



March 11, 2010

Announcement and Notice of Public Hearing

The Oakland Housing Authority is proposing to add policy that will require new admission families to attend a “Neighborhood Orientation Workshop” as a part of the Section 8 briefing process. This new policy is now available for public review and is intended to be added to the Section 8 Administrative Plan.

OHA’s Section 8 Administrative Plan establishes policies and procedures for the Oakland Housing Authority’s administration of Section 8 rental assistance programs. A copy of the entire Administrative Plan can be found on our web site at www.oakha.org or by calling (510) 587-2110.

Comments on the proposed change will be accepted through 12 Noon on Monday, April 12, 2010. Written comments should be addressed to Mark Stephenson, Director of Leased Housing, 1805 Harrison Street, Oakland, CA 94612, or may be submitted by email to: mstephenson@oakha.org

The Oakland Housing Authority’s Board of Commissioner will hold a **Public Hearing** on the new policy at its regular meeting on **Monday, March 22, 2010 at 6:30 PM**, in the Commissioner’s Room, **1619 Harrison Street, Oakland, CA**. The public is invited to attend and provide comments.

Language translation services are available in 151 languages at all offices at no cost.

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Los servicios de traducción en 151 idiomas están disponibles en todas las oficinas sin ningún costo.

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văng phòng gần đây.**

To request interpretation services call (510) 874-1510. TDD number (510) 832-7331

Proposed Changes to the Section 8 Administrative Plan

March 11, 2010

The Oakland Housing Authority is proposing to add policy that will require new admission families to attend a “Neighborhood Orientation Workshop” as a part of the Section 8 briefing process. The new policy will appear in three different chapters in the Section 8 Administrative Plan.

1. Chapter 5 – BRIEFING AND VOUCHER ISSUANCE

Section 5-I.B. (pg: 12-8) will be amended to add the highlighted policy:

5-I.B. BRIEFING

OHA must give the family an oral briefing and provide the family with a briefing packet containing written information about the program. Families may be briefed individually or in groups. At the briefing, OHA must ensure effective communication in accordance with Section 504 requirements (Section 504 of the Rehabilitation Act of 1973), and ensure that the briefing site is accessible to individuals with disabilities. For a more thorough discussion of accessibility requirements, refer to Chapter 2.

OHA Briefings will be conducted in group meetings.

The head of household is required to attend the briefing. If the head of household is unable to attend, OHA may approve another adult family member to attend the briefing.

Families that attend group briefings and still need individual assistance will be referred to the appropriate HA staff person.

Briefings will be conducted in English. For limited English proficient (LEP) applicants, OHA will provide translation services in accordance with OHA’s LEP plan (See Chapter 2).

Notification and Attendance

Families will be notified of their eligibility for assistance at the time they are invited to attend a briefing. The notice will identify who is required to attend the briefing, as well as the date and time of the scheduled briefing.

If the notice is returned by the post office with no forwarding address, a notice of denial (see Chapter 3) will be sent to the family’s address of record, as well as to any alternate address provided on the initial application.

Applicants who fail to attend a scheduled briefing will automatically be scheduled for another briefing. OHA will notify the family of the date and time of the

second scheduled briefing. Applicants who fail to attend two scheduled briefings, without OHA approval, will be denied assistance (see Chapter 3).

Neighborhood Orientation Workshop (MTW)

The Neighborhood Orientation Workshop is an MTW initiative which is intended to provide new Section 8 Program participants with access to information needed to become successful tenants and responsible members of their community. It is intended to draw on the expertise in the community, including marketing, outreach, communication, popular education, and other successful strategies for working with low-income households and individuals. A Neighborhood Orientation Workshop runs approximately four-hours in length and will be conducted by a third-party vendor contracted by OHA. Upon completion, attendees will receive a certificate of completion.

OHA Policy

The Head of Household must attend a Neighborhood Orientation Workshop prior to being schedule for a Section 8 briefing. All other responsible adult family members in the applicant family household will be encouraged, but are not be required to attend a workshop session. An applicant family will not be issued their voucher until the Head of Household has attended the Neighborhood Orientation Workshop.

Exceptions to this policy will be considered on a case-by-case basis subject to the approval by the Director of Leased Housing and in circumstances involving a reasonable accommodation for a person with a disability, upon approval by the Reasonable Accommodation Compliance Committee.

2. Chapter 12 – TERMINATION OF ASSISTANCE AND TENANCY

Section 12-II.C. (pg: 12-8) will be amended to add the highlighted policy:

12-II.C. ALTERNATIVES TO TERMINATION OF ASSISTANCE

Change in Household Composition

As a condition of continued assistance, a PHA may require that any household member who participated in or was responsible for an offense no longer resides in the unit [24 CFR 982.552(c)(2)(ii)].

OHA Policy

As a condition of continued assistance, the head of household must certify that the culpable family member has vacated the unit and will not be permitted to visit or to stay as a guest in the assisted unit. The family must present evidence of the former family member's current address upon OHA request.

Repayment of Family Debts

OHA Policy

If a family owes amounts to OHA, as a condition of continued assistance, OHA will require the family to repay the full amount or to enter into a repayment agreement, within 30 days of receiving notice from OHA of the amount owed. See Chapter 16 for policies on repayment agreements.

Neighborhood Orientation Workshop (MTW)

The Neighborhood Orientation Workshop is an MTW initiative which is intended to provide Section 8 Program participants with information and access to training if needed to become successful tenants and responsible, engaged members of their community. It is intended to draw on the expertise in the community, including marketing, outreach, communication, popular education, and other successful strategies for working with low-income households and individuals. The Neighborhood Orientation Workshop runs approximately four-hours in length and is conducted by a third-party vendor contracted by OHA.

OHA Policy

As a condition of continued assistance, a participant family may be required to attend a Neighborhood Orientation Workshop. This requirement may be imposed as a part of an OHA Warning Meeting (Section 16-III.C. – Warning Meetings), convened in response to a complaint of alleged behavior related to violations of participant family obligations or lease agreement. The Head of Household and any other responsible adult family members in the household may be required to attend a Neighborhood Orientation Workshop as a condition of continued assistance. Upon completion, attendees will be required to submit a copy of their certificate of completion to OHA.

3. Chapter 17 – PROJECT-BASED VOUCHERS

Section 17-VI.B. (pgs: 17-26 to 17-28) will be amended to add the highlighted policy:

17-VI.B. ELIGIBILITY FOR PBV ASSISTANCE

OHA may select families for the PBV program from those who are:

- Participants in a OHA’s tenant-based voucher program,
- Residing in the proposed PBV contract unit on the date the proposal is awarded,
- From those who have applied for admission to OHA’s tenant-based voucher program,
- From those who have applied for housing at a PBV site where a separate site-based waiting list has been established specifically for the tenanting of units within the development.
- From those who are in-place public housing conversion families in good standing.

For voucher participants, eligibility was determined at original admission to the voucher program and does not need to be redetermined at the commencement of PBV assistance. For all others, eligibility for admission must be determined at the commencement of PBV assistance.

Applicants for PBV assistance must meet the same eligibility requirements as applicants for the tenant-based voucher program. Applicants must qualify as a family as defined by HUD and the PHA, have income at or below HUD-specified income limits, and qualify on the basis of citizenship or the eligible immigration status of family members [24 CFR 982.201(a) and 24 CFR 983.2(a)]. In addition, an applicant family must provide social security information for family members [24 CFR 5.216 and 5.218] and consent to the PHA’s collection and use of family information regarding income, expenses, and family composition [24 CFR 5.230]. An applicant family must also meet HUD requirements related to current or past criminal activity.

Under MTW Authority, OHA may adopt and implement reasonable policy for verifying family income and composition and for determining resident eligibility that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. *This authorization waives certain provisions of 24 CFR 982.516 and 982 Subpart E, as necessary to implement the Agency’s Annual MTW Plan.*

OHA Policy

A family selected from an owner administered site-based waiting list must be referred to OHA for determination of the family's eligibility for the PBV program. To minimize duplication of the applicant qualification process, if a family's income was verified by the owner as a requirement of participation in another low-income program committed to the project, OHA may use copies of the family information regarding income, expenses and family composition including certification of 3rd party verifications collected by the owner, for determination of family eligibility for the PBV program. **Any family documentation received from a PBV site owner must be dated within 120 days of a family's application date.** OHA may elect to re-verify any information as needed.

Families selected for the PBV program must meet all OHA's screening criteria (e.g., income, criminal background, etc.) prior to receiving a project-based assistance.

In-Place Families

An eligible family residing in a proposed PBV contract unit on the date the proposal is awarded by the PHA is considered an "in-place family." These families are afforded protection from displacement under the PBV program. This regulatory protection from displacement does not apply to families that are not eligible to participate in the PBV program.

OHA Policy

If a unit to be placed under contract (either an existing unit or a unit requiring rehabilitation) is occupied by an eligible family on the date the proposal is awarded, the in-place family must be referred to the OHA for determination of eligibility

If the in-place family is in the wrong sized unit, the family may not be admitted to the PBV program for occupancy in their original unit.

The owner may:

- Relocate the family to an appropriately sized PBV unit within the development,
- Place the family on the PBV site-based waiting list for an appropriate sized unit.

OHA may allow an exception to this policy and admit a family in the wrong sized unit if the owner agrees to accept a PBV contract rent that does not exceed the OHA subsidy (voucher payment) standard approved for the in-place family during the initial one year lease term. After the initial one year lease term, OHA will notify the family and the owner of

the family's need to move based on occupancy in a wrong-size PBV unit (see policy 17-VII.C. MOVES).

Public Housing Conversions

In-place public housing conversion families are continuously assisted applicants since the family is currently receiving assistance under a 1937 Housing Act program (24 CFR 982.201(d)(1)). The family is therefore not subject to the new admissions criteria for program eligibility and admission to the Section 8 PBV program.

Under MTW authority, an in-place public housing conversion family may be admitted as a Section 8 PBV program participant. If an in-place public housing conversion family is admitted directly to the PBV program, the family is exempt from the 12 month minimum stay requirement and may immediately request to move with continued assistance under the Section 8 MTW Housing Choice Voucher program.

In-place public housing conversion families may also be admitted by Special Admission to the Housing Choice Voucher program if HUD has awarded tenant protection funding for specifically-named families living in specified units (Section 4-III.B.).

OHA Policy

An in-place public housing conversion family that is not in an appropriately sized unit when the development is selected for conversion will be admitted to the Section 8 program with HUD awarded tenant protection funding.

Neighborhood Orientation Workshop (MTW)

The Neighborhood Orientation Workshop is an MTW initiative which is intended to provide new Section 8 Program participants with access to information needed to become successful tenants and responsible members of their community. It is intended to draw on the expertise in the community, including marketing, outreach, communication, popular education, and other successful strategies for working with low-income households and individuals. The Neighborhood Orientation Workshop runs approximately four-hours in length and is conducted by a third-party vendor contracted by OHA. Upon completion, attendees will receive a certificate of completion.

OHA Policy

The Head of Household in all Project Based Voucher program families (including public housing conversion families) must attend a Neighborhood Orientation Workshop, as a part of the Section 8 briefing process (see Section 5-I.B.) for a tenant-based voucher. All other responsible adult family members in the applicant family household will be encouraged, but are not be required to attend a workshop session. A Project-Based Voucher family will not be allowed to move with a tenant based voucher until the Head of Household has attended a Neighborhood Orientation Workshop.

An exception to this policy will be granted if the family is a current HCV program participant who has attended a Neighborhood Orientation Workshop (or comparable workshop) within the last five (5) years. Other exceptions will be considered on a case-by-case basis subject to the approval by the Director of Leased Housing and in circumstances involving a reasonable accommodation for a person with a disability, upon approval by the Reasonable Accommodation Compliance Committee.