

Updating the Admissions and Continued Occupancy Plan, Administrative Plan, and FY2023 Moving To Work Annual Plan



February – March 2023

Introductions

Brenda Donald, Executive Director

Lorry Bonds, Senior VP and General Counsel

Jenna Cevasco, Chief of Staff

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Agenda

- I. Background & Approach
- II. Policy Overview
- III. Significant Amendment to the FY2023 MTW Annual Plan
- IV. Logistics



Background & Approach



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DCHA's 4 Governing Documents

MTW Annual Plan

- Outlines operating plans
- Requests & provides updates regarding MTW flexibilities

Admissions & Continued Occupancy Plan (ACOP)

- Outlines Public Housing policies

Administrative Plan

- Outlines Voucher Program policies

Title 14 of the DCMR

- Codifies ACOP and Admin Plan policies into local regulations



Why is DCHA Updating Policies?

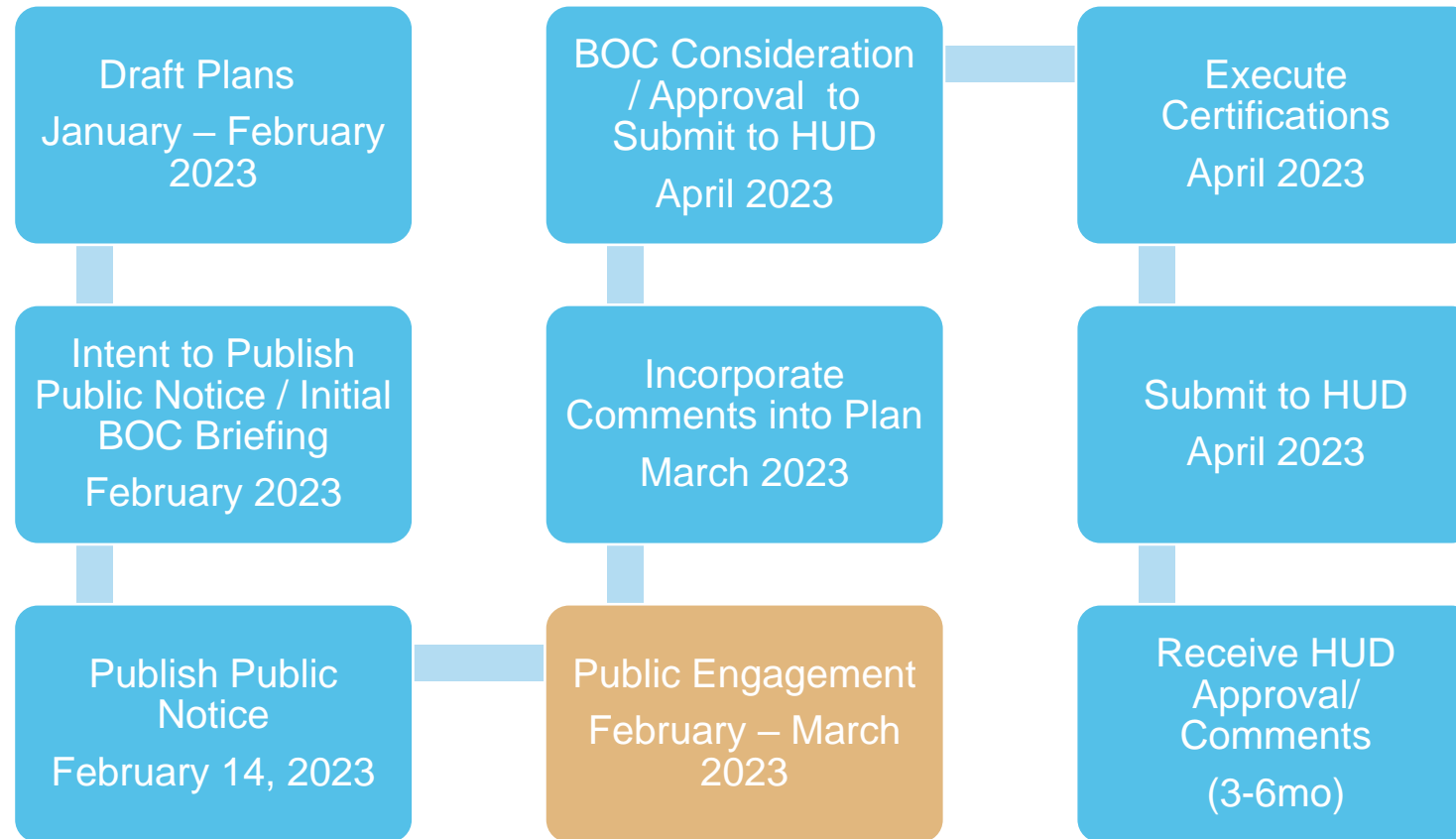
The Agency has reviewed and updated its policies to accomplish the following:

- Align with all HUD regulations, except where MTW flexibilities have been authorized;
 - 34 of HUD's findings relate to revisions in the ACOP, Administrative Plan, and/or MTW Plan.
- Incorporate industry best practices from Housing Authorities across the country; and
- State policies in plain language, so they are widely understood.

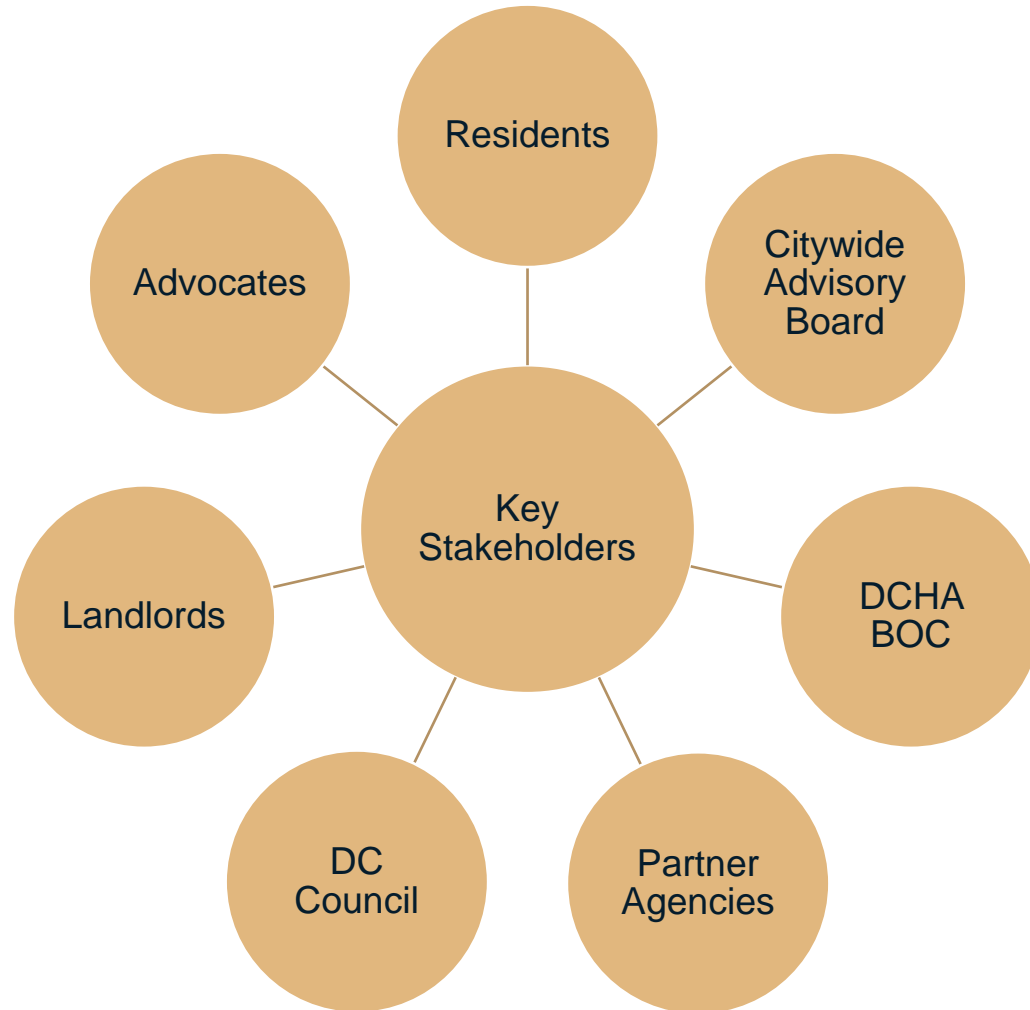


Public Process Overview

DCHA goes through a prescribed process to allow for public and stakeholder input and engagement before the plans are finalized.



Public Engagement & Key Stakeholders



Stakeholder Meetings

- February 13: BOC Education Symposium
- February 28: Citywide Advisory Board
- March 6: Public Hearing
- March: Public Housing Sites



Viewing Plans & Submitting Comments

- DCHA's proposed ACOP, Admin Plan and FY2023 MTW Annual Plan amendment are available on DCHA's website at <http://www.dchousing.org/mtw2/>.
- Public comment period is open through **Thursday, March 16th** for the MTW Plan Amendment and **Friday, March 31st** for the ACOP & Administrative Plan.
- Submit written comments via email at mtw@dchousing.org.
- Or mail written comments to:
Hanna Koerner
c/o DCHA
1133 N Capitol St. NE, Suite 200
Washington, DC 20002

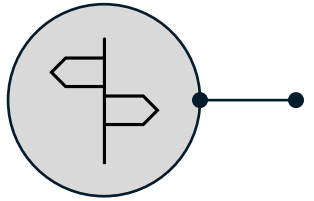


Policy Overview

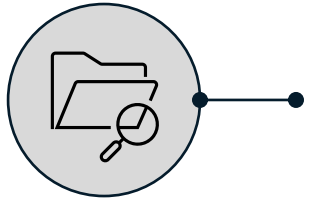


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Approach to Overview



These policies govern how DCHA administers its program.



While this presentation provides a summary of policies contained in these documents, the full policy documents should be consulted for additional detail.



Core Principles

DCHA is committed to providing quality affordable housing to extremely low-through moderate-income households, fostering sustainable communities, and cultivating opportunities for residents to improve their lives.



Fair Housing

Grievances



Waiting List

How do I get onto the list for assistance?

Key Policy Changes

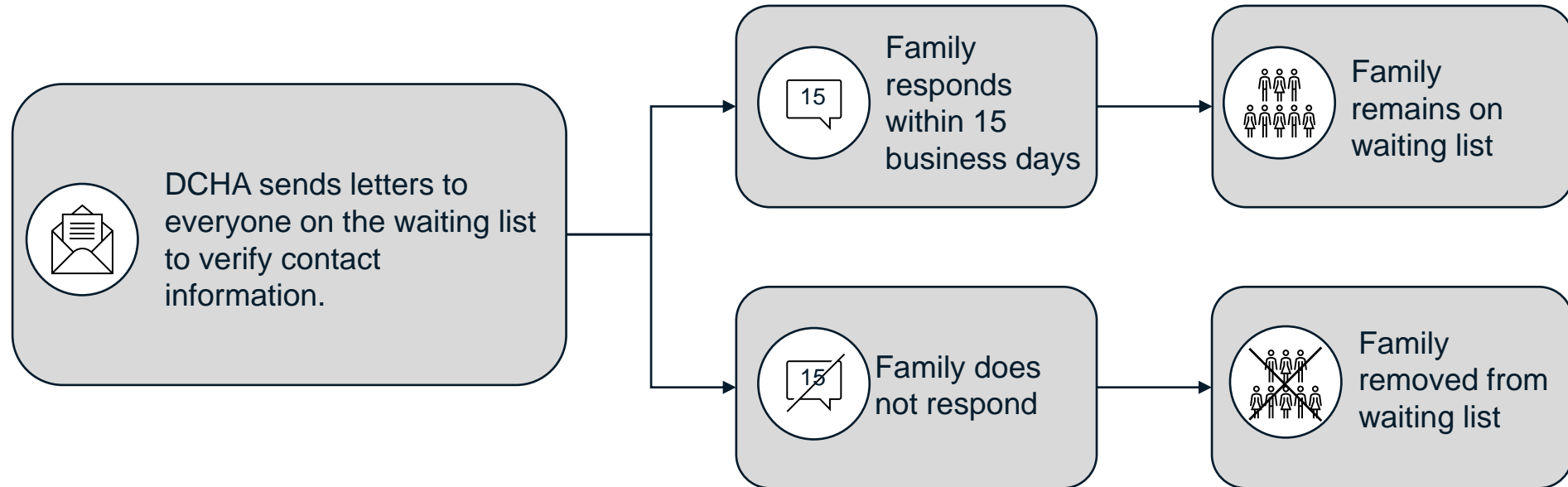
- Waitlist maintenance process.
- There will not be preference categories.
- Public Housing is moving to a site-based lottery system waiting list.
- Voucher applicants will be selected based on date and time of application.
- Voucher waitlist will begin collecting information about interest in PBV sites.



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Waiting List

- Maintaining the Waiting List: Families must inform DCHA of changes in family composition and/or contact information.



- Any waiting list reopening will be publicized in advance (at least 10 business days).
- DCHA will not use preferences for selection.
- DCHA will notify the family when it is selected.

Public Housing Waitlist

- Site-based lottery system.
- DCHA will match the characteristics of available units to the applicants on the waiting list.



Waiting List

	Rationale	Current policy	Proposed policy
PH	Our eligibility and match process must be more efficient, so people can be housed quickly	One waiting list with the option to select three categories each with their own preferences: <ul style="list-style-type: none"> - Public Housing: working family, emergency - HCVP/Mod Rehab: homeless, sub-standard housing, involuntarily displaced, rent burdened 	No preferences For HCVP, applicants will be selected by date and time For Public Housing, applicants will be selected by lottery
HCVP	Since preferences were established, DC has invested substantially in housing solutions for people experiencing homelessness – this ensures low-income residents can access housing outside the homeless services system		
PH	When we understand people’s neighborhood preferences in advance, our eligibility and match process is more efficient Equity	One waiting list for all public housing sites	One waiting list for each public housing site (site-based waiting lists) with a lottery system
PH	Our eligibility and match process must be more efficient, so people can be housed quickly	Applicants remain on the waiting list in an inactive status, even when they do not respond to DCHA’s outreach; if at any later date, they complete an update with the agency, they are restored to their active status with their original date and time	With safeguards and appeals processes in place, those who do not respond to the Agency’s outreach to confirm interest or update their information within 15 business days will be removed from the waiting list
HCVP	HUD requires the agency maintain the waiting list		



Eligibility

Am I eligible for assistance?

Key Policy Changes

- No notable changes in eligibility.



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Eligibility Criteria & Denial of Admission

Basic Eligibility Criteria

- To be income-eligible, a family must be a low-income family

Voucher

<50% of Area
Median Income

Public Housing

<80% of Area
Median Income

- At least one member is a citizen, national, or eligible noncitizen
- Social Security Numbers assigned to each household member
- Signed Release of Information forms

Additional Suitability Factors

- Drug-related criminal activity
- Violent criminal activity
- The family's previous behavior and suitability for tenancy



Eligibility Determinations

Selection from Waitlist

All Adult Members of the Household Attend Eligibility Interview*

Verified during Interview:

Family size

Family composition

Total family income

ID & Social Security Numbers

Citizenship/immigration status

Screenings:

Income verification

Criminal background

National sex offender database

Landlord references

DCHA will notify a family in writing of their eligibility within 10 business days of the determination

*Applicants who fail to attend two scheduled interviews without notifying DCHA/DCHA approval will be removed from the waiting list.



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Required Eligibility Documentation

For all adults in the household:

- Photo ID (driver's license or photo ID)
- Birth certificate or Passport (with permanent resident card if not a United States Passport)
- Social security card
- Bank statement to show cash assets
- Employment information (one of the following):
 - Last 6 consecutive pay stubs from your employer;
 - Recent offer letter from employer;
 - Letter from your employer stating your hire date, hours, pay rate, frequency of pay, and the employer's contact information;
- If you're self employed, most recent tax return if you're self employed (include 1099, 1040, EIC, Schedule C)
- If you're unemployed, last 2 months of unemployment payments or worker's compensation statements
- If you receive Social Security or SSI payments, a statement from the last 60 days
- If you receive veteran payments, a statement from the last 60 days
- If you receive any pension or retirement payments, statements from the last 60 days
- If you or your spouse is 62 years old+ and/or disabled, medical/dental receipts or copies of repayment agreements from medical providers over the last 12 months
- Proof of assets that equal \$5000 or more for ALL members of the household combined.

For all children in the household:

- Birth certificate
- Social security card
- If you receive child support, statements from the last 2 months
- If you pay a child care provider, the last 4 receipts
- Proof of assets that equal \$5000 or more for ALL members of the household combined.



Initial Lease-Up

How do I get into a unit?

Key Policy Changes

- Rent reasonableness policy.
- Initial voucher term of 120 days.
- Minimum rent for Public Housing.
- Choice of income-based or flat rent for public housing.



Voucher: Initial Lease-Up

Step 1. Mandatory Briefing

- Learn how many bedrooms & how much assistance household is qualified to receive.

Step 2. Find a Suitable Unit

- Family's responsibility to find unit and be approved through landlord's application process.

Step 3. Submit Request for Tenancy Approval and Proposed Lease

- Unless granted an extension, family has 120 days from voucher issuance to submit.

Step 4. Verify Owner Qualification to Participate in the Voucher Program

- Legal ownership and background are verified.

Step 5. Housing Quality Standards Inspection & Rent Reasonableness Test

- Unit must meet minimum health and safety standards



Public Housing: Initial Lease-Up

Step 1. Unit Offer(s)

- DCHA will offer two units within the selected development(s). If both are refused, they will be removed from the waiting list.

Step 2. Lease Orientation

- Learn about the community and families' responsibilities.

Step 3. Execute Lease

- All adult members of the household sign the lease.

Step 4. Security Deposit

- Pay security deposit equal to total tenant payment at time of admission to be held for the period the family occupies the unit.

Step 4. Initial Inspection

- Head of Household or Spouse/Cohead must attend inspection and sign the inspection form.

Step 5. Move In



Occupancy Standards

Generally, DCHA will assign one bedroom for each two persons.

Bedroom Size	Housing Choice Voucher Persons in Household (minimum-maximum)	Public Housing Persons in Household (minimum-maximum)
0	n/a	1-1
1	1-2	1-2
2	2-4	2-4
3	3-6	3-6
4	4-8	4-8
5	6-10	6-10
6	n/a	8-12



Voucher: Setting Rent Amount

DCHA calculates the Housing Assistance Payment (HAP) using the **lesser** of rents indicated through two measures.

Payment Standard

The maximum monthly assistance payment for a family as determined by DCHA. Based on city wide market standards and what the Agency can afford.

OR

Rent Reasonableness

Comparable rents for the unit based on similar unassisted units. This is to ensure that the rent is reasonable.

This will be accomplished using an industry-standard third-party database.



Total Tenant Payments

Total Tenant Payment is the **highest** of three measures – one is selected.

1

10%
Total Monthly
Income

2

30%
Adjusted Monthly
Income

3

\$0
Minimum Rent
Voucher

(Voucher Program)

\$50

Minimum Rent
Public Housing

(Public Housing)

Option for Voucher Families

If the rent to the property owner plus utilities is higher than the Payment Standard/Rent Reasonableness, families may pay the difference up to 40% of their adjusted monthly income.

Option for Public Housing Families

At recertification, families elect whether to pay income-based or flat rents. Income-based rents are described above. Flat rents are set at 80% of the current FMR/SAFMR.



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Additional Fees

In addition to rent, participants and residents could incur other housing costs, including the items below.

Voucher Program

- Utilities beyond the utility allowance;
- Refer to lease for additional fees which could include late fees, amenity fees, pet deposits/rent, and others.

OR

Public Housing

- Late fees
- Pet security
- Excess utility fees
- Maintenance charges



Initial Lease Up

Rationale	Current policy	Proposed policy
<p>HUD requirement to complete unit-by-unit analysis</p> <p>Assurance that the agency's resources are allocated appropriately</p>	<p>Contract rents must be no more than the approved rent (posted on our website) and landlords are required to confirm the rent is comparable to other similar market rate units</p>	<p>Payment standards will be set after an annual market analysis</p> <p>A rent reasonableness determination will be completed on a unit-by-unit basis to compare rents to similar unassisted units</p>
<p>Resources will be allocated to families with active leases – and incentivize families to actively search for their new home</p>	<p>The initial term of the voucher or the amount of time families have to find a unit is 180 days</p>	<p>The initial term of the voucher or the amount of time families have to find a unit will be 120 days</p>
<p>HUD requirement to have a minimum rent</p> <p>Consistent with other PHAs</p> <p>Encourages self-sufficiency and increases resident investment in their community</p>	<p>There is no minimum rent in public housing</p>	<p>The minimum rent for public housing will be set at \$50 per month.</p>
<p>HUD requirement to provide choice of income-based or flat rent</p>	<p>DCHA calculates both rent options and charges the rent that is most advantageous for the resident</p>	<p>Public Housing residents will have the choice of income-based or flat rent. Flat rents will be 80% of FMR.</p>

HCVP

HCVP

PH

PH



Continued Participation

How do I keep my assistance?








Key Policy Changes

- Align programs & policies with HUD regulations.



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Family Responsibilities

-  Complete recertifications (biennial or triennial).
-  Report changes in income, assets, and family composition.
-  Allow access to unit for inspection.
-  Allow access to unit for repairs.
-  Maintain unit in accordance with Housing Quality Standards.
-  Follow conduct requirements.
-  Comply with the terms of the lease.



Family Responsibilities

Guest Stay Maximums

Voucher Program

30 consecutive days or 90 cumulative days during any 12-month period.*

Public Housing

10 consecutive days or 30 cumulative days during any 12-month period.
Notify DCHA when overnight guest will stay more than 3 days.

No Longer A Family Member

Voucher Program

Expected to be absent more than 120 consecutive days (separate policy for students).

Public Housing

Expected to be absent more than 60 consecutive days.

*In addition to DCHA responsibilities, tenant has obligations in their lease – the most stringent rule applies.



Public Housing Over-Income Policy

- If a family's adjusted income exceeds the 120% of Area Median Income (AMI) at a recertification, a two-year grace period begins. After the two-year grace period:

DCHA will continue offering the choice between **income-based** or **flat rent**.

Once alternative rent requirements for over-income families become legally effective, DCHA will charge the **higher of the applicable fair market rent (FMR) or the amount of monthly subsidy for the unit.**

- DCHA is opting not to terminate over-income residents.
- Over-income families experiencing a decrease in income may request an interim re-examination. If they fall below the over-income limit, they are entitled to a new two-year grace period.



Public Housing Transfer Priority

Transfers will be processed in the following order:

1. Emergency transfers (hazardous maintenance conditions, VAWA)
2. High-priority transfers (verified medical condition, threat of harm or criminal activity, and reasonable accommodation)
3. Transfers to make accessible units available
4. Demolition, renovation, etc.
5. Occupancy standards
6. Other DCHA-required transfers
7. Other tenant-requested transfers (see next slide)



Public Housing Transfer Priority

Residents will receive one transfer offer.

When the transfer is...	Result of refusal without good cause...
Required by DCHA	Lease termination
Requested by the Resident	Removal from the transfer list (Family must wait 12 months to re-apply for a transfer)

Tenant-Requested Transfers

- DCHA will consider transfer requests for the following reasons:
 - Serious or life-threatening medical condition
 - Threat of physical harm or criminal activity
 - Reasonable accommodation
 - Kinship Care or court ordered custody transfer to a different unit size
 - Location closer to employment
- DCHA will only consider requests from residents in good standing, except in cases of reasonable accommodation.



Other Public Housing Requirements

Pets

- Service animals and support animals are excluded from the pet policy.
- As of January 2024, new pets will only be registered at elderly/disabled properties.
- Pets must be common household pets.
- Pets must be registered with DCHA annually.
- A pet deposit is required.
- Owners must adhere to cleanliness, noise, and pet care standards.
- A pet waste removal fee will be assessed.
- DCHA may initiate lease termination if pet owner fails to correct a rule violation.

Community Service

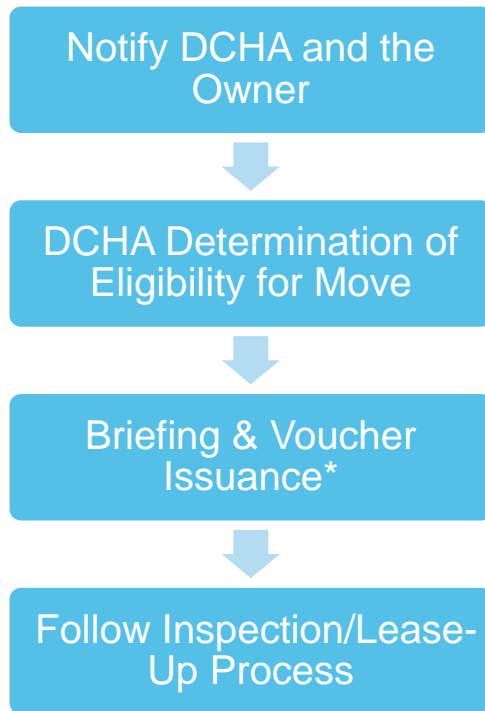
- Residents must complete 96 hours of community service and/or economic self-sufficiency programming per year (average of 8 hours per month).
- Exemptions include:
 - Elderly or disabled or their primary caretaker
 - Employed at least 30 hours per week
 - Public benefits recipients in good standing
- Leases will not be renewed for residents in noncompliance unless the tenant enters a work-out agreement or the resident no longer resides in the unit.

Smoking







- “Smoking” means any inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, water pipe, hookah, or other tobacco product.
- To improve air quality and protect health and safety, smoking is prohibited:
 - In all living units and interior areas
 - In outdoor areas within 25 feet from public housing and administrative office buildings
- Violation of the smoke-free policy may result in termination.



Voucher Moves



*If a family does not locate a new unit, the family may remain in its current unit if the owner and DCHA approve. Otherwise, the family will lose its assistance.

- Generally, families are eligible to move after initial lease term and once per 12-month period.
- Allowable moves
 -  Family has given notice to terminate in accordance with the lease;
 -  Family and the owner mutually agree to terminate the lease;
 -  Owner has given the family a notice to vacate or commenced an action to evict the family;
 -  Domestic violence, dating violence, sexual assault, or stalking;
 -  DCHA has terminated the HAP contract for the family's unit for the owner's breach;
 -  DCHA determines the family's unit does not meet the HQS space standards.
- To move into/out of DC with voucher assistance, portability policies apply.



Continued Participation

Rationale	Current policy	Proposed policy
<p>Align with other PHAs</p> <p>Reduce wear and tear on units</p> <p>Service animals and support animals are exempt from this policy.</p>	<p>Elderly-only and mixed population properties may have pets</p>	<p>Effective 1/2024, DCHA will only allow non-service or assistance animals in elderly/disabled buildings. Residents w/ pets prior to January 2024 may keep their pet if the animal has been registered appropriately. Owners must adhere to cleanliness, noise, and pet care standards. Pet leases and fees will be enforced. The registration must be renewed annually, and the resident must pay a pet deposit.</p>
<p>Aligning with HUD regulations</p> <p>Opting not to terminate residents</p>	<p>A family may be over-income for 24 months before they are terminated</p>	<p>Residents that are over-income (120% of AMI) for more than 24 months will be charged the higher of FMR or the amount of monthly subsidy for the unit once alternative rent requirements for over-income families become legally effective. Until then, DCHA will continue offering the choice of income-based or flat rent.</p>
<p>Aligning with HUD regulations</p>	<p>Residents are required to perform eight hours of community service and/or economic self-sufficiency per month unless exempt</p>	<p>Not a change in policy, change is practice</p>
<p>Aligning with HUD regulations</p>	<p>There is no specific policy for debt owed</p>	<p>Family has the option to enter into a repayment agreement</p>



Termination

When would I lose my assistance?

Key Policy Changes

- Voucher assistance terminates after 180 days of zero HAP.
- Threats to and abuse of staff are grounds for termination from public housing.



Termination

HUD

HUD-Mandated Terminations

- Failure to sign any consent form required for any reexamination.
- Failure to document citizenship or immigration status.
- Failure to disclose and document social security numbers.
- Failure to accept a lease revision.
- Methamphetamine conviction for manufacture/production on DCHA's premises.
- Lifetime registered sex offender at time of admission.
- Noncompliance with community service requirements (public housing only).
- Death of sole family member.

DCHA

DCHA Terminations

- DCHA may terminate tenancy if the family is absent >180 days or abandons the unit.



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Program-Specific Termination

Voucher Program

- If HAP = zero for 180 days, assistance is terminated.
- Insufficient program funding.

OR

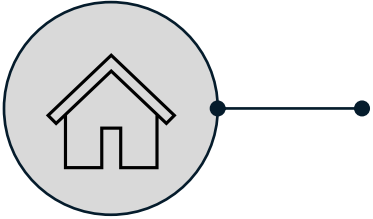
Public Housing Program

DCHA may terminate tenancy if he/she/they:

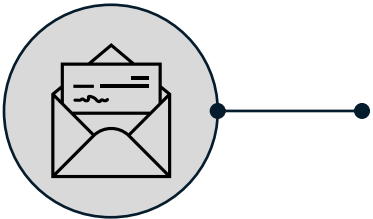
- commit a crime,
- are a source of danger to other residents or staff, including threatening or abusive behavior,
- cause damage to people or property,
- create a nuisance,
- breach DCHA rules,
- are chronically delinquent in the payment of rent (6 late payments within 12-month period), or
- violate the lease in any other manner.



Alternatives to Termination



DCHA will consider mitigating factors including requiring the tenant to exclude a household member in order to continue to reside in the assisted unit.



If a family owes amounts to the DCHA, the DCHA will require the family to repay the full amount or enter a repayment agreement within 30 days of receiving notice of the amount owed.



Termination

HCVP

PH

Rationale	Current policy	Proposed policy
Aligning with HUD regulations – DCHA does not have the authority to implement its current policy	DCHA terminates a participant's HAP after one year of zero HAP assistance	DCHA will terminate a HAP after 180 days of zero HAP assistance
Resident and staff safety are imperative to a healthy community	No policy	Threatening and/or abusive language towards staff are grounds for termination



Fair Housing

What additional protections do I have access to?

Key Policy Changes

- No notable changes in fair housing.



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Fair Housing

Non-Discrimination

- DCHA recognizes federal and local protected classes.

Persons with Disabilities

- DCHA uses its Reasonable Accommodation policies to ensure persons with disabilities have full access to programs and services.

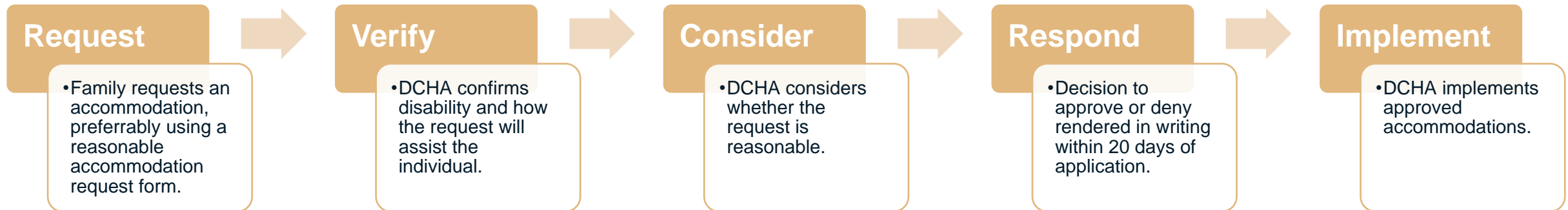
Language Access

- DCHA uses a language line for telephone interpreter services.
- DCHA will provide written translations of vital documents for each eligible LEP language group that constitutes 3 percent or 500 persons, whichever is less.
- DCHA will adhere to the Council of the District of Columbia's Language Access Act of 2004.



Reasonable Accommodations

- Accommodation for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces.
- Accommodation must be reasonable, meaning it does not impose an undue financial or administrative burden on DCHA and it does not cause a fundamental alteration in the nature of DCHA's program.
- There must be an identifiable relationship between the requested accommodation and the individual's disability.



Grievances & Appeals

What if I don't agree with the decision?

Key Policy Changes

- Updated terminology to align with HUD's regulations.



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Qualified Events

- When DCHA makes a decision that has a negative impact on a family, the family may be entitled to appeal the decision.
- Informal hearings are used solely to dispute adverse decisions regarding **admission/denial of assistance**.
- Public housing residents are entitled to grieve PHA actions, inactions, or policies which adversely affect their rights, duties, welfare, or status. DCHA will not offer grievance hearings for lease terminations involving:

1

Criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other residents or employees.

2

Violent or drug-related criminal activity on or off the premises.

3

Any criminal activity resulting in felony conviction of a household member.



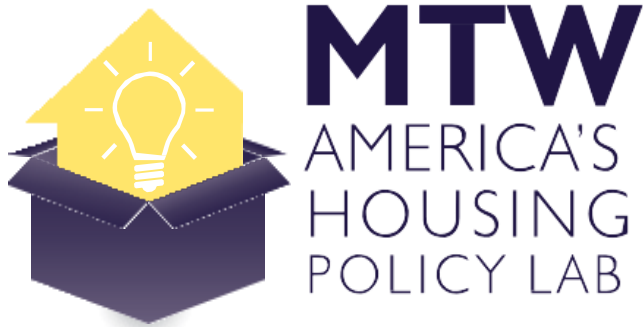
Significant Amendment to the FY2023 MTW Annual Plan



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What is MTW?

Moving To Work (MTW) is a demonstration program for public housing authorities that provides designated agencies the opportunity to **design and test innovative, locally-designed strategies** that meet at least one of the following objectives:

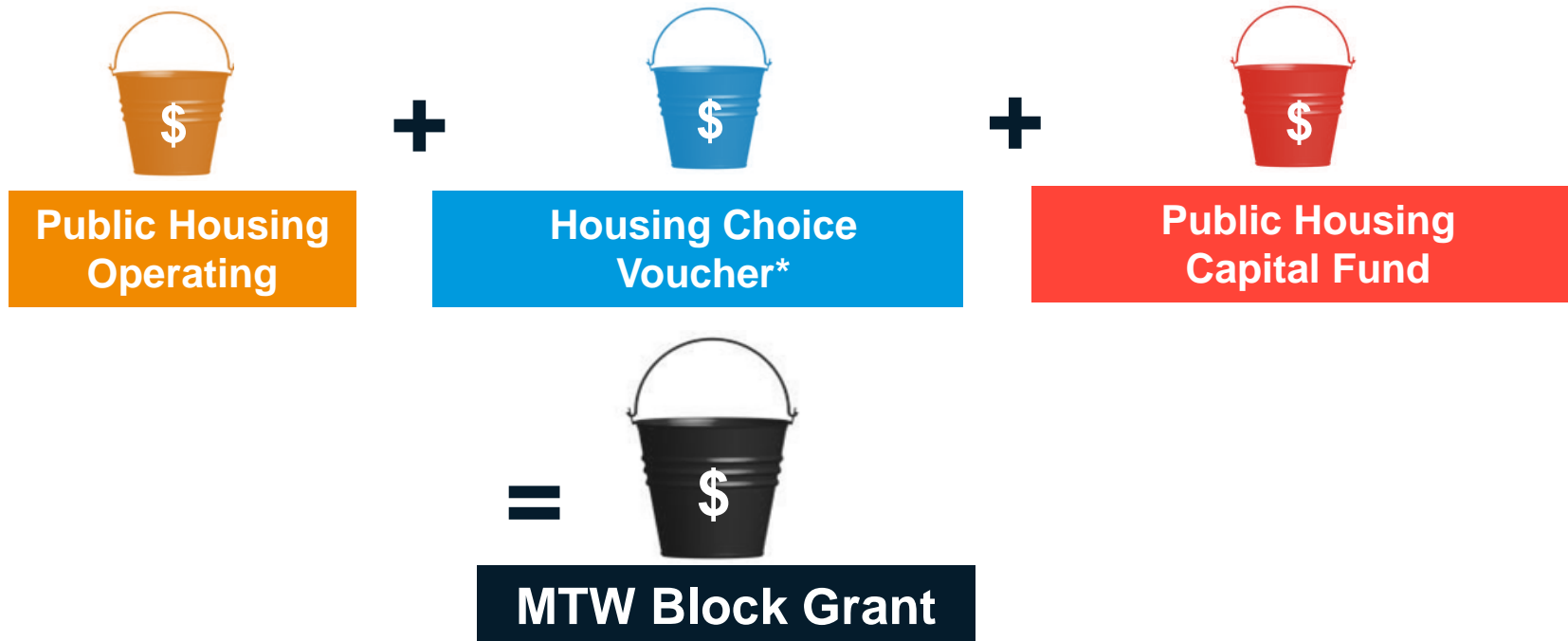


- Use federal dollars more efficiently and effectively;
- Encourage residents/participants to obtain employment and become self-sufficient; and
- Increase housing choices for low-income families.



What is Gained by MTW Designation?

- Gives flexibility to be exempted from many existing public housing and voucher rules/regulations.
- Provides more flexibility with how MTW agencies use their Federal funds.



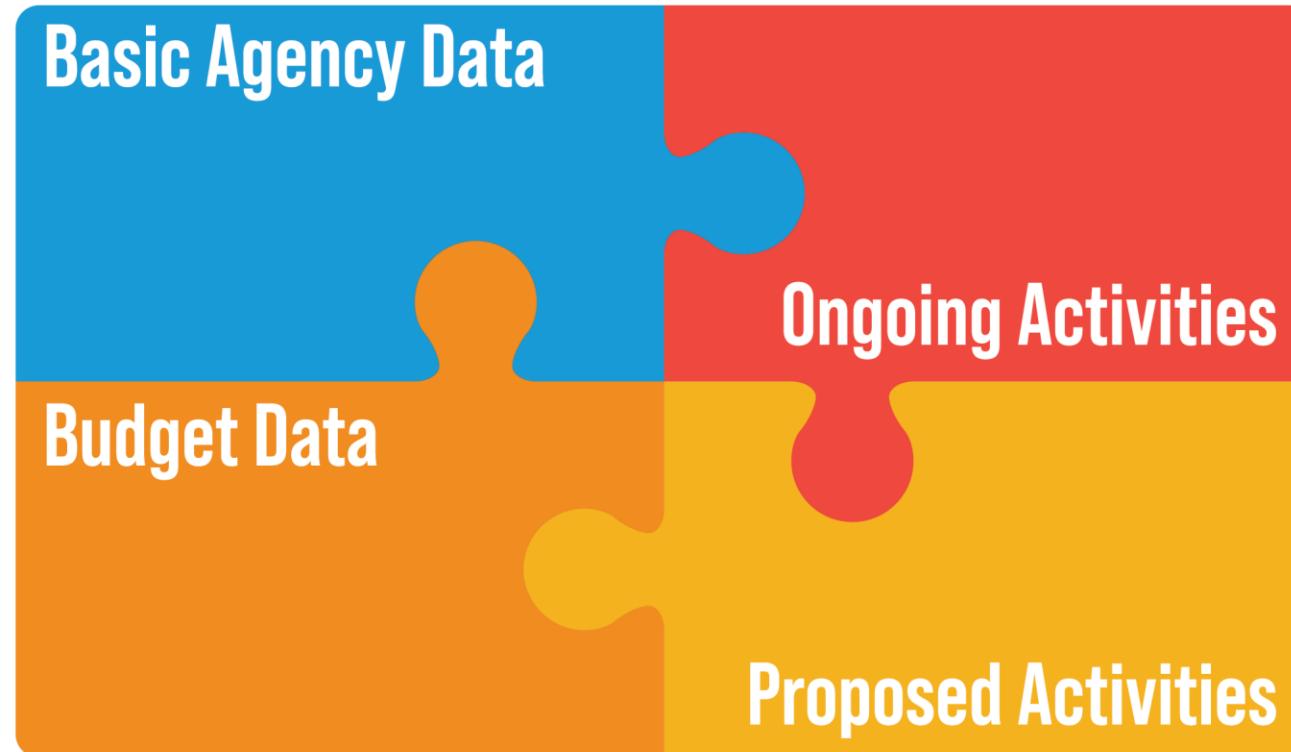
*Special Purpose Vouchers are not included during their initial term, though some may be included upon renewal.



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Annual Plan & Report

Each MTW agency must prepare and submit an annual plan (July) and report (December) to HUD each year that includes the following components:



FY2023 MTW Annual Plan Amendment

Intent

1. To align policies outlined in the ACOP, Admin Plan & MTW Plan.
2. To incorporate comments from HUD communicated via the 2022 HUD Review.
3. Addition of Capper Senior I to list of potential RAD sites.



Alignment with ACOP/Administrative Plan

Update	Rationale
Waiting List Projections, Policies and Planned Changes	Reflect current waitlist numbers and align with the policies outlined in the ACOP and Administrative Plan.
Rent Reasonableness (Initiative 8)	Status updated to reflect the policies outlined in the ACOP and Administrative Plan and comments from the 2022 HUD Review.
3rd Inspection Fee update from \$75 to \$100 (Initiative 17)	Align with the policies outlined in the Administrative Plan.
Utility Rates (Initiative 24)	DCHA is analyzing and updating the utility allowance schedule.
Summary of ACOP/Admin Plan Policies	Included policy overview appendix for public awareness.



Initiatives Closing

Update	Rationale
Initiative 2: Designation of Elderly-Only Properties	Acknowledgement of HUD’s decision that the MTW Standard Agreement does not provide the authorization to waive the Designated Housing Plan regulations. DCHA will submit a Designated Housing Plan for HUD review for applicable sites.
Initiative 5: Modification to Market-Based Rents	Acknowledgement of HUD’s decision that the MTW Standard Agreement does not provide the authorization to set a different flat rent rate or remove resident choice, even when intended to benefit residents.
Initiative 16: Requirement to Correct Minor HQS Unit Condition Discrepancies— Tenant/Landlord Self-Certification	This initiative is no longer relevant.
Initiative 34: Virtual Housing Quality Standards (HQS) Inspections	This initiative is obsolete. DCHA will follow the guidelines set forth in PIH Notice 2020-31.



Development Plans

Update	Rationale
Capper Senior I	DCHA intends to apply for a RAD CHAP for the 162 units at Capper Senior I in FY2023 with anticipated conversion in FY2024. The property was newly constructed in FY2020 and does not require additional financing or renovation.



Other Updates

Update	Impact
Energy Performance Contract (EPC) Evaluation	DCHA conducted an evaluation of its EPC to assess the program given changes to the fiscal environment.
Units Occupied by Police Officers and Employees	Specifies the number of units occupied by police and employees at DCHA properties.



Logistics



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Key Dates

Public Review, Comment & Stakeholder Meetings

February 14th – March 16th for MTW

February 14th – March 31st for ACOP & Administrative Plan

Board of Commissioners Consideration for Submission to HUD

April BOC meeting



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Questions & Answers

