

MINUTES FOR HOUSING COMMISSION MEETING

DATE: Tuesday, July 28, 2020
TIME: 4:00 p.m.
PLACE: Housing and Community Development Department
350 West 6th Street, Room 250; Dubuque, IA 52001

Vice Chairperson Gail Weitz called the meeting to order at 4:05 p.m. following staff assurance of compliance with Iowa Open Meeting Law.

Commissioners Present: Michelle Becwar Coralita Shumaker Sam Wooden
 Hilary Dalton Suzanne Stroud Gail Weitz
 Amy Eudaley David Wall

Commissioners Absent: Rick Baumhover Janice Craddieth

Staff Present: Alexis Steger Tonya England
 Gina Hodgson Cate Richter

Public Present: None

Certification of Minutes – June 23, 2020 Housing Commission Meeting

Commissioner Hilary Dalton moved to approve the Minutes for the June 23, 2020 Housing Commission Meeting. Commissioner David Wall seconded. Roll call. Seven (7) in favor. One (1) abstain. Motion passed.

Correspondence/Public Input

None

New Business

a) Administrative Plan Chapter 4 Summary Update

Gina Hodgson, Assisted Housing Supervisor, reviewed the proposed changes in Administrative Plan Chapter 4. There was information added regarding the Family Unification Program (FUP). *(A copy of the Administrative Plan Review is attached.)*

No vote was taken.

b) Administrative Plan Chapter 5 Summary

Hodgson reviewed the proposed changes in Administrative Plan Chapter 5, which included information for online and telephone briefings and the changing of the maximum voucher issuance days from 180 days to 120 days with one 30-day extension.

No vote was taken.

c) Administrative Plan Chapter 12 Summary

Hodgson discussed the proposed changes in Administrative Plan Chapter 12; two items she highlighted included changing verbiage—Domestic Abuse to Domestic Assault—and removing “Any arrest for forcible felony as defined by the Iowa Code 701.11” as a reason for termination from the PHA policy.

No vote was taken.

d) Administrative Plan Chapter 16 Summary

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Hodgson reviewed the proposed changes in Administrative Plan Chapter 16.

No vote was taken.

e) Administrative Plan Chapter 18 Summary

Hodgson explained verbiage was adopted from the 6-19 Model Administrative Plan for the Rental Assistance Demonstration (RAD) program in Administrative Plan Chapter 18; the City does not currently offer the RAD program.

No vote was taken.

f) Accept Revised Administration Plan and Recommend for City Council Approval

Hodgson also reviewed the following proposed changes:

Chapter 3 - Information was added regarding FUP.

Chapter 8 - Information regarding rent reasonableness was added.

Chapter 15 – Information was updated in regards to inspections for homeowners.

Commissioner Hilary Dalton motioned to accept the revised Administrative Plan with revisions to Chapters 3, 4, 5, 8, 12, 15, and 16 and the addition of Chapter 18 to the City Council for approval. Commissioner Amy Eudaley seconded. Eight (8) in favor. Motion passed.

g) Input for City Council Goal Setting

The Housing Commissioners recommended the following suggestions for City Council Goal Setting: increase participation in housing, provide affordable housing, implement source of income, and increase landlord participation in housing programs. A subcommittee composed of Commissioner Sam Wooden, Michelle Becwar, and Gail Weitz will meet at another time to discuss recommendations for goals for the City Council in detail.

Alexis Steger, Department Director, added there were approximately 9,500 rental licenses with over 3,000 landlords in Dubuque. The deadline for payment for rental license was July 28, 2020. On the payment remittance form, there was a question regarding source of income for landlords to answer. A notice will be sent to the local newspaper and a letter will be mailed to tenants if the rental license is not paid by the deadline.

Reports

a) Community Development Advisory Commission Report

Steger reported the The Community Development Advisory Commission's plan and budget were approved.

b) Assisted Housing Waiting List Statistical Summary

Cate Richter, Assisted Housing Coordinator, reported there are currently no applicants on the Housing Choice Voucher Waiting List; all of the applicants have been pulled from the Waiting List to be updated.

c) Housing Choice Voucher Participant Statistical Summary

Richter indicated there was no additional commentary to add regarding the Housing Choice Voucher Participant Statistical Summary.

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d) Denial/Termination Meeting Results

Richter reported there was one applicant denied assistance; there was one tenant that was not denied nor terminated from the program.

Information Sharing

- a) Commissioner Weitz reported there were seventy-seven (77) evictions heading towards court hearings. Steger added there were 21 in July 2020 compared to 4 in July 2019. The City is working with partners to address the increase in evictions.
- b) It was asked that Housing Commission goals be added to the next Agenda.

Adjournment

There being no further business to come before the Commission, Commissioner Eudaley moved to adjourn the meeting. Commissioner Wall seconded. Motion passed by voice vote. Meeting adjourned at 5:01 p.m.

Minutes taken by:


Tonya England
Recording Secretary

Respectfully Submitted:


Gina Hodgson
Assisted Housing Supervisor

Housing & Community Development Department

Public Housing Authority

Administrative Plan Review

Spring 2020

Proposed Changes – Chapter 1 Overview

- Mission statement more concise
The PHA's mission is to provide decent, safe, and affordable rental housing and to provide opportunities that promote self-sufficiency, economic independence and homeownership opportunities for eligible participants.
- Removal of VCA requirements no longer in effect, such as noting that we will not decrease the size of the program without HUDs approval.
- Removal of Ordinance Language for the Commission and the Federal Regulations from Chapter 403A, to reduce the size and frequency of which the admin plan will need to be updated. All are still referenced and apply.
- Removal of all the history of switching from Housing Commission governing the program to City Council. Old information and cumbersome.

Proposed Changes- Chapter 2 Fair Housing and Equal Opportunity

- Intro
 - Removing information specific to Alvin Nash within the VCA explanation
 - Updating Outreach Method and Rationale with current demographics
- 2-11.A. Overview

- Requests for reasonable accommodations will be reviewed by housing staff, instead of one designated staff person.
- 2-11.E. Approval/Denial of a Requested Accommodation (pg 2-11):
 - Change timeframe for decisions to be made on accommodation requests from 20 days to 10 days.
 - Suggested wording: *Whenever possible, reasonable accommodation decisions will be made within 10 business days of the receipt of request or necessary verifications.*
- 2-IV.D PHA Staff Training
 - Remove the VCA required trainings when the obligation has ended.
- Exhibit 2-2: Marketing Outreach Resources
 - Update resources listing with current organizations and contact information to include Resources Unite, Fountain of Youth, Dream Center, etc.
- Remove programs no longer serving our community.

Proposed Changes – Chapter 3 Eligibility

- Adopt all 6-19 Model Admin Plan language.
- Removal of Displaced Family full definition, by recommendation of Nan McKay Admin Plan Guide – remove change – mistake not in this section.

3-I.J GUESTS [24 CFR 5.100] Original PHA policy stated: “A guest can remain in the assisted unit no longer than 15 consecutive days or a total of 30 cumulative calendar days during any 12-month period. **With landlord permission and notification to the PHA, guests may be allowed to stay up to 90 cumulative days in a 12-month period. Requests should be made in writing when possible and approved by the PHA prior to the individual moving into the unit.**” – Revised to read as follows: “A guest can remain in the assisted unit no longer than 15 consecutive days or a total of 30 cumulative calendar days during any 12-month period.” Removed the above in yellow.
- Include remaining family member, otherwise eligible to take over as head of household, must be 18 yrs. or older.
- Removal of duplicate language on recertification of live-in aids.
- Added definition of vulnerable youth: an individual who meets the U.S. Department of Education’s definition of independent student in paragraphs (b), (c), or (h), as adopted in Section II of FR Notice 9/21/16:
- Definition of Vulnerable Youth expanded based on Nan McKay direction to include the following statement: The individual is an orphan, in foster care, or a ward of the court, or was an orphan, in foster care, or ward of the court at any time when the individual was 13 years of age or older.

- Removal of requirement to have Circles/FSS staff review files before denial of assistance.
- Add ineligibility timeframes for participants with serious program violations
 - Any family member has committed any serious program violations such as having an unauthorized person residing in the household or failed to report income within the last three years.
- Remove denial period for those who have committed fraud/bribery.
- Remove PIH Notice for Screening Eligibility per model.
- Remove Sex Offender website.
- Remove restrictive timeframes for notifications of decisions (10 days) to allow for circumstances out of PHA control – replaced with “PHA will promptly notify”.
- Remove biennial reporting due to VCA, as lifted by HUD.

Proposed Changes – **Chapter 4 Applications, Waiting List and Tenant Selection**

- Remove requirement to notify applicants if they do not win the lottery for the HCV waitlist.
- Remove outdated wording on methods of receiving applications.
- Add methods of contact when an incomplete application is received (phone or e-mail)
- Remove requirement to update all waitlist annually:
 - Add “update all waitlists as needed”.
- Include *Random Selection Process* to Selection Methods.
- Remove date and time selection criteria in Selection Methods.
- 4-I.B. Applying for Assistance (pg. 4-5): Final Application process: Revise - change 15 business days to 10 – this matches the timeframe on page 4-18 regarding the Application Interview process.
- 4-III.C. Local Preferences – added below bullets to our PHA policy:
 - The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.
 - When an emergency is declared that restricts movement of residents, the PHA may provide preference to applicants living within the City of Dubuque or other local area defined by the emergency restriction areas to ensure residents’ ability to avoid homelessness. As soon as the emergency declaration has expired this local preference will no longer be applicable.
 - Households referred through the Family Unification Program for voucher will be placed at the end of the current wait list the date that the referral is received.
- Add notification of selection by phone, email, first-class mail, or additional contact person

- If unable to reach family using all methods listed above, family will be removed from waitlist.
- Removal of duplicate definitions in Application Interviews.

Proposed Changes – Chapter 5 Briefings

- Adopt all 6-19 Model Admin Plan language.
- 5-I.B. BRIEFING [24 CFR 982.301] (pg. 5-2):
 - Remove language regarding families that attend group briefings and still need individual assistance being referred to an appropriate PHA staff person as it is redundant and stated above.
 - Notification and Attendance (pg. 5-2 thru 5-3):
 - Revise PHA policy to add procedures for online and by phone briefings.
 - Remove this addition from earlier this spring, as changes are covered now under the procedures updated with the in-person, online and by phone briefings. Add to PHA Policy the following statement:

All briefings will be scheduled for 60 minutes regardless of the time the applicant arrives. If an applicant arrives late to the briefing, the time will not be extended.
 - Briefing Packet (pg. 5-7):
 - Remove section in PHA Policy that lists the additional materials included in the briefing packet – we may or may not choose to provide more or less additional material and it is at our discretion so we don't want a binding list of what's included.
 - Family Obligations (pg. 5-8):
 - Remove PHA Policy regarding damages that could be assessed against the security deposit. We don't make this determination, Iowa Law doesn't allow us to step in unless we are paying the deposit, which we don't.
 - PHA Policy (pg. 5-10): Remove section of PHA Policy stating that any addition of a family member must be approved by the landlord and PHA. Participants don't have to report the addition of a minor to their household to the landlord. It does have to be reported to PHA which we cover in the earlier paragraph.
 - Add "including the addition of a live-in aide" to the language regarding requesting to add an adult family member.
- Add option for verbal agreements between PHA and landlord when approving the addition of an adult member to assisted household.
- 5.II.B. Determining Family Unit (Voucher) Size (pg. 5-14):
 - Remove PHA Policy as it is a repeat of the language listed above it in this section.

- 5.II.C. Exceptions to Subsidy Standards (pg. 5-16):
 - Remove first paragraph under PHA Policy as it is duplicative and not needed.
- 5.II.D. Voucher Issuance and Recissions (pg. 5-17):
 - Remove PHA Policy regarding vouchers being issued immediately following briefing. It is different than what is listed previously, not needed.
 - Remove PHA Policy regarding PHA determining sufficient funding, it is duplicative and not needed.
- Remove 10-day requirement for determinations to allow additional time as needed.
- Remove additional PHA Policy in Terminations and Extensions, as new adopted model covers this in detail.
- Change initial voucher issuance time from 60 days to 90 days.
- Remove restrictive response and determination timeframes:
 - Add “will promptly advise of decision/determination”.
- 5.II. E. Voucher Term and Extensions (pg. 5-18):
 - Change maximum voucher issuance days to 120 ~~180~~ days as participant initially has 90 days and up to one 30-day extension.

Proposed Changes – Chapter 6 Plan Income

- Adopt all 6-19 Model Admin Plan language.
- Remove additional PHA Policy in *Calculation of Disallowance*. Clarification and definitions provided in adopted model.
- Add 50% income exclusion for the second 12-month period of Earned Income Disallowance (24-month term).
- Add required income changes processed following the first 12 months of Earned Income Disallowance period.
- Add PHA Policy to all sections regarding minimum rents and financial hardships that we don't have a minimum rent option.
- Add Determination of Hardship definitions.
- 6-III.C. Changes in Payment Standards – Decreases – added below paragraph to our PHA policy:
 - Should the Payment Standards decrease by 10% or more during the term of a HAP contract the PHA will provide a 12-month notice of decrease at the next annual re-exam.

Proposed Changes – Chapter 7 Verification

- Adopt all 6-19 Model Admin Plan language
- Introduction PHA Policy (pg. 7-1):

- Remove: *Assistance shall be provided to a family that is limited by disability or the family does not possess the ability (LEP, illiterate)* – No PHA Policy needed in introduction because it is covered in the model statement already.
- 7-I.B. Overview of Verification Requirements (pg. 7-3).
 - Remove: PHA Policy – Forms of verification listed are now part of Model language, no policy needed because it would be duplicative.
- 7-I.C. Up-Front Income Verification (UIV).
 - EIV Income Reports (pg. 7-5 & 7-6).
 - Adding to current PHA Policy model language to include Income Verification Tool (IVT) used for verification of income discrepancies.
 - Upfront Income Verification Using Non-HUD Systems (pg. 7-7)
 - Add: Verify Advantage & Verify Fast as additional UIV resources currently used by PHA.
- 7-I.D. Third-Party Written and Oral Verification.
 - Imputed Assets (pg. 7-10):
 - Add: Value of Assets and Asset Income [24 CFR 982.516] – adopting model language with PHA Policy to include explanation of how to handle family net assets of \$5,000 or less. This detail explains that a self-certification is acceptable, but a third-party verification will be completed.
- 7-I.E. Self-Certification.
 - Family Declaration of Assets under \$5,000 (pg. 7-12):
 - Remove section as it is repetitive; The old admin plan language goes into a lot of detail about how to third-party verify assets. Model language is adopted that covers this more succinctly.
- 7-II.B. Social Security Numbers.
 - PHA Policy (pg. 7-14):
 - Remove - Note to PHA staff with guidance regarding how to determine amount of time PHA will allow applicant or participant to provide SSN documentation. This note is only guidance to assist PHA staff in defining their own policy and does not belong in an admin plan.
 - Remove: Explanations of 24CFR 5.216(h)(2) & Notice PIH 2012-10 – any reference to a specific CFR or PIH Notices are still used, but language from the legislation is not copied into the admin plan, since it can be changed.
 - PHA Policy (pg. 7-16):
 - Replace current PHA Policy with the following language to align with current PHA procedures, including being a resource for families to easily obtain copies of SSN documentation for other benefits:

Once an individual's status is classified as "verified" in HUD's EIV system, the PHA will retain copies of documentation in tenant file. Notice: PIH 2018-24

Old admin plan states PHA would remove and destroy documents with Social Security Numbers on them.

- 7-II.C. Documentation of Age (pg. 7-17).
 - Explanation of 24 CFR 982.516(a)(2)(iv)- reference to specific CFR is still used, but language from the legislation is not copied into the admin plan, since it can be changed.
 - PHA Policy – Remove self-certification requirement if other documentation of age is used (not birth certificate); documentation alone is sufficient.
- 7-II.D. Family Relationships.
 - PHA Policy (pg. 7-18):
 - PHA may **not** require written documentation by physician or other recognized agency for verification of pregnancy. Only self-certification is needed. Old Admin plan requires it so that language must be removed. Replace current wording with the following:
Written or verbal self-certification by Head of Household is sufficient verification of pregnancy.
 - Marriage PHA Policy (pg. 7-17):
 - Remove additional wording to simplify requirements for certification. Examples removed due to inability to list all possible situations.
 - Separation or Divorce PHA Policy (pg. 7-18):
 - Remove additional wording that doesn't provide any guidance, it just makes the admin plan longer.
 - Absence of Adult Member PHA Policy (pg. 7-18):
 - Remove additional wording that doesn't provide any guidance, it just makes the admin plan longer.
 - Foster Children and Foster Adults PHA Policy (pg. 7-18):
 - Remove additional wording that doesn't provide any guidance, it just makes the admin plan longer.
- 7-II.H. Verification of Preference Status
 - PHA Policy (pg. 7-24)
 - Replace Policy with the following, as updated in 4-II.C. Local Preferences (provide COVID and other type emergency ability to have a local preference temporarily):

The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding. The PHA will verify this preference using the PHA's termination records.

When an emergency is declared that restricts movement of residents, the PHA may provide preference to applicants living within the City of Dubuque or other local area defined by the emergency restriction areas to ensure residents' ability to avoid homelessness. As soon as the emergency declaration has expired this local preference will no longer be applicable.

Proposed Changes – Chapter 8 Housing Quality Standards and Reasonableness Determinations

- Adopt all 6-19 Model Admin Plan language.
- 8-I.A. General HUD Requirements.
 - Modifications to Provide Accessibility PHA Policy (pg. 8-4):
 - Remove “note” type wording that doesn’t change policy.
- 8-I.B. Additional Local Requirements.
 - PHA Policy (pg. 8-5):
 - Replace Residential Housing Code and City of Dubuque Housing code with:

Property Maintenance Code of the City of Dubuque.

- Remove explanation of specific forms used for inspections, because these can always change, not policy related.
- Replace wording for failed and inconclusive items to be more understandable and will now read as follows (no policy changes):

In the case of any failed inspection, inspection results will be sent to both the owner and the tenant and will list any deficiencies. Units with failed inspections will have a re-inspection completed prior to approval of any payments or within the PHA specified timeframe.

- Replace “licensed under the Dubuque Housing Code” with the following:

Only units with current rental licenses issued in accordance with the Property Maintenance Code of the City of Dubuque will be acceptable.

- Grammar updated and specific references to the Board updated to reflect actual board name.
- Replace all “Housing Code” and all irrelevant code references with the following guidance so admin plan is always consistent with new code adopted by the City of Dubuque:

International Property Maintenance Code, herein referred to as the Property Maintenance Code of the City of Dubuque.

- 8-I.C. Life-Threatening Conditions.
 - PHA Policy (pg. 8-7):
 - Replace current PHA Policy referring to life threatening conditions, to reflect the adopted property maintenance code for the City of Dubuque.
- 8-I.D. Owner and Family Responsibilities.
 - PHA Policy (pg.8-8):
 - Updated with new IPMC code.
 - Family Responsibilities PHA Policy (pg. 8-8):
 - Replace all instances of the word *Shall* with *May* because it is not a requirement but an option for enforcement.
 - Owner Responsibilities PHA Policy (pg. 8-9):
 - Remove entire PHA Policy, as information is addressed with newly adopted Model language.
- 8-II.A. Overview.
 - Types of Inspections PHA Policy (pg. 8-10):
 - Remove PHA Policy, as all information is addressed in other subsections.
 - Remove Inspection of PHA-Owned Units, we don't own units (pg. 8-12)
 - Inspection Costs PHA Policy (pg.8-12):
 - Replace current policy to the following to reduce repetition:

The PHA will not charge a fee for failed re-inspections.
 - Notice and Scheduling PHA Policy (pg. 8-13):
 - Replace Owner/Family with *Landlord/Tenant*
 - Owner and Family Inspection Attendance PHA Policy (pg. 8-13):
 - Replace current policy with the following, as all other information is addressed is 8-II.D.:

An adult must be present for all inspections.

- 8-II.B. Initial HQS Inspection.
 - PHA Policy (pg. 8-14):
 - Replace current policy with the following, to be consistent with current procedures.
 - Initial Inspection Results and Reinspection's PHA Policy (pg.8-14):
 - Replace current policy with the following to be consistent with current procedures and include weather related extensions:

Initial Inspections must be completed, passed, and have no outstanding licensing fees due before granting final approval of the selected dwelling unit and prior to approval of any payments.

A request for Appeal or Modification to the Code shall be allowed as follows:

For exterior repairs, if the owner has proof of materials on order or repairs to be completed under contract and the interior of the unit is code-compliant, the unit will not be delayed from going on the program, pending appeal for a time extension. Proof of orders and contracts should be included with the appeal request. Weather-related extensions will also be considered.

Units pending requests for modifications under Section 404 (Occupancy Limitations) of the Property Maintenance Code such as ceiling heights, light and ventilation, room sizes and widths, etc. shall not enter into a HAP Contract until the modification has been approved by the Code Official.

If any HQS violations are identified, the owner and family will be notified of the deficiencies and the owner will be given a time frame (normally 30 days) to correct them.

If the time period for correcting the deficiencies (or any PHA-approved extension) has elapsed, or the unit fails at the time of the reinspection, the PHA will notify the owner and the family that the unit has been rejected and that the family must search for another unit. The PHA may agree to conduct subsequent reinspection's, for good cause, at the request of the family and owner.

Following a failed reinspection, the family may submit a new Request for Tenancy Approval after the owner has made repairs, if they are unable to locate another suitable unit.

- 8-II.D. Special Inspections.

- PHA Policy (pg. 8-16):
 - Remove entire policy, as special inspections are addressed in previous sections with almost exact verbiage as current plan.
- 8-II.F. Inspection Results and Reinspection's for Units Under HAP Contract.
 - PHA Policy (pg.8-18):
 - Remove Facsimile from forms of notification, only phone, email or letter are used.
 - Remove 30-day timeframe for written notice.
 - Extensions PHA Policy (pg.8-19):
 - Replace Appeals Board with:

Housing Board of Appeals
- 8-II.G. Enforcing Owner Compliance.
 - HAP Contract Termination PHA Policy (pg.8-21):
 - Remove all information regarding life-Threatening Conditions, as these are address in 8.I.C.

Proposed Changes – **Chapter 9 General Leasing Policies**

- Adopt all 6-19 Model Admin Plan language.
- 9-I.B. Requesting Tenancy Approval.
 - PHA Policy (Pg. 9-3 & 9-4):
 - Add: Include e-mail as an acceptable means for updating missing information/documents and corrections terms of RTA or lease.
- 9-I.E. Lease and Tenancy Addendum.
 - PHA Review of Lease PHA Policy (pg. 9-11):
 - Replace: The regulations do not require the PHA to review the lease to determine if the lease complies with State and local law. Due to staffing and potential liability, replace policy with the following:

The PHA will not review the owner's lease for compliance with state/local law.
- 9-I.F. Tenancy Approval.
 - PHA Policy (pg. 9-12):
 - Replace restrictive 10 business day timeframe for determination with the following:

PHA will promptly notify landlord and tenant if RTA has been denied.

- Update methods in which to accept corrections to RTA to include e-mail.
- 9-I.H. Changes in Lease or Rent.
 - PHA Policy (pg. 9-14):
 - Replace 1st paragraph of policy with the following to remove restrictive timeframes for determination of rent increases:

Where the owner is requesting a rent increase, the PHA will promptly determine whether the requested increase is reasonable. The owner will be notified of the determination in writing if the request is denied, the amount of increase is less than requested, or effective date is not correct.

Proposed Changes – **Chapter 10 Moving with Continued Assistance and Portability**

- Adopt all 6-19 Model Admin Plan language.
- 10-I.A. Allowable Moves:
 - PHA Policy (pg. 10-1):
 - Remove entire PHA Policy, as additional guidance is not needed in this section.
- 10-I.C. Moving Process.
 - Approval PHA Policy (pg. 10-5):
 - Replace restrictive 10 business day timeframe for notification of approval with the following:

Upon receipt of a family's notification that it wishes to move, the PHA will determine whether the move is approvable in accordance with the regulations and policies set forth in sections 10-I.A and 10-I.B. The PHA will promptly notify the family in writing of its determination.

- Voucher Issuance and Briefing PHA Policy (pg. 10-5):
 - Replace restrictive 10 business day timeframe for issuance of a voucher with the following:
- Zero HAP Families Who Wish to Move PHA Policy (Pg. 10-6):
 - Add the following PHA Policy, adopted with new model language:

If a zero HAP family requests to move to a new unit, the family may request a voucher to move. However, if no subsidy will be paid at the unit to which the family requests to move, the PHA

will not enter into a HAP contract on behalf of the family for the new unit.

- 10-II.B. Initial PHA Role.
 - Voucher Issuance and Term PHA Policy (pg. 10-12):
 - Change initial voucher term from 60 days to 90 days
 - Voucher Extensions and Expiration PHA Policy (pg. 10-13):
 - Add the following language to place a cap on the maximum number of days for an extension:

However, 180 days will be the maximum amount of time granted on a voucher.

- Sending Documentation to the Receiving PHA Policy (pg. 10-15):
 - Remove part of policy advising PHA will notify family in writing of any information provided to receiving PHA. Current procedure is written notification to family that file has been sent to receiving PHA and direction for tenant to contact receiving PHA to follow-up.

Proposed Changes – **Chapter 11 Reexaminations**

- Adopt all 6-19 Model Admin Plan language.
- 11-I.B. Scheduling Annual Reexaminations.
 - PHA Policy (pg.11-2):
 - Replace *The first annual recertification and any recertification for families reporting zero income must be a face-to-face interview* with the following. We don't currently conduct face-to-face interviews for zero income families nor would current workload allow time to do so; also allow for video interviews:

The first annual recertification must be an interview either in person or via technology.

- PHA Policy (pg. 11-3):
 - Remove requirement to have Zero Income families meet with FSS Coordinators during annual reexaminations. Workload and scheduling does not allow for the coordination of this with every zero-income family, families are referred to FSS Coordinators by Housing Specialists at any time.
- Notification of and Participation in the Annual Reexamination Process PHA Policy (pg.11-3):
 - Add in-person or via technology for annual reexamination Interviews to allow alternative communication.

- Remove requirement for families to meet with FSS Coordinators at annual reexamination. Families are referred to FSS Coordinators by Housing Specialists at any time.
- Remove requirement for families with documented history of not reporting correctly, prior family obligation violations or with zero income to have in-person interview. Specialist do not currently require in-person interviews for these reasons.
- Add e-mail as means for accepting documents.
- 11-I.D. Determining Ongoing Eligibility of Certain Students.
 - PHA Policy (pg.11-6):
 - Add Vulnerable Youth to students whose parents' income will not be reviewed. Addition was also made to previous chapters to include this population of youth.
- 11-II.B. Changes in Family and Household Composition.
 - New Family and Household Members Requiring Approval PHA Policy (pg.11-9):
 - Add *Promptly* as expectation for providing written approval to family.
 - Replace restrictive 10 business day timeframe for determination to the following:

The PHA will promptly make its determination after receiving all information required to verify the individual's eligibility.

Proposed Changes – **Chapter 12 Termination of Assistance and Tenancy**

- 12-I.C. Family Chooses to Terminate Assistance.
 - PHA Policy (pg. 12-2):
 - Remove Note and update policy to the following:

The request to terminate assistance should be made in writing and signed by the head of household, and spouse or co-head if applicable. However, often times the requests are made by voice mail or by telephone. Staff will request confirmation in writing or by e-mail but will follow the notice requirements in Section 12-II-F based upon verbal communications. In all cases and before terminating the family's assistance, the PHA will follow the notice requirements in Section 12-II.F. Informal hearings are not obligated and shall not be provided.
- 12-I.E. Mandatory Policies and Other Authorized Terminations
 - Drug-Related and Violent Criminal Activity PHA Policy (pg.12-7)

- Add the following to criminal activities that may be cause for termination on a case-by-case basis:

2) Change Domestic Abuse to Domestic Assault

17) Federal Weapons Offenses

18) Human Trafficking

19) Gun Trafficking

- Drug-Related and Violent Criminal Activity [24 CFR 5.100] (pg. 12-6):

- Remove the following reason for termination from the PHA Policy – cannot terminate based on arrest alone:

Any arrests for forcible felony as defined by the Iowa Code 701.11.

- 12-II.D. Criteria for Deciding to Terminate Assistance.

- Consideration of Circumstances PHA Policy (pg.12-12):

- Update staff present for review to the following, as we no longer have Circle Initiative Program:

When considering the circumstances and reviewing alternative choices to termination of assistance, the Assisted Housing Coordinator, Assisted Housing Specialists and Gaining Opportunities staff will meet to make the decision prior to proposal of termination to consider whether there are other alternatives that can be presented.

- Add in factors being considered when making a decision to terminate the following:

The length of time since the violation occurred, including the age of the individual at the time of the conduct, the family's recent history and the likelihood of favorable conduct in the future.

- 12-II.F. Termination Notice PHA Policy (pg.12-16 & 12-17):

- Combine PHA Policies with no change and place after model language.

Proposed Changes – **Chapter 13 Owners**

- Adopt all 6-19 Model Admin Plan language.
- 13-I.D. Owner Qualifications (pg. 13-6):
 - Remove entire PHA Policy in all subsections to match model. Policy language has been incorporated into new model wording.
- 13-II.B. HAP Contract Contents (pg. 13-11):

- Replace current PHA Policy with the following for simplification as HAP Contract Payments are addressed in detail in 13-II.C and the current PHA policy is repetitious:
 - *The PHA has not adopted a policy that defines when the housing assistance payment by the PHA is deemed received by the owner. Therefore, no modifications to the HAP contract will be necessary.*
- 13-II.C. HAP Contract Payments.
 - Late HAP Payments (pg. 13-14):
 - Remove PHA Policy as new model language addresses late payment details.
- 13-II.E. HAP Contract Term and Terminations (pg. 13-17):
 - Portion of PHA Policy updated to reflect the City of Dubuque Property Maintenance Code.

Proposed Changes – Chapter 14 Program Integrity

- Adopt all 6-19 Model Admin Plan language.
- 14-I.C. Investigating Errors and Program Abuse.
 - Notice and Appeals (pg. 14-5):
 - Replace restrictive 10 business day timeframe for appeal decision notification with the following:

The PHA will promptly notify the relevant party in writing of its findings and remedies.

- 14-II.C. Owner-Caused Error or Program Abuse.
 - Prohibited Owner Action (pg. 14-9):
 - Add the following to evidence of owner program abuse:

Committing sexual or other harassment, either quid pro quo or hostile environment, based on the protected classes defined in Chapter 2.

Retaliating against any applicant or participant reporting/alleging sexual or other harassment, either quid pro quo or hostile environment, based on the protected classes defined in Chapter 2.

Proposed Changes – Chapter 15 Special Housing Types

- Adopt all 6-19 Model Admin Plan language.
- 15-VII.E. Additional PHA Requirements for Search and Purchase (pg. 15-17):

- Replace restrictive 10 business day timeframe for extension request decisions with the following:

The PHA will promptly notify the family in writing of its decision to approve or disapprove the extension request.

- 15-VII.G. Home Inspection, Contract of Sale, and PHA Disapproval of Seller (pg. 15-19):
 - Replace *City of Dubuque Housing Code* with the *City of Dubuque Property Maintenance Code* throughout PHA Policy to match updates throughout Administrative Plan.
- 15-VII.I. Continued Assistance Requirements; Family Obligations (pg. 15-22):
 - Update PHA Policy for biennial inspection cycles to read as follows to align with current Home Inspection practices:

The home will be inspected for 1 biennial inspection cycle in accordance with the City of Dubuque Property Maintenance Code and must address any life safety issues to continue receiving home ownership assistance. If the PHA determines there are problems with maintaining the home in a safe and decent manner, the Housing and Community Development Director may require 2 on-going biennial inspections.

Proposed Changes – **Chapter 16 Program Administration**

- Adopt all 6-19 Model Admin Plan language.
- Part I: Administrative Fee Reserve (pg. 16-2):
 - Replace *UNA* with newly titled *UNP* to match model being adopted in Part I.
- 16-II.B. Payment Standards.
 - Updating Payment Standards (pg. 16-4):
 - Replace PHA Policy with that of the Model to provide 6 clearly defined areas of consideration and reduce the percentage thresholds that may need to change with HUD direction.
- 16-II.C. Utility Allowances.
 - Air Conditioning (pg. 16-6):
 - Replace PHA Policy with that of the Model to provide an allowance for air-conditioning. PHA Policy will read as follows:

The PHA has included an allowance for air-conditioning in its schedule. Central air-conditioning or a portable air conditioner must be present in a unit before the PHA will apply this allowance to a family's rent and subsidy calculations.

- 16-III.B. Informal Reviews.
 - Notice to Applicant (pg. 16-9):
 - Remove PHA Policy, as policy on notice of denial is clearly explained in adopted model language.
 - Scheduling an Informal Review (pg. 16-9):
 - Add *email or fax* as options to submit requests for informal reviews.
 - Replace restrictive 10 business day timeframe for scheduling and sending written notice of informal review with the following:

The PHA must promptly schedule and send written notice of the informal review of the family's request.

- Informal Review Decision (pg. 16-10):
 - Replace restrictive 10 business day timeframe for providing notice of review decision to the following:

The PHA will promptly notify the applicant and his or her representative of the final decision, including a statement explaining the reason(s) for the decision, along with proof of mailing.

- 16-III.C. Informal Hearings for Participants.
 - Scheduling and Informal Hearing (pg. 16-13):
 - Update PHA policy to include email and fax to methods of receipt for informal hearing requests and to remove 10-day timeframe with the following:

A request for an informal hearing must be made in writing and delivered to the PHA either in person, by first class mail, email or fax, by the close of the business day, no later than 10 business days from the date of the PHA's decision or notice to terminate assistance.

The PHA must promptly schedule and send written notice of the informal hearing to the family.

- Add language regarding hearing late arrivals from chapter 5-2, as follows:

All hearings will be scheduled for 60 minutes regardless of the time the applicant arrives. If an applicant arrives late to the hearing, the time will not be extended.

Housing Commission requested to review entire PHA Policy, it is listed below:

A request for an informal hearing must be made in writing and delivered to the PHA either in person, by first class mail, email or fax, by the close of the business day, no later than 10 business days from the date of the PHA's decision or notice to terminate assistance.

The PHA must promptly schedule and send written notice of the informal hearing to the family.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing.

Upon notification in advance with at least 24 hours' notice on any party's unavailability to attend a scheduled hearing, the hearing will be rescheduled one time only without justification of the need to reschedule. After the hearing has been rescheduled a request to reschedule a second time by the same party will only be considered for extreme situations. Extreme situations may include but are not limited to hospitalization of self or household member, death in the family, weather related restriction. Any notice of the inability of the participant to attend the hearing must be provided within 24 hours of the hearing along with third party verification of the situation. The hearing officer will have the sole discretion to decide if the request is legitimate and with good cause.

If the family does not appear at the scheduled time and was unable to reschedule the hearing in advance due to the nature of the

conflict, the family must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

All hearings will be scheduled for 60 minutes regardless of the time the applicant arrives. If an applicant arrives late to the hearing, the time will not be extended.

- Hearing Officer's Decision (pg. 16-17):
 - Replace restrictive 10 business day timeframe for providing notice of hearing decision as follows:

The hearing officer will promptly issue a written decision to the family and the PHA after the hearing.

- Procedures for Rehearing or Further Hearing & PHA Notice of Final Decision (pg. 16-18):
 - Replace entire subsections with *Issuance of Decision & Effect of Final Decision* from Nan McKay Model.
- USCIS Appeal Process (pg. 16-19):
 - Replace restrictive 10 business day timeframe for notification of USCIS results to the following:

The PHA will promptly notify the family in writing of the results of the USCIS secondary verification.

- Replace restrictive 10 business day timeframe for written notice provided to family regarding right to informal hearing to the following:

The PHA will promptly send written notice to the family of its right to request an informal hearing after receiving notice of the USCIS decision regarding the family's immigration status.

- 16-IV.B. Repayment Policy (pg. 16-25).
 - General Repayment Agreement Guidelines for Families:
 - Add requirement of notarization to Execution of the Agreement.
- 16-VI.C. Records Management (pg. 16-33):

- Remove A, B & C under the VCA requirements as no longer needed.
- Update F to read the following:
The City shall maintain files containing documentation of its efforts to meet the obligations of the Voluntary Compliance Agreement until its expiration date.
- 16-IX.C. Notification (pg. 16-39).
 - Notification to Program Applicants and Participants:
 - Replace current with Model language regarding Violence Against Women Act (VAWA).

Proposed Changes – **Chapter 17 Project-Based Vouchers**

- Adopt all 6-19 Model Admin Plan language.
- 17-I.A. OVERVIEW [24 CFR 983.5] (pg. 17-3):
 - Add Additional Project-Based Units language from model including PHA policy that we didn't have before. PHA policy will read as follows:
The PHA will not set aside units above the 20 percent program limit.
 - Add Unit Not Subject to the PBV Program Limitation language from model including PHA policy that wasn't previously included. PHA policy will read as follows:
The PHA will not project-base any units not subject to the 20 percent cap.
- 17-II.B. OWNER PROPOSAL SELECTION PROCEDURES [24 CFR 983.51(b)] (pg. 17-9):
 - Replace current language for Solicitation and Selection of PBV Proposals [24 CFR 983.51(c)] with model language and updated the Telegraph Herald as our PHA's advertising avenue.
- Replace restrictive 10 business day timeframe for providing notice of selection for the PBV program to the following (pg. 17-11):
The PHA will promptly notify the selected owner in writing of the owner's selection for the PBV program.
- 17-II.F. CAP ON NUMBER OF PBV UNITS IN EACH PROJECT (pg. 17-14):

- Add Supportive Services language from model including PHA policy that we didn't have before. PHA policy will read as follows:

Excepted units will be limited to units for elderly families.

- Add Projects not Subject to a Project Cap [FR Notice 1/18/17; Notice PIH 2017-21] (pg. 17-15).
- 17-III.D. INSPECTING UNITS (pg. 17-19):
 - Add Turnover Inspections [24 CFR 983.103(c), FR Notice 1/18/17, and Notice PIH 2017-20] language from model as it has been updated and a PHA Policy has been added. Adopt PHA policy in the model to read as follows:

The PHA will not provide assistance in turnover units until the unit fully complies with the City of Dubuque Property Maintenance Code.

- Annual/Biennial Inspections [24 CFR 983.103(d); FR Notice 6/25/14] (pg. 17-19):

- Replace current PHA Policy with the following:

The PHA will inspect all units on a biennial basis to determine if the contract units and the premises are maintained in accordance with the City of Dubuque Property Maintenance Code.

- 17-IV.B. AGREEMENT TO ENTER INTO HAP CONTRACT

- Execution of the Agreement [24 CFR 983.153, FR Notice 11/24/08] (pg. 17-23):

- Replace restrictive 10 business day timeframe regarding entering into a HAP contract to the following:

The PHA will promptly enter into the Agreement after receiving both environmental approval and notice that subsidy layering requirements have been met, and before construction or rehabilitation work is started.

- 17-V.B. HAP CONTRACT REQUIREMENTS

- Execution of the HAP Contract [24 CFR 983.204] (pg. 17-26):

- Replace restrictive 10 business day timeframe execution of the HAP contract to the following:

Prior to entering into the HAP contract, the owner must certify agreement to comply with Fair Housing Laws. The owner and the City of Dubuque will execute a Housing Assistance Payments (HAP) contract for up to a ten-year term that is dependent on availability of funding under the ACC with HUD. The HAP contract establishes the initial rents and describes the responsibility of the PHA and the owner. Rents will be based upon market comparable units and may not exceed 110% of the published existing housing fair market rents. The units must meet and maintain standards set by the City of Dubuque Property Maintenance Code.

For existing housing, the HAP contract will promptly be executed – after the PHA determines that all units pass the City of Dubuque Property Maintenance Code.

For rehabilitated or newly constructed housing, the HAP contract will promptly be executed after the PHA determines that the units have been completed in accordance with the agreement to enter into HAP, all units meet the City of Dubuque Property Maintenance Code, and the owner has submitted all required evidence of completion.

- Term of HAP Contract [FR Notice 11/24/08] (pg. 17-26):
 - Remove PBV HAP Contract for the Rose of Dubuque specific language under the PHA Policy. No need to name current contracts in Administrative Plan.
- Statutory Notice Requirements: Contract Termination or Expiration [24 CFR 983.206, FR Notice 1/18/17, and Notice PIH 2017-21] (pg. 17-28):
 - Add language from model that was not in previous administrative plan.
- 17-VII.B. LEASE [24 CFR 983.256]
 - Owner Termination of Tenancy [24 CFR 983.257]:
 - Remove non-compliance with supportive services requirement as it has been removed from model.
 - Tenant Absence from the Unit [24 CFR 983.256(g) and 982.312(a)] (pg. 17-42):

- Add Continuation of Housing Assistance Payments section from model, including new PHA Policy to read as follows:

If a participating family receiving zero assistance experiences a change in circumstances that would result in a HAP payment to the owner, the family must notify the PHA of the change and request an interim reexamination before the expiration of the 180-day period.

- 17-VII.C. MOVES

- Emergency Transfers under VAWA [Notice PIH 2017-08] (pg. 17-46):

- Add new section from model that includes new PHA Policy to read as follows:

When the victim of domestic violence, dating violence, sexual assault, or stalking has lived in the unit for less than one year, the PHA will provide several options for continued assistance.

The PHA will first try to transfer the participant to another PBV unit in the same development or transfer to a different development where the PHA has PBV units. The PHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.

If no units are available for an internal transfer, or if there is reasonable cause to believe that such a transfer would put the victim in jeopardy, the participant may receive continued assistance through an external transfer to either tenant-based rental assistance (HCV) or assistance in the PHA's public housing program.

If a victim wishes to move after a year of occupancy in the unit, but no tenant-based vouchers are available, the PHA will offer the participant an internal transfer to another PBV unit in the same development or a transfer to a different development where the PHA has PBV units. The PHA will expedite the administrative processes in this case in an effort to conduct the transfer as quickly as possible.

- Definitions:

- Add Reasonable Rent [24 CFR 983.301(e) and 983.302(c)(2)] (pg. 17-49) from model and include PHA Policy to read as follows:

If the PHA has not elected within the HAP contract to establish the initial rent to owner as the rent floor, the rent to owner shall not at any time exceed the reasonable rent.

- 17-IX.B. VACANCY PAYMENTS [24 CFR 983.352] (pg. 17-53)
 - Revise our PHA Policy from saying "The PHA will not pay vacancy payments", to adopt PHA Policy from model to read as follows:

If the PHA determines that the owner is responsible for a vacancy and, as a result, is not entitled to the keep the housing assistance payment, the PHA will notify the landlord of the amount of housing assistance payment that the owner must repay. The PHA will require the owner to repay the amount owed in accordance with the policies in Section 16-IV.B.

- Add PHA Policy where there wasn't one before to read as follows:

If an owner's HAP contract calls for vacancy payments to be made, and the owner wishes to receive vacancy payments, the owner must have properly notified the PHA of the vacancy in accordance with the policy in Section 17-VI.F. regarding filling vacancies.

In order for a vacancy payment request to be considered, it must be made within 10 business days of the end of the period for which the owner is requesting the vacancy payment. The request must include the required owner certifications and the PHA may require the owner to provide documentation to support the request. If the owner does not provide the information requested by the PHA within 10 business days of the PHA's request, no vacancy payments will be made.

- EXHIBIT 17-1: PBV DEVELOPMENT INFORMATION
 - Add Exhibit 17-1 – modified from model to direct viewers to see the specific PBV contract.

Proposed Changes – **Chapter 18 Project Based Vouchers (PBV) under the Rental Assistance Demonstration (RAD) Program**

- Adopt all 6-19 Model Admin Plan language due to potential RAD program in the future.