (Non-Construction), dated December 1, 2018 relating to HQS Inspection Services ("Contract") with an Agreement Price of \$404,000.00;

WHEREAS, the Authority and Contractor entered into Amendment No. 1 to the Contract for HQS Inspection Services, dated December 1, 2019 exercising option year 1 for an increase in the Agreement Price of \$404,000.00 for a total amount of \$808,000.00;

OPERATIVE PROVISIONS

NOW, THEREFORE, the foregoing Recitals being true and correct, and in consideration of the mutual covenants and obligations contained in this Second Amendment by the Parties and other consideration, the sufficiency of which is hereby expressly acknowledged, the Parties hereto agree as follows:

Section 1. Article 1, Statement of Work, of the Agreement is amended to read as follows:

“Article 1. Statement of Work. Contractor shall furnish all labor, materials, tools, equipment, and supervision to perform all work required in the Statement of Work set forth on Exhibit “A-1”, attached hereto and incorporated herein by this reference and as may be amended by the Parties from time to time (the “Work”). In connection with its performance of the Work, Contractor shall comply with all of the Contract Documents (as hereinafter defined).”

Section 2. References to Exhibit “A” shall mean Exhibits “A-1” and “A-2”, attached hereto and incorporated herein by this reference.

Section 3. Pursuant to Article 3 of the Agreement, the Authority is hereby exercising the second option year commencing on December 1, 2020 and expiring on November 30, 2021.

Section 4. Article 4 of the Agreement is amended to read as follows:

“Article 4. Price. HACSB agrees to pay Contractor for the provision of the Work the total not-to-exceed sum as shown in the Contract Price set forth on Exhibit “A-2”, and as may be amended by the Parties from time to time (the “Agreement Price”).

Section 5. The effective date of this amendment is December 1, 2020.

EXCEPT AS AMENDED HEREBY ALL OTHER TERMS AND CONDITIONS OF THE AGREEMENT REMAIN IN FULL FORCE AND EFFECT.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Housing Authority of the County of San Bernardino and Reliant Asset Management Solutions have signed the amendment.

**RELIANT ASSET MANAGEMENT
SOLUTIONS**

**HOUSING AUTHORITY OF THE COUNTY
OF SAN BERNARDINO**

By:_____

By:_____

Name:_____

Name: Maria Razo

Title:_____

Title: Executive Director

Date:_____

Date:_____

Exhibit A-1

Statement of Work

The Contractor shall be responsible for the following: Conducting physical inspections in accordance with Housing and Urban Development (HUD) Housing Quality Standards as found in the Code of Federal Regulations (CFR), and the HACSB Administrative Plan; completing all assigned Housing Program inspections daily as requested by the HACSB; completing rent reasonable surveys and rent reasonable certification as required for inspections performed; and conducting rent negotiations with landlords as required for inspections performed.

Contractor Responsibilities **Tasks & Obligations**

1. Shall perform the following inspections: initials, annuals, re- inspections, abatement/3rd. inspections, monthly group inspections, and special/emergency as identified by HACSB. Completion of inspection must be entered into software under inspector that conducted inspection.
2. Conduct inspections on approved electronic tablets.
3. Maintain all records and document as required by applicable Federal, State and local laws and regulations.
4. Re-inspections shall be performed on units that fail the initial inspection.
5. Shall schedule and reschedule appointments, as necessary, to include notifying owner and tenants of scheduled inspections via U.S. Mail. Tenant and owner shall be notified by mail of the inspection time and date between ten (10) and fifteen (15) calendar days before the scheduled inspection. Notice shall include language to provide option to the landlord/participant to call ahead to get a narrower window of time (2 hours) for the scheduled inspection.
6. Contractor may reschedule inspections up to 30 days out unless landlord is requesting time for large repairs items to be completed.
7. Whenever an inspection cannot take place at the scheduled date and time, the inspector shall make telephone contact with the owner/tenant.
8. For initial inspections, the Contractor will make contact with the landlord by phone within 24 hours (based on a 9/80 work week) and schedule the inspection within 72 hours (based on a 9/80 work week).
9. If extraordinary circumstances prevent the Inspector from keeping scheduled appointment times (i.e. dog, no street address/closures, weather, etc.), he/she shall make every reasonable effort to promptly contact owner/tenant to reschedule and inform the Housing Authority of the number of inspections that had to be re-scheduled. Attach flyers or notices to appointment letters such as "most common fail list" notice to annual inspection appointment letters as required.
10. Inspectors shall hand out letters or flyers to clients at inspection appointments, as needed. Inspector shall hand out the HA's customer service survey at all inspections.
11. The inspector will familiarize themselves with the HA's Local Payment

- Standards for the assigned region.
12. Rent negotiations and discussions will be conducted by the inspector. The inspector will not approve a contract rent above the Payment Standard for the unit size and submarket. Must maintain rent reasonableness document and save as attachment into HACSB's Housing Software attachments.
 13. Inspectors are to contact clients via telephone and wait at unit at least 10 minutes after knocking on the door prior to leaving the premises because of a no-show. Inspectors must leave business card with time visited and contact information to reschedule inspection.
 14. If a second no-show on a unit occurs, Contractor should task this issue back to the HACSB so caseworker can send a compliance notice and HACSB will re-task the future inspection to Contractor. Two no-shows does not equate to an automatic abatement of the unit, rather a participant compliance process by HACSB.
 15. The Contractor shall affirmatively take all appropriate steps to attempt to maintain No Show appointments to less than 5% of total billed charges and develop a plan for doing so within the fee proposed. Unit will not be entered as a "no show" in the unit screen if not landlord/participant error and no charge will be billed to HACSB. Reschedule inspection and notepad in software unit screen.
 16. Shall maintain an appropriately staffed phone line available to clients for scheduling purposes.
 17. Shall notify HACSB by email or in writing when a unit has peeling paint where a child under six (6) currently resides and where unit was built prior to 1978. Shall endeavor to attain a release form from the family for Elevated Blood Level tracking purposes. (Please note, reasonable attempt should be made to obtain signature, but family has the right to refuse to sign).
 18. Shall maintain a log in the format prescribed by HACSB of all units failed due to potential lead based paint issues.
 19. Shall verify utilities provided to units at time of inspection.
 20. Inspectors shall issue batteries to clients in the case of failed smoke/carbon monoxide detectors and must re-test the detectors after the new batteries are installed to ensure the detectors pass prior to leaving the units.
 21. Inspector shall issue standard outlet covers as needed if that is the sole item prohibiting a 'passed' inspection.
 22. Inspectors shall verify that additional rooms which are approved based on a reasonable accommodation (RA) for the family are being used according to the RA request. When inspectors determine there are violations of the RA request, the inspectors shall be required to take digital pictures of these rooms and forward the pictures to the PIU. (Pictures may not contain images of the client or personally identifying information about the client).
 23. Inspectors shall notify HACSB if a particular housing complex appears to have fallen into significant disrepair (HQS 'common-area' fail issues) and may need to be reviewed by HACSB for a quality improvement plan/sanctioning.

24. Shall provide administrative services for the day-to-day operation of the inspection processes and direct supervision of the Contractor's staff. These administrative services shall include:
 - Scheduling of all inspections
 - Data entry, to include adequate note-padding.
 - Maintenance of inspection files, to include scheduling, rescheduling, extensions and emergency inspections.
 - Answering telephone lines
 - Generation of letters/notices, prepare for mailing and file copies by date batch
 - All documents updated in electronic client files
25. Shall be responsible for the management services providing the following:
 - Direct oversight of firm's staff
 - Management reports
 - Billing accounts
 - Communication and coordination with HACSB staff to address problems, seek improvements, and enforcement of HUD regulations
 - Ensure that all certifications and training of their inspectors are current and valid at all times
 - Shall document all training they provide for their inspectors
 - Conduct quality control inspections to ensure internal compliance with mandated standards/regulations and to evaluate staff performance, share results with HACSB and work with HACSB on corrective action as needed.
26. Shall verify that any independent or hired sub-contractor has a valid, current driver's license and is approved to operate a motor vehicle in the State of California; and that the vehicle operated on behalf of this contract is properly insured with the minimum required auto physical damage and auto liability damage coverage required by HACSB as referenced in Section "Additional General Provisions #13. Insurance").
27. Each inspector provided under the contract shall have completed sexual harassment training, shall be HQS certified and HUD certified on Visual Assessment for Lead Paint. Proof of certification shall be required for every inspector prior to commencement of work. All of the Contractor's field personnel, including any sub-contractors, shall be required to submit to a criminal background investigation prior to being allowed to perform field work. All inspectors must be pre-approved for commencement of work by HACSB (with the exception of emergency 'supply' cover for an unexpected absence of generally assigned Contractor staff).
28. Practice a very high level of customer service.
29. Supply all equipment necessary to certify in compliance with HQS Inspections Certifications. Examples of proper equipment are electrical testers, smoke detector testers, flashlights, handheld equipment, etc.
30. HACSB's HQS Quality Control Inspections will not find more than 2% discrepancies between Quality Control Inspections and the inspections done by the Contractor.

31. Inspectors will dress in a professional manner. Business casual is sufficient. Wearing an identifying badge issued by HACSB is mandatory.
32. All inspectors shall have computer literacy.
33. All inspectors shall attend annual HACSB sponsored "Fair Housing" training.
34. All contractors shall attend mandatory training on HACSB activities related to local inspections standards or related MTW activities as required. Including HQS certification, HACSB Reasonable Accommodation/Fair Housing Training and HACSB Language Access Plan Training.
35. All contractors shall attend monthly review meetings scheduled and conducted by the HACSB liaison.
36. The Contractor is responsible to map out their own routes.
37. The Inspector will use the findings Pass, Fail, or No Show, ('Inconclusive' is not to be used) and shall provide sufficient detail to the owner/tenant to explain the specific fail items. The inspector will be available to HACSB staff to answer questions related to his/her inspection findings.
38. Inspectors shall be sensitive to the use of 'owner responsibility' vs., 'tenant responsibility' findings and will adhere to HACSB guidelines and policies in regard to this determination.
39. The Inspector will inspect the unit to determine whether it is or is not in compliance with HUD's Housing Quality Standards & HACSB Local Inspection Standards and will provide the required data to HACSB electronically.
40. Contractor will provide electronic documentation of each inspection's fail items to HACSB, via their access to HACSB housing programs software on a daily basis. Completed HQS reports will be provided to HACSB on the business day following the day the inspection was conducted. Reports must include completed HUD approved forms provided by HACSB. The use of any required form may change at HACSB's discretion with ten (10) days' notice to the Contractor.
41. Working hours for the required inspections are 8:00 a.m. to 5:00 p.m. during weekdays, Monday through Friday, with the exception of state and federal holidays and weekends. Contractor to adhere to HACSB 9/80 work schedule.
42. Contractor shall work with HACSB to create a 'photo database' taking a 'curbside' photo of each unit, identifying the photo by address/date and coordinating upload on a weekly basis to HACSB. (Process to be determined).
43. Project Based Voucher Contract Administration (HACSB owned properties):
 - Conduct independent rent reasonableness analysis and recommend contract rents for HACSB owned properties.
 - Authorize the leasing of units and approve the subsidy calculations for 354 units participating in the RAD program.

Authority Responsibilities

1. Will schedule special/emergency, abatement, with the Contractor at its discretion. HACSB will complete fraud compliance inspections.
2. Will provide "most common fail list" to Contractor.

3. Shall provide batteries for smoke detector testing.
4. Shall provide simple duplex electrical outlet covers.
5. Shall provide templates for forms and notices.
6. Shall provide a list, monthly, of additional rooms approved by an RA.
7. Shall complete Quality Control Inspections for internal purposes (e.g. SEMAP and contract administration).
8. Shall coordinate review of the contract inspector by scheduling 'ride-along' days at its discretion. The agency will give a minimum of 24 hours' notice prior to this request.
9. Contract management / oversight.

Service Areas

ZIP CODE	CITY
ZIP CODE	CITY
92242	EARP
92252	JOSHUA TREE
92256	MORONGO VALLEY
92267	PARKER DAM
92277	TWENTYNINE PALMS
92278	
92280	
92284	YUCCA VALLEY
	LANDERS, JOHNSON
92285	VALLEY

92304	BAGDHAD
92307	APPLE VALLEY
92308	APPLE VALLEY
92309	BAKER
92310	FORT IRWIN
92311	BARSTOW
92314	BIG BEAR CITY
92315	BIG BEAR LAKE
92327	DAGGETT
92332	
92333	FAWNSKIN
92338	LUDLOW
92341	GREEN VALLEY LAKE
92345	HESPERIA
92347	
92356	LUCERNE VALLEY
92363	HAVASU LAKE
92364	
92365	NEWBERRY SPRINGS
92368	ORO GRANDE
92386	SUGAR LOAF
92394	VICTORVILLE
92398	YERMO
93524	BORON
93555	RED MOUNTAIN
93562	TRONA
92301	ADELANTO
92329	PHELAN
92342	HELENDAL
92344	HESPERIA
92362	HELENDAL
92371	PHELAN
92372	PINON HILLS
92392	VICTORVILLE
92393	VICTORVILLE
92395	VICTORVILLE
92397	WRIGHTWOOD
91701	RANCHO CUCAMONGA
91708	CHINO
91709	CHINO HILLS
91710	CHINO
91730	RANCHO CUCAMONGA
91759	LYTLE CREEK
91761	ONTARIO
91762	ONTARIO
91763	MONTCLAIR
91764	ONTARIO
91766	POMONA (SB COUNTY)

91784	UPLAND
91786	UPLAND
92331	FONTANA
92334	FONTANA
92335	FONTANA
92358	LYTLE CREEK
91737	RANCHO CUCAMONGA
91739	RANCHO CUCAMONGA
92317	BLUE JAY
92321	LAKE ARROWHEAD
92322	CEDARPINES PARK
92325	LAKE GREGORY, CRESTLINE
92336	FONTANA
92352	LAKE ARROWHEAD
92376	RIALTO
92377	RIALTO
92378	RIMFOREST
92391	TWIN PEAKS
92401	SAN BERNARDINO
92411	SAN BERNARDINO
92404	SAN BERNARDINO
92407	SAN BERNARDINO
92316	BLOOMINGTON
92324	COLTON
92337	FONTANA
92405	SAN BERNARDINO
92410	SAN BERNARDINO
92305	ANGELUS OAKS
92313	GRAND TERRACE
92339	FOREST FALLS
92346	HIGHLAND
92350	SAN BERNARDINO
92354	LOMA LINDA
92359	MENTONE
92373	REDLANDS
92374	REDLANDS
92382	RUNNING SPRINGS
92385	RUNNING SPRINGS
92399	YUCAIPA
92408	SAN BERNARDINO

Exhibit A-2
Work Authorization

Schedule Dates:

Start Date: December 1, 2020

Completion Date: November 30, 2021

Total Contract Cost: Not to exceed \$1,212,000.00

Option Year 2 – HQS Inspections	Total Cost:
Option Year Two (2021)	\$404,000.00

Inspection Type:	Estimated Number of Inspections:	Cost:
Initial:	1700	\$38.24
Annual:	5300	\$38.24
Re-Inspection:	3000	\$38.24
Abatements:	Included in Re- Inspection Number	
Project Based Voucher Contract Admin:	1954 which includes the 354 RAD Units	\$11.05
Annual Cost:	Annual costs Includes Admin Activities	\$404,000.00

Statement of Work (“Exhibit A-1”)

Work Authorization (“Exhibit A-2”)

General Conditions for Non-construction work (“Exhibit B”)

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Regular Meeting Minutes for Meeting Held on September 8, 2020

RECOMMENDATION(S)

CONTINUED FROM TUESDAY, October 13, 2020, ITEM NO. 13

Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on September 8, 2020.

(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB communication is open, honest and consistent.

FINANCIAL IMPACT

Approval of this item will not result in a financial impact to the Housing Authority of the County of San Bernardino (HACSB) as there are no financial impacts associated with this item.

BACKGROUND INFORMATION

The HACSB Board of Commissioners (Board) Regular Meeting took place on September 8, 2020 and attached are the comprehensive minutes for review and approval by the Board.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 26, 2020.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO
September 8, 2020**

The Board of Commissioners of the Housing Authority of the County of San Bernardino met in a regular meeting via teleconference and videoconference (Zoom at call-in number (669) 900-6833, Meeting ID 896 2857 9959, Password 795670) at 3:00 p.m. on September 8, 2020.

The meeting was called to order, and upon roll call, the following were present:

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Also in attendance were: Maria Razo, Executive Director; Gus Joslin, Deputy Executive Director; Ana Gamiz, Director of Policy & Public Relations; Rishad Mitha, Director of Operations; Jennifer Dawson, Director of Human Resources; Remy Gaither, Career Development Initiatives Manager; Nicole Beydler, Sr. Management Analyst; Jesse Diaz, Finance Manager; Ron Ruhl, Real Estate Development Manager; Angie Lardapide, Procurement and Contracts Supervisor; Jackie Barrios, Resident Services Coordinator; Evan Miles, Project manager, and Claudia Hurtado, Executive Assistant.

Also present: Julie Surber, Legal Counsel to the Housing Authority.

The Chairman called for additions or deletions to the September 8, 2020 agenda.

Executive Director stated a revision was made for item number 18, to approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on August 11, 2020, specifically to the Item number 19, Individual Board Member Comments, in which Commissioner MacDuff spoke about the Washington Post article regarding the USPS suspending mail services to a public housing site in Minnesota, due to reported COVID-19 cases. Commissioner MacDuff suggests that in the event the USPS were to stop mail services to any HACSB site to inform on-site managers, staff and/or Board of Commissioners.

The Chairman provided an opportunity for members of the public to address the Board of Commissioners. Secretary of the Board, declared that no public comment had been submitted.

The Executive Director's Report was requested.

Maria Razo, Executive Director gave the Executive Director's Report.

The Board Building Presentation for September 8, 2020 regarding an overview of the Housing Authority of the County of San Bernardino's Project-Based Voucher program, was requested.

The Board Building Presentation regarding of the Housing Authority of the County of San Bernardino's Project-Based Voucher program was presented by Executive Director, Maria Razo.

Approval for discussion calendar item number 6, to 1) Adopt Resolution No. 79 approving the establishment of a Section 115 Trust administered by Public Agency Retirement Services for the Housing Authority of the County of San Bernardino's unfunded pension liabilities and appointing the Executive Director as the Plan Administrator for the Section 115 Trust program, and 2) Authorize and direct the Executive Director to execute and deliver any legal and administrative documents necessary, including the attached exhibits, upon consultations with Legal Counsel, to complete the establishment of a Section 115 Trust administered by Public Agency Retirement Services, was requested.

Executive Director explained the item.

Commissioner Muñoz moved to approve the discussion calendar item number 6, to 1) Adopt Resolution No. 79 approving the establishment of a Section 115 Trust administered by Public Agency Retirement Services for the Housing Authority of the County of San Bernardino's unfunded pension liabilities and appointing the Executive Director as the Plan Administrator for the Section 115 Trust program, and 2) Authorize and direct the Executive Director to execute and deliver any legal and administrative documents necessary, including the attached exhibits, upon consultations with Legal Counsel, to complete the establishment of a Section 115 Trust administered by Public Agency Retirement Services, which motion was duly seconded by Commissioner Miller, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Nays

Approval for the discussion calendar item number 7, to Adopt Resolution No. 94 approving FY 2020-2021 Utility Allowance Schedules for the Housing Choice Voucher and Public Housing programs effective October 1, 2020, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve the discussion calendar item number 7, to Adopt Resolution No. 94 approving FY 2020-2021 Utility Allowance Schedules for the Housing Choice Voucher and Public Housing programs effective October 1, 2020, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff

Nays

Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Approval for the discussion calendar item number 8, to Adopt Resolution No. 95 approving updates to the payment standards for the traditional regulatory assistance for special purpose programs effective October 1, 2020, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve the discussion calendar item number 8, to Adopt Resolution No. 95 approving updates to the payment standards for the traditional regulatory assistance for special purpose programs effective October 1, 2020, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Nays

Approval of discussion calendar item number 9, to Adopt Resolution No. 96 recommending approval of Revision #1 to the Fiscal Year 2019-2020 Consolidated Budget of the Housing Authority of the County of San Bernardino, was requested.

Executive Director explained the item.

Commissioner Muñoz moved to approve discussion calendar item number 9, to Adopt Resolution No. 96 recommending approval of Revision #1 to the Fiscal Year 2019-2020 Consolidated Budget of the Housing Authority of the County of San Bernardino, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of discussion calendar item number 10, to 1) Adopt Resolution No. 97: a. Authorizing the Housing Authority of the County of San Bernardino to serve as Nonrecourse Guarantor for the benefit of Northmarq Capital with regard to the loan for the refinance of Summit Place Apartments owned by Summit Place LLC, b. Authorize and direct the Executive Director, upon consultation with Legal Counsel, to execute and deliver all documents and agreements necessary for the Nonrecourse Guaranty, and other ancillary documents necessary to carry out and close the refinancing of the Summit Place LLC loan with Northmarq Capital, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve the discussion calendar item number 10, to 1) Adopt Resolution No. 97: a. Authorizing the Housing Authority of the County of San Bernardino to serve as Nonrecourse Guarantor for the benefit of Northmarq Capital with regard to the loan for the refinance of Summit Place Apartments owned by Summit Place LLC, b. Authorize and direct the Executive Director, upon consultation with Legal Counsel, to execute and deliver all documents and agreements necessary for the Nonrecourse Guaranty, and other ancillary documents necessary to carry out and close the refinancing of the Summit Place LLC loan with Northmarq Capital, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of discussion calendar item number 11, to 1) Adopt Resolution No. 98: a. Authorizing the Housing Authority of the County of San Bernardino to serve as Nonrecourse Guarantor for the benefit of Northmarq Capital with regard to the loan for the refinance of Summit Walk Apartments owned by Summit Walk LLC, b. Authorize and direct the Executive Director, upon consultation with Legal Counsel, to execute and deliver all documents and agreements necessary for the Nonrecourse Guaranty, and other ancillary documents necessary to carry out and close the refinancing of the Summit Walk LLC loan with Northmarq Capital, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve the discussion calendar item number 11, to to 1) Adopt Resolution No. 98: a. Authorizing the Housing Authority of the County of San Bernardino to serve as Nonrecourse Guarantor for the benefit of Northmarq Capital with regard to the loan for the refinance of Summit Walk Apartments owned by Summit Walk LLC, b. Authorize and direct the Executive Director, upon consultation with Legal Counsel, to execute and deliver all documents and agreements necessary for the Nonrecourse Guaranty, and other ancillary documents necessary to carry out and close the refinancing of the Summit Walk LLC loan with

Northmarq Capital, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of discussion calendar item number 12, to Adopt Resolution No. 99 approving revisions to the Housing Authority of the County of San Bernardino's Employee Policy Handbook, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve discussion calendar item number 12, to Adopt Resolution No. 99 approving revisions to the Housing Authority of the County of San Bernardino's Employee Policy Handbook, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of discussion calendar item number 13, to Approve the 2020 Language Access Plan with an effective date of October 1, 2020, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve discussion calendar item number 13, to Approve the 2020 Language Access Plan with an effective date of October 1, 2020, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango

Nays

Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Approval of discussion calendar item number 14, to 1) Approve Amendment No. 3 to Contract 15-803 with the County of San Bernardino Community Development and Housing Department extending the term for two additional years for a total contract period of November 3, 2015 through June 30, 2022 for the Homeless Veterans Housing Initiative Enhanced Security Deposit Program, 2) Authorize and direct the Executive Director to execute and deliver the contract amendment to the County of San Bernardino and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve discussion calendar item number 14, to 1) Approve Amendment No. 3 to Contract 15-803 with the County of San Bernardino Community Development and Housing Department extending the term for two additional years for a total contract period of November 3, 2015 through June 30, 2022 for the Homeless Veterans Housing Initiative Enhanced Security Deposit Program, 2) Authorize and direct the Executive Director to execute and deliver the contract amendment to the County of San Bernardino and, upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, which motion was duly seconded by Commissioner Cooper, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Commissioner Muñoz left the meeting at 4:45 p.m.

Approval of discussion calendar item number 15, to Approve an employment contract with Maria Razo to provide services as the Executive Director for the Housing Authority of the County of San Bernardino, effective September 27, 2020 through September 26, 2023, for an estimated initial annual cost of \$281,454.25 (Salary - \$193,939, Benefits and Taxes - \$87,515.25), was requested.

Legal Counsel explained the item.

Commissioner Miller moved to approve discussion calendar item number 15, to Approve an employment contract with Maria Razo to provide services as the Executive Director for the

Housing Authority of the County of San Bernardino, effective September 27, 2020 through September 26, 2023, for an estimated initial annual cost of \$281,454.25 (Salary - \$193,939, Benefits and Taxes - \$87,515.25), which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff

Nays

Approval of consent calendar items number 17 - 20, to 1) Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on July 14, 2020, 2) Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on August 11, 2020, 3) Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in June 2020, 4) Approve and file Agency-wide Financial Statements through May 2020, was requested.

Commissioner Miller moved to approve consent calendar item number 17 - 20, to 1) Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on July 14, 2020, 2) Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on August 11, 2020, 3) Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in June 2020, 4) Approve and file Agency-wide Financial Statements through May 2020, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff

Nays

Chairman provided an opportunity for individual Board member comments.

Commissioner MacDuff provided an update in response to a comment made at the August 11, 2020 Board of Commissioners meeting, regarding the U.S. Postal Service stopping mail delivery service to a Public Housing community in Minnesota and possibly in South Los Angeles due to

the COVID-19 pandemic. Commissioner MacDuff requested for on-site managers to be aware and report if any residents experience mail delivery service interruptions.

There being no other business, Chairman moved for the regular meeting of Tuesday, August 11, 2020 to be adjourned, which motion was duly seconded by Commissioner Miller, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller

Nays

The meeting adjourned at 4:50 p.m.

Tim Johnson, Chair

Beau Cooper, Vice Chair

Cassie MacDuff

Sylvia Miller

Jessie Muñoz

Dr. Ciriaco “Cid” Pinedo

Bobby Tarango

Attest:

Secretary

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Regular Meeting Minutes for Meeting Held on October 13, 2020

RECOMMENDATION(S)

Approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular Meeting held on October 13, 2020.
(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB communication is open, honest and consistent.

FINANCIAL IMPACT

Approval of this item will not result in a financial impact to the Housing Authority of the County of San Bernardino (HACSB) as there are no financial impacts associated with this item.

BACKGROUND INFORMATION

The HACSB Board of Commissioners (Board) Regular Meeting took place on October 13, 2020 and attached are the comprehensive minutes for review and approval by the Board.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 26, 2020.

**MINUTES OF A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF
THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO
October 13, 2020**

The Board of Commissioners of the Housing Authority of the County of San Bernardino met in a regular meeting via teleconference and videoconference (Zoom at call-in number (669) 900-6833, Meeting ID 857 5140 5078, Password 346406) at 3:00 p.m. on October 13, 2020.

The meeting was called to order, and upon roll call, the following were present:

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Miller
Commissioner Muñoz
Commissioner Pinedo

Also in attendance were: Maria Razo, Executive Director; Gus Joslin, Deputy Executive Director; Ana Gamiz, Director of Policy & Public Relations; Rishad Mitha, Director of Operations; Remy Gaither, Career Development Initiatives Manager; Nicole Beydler, Sr. Management Analyst; Jesse Diaz, Finance Manager; Angie Lardapide, Procurement and Contracts Supervisor; Kristin Maithonis, Assistant Director of Housing Services; Perlie Liu, Asset Management Analyst; Renee Kangas, Management Analyst, Policy and Community Affairs, and Claudia Hurtado, Executive Assistant.

Also present: Julie Surber, Legal Counsel to the Housing Authority.

The Chairman called for additions or deletions to the October 13, 2020 agenda.

Executive Director stated agenda item number 13, to approve the meeting minutes for the Board of Commissioners of the Housing Authority of the County of San Bernardino Regular meeting held on September 8, 2020 to be continued to the November 10, 2020 Board of Commissioners meeting.

The Chairman provided an opportunity for members of the public to address the Board of Commissioners.

Secretary of the Board read the public comment received by Elizabeth J. Hayes.

The Executive Director's Report for October 13, 2020 was requested.

Maria Razo, Executive Director gave the Executive Director's Report.

Commissioner Tarango joined the meeting at 3:12 p.m.

Commissioner MacDuff asked, in regard to the Eviction Moratorium. Do the relief funds go to the landlord or to the tenant? Executive Director, answered by stating, that is it up to each jurisdiction the City and/or County to utilize their CARES Act funds in order to fund any eviction prevention programs. Rishad Mitha added, Housing Authority of the County of San Bernardino decided as an agency to offer tenants a repayment plan. Commissioner MacDuff

asked, what is the policy regarding late fees? Rishad Mitha answered by stating. As a landlord HACSB is not charging late fees on past due rent, also following the Eviction Moratorium regulations.

Chairman Johnson asked, regarding the expansion of the Moving to Work (MTW). Executive Director answered by stating, HACSB is working with industry groups, such as CLPHA and MTW Collaborative, to seek a permanent designation with the current flexibilities for HACSB.

The Board Building Presentation for October 13, 2020 regarding an overview of the Housing Authority of the County of San Bernardino's affiliate non-profit, Housing Partners I, Inc., was requested.

The Board Building Presentation regarding of the Housing Authority of the County of San Bernardino's affiliate non-profit, Housing Partners I, Inc. was presented by Housing Partners I, Inc. Executive Director, Anthony Perez.

Approval for discussion calendar item number 6, to 1) Approve a lease agreement, effective November 1, 2020, with nonprofit affiliate Housing Partners I, Inc. for 6,495 square feet of premises, comprising the entire first floor of 5,395 square feet and one-half of the basement level of 1,100 square feet within an existing building located 424 N. Lemon Street in the city of Ontario in a fixed amount of \$5,500 per month for a two-year term through October 31, 2022, 2) Authorize and direct the Executive Director to execute and deliver the lease agreement to Housing Partners I, Inc., and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, was requested.

Executive Director explained the item.

Commissioner Tarango moved to approve the discussion calendar item number 6, to 1) Approve a lease agreement, effective November 1, 2020, with nonprofit affiliate Housing Partners I, Inc. for 6,495 square feet of premises, comprising the entire first floor of 5,395 square feet and one-half of the basement level of 1,100 square feet within an existing building located 424 N. Lemon Street in the city of Ontario in a fixed amount of \$5,500 per month for a two-year term through October 31, 2022. 2) Authorize and direct the Executive Director to execute and deliver the lease agreement to Housing Partners I, Inc., and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, which motion was duly seconded by Commissioner MacDuff, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller

Nays

Commissioner Muñoz was not available to vote.

Approval for the discussion calendar item number 7, to 1) Approve a non-financial Memorandum of Understanding, effective November 1, 2020, with Inland Empire Health Plan to co-locate program services at the Community Resource Center in Victorville for an initial term of one year and that shall automatically renew on the anniversary date for subsequent one year periods not to exceed four years after the initial term, and 2) Authorize and direct the Executive Director to execute and deliver the agreement to Inland Empire Health Plan, and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, was requested.

Executive Director explained the item.

Commissioner MacDuff asked, regarding the initial term renewal. Why not sign up for a 5-year lease from the beginning, oppose to a year to year lease? Executive Director answered by stating, the agreement was presented in the form of a year to year bases, it also helps to make changes to the agreement as they are presented from both IEHP and HACSB.

Commissioner MacDuff moved to approve the discussion calendar item number 7, to 1) Approve a non-financial Memorandum of Understanding, effective November 1, 2020, with Inland Empire Health Plan to co-locate program services at the Community Resource Center in Victorville for an initial term of one year and that shall automatically renew on the anniversary date for subsequent one year periods not to exceed four years after the initial term, and 2) Authorize and direct the Executive Director to execute and deliver the agreement to Inland Empire Health Plan, and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Nays

Approval for the discussion calendar item number 8, to 1) Approve the submission of an application to the United States Department of Housing and Urban Development for a designation of an EnVision Center, 2) Authorize and direct the Executive Director to execute and deliver a letter of commitment and Action Plan to the United States Department of Housing and Urban Development, and upon consultation with Legal Counsel, to accept and sign any ancillary documents necessary to finalize the submission of the application, was requested.

Executive Director explained the item.

Commissioner MacDuff moved to approve the discussion calendar item number 8, to 1) Approve the submission of an application to the United States Department of Housing and Urban Development for a designation of an EnVision Center, 2) Authorize and direct the Executive Director to execute and deliver a letter of commitment and Action Plan to the United States Department of Housing and Urban Development, and upon consultation with Legal Counsel, to accept and sign any ancillary documents necessary to finalize the submission of the application, which motion was duly seconded by Commissioner Miller, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner Muñoz

Nays

Approval of discussion calendar item number 9, to 1) Authorize a Subrecipient Agreement, effective November 1, 2020, with the City of San Bernardino for an eviction prevention program in an amount not to exceed \$660,000 through June 30, 2022. And 2) Authorize and direct the Executive Director to execute and deliver the agreement to the City of San Bernardino, and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve discussion calendar item number 9, to 1) Authorize a Subrecipient Agreement, effective November 1, 2020, with the City of San Bernardino for an eviction prevention program in an amount not to exceed \$660,000 through June 30, 2022. And 2) Authorize and direct the Executive Director to execute and deliver the agreement to the City of San Bernardino, and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Commissioner MacDuff asked, if the County of San Bernardino advised how they are going to publicize the fund availability. Rishad Mitha answered by stating it will be publicized on the website, it will also be available for HACSB staff.

Approval of discussion calendar item number 10, to 1) Approve a contract extension to the Project-Based Voucher Housing Assistance Payments Contract with National Community Renaissance of California at Northgate Village for the Veterans Housing Initiative Program, for an additional five-year period from March 15, 2021 through March 14, 2026, and 2) Authorize and direct the Executive Director to execute and deliver the contract extension to National Community Renaissance of California, and upon consultation with Legal Counsel, to approve any non-substantive revisions necessary to complete the transaction, was requested.

Executive Director explained the item.

Commissioner Miller moved to approve the discussion calendar item number 10, to 1) Approve a contract extension to the Project-Based Voucher Housing Assistance Payments Contract with National Community Renaissance of California at Northgate Village for the Veterans Housing Initiative Program, for an additional five-year period from March 15, 2021 through March 14, 2026, and 2) Authorize and direct the Executive Director to execute and deliver the contract extension to National Community Renaissance of California, and upon consultation with Legal Counsel to approve any non-substantive revisions necessary to complete the transaction, which motion was duly seconded by Commissioner Muñoz, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of discussion calendar item number 11, to 1) Approve a grant of easement and right of way to Southwest Gas Corporation, to use and maintain underground natural gas supply system on real property owned by the Housing Authority of the County of San Bernardino, at 755 East Virginia Way in the City of Barstow, 2) Authorize and direct the Executive Director, upon consultation with Legal Counsel, to accept and sign ancillary documents or exhibits necessary to finalize and record the grants of easement with the County of San Bernardino Recorder, was requested.

Executive Director explained the item.

Julie Surber suggested to the board to amend the item to add the map to Exhibit A.

Commissioner Miller moved to approve the discussion calendar item number 11 with the addition of a map to Exhibit A, to 1) Approve a grant of easement and right of way to Southwest

Gas Corporation, to use and maintain underground natural gas supply system on real property owned by the Housing Authority of the County of San Bernardino, at 755 East Virginia Way in the City of Barstow, 2) Authorize and direct the Executive Director, upon consultation with Legal Counsel, to accept and sign ancillary documents or exhibits necessary to finalize and record the grants of easement with the County of San Bernardino Recorder, which motion was duly seconded by Commissioner Tarango, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Approval of consent calendar items number 14 - 15, to 1) Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in July 2020, 2) Approve and file Agency-wide Financial Statements through June 2020, was requested.

Commissioner Miller moved to approve consent calendar item number 14 - 15, to 1) Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in July 2020, 2) Approve and file Agency-wide Financial Statements through June 2020, which motion was duly seconded by Commissioner MacDuff, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller
Commissioner MacDuff
Commissioner Muñoz

Nays

Chairman provided an opportunity for individual Board member comments.

Commissioner Tarango provided a comment, asking if the equity indicator affected San Bernardino County. Executive Director answered by stating the equity indicator affected the entirety of the county. Executive Director will provide the informational items to the board.

Commissioner Johnson requested for the Annual meeting with the San Bernardino County Board of Supervisors and/or CEO to be scheduled. Julie Surber stated per the HACSB Bylaws that were adopted in January 2020, there is a statement the Board of Commissioners will attempt to hold

an annual joint meeting with the Board of Supervisors. One topic being the continue partnership with the County of San Bernardino.

There being no other business, Chairman moved for the regular meeting of Tuesday, October 13, 2020 to be adjourned, which motion was duly seconded by Commissioner Miller, and upon roll call, the Ayes and Nays were as follows:

Ayes

Commissioner Johnson
Commissioner Cooper
Commissioner MacDuff
Commissioner Pinedo
Commissioner Tarango
Commissioner Miller

Nays

The meeting adjourned at 4:13 p.m.

Tim Johnson, Chair

Beau Cooper, Vice Chair

Cassie MacDuff

Sylvia Miller

Jessie Muñoz

Dr. Ciriaco “Cid” Pinedo

Bobby Tarango

Attest:

Secretary

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Vacated Tenant Accounts for the Authority Owned Portfolio to be Written Off as Collection Loss for the Month Ending August 2020

RECOMMENDATION(S)

Approve vacated tenant accounts for the Authority Owned Portfolio to be written off as collection losses for the month ending in August 2020.

(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

The accounts receivable losses for the month ending August 31, 2020 is \$12,117.69. The Housing Authority of the County of San Bernardino (HACSB) projects and anticipates collection losses in their annual budget. The monthly losses as detailed below are in line with the budgeted losses and historical trends.

BACKGROUND INFORMATION

On a monthly basis, HACSB records vacated tenant accounts for the Authority Owned Portfolio for the purpose of being written off to collection losses. The agency's Authority Owned Portfolio units are owned by HACSB and were either acquired or developed through a variety of partnerships with local governments and/or HACSB's non-profit affiliate Housing Partners I, Inc., and also include public housing developments converted through the United States Department of Housing and Urban Development's (HUD) Rental Assistance Demonstration (RAD) program. Despite the agency's reasonable efforts to collect the debts listed in the attached reports, it has been determined that such debts are uncollectible. However, collection efforts will continue with the agency's contracted collection agency. As part of HACSB's standard property management business practices, Board of Commissioners approval is requested to write off these accounts as accounts receivable losses to the Authority Owned Portfolio. Please note that due to the rental eviction moratorium, all of the losses during this time period are for voluntary move outs and skips. The total write off for the month of August 2020 is \$12,117.69 as delineated in the table below. Attached is a worksheet that itemizes the individual accounts.

SUMMARY BY PROPERTY MANAGEMENT		
PROPERTY	NO. VACATED	TOTAL
401 – Wall Ave	1	\$319.00
403 – Summit Walk	1	-
407 – Sunset Pointe	2	-
408 – Sunrise Vista	2	(\$660.00)
409 – Andalusia	3	\$1,250.00

SUMMARY BY PROPERTY MANAGEMENT		
PROPERTY	NO. VACATED	TOTAL
425a – Sequoia	2	\$400.00
426 – Sunnyside	2	\$10,028.00
467 - Hillcrest	2	-
Concessions Write Off		-
TOTAL RENT WRITE OFF	15	\$11,337.00
Miscellaneous Charges		\$25.00
Maintenance Charges		\$4,941.69
Legal Charges		\$1,050.00
Security Deposits Applied		(\$5,236.00)
NET TOTAL WRITE OFF		\$12,117.69

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 21, 2020.

Housing Authority County of San Bernardino

COLLECTION WRITE-OFFS - Authority Owned Portfolio

Month End: 08/31/20

Item #	Last Name	First Name	ID No.	REASON	MONTHLY RENT	UNPAID RENT (*)	CONC. REVERSAL	UNPAID MISC (*)	MAINT. FEES	LEGAL FEES	TOTAL OWED	LESS DEPOSIT	NET DUE
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401 - Wall Ave													
1	A.	D.		S	895.00	319.00			1,301.00		1,620.00	400.00	1,220.00
							-				-		-
TOTALS:						319.00	-	-	1,301.00	-	1,620.00	400.00	1,220.00

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
1	Skip									08/07/20

403 - Summit Walk													
2	R.	J.							(341.00)		(341.00)		(341.00)
							-				-		-
TOTALS:						-	-	-	(341.00)	-	(341.00)	-	(341.00)

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
2	Payment on bad debt									

407 - Sunset Pointe													
3	C.	L.							(352.80)		(352.80)		(352.80)
4	B.	C.					-		(700.00)		(700.00)		(700.00)
TOTALS:						-	-	-	(1,052.80)	-	(1,052.80)	-	(1,052.80)

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
3	Collection on bad debt									
4	Payment on bad debt									

*Reasons: E=Eviction S=Skip V=Voluntary T=Terminated Tenancy ** Unpaid Misc. Stipulated agreements for rent maintenance charges, late charges, etc.

Housing Authority County of San Bernardino

COLLECTION WRITE-OFFS - Authority Owned Portfolio

Month End:

08/31/20

Item #	Last Name	First Name	ID No.	REASON	MONTHLY RENT	UNPAID RENT (*)	CONC. REVERSAL	UNPAID MISC (*)	MAINT. FEES	LEGAL FEES	TOTAL OWED	LESS DEPOSIT	NET DUE
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408 - Sunrise Vista													
5	F.	S.							(100.00)		(100.00)		(100.00)
6	K.	M.		S	825.00	(660.00)			1,505.44		845.44	825.00	20.44
										-	-		-
TOTALS:						(660.00)	-	-	1,405.44	-	745.44	825.00	(79.56)

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
5	Payment on bad debt									
6	Skip									08/06/20

409 - Andalusia													
1	L.	L.		V	1,125.00	-	-	-	710.00	-	710.00	399.00	311.00
2	D.	R.		V	1,250.00	1,250.00	-	25.00	565.00	-	1,840.00	999.00	841.00
3	M.	E.		V	1,010.00	-	-	-	712.00	-	712.00	599.00	113.00
													-
													-
TOTALS:						1,250.00	-	25.00	1,987.00	-	3,262.00	1,997.00	1,265.00

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
1	Resident 30 day notice	07/14/20	NA	NA	NA	NA		NA	NA	08/20/20
2	Resident 30 day notice	07/27/20	NA	NA	NA	NA		NA	NA	08/31/20
3	Unit Transfer	07/31/20	NA	NA	NA	NA		NA	NA	08/31/20

425a - Sequoia													
7	R.	C.							(531.00)		(531.00)		(531.00)
8	F.	K.		S	800.00	400.00			332.00		732.00	619.00	113.00
										-	-		-
TOTALS:						400.00	-	-	(199.00)	-	201.00	619.00	(418.00)

Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date	Vacate Date
7	Adjustment to previous month write off									
8	Skip									08/15/20

*Reasons: E=Eviction S=Skip V=Voluntary T=Terminated Tenancy

** Unpaid Misc. Stipulated agreements for rent maintenance charges, late charges, etc.

Housing Authority County of San Bernardino

COLLECTION WRITE-OFFS - Authority Owned Portfolio

Month End:

08/31/20

Item #	Last Name	First Name	ID No.	REASON	MONTHLY RENT	UNPAID RENT (*)	CONC. REVERSAL	UNPAID MISC (*)	MAINT. FEES	LEGAL FEES	TOTAL OWED	LESS DEPOSIT	NET DUE
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426 - Sunnyside													
9	R.	M.							(49.40)		(49.40)		(49.40)
10	M.	S.		E	1,395.00	10,028.00			2,439.00	1,050.00	13,517.00	1,395.00	12,122.00
											-		-
TOTALS:						10,028.00	-	-	2,389.60	1,050.00	13,467.60	1,395.00	12,072.60
Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date		Vacate Date		
9	Collection on bad debt												
10	Eviction	01/31/20	Hand	02/14/20	02/14/20	Y		06/25/20	08/05/20		08/05/20		

467 - Hillcrest													
11	P.	T.							(155.55)		(155.55)		(155.55)
12	A.	L.							(393.00)		(393.00)		(393.00)
TOTALS:						-	-	-	(548.55)	-	(548.55)	-	(548.55)
Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date		Vacate Date		
11	Collection on bad debt												
12	Collection on bad debt												

ALL PROPERTY TOTALS:						11,337.00	-	25.00	4,941.69	1,050.00	17,353.69	5,236.00	12,117.69
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Submitted by:

Date: 9/14/2020

Reviewed by:

Date:

*Reasons:

E=Eviction

S=Skip

V=Voluntary T=Terminated Tenancy

**Unpaid Misc.:

Stipulated agreements for rent, maintenance charges, late charges, etc.

**REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD
OF ACTION**

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Vacated Tenant Accounts for the Affordable Housing Program to be Written Off as Collection Loss for the Month Ending August 2020

RECOMMENDATION(S)

Approve the vacated tenant account for the Affordable Housing Program to be written off as collection loss for the month ending in August 2020.

(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

FINANCIAL IMPACT

The accounts receivable losses for the month ending August 31, 2020 is \$392.45. The Housing Authority of the County of San Bernardino (HACSB) projects and anticipates collection losses in their annual budget. The monthly losses as detailed below are in line with the budgeted losses and historical trends.

BACKGROUND INFORMATION

On a monthly basis, HACSB records vacated tenant accounts for the Affordable Housing Program for the purpose of being written off to collection losses. The report is summarized by the agency's property and must be received and approved by HACSB's Board of Commissioners (Board). Despite the agency's reasonable efforts to collect the debts listed in the attached report, it has been determined that such debts are uncollectible. However, collection efforts will continue with the agency's contracted collection agency. Please note that due to the rental eviction moratorium, losses during this time period are for voluntary move outs and skips. The total write off for the month of August 2020 is \$392.45 as delineated in the table below. Attached is a worksheet that itemizes the individual account.

SUMMARY BY PROPERTY		
PROPERTY	NO. VACATED	TOTAL
204 – Upland	1	-
Concessions Write Off		-
TOTAL RENT WRITE OFF	1	-
Miscellaneous Charges		\$121.45
Maintenance Charges		\$1,435.00
Legal Charges		-
Security Deposits Applied		(\$1,164.00)
NET TOTAL WRITE OFF		\$392.45

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 21, 2020.

Housing Authority County of San Bernardino

COLLECTION WRITE-OFFS - PUBLIC HOUSING

Month End: 08/31/20

Item #	Last Name	First Name	ID No.	REASON	MONTHLY RENT	UNPAID RENT (*)	CONC. REVERSAL	UNPAID MISC (*)	MAINT. FEES	LEGAL FEES	TOTAL OWED	LESS DEPOSIT	NET DUE
204 - Upland													
1	R.	N.		V	\$ 701.00	\$0.00		121.45	1,435.00	-	\$1,556.45	1,164.00	\$392.45
TOTALS:						-	-	121.45	1,435.00	-	1,556.45	1,164.00	392.45
Item #	Type of Notice	Date Notice Served	Posted or Hand Delivered	Date File Sent to Attorney	Date Attorney Filed in Court	Response Filed by Tenant (Y or N)		Court Date	Lock Out Date		Vacate Date		
1	Resident 30 Day Notice	07/31/20	NA	NA	NA	NA		NA	NA		08/24/20		

ALL PROPERTY TOTALS:						-	-	121.45	1,435.00	-	1,556.45	1,164.00	392.45
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Submitted by: _____ Date: 9/14/2020 Reviewed by: _____ Date: _____

*Reasons: E=Eviction S=Skip V=Voluntary T=Terminated Tenancy **Unpaid Misc.: Stipulated agreements for rent, maintenance charges, late charges, etc.

REPORT/RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION

November 10, 2020

FROM

MARIA RAZO, Executive Director, Housing Authority of the County of San Bernardino

SUBJECT

Agency-wide Financial Statements through July 2020

RECOMMENDATION(S)

Approve and file Agency-wide Financial Statements through July 2020.
(Presenter: Maria Razo, Executive Director, 332-6305)

GOALS & OBJECTIVES

HACSB has secured the resources needed for accomplishing its mission.

FINANCIAL IMPACT

The Housing Authority of the County of San Bernardino's (HACSB) year-to-date agency-wide net income through July 2020 for Federal Fiscal Year (FFY) 2019-20 is \$11,509,064. The net income is currently greater than the anticipated \$(133,332) net loss, with a variance of \$11.5 million, primarily due to:

- Housing Assistance Payment expenses were significantly higher due to an increased cost per unit. A draw from HACSB's United States Department of Housing and Urban Development (HUD) held reserve was received in the amount of \$4.1 million for increased expenses in the last calendar year and does not offset the current year's increased cost per unit.
- Other income reflected is not included in the annual budget which includes developer's and bond monitoring fees. This amounts to \$1 million.
- Maintenance expenses are lower, primarily related to contract costs due to the timing of invoices received as well as the reduced need for some contracts due to the current COVID-19 environment. There has also been a cost savings in contracts for vacancy turnovers since most of this work is being done by the Authority staff members. This amounts to \$1.3 million.
- Physical Needs Assessment and Capital Fund project expenses that were lower than expected, which also lowered the amount of Capital Fund grant income that was recognized. This is primarily due to the timing of these expenses which will need to occur in the upcoming fiscal year (reflected in the extraordinary maintenance expenses line item) and amounts to \$9.6 million.

- Depreciation expense reflected monthly is not included in the annual budget which amounts to \$4.9 million.

Financial Summary	FY 2020 YTD
Revenues	\$140,817,559
Expenses	\$124,425,790
Operating Gain	\$16,391,769
Operating Transfers/Non-Operating Items	\$(4,882,705)
Net Income/(Loss)	\$11,509,064

BACKGROUND INFORMATION

HACSB administers multiple housing programs and is the largest provider of affordable housing in the County of San Bernardino. The FFY 2019-20 budget and financial operations continue to support the vision and mission of HACSB and are in line with its Strategic Plan and Moving to Work Annual Plans. Overall, HACSB has demonstrated fiscal stability even though the primary funding provider, HUD, has significantly decreased funding each year while expecting full program utilization. FFY 2019-20 continues to be another challenging year due to the following:

- Anticipated federal funding cuts to the Housing Choice Voucher (HCV) program, Administrative Fees, Public Housing Subsidy and Capital Funds.
- Use of supplemental CARES Act funds in order to balance the FFY budget for the HCV program due to rental assistance costs exceeding funding. Reflected in the approved FY 2019-20 Consolidated Budget Revision #1.
- Additional projections are also underway to forecast COVID-19 related expenditures and income losses, including related increases to the housing assistance payments for the voucher programs and rental income loss into the new fiscal year. These projections will be included in the FY 2021 budget revision.
- Maintenance of aging properties is extremely costly, but it is needed to preserve much needed affordable housing in the County.

Based on HUD's guidance to routinely present key information to HACSB's Board of Commissioners, HACSB is presenting the financial statements on a monthly basis.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by Legal Counsel (Julie J. Surber, Principal Assistant County Counsel, 387-5455) on October 22, 2020.

HACSB - All (.1hacsb)
Budget Comparison
Period = Oct 2019-Jul 2020

	YTD Actual	YTD Budget	Variance	% Var	Annual
INCOME					
TENANT INCOME					
Total Rental Income	22,037,265	21,546,476	490,789	2	25,890,742
Total Other Tenant Income	504,797	482,293	22,504	5	578,752
NET TENANT INCOME	22,542,063	22,028,769	513,293	2	26,469,494
GRANT INCOME					
TOTAL GRANT INCOME	112,445,207	108,214,104	4,231,103	4	129,799,833
OTHER INCOME					
TOTAL OTHER INCOME	5,830,289	4,796,009	1,034,280	22	5,639,874
TOTAL INCOME	140,817,559	135,038,882	5,778,676	4	161,909,202
EXPENSES					
GRANT EXPENSES					
TOTAL GRANT EXPENSES	5,593,938	5,085,185	-508,753	-10	6,102,222
ADMINISTRATIVE					
Total Administrative Salaries	12,186,471	11,236,305	-950,166	-8	13,511,215
Total Legal Expense	219,039	288,106	69,067	24	345,727
Total Other Admin Expenses	4,413,909	4,632,039	218,130	5	5,646,658
Total Miscellaneous Admin Expenses	1,858,726	2,642,646	783,920	30	2,938,056
TOTAL ADMINISTRATIVE EXPENSES	18,678,145	18,799,096	120,951	1	22,441,656
TENANT SERVICES					
TOTAL TENANT SERVICES EXPENSES	209,599	324,711	115,112	35	389,453
UTILITIES					
TOTAL UTILITY EXPENSES	2,830,076	3,033,736	203,660	7	3,640,484
MAINTENANCE AND OPERATIONS					
Total General Maint Expense	2,319,321	2,391,294	71,973	3	2,869,153
Total Materials	689,688	726,064	36,375	5	871,275
Total Contract Costs	2,573,442	3,738,515	1,165,073	31	4,485,145
TOTAL MAINTENANCE EXPENSES	5,582,451	6,855,873	1,273,422	19	8,225,573
GENERAL EXPENSES					
TOTAL GENERAL EXPENSES	960,723	1,038,129	77,405	7	1,241,332
EXTRAORDINARY MAINTENANCE EXPENSES					
TOTAL EXTRAORDINARY MAINTENANCE EXPENSES	2,372,727	11,940,755	9,568,028	80	14,767,546
HOUSING ASSISTANCE PAYMENTS					
TOTAL HOUSING ASSISTANCE PAYMENTS	86,898,318	86,452,377	-445,941	-1	103,993,788
FINANCING EXPENSE					
TOTAL FINANCING EXPENSES	1,299,813	1,356,570	56,756	4	1,627,884
TOTAL OPERATING EXPENSES	124,425,790	134,886,432	10,460,642	8	162,429,938
OPERATING NET INCOME	16,391,769	152,451	16,239,318	10,652	-520,736
NET OPERATING TRANSFER IN/OUT	0	285,783	285,783	100	285,783
NON-OPERATING ITEMS					
TOTAL NON-OPERATING ITEMS	4,882,705	0	-4,882,705	N/A	0
NET INCOME	11,509,064	-133,332	11,642,397	8,732	-806,519