

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 8/30/2011
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1.0	PHA Information PHA Name: <u>City of Dubuque Housing and Community Development Department</u> PHA Code: <u>IA087</u> PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>07/2015</u> In June 2011, HUD Office of Fair Housing & Equal Opportunity conducted an onsite review. As a result of evidence obtained during the on-site review indicating noncompliance with the Housing Choice Voucher regulations 24 CFR 982.207(b) and 985.3(n) for the fiscal year ending June 30, 2012, the City's SEMAP rating of "high performing" was withheld. The City implemented changes to the program, and for the fiscal years that ended June 30, 2013 and June 30, 2014, the City's SEMAP rating was designated as "high performing".												
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: _____ Number of HCV units: <u>1,063</u> Number of HCV Units: As of January 1, 2015, 927 Vouchers are utilized. At the end of CY 2014, the City utilized 95.5% of all Housing Assistance Payments (HAP) funding. As of January 2015, the City is utilizing 122% of HAP funding. Therefore, the City is currently leased to capacity based on HAP funding. The City's goal is to lease up to 1,063 baseline units as funding is available. In January 2010, a voucher freeze was put in place by the City Council reducing the number of vouchers to 900 participant families. This was done in effort to increase the quality of program administration. Due to this reduction in vouchers, a Civil Rights Compliance Review was carried out by HUD in June 2011 resulting in a Letter of Findings on June 17, 2013 and subsequent Voluntary Compliance Agreement in March 2014. The City of Dubuque is committed to the fair and equitable operation of its programs and denies any intent to discriminate but acknowledges that the actions taken had an unintended negative impact on African American program applicants. The City deeply regrets these impacts and is pursuing corrective actions. This VCA was developed to ensure continued compliance with the City's responsibilities under Title VI and its implementing regulations, as well as the City's affirmatively furthering fair housing obligations and the PIH regulations.												
3.0	Submission Type <input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only												
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)												
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program <table border="1"> <tr> <th>PH</th> <th>HCV</th> </tr> <tr> <td>PHA 1:</td> <td></td> </tr> <tr> <td>PHA 2:</td> <td></td> </tr> <tr> <td>PHA 3:</td> <td></td> </tr> </table>	PH	HCV	PHA 1:		PHA 2:		PHA 3:	
PH	HCV												
PHA 1:													
PHA 2:													
PHA 3:													
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.												

5.1	<p>Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:</p> <p>The Public Housing Authority's (PHA) mission for serving the needs of very low-income and extremely low income families that is free from discrimination and available to all regardless of race, color, religion, sex, familial status, national origin, gender identity, sexual orientation, or disability. Furthermore, the mission is to improve the lives of people living in poverty in order to help make a sustainable community with opportunities for all by engaging people across class barriers. The PHA utilizes approaches to improve family and housing stability by building community partnerships and creating a community where all have the opportunity to succeed and contribute. The PHA will utilize HUD funding to improve housing stability while providing supportive services for vulnerable populations. The Housing and Community Development Department creates safe, healthy, affordable housing for all that promotes strong, sustainable, and inclusive communities. Furthermore, our mission is to help families build assets and create opportunity for families to live and grow in a sustainable community. Our programs help people recognize and develop their ability to organize and respond to problems and needs which they share. We provide professional assistance and financial resources to promote safe, decent affordable housing opportunities, economic vitality of communities, and sound municipal management. The provision of shelter is a basic human need. Our community's very image is reflected in large measure by the pride and well-being displayed in our neighborhoods.</p>
5.2	<p>Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>See Attached</p>
6.0	<p>PHA Plan Update</p> <p>(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:</p> <p>(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.</p> <p>See Attached</p>
7.0	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. Include statements related to these programs as applicable.</p>
8.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.1	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p>
8.3	<p>Capital Fund Financing Program (CFFP).</p> <p><input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>See Attached</p>

9.1	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <p>See Attached</p>
10.0	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>See Attached</p>
11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <p>(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)</p> <p>(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)</p> <p>(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)</p> <p>(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)</p> <p>(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)</p> <p>(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.</p> <p>(g) Challenged Elements</p> <p>(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)</p> <p>(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)</p>

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. The 5-Year and Annual PHA plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality

Instructions form HUD-50075

Applicability. This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

5.1 Mission. A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

5.2 Goals and Objectives. Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

6.0 PHA Plan Update. In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.

3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.

4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.

5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.

6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: 1) development name and number; 2) designation type; 3) application status; 4) date the designation was approved, submitted, or planned for submission, and; 5) the number of units affected.

7. **Community Service and Self-Sufficiency.** A description of: (1) Any programs relating to services and amenities provided or offered to assisted families; (2) Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; (3) How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**

8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: 1) Any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) Any activities, services, or programs provided or offered by a PHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) Any activities, services, or programs provided or offered by a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm
Note: This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or that the public housing agency plans to voluntarily convert;

2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

8.0 Capital Improvements. This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report. PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

8.2 Capital Fund Program Five-Year Action Plan

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

8.3 Capital Fund Financing Program (CFFP). Separate, written HUD approval is required if the PHA proposes to pledge any portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-

year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

9.0 Housing Needs. Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

9.1 Strategy for Addressing Housing Needs. Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

10.0 Additional Information. Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

11.0 Required Submission for HUD Field Office Review. In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

CITY OF DUBUQUE HOUSING & CD DEPT IA087
FIVE-YEAR AND ANNUAL PLAN (2015-2019)

5.2 Goals and Objectives

Due to the Letter of Findings of Noncompliance under Title VI of the Civil Rights Act that was received in June 2013 for activities occurring in 2009 and 2010, the Housing & CD Department's first and foremost objective is affirmative further fair housing (AFFH). An Analysis of Impediments has been conducted to identify actions and omissions which impede fair housing choice within the City of Dubuque. The City has taken steps to align Community Development Block Grant and the PHA goals and plans to support the efforts to AFFH.

1. Ensure equal opportunity in housing for all eligible households and affirmatively further fair housing.

Objectives:

- a.) Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status, gender identity, sexual orientation and disability
- b.) Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion, national origin, sex, familial status, gender identity, sexual orientation and disability
- c.) Increase or at a minimum maintain the number of vouchers in use within the City, to ensure vital housing resources are available to those who need them, providing the provision of shelter as a basic human need as stated in the Mission Statement.
- d.) Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required
- e.) Continue to collaborate with the City of Dubuque Human Rights Department
- f.) Continue to develop/increase awareness of the benefits conferred by the assisted housing program to applicants, participants and the community with emphasis on affirmatively furthering Fair Housing opportunities.
- g.) Create Suitable Living Environments – Applicable to activities that are designed to benefit communities, families, or individuals by addressing issues in their living environment. This objective relates to activities that are intended to address a wide range of issues faced by low- income persons, from physical problems with their environment to social issues such as education, employment, literacy, or health services.
- h.) Allow minority participation to naturally fluctuate consistent with market demand and the new outreach programs and marketing plans to ensure equal opportunity for all.
- i.) Ensure competent services free of charge to LEP persons/households – Equal opportunities for participation in all assisted housing programs shall offer oral interpretation and written translation of all vital documents

2. Preserve and maintain existing affordable housing/expand the supply of assisted housing.

Objectives:

- a.) Increase Voucher utilization to 1,063 base line units, or at a minimum, the PHA shall endeavor to maintain not less than 95% of the dollar amount subject to the HAP budget to ensure vital housing resources are available to those who need them, in accordance with the assertion of the City's Mission Statement that the provision of shelter is a basic human need.
- b.) Leverage private and other public funds to create additional housing opportunities.
- c.) The City's Housing & CD Department provides funding assistance and services in five primary activities: 1.) rental assistance programs; 2) housing rehabilitation-loan programs (both for homeowners and rental units); 3) home purchase assistance programs; 4) housing code enforcement; and 5) CDBG program.
- d.) Utilize existing vacant or under-utilized buildings to create affordable housing in collaboration with CDBG.
- e.) Continue/expand First-Time Homebuyer Program, homeowner rehab loan program and Section 8 Homeowner Program.
- f.) Expand home-ownership opportunities for extremely low to low income households. As of January 2015, the City of Dubuque Housing Choice Voucher program has provided home-ownership opportunities to 29 households including FSS participants and Section 8 Home-ownership Vouchers.
- g.) The City has plans to submit a new Housing Code to HUD for approval which will increase the quality of the current housing stock.

3. Improve the quality of assisted housing.

Objectives:

- a.) Increase customer satisfaction by adapting consistent customer service standards for staff to be trained on annually.
- b.) Continue to develop/increase awareness of the benefits conferred by the assisted housing program to participants and the community
- c.) Utilize Community Development Block Grant funds to facilitate activities aimed at improving communities or neighborhoods, helping to make them livable or viable by providing benefit to low- and moderate- income persons or by removing or eliminating slum or blighted areas.

4. Increase assisted housing choices.

Objectives:

- a.) Provide voucher mobility counseling
- b.) Increase landlord participation in leasing to Section 8 tenants. Landlord participation in CY 2014 is currently 17%.
- c.) Continue voucher homeownership program and increase participation in HOME workshop to at least 10 assisted housing family participants per year.
- d.) Provide unit listings of all available units and encourage owners to utilize the free service of advertising

- e.) Continue to promote exception rents in higher cost areas; expand choices to de-concentrated poverty areas
- f.) Offer incentives to landlords developing or rehabbing rentals in areas of low poverty concentration
- g.) Implement HUD approved Outreach and Marketing Plan
- h.) Maintain accessible housing list to aid disabled households in their choice for housing units

5. Provide an improved living environment.

Objectives:

- a.) Collaborate with neighborhood associations, human services agencies, city departments and commissions, churches, schools, families and other organizations
- b.) Offer \$12,000 to low-moderate income neighborhoods in the form of small grants for community-building activities through CDBG funds.
- c.) Offer mobility counseling and transportation information to all new voucher holders.
- d.) Connect families with school-aged children to local organizations that provide after-school and summer learning activities.

6. Increase economic opportunities to address the gap from welfare to work/Promote self-sufficiency and asset development of assisted households

Objectives:

- a.) Increase the number and percentage of employed persons in assisted families
- b.) Provide or attract supportive services to improve assistance recipients' employability
- c.) Provide or attract supportive services to increase independence for the elderly or families with disabilities
- d.) Continue to work in partnership with area non-profit agencies for support services
- e.) Prevent the increase of Homelessness for At-Risk families and individuals by collaborating with agencies through the Homeless Advisory Committee, Dubuque Rescue Mission and other agencies
- f.) Continue to provide Homeownership counseling, and skill development in the areas of family, career, finance, and education to Family Self-Sufficiency participants.

7. Increase homeownership among minority voucher participants and to non-minority voucher participants

- a) Increase visibility and awareness of the opportunity by creating multi-lingual marketing materials to be displayed and distributed according to the Outreach/Marketing Plan
- b) Invite realtors from other cultures to present to Resident Advisory Board Meetings and homeownership workshops
- c) Share success stories of recent homeowners via newsletters.
- d) FSS Coordinators create homeownership plan with all participants to personalize and delineate the process.

8. Increase outreach to limited English proficiency (LEP) persons by

- a) Translate key marketing/informational pieces and documents into Spanish and Marshallese languages
- b) Distribute and display information in locations which may be highly-frequented by LEP persons
- c) Create strategic partnerships with community members and organizations that can assist in identifying needs and building rapport with minority populations.
 - Step 1: Meet with Human Relations Specialist with the Human Rights Department to determine leaders in minority communities.
 - Step 2: Reach out to community leaders to determine housing and family needs.
 - Step 3: Intentionally reach out to identify individuals to assist with connecting to services.
 - Step 4: Provide informational workshops at neutral locations, like the Multicultural Family Center, Crescent's Wellness Center, etc.

9. Increase public awareness and support of Family & Assisted Housing programs and offerings

- a) Attend expos and community events on a quarterly basis at a minimum
- b) Maintain an active and engaging online presence via social media and current website material
- c) Publish quarterly or bi-annual newsletters for broad public distribution
- d) Reach out to news outlets and periodicals to highlight Family and Assisted Housing programs and successes

Other PHA Goals and Objectives:

1. Improve the affordability of housing for extremely low – very low income households.

Objectives:

- a.) To operate a fiscally responsible program offering assisted housing benefits to the maximum number of families that can be supported.

2. To preserve existing housing and existing, older residential neighborhoods.

Objectives:

- a.) Utilize existing vacant or under-utilized non-residential building stock to create affordable housing units
- b.) Enforce minimum housing quality standards in rental units through systematic code enforcement

3. Develop increased public awareness and appreciation of housing problems in the community and possible solutions.

Objectives:

- a.) Increase public relation efforts to educate community about local housing issues and programs
- b.) Provide on-going housing information/education opportunities
- c.) Rebrand the HCV program to create a new energy and image for the program and participants
- d.) Ensure access to all persons/households with Limited English Proficiency
- e.) Ensure access to all eligible households free from discrimination

4. Improve the affordability of housing for homeowner and first time homeowner households.

Objectives:

- a.) Continue homeowner rehabilitation loan programs
- b.) Continue Section 8 Homeownership Program and Family Self-Sufficiency Program
- c.) Continue and expand program and utilize CDBG funds to provide “entry” costs for first time homeowners

5. To promote fair housing opportunity.

Objectives:

- a.) Assist with education of the community in understanding of the content and spirit of the City’s Human Rights Ordinance
- b.) Ensure compliance with anti-discrimination laws
- c.) Educate community members and staff about diversity and open avenues of communication and interaction within the community
- d.) To recognize, appreciate and celebrate diversity as an opportunity to experience and share both our differences and our similarities as a unified community
- e.) Increase awareness on how to file a discrimination claim
- f.) Hold an annual training for staff and the public on how to recognize a Fair Housing issue and properly report it.
- g.) Implement Marketing and Outreach plan
- h.) Continue to develop/increase awareness of the benefits conferred by the assisted housing program to participants and the community

6. Expand the opportunities for home ownership, especially for extremely low to low income households.

Objectives:

- a) Provide down payment assistance to households with CDBG funds
- b.) Provide assistance to qualified low and moderate-income homeowners for the rehabilitation of housing units.
- c.) Encourage acquisition and rehabilitation of vacant/abandoned housing in low-income areas of the community
- d.) Provide homeownership training to all FSS participants.

- e.) Provide Section 8 Voucher assistance to at least 2 qualified participants per year for homeownership opportunities

7. Modify existing and create new accessible housing unit.

Objectives:

- a.) Utilize CDBG funding for accessibility rehab by providing forgivable loans to disabled tenants to make rental units accessible to the physically disabled.
- b.) Increase opportunities for the elderly, disabled, and persons with special needs to maintain an independent lifestyle
- c.) Increase or at a minimum, maintain vouchers utilized by individuals in the community to insure individuals with accessibility needs can seek and find housing that meets those needs.

8. Increase economic opportunities to address the gap from welfare to work.

Objectives:

- a.) Promote partnerships with businesses to provide job/skill training to meet the needs of local employers
- b.) Promote workforce development through education and training of low-income individuals

Additional Objectives:

- a.) Provide administrative/technical assistance to non-profit and private housing providers
- b.) Continue support of the Successful Rental Property Management Program
- c.) Continue support for Rehabilitation efforts and other programs

6.0 PHA Plan Update

(a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.

In June 2013, the PHA was issued a Letter of Findings of Noncompliance with Title VI of the Civil Rights Act. The PHA has since entered into a Voluntary Compliance Agreement with HUD. HUD Letter of Findings identified:

- April 2008: Hiring of a police officer to serve as a Section 8 Investigator
- September 2009: Formation of a Safe Community Task Force to address the perception of increased crime in Dubuque; crime study ordered by the City contracted to Alta Vista Research to focus on the connection between crime and rental housing, specifically Section 8.
- November 2009: Crime study yielded that “persons arrested for criminal activities in Dubuque are no more likely to live in Section 8 Housing”; Administrative plan changed to allow opening and closure of wait list based on number of individuals on the list, and to remove the very low income preference point allotment; also adopted stronger eligibility and denial of assistance/termination requirements pertaining to conduct of all members of household to include juveniles; wait list was also restricted to only individuals who qualify for one of the local residency preference points
- December 2009: Voucher issuance freeze in effect
- February 2010: City Council adopted recommendation to reduce vouchers to 900
- November 2009-December 2010: Wait list purge of over 582 families, 66% of which were African American
- June 20-24, 2011: HUD onsite compliance review
- June 17, 2013: HUD issued Letter of Findings of Noncompliance
- April 9, 2014: The City of Dubuque enters into Voluntary Compliance Agreement with HUD

By entering into the Voluntary Compliance Agreement (VCA), the City has taken measures to ensure continued compliance with its responsibilities under Title VI and its implementing regulations, as well as the City's AFFH obligations and compliance with PIH Program Requirements. The City has already taken several steps to mediate the effects of the aforementioned activities, including:

- Local residency preference points were eliminated in December 2012. All local preference points were removed in the proposed Administrative Policy approved by HUD as of February 27, 2015.
- Section 8 Investigator is no longer funded through supplemental Administrative Fees.
- The Administrative Plan has been updated /re-written to reflect the necessary changes as outlined in the VCA. The Administrative Plan was submitted to HUD on December 18, 2014. Comments were received from HUD on February 27, 2015. Additional changes to the Administrative Plan were submitted to HUD in March 2015 to address HAP shortfall funding for CY 2015 and future years based upon HUD Shortfall Team recommendations
- All HCV bi-annual reports are being submitted to HUD for review according to the terms of the VCA. The City is working with HUD to ensure consistency and comprehensive reporting

- 494 applicants were removed from the waiting list between January 1, 2014 and August 29, 2014 to increase voucher lease-up to 927 as of January 2015.
- The PHA needs additional funding to allow for lease up to the number of baseline voucher units of 1,063. Our current lease-up rate is at our funding capacity.
- The HA plans to survey landlords on whether or not they accept the HCV for their rental units as part of their rental license renewal. In an effort to increase housing choice, outreach and education will then be targeted towards the pool of landlords who do not currently accept HCV.
- All Housing Department, Human Rights Department, Planning and Zoning Department, City Manager's Office and Police Department staff members, City Council, Housing Commission, Long Range Planning Commission, Community Development Advisory Commission members, and the Mayor have received a full day of civil rights and housing law training conducted by John Marshall Law School in August 2014. To view the efforts required by the VCA, See Attachment/Appendix titled VCA

(b) The PHA Plan may be obtained by the public in the following locations:

- Online at www.cityofdubuque.org/1484/AdministrativePlans. There is a link to the 5-Year PHA Plan on this page.
- City of Dubuque's City Clerk's Office: City Hall, 50 West 13th Street, Dubuque, IA 2001.
- Carnegie-Stout Public Library: 360 West 11th Street, Dubuque, IA 52001
- City of Dubuque Housing and Community Development Department: 350 West 6th Street, Suite 312, Dubuque, IA 52001
- Distributed to the Resident Advisory Board

6.0 PHA Plan Elements

1. Eligibility, Selection and Admissions Policies, including Deconcentration, and Waiting List Procedures

a. Family:

- i. To be eligible for assistance, an applicant must qualify as a family. *Family* as defined by HUD includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, disabled person, or any other single person; or a group of persons residing together. Such group includes, but is not limited to a family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family), an elderly family, a disabled family, a displaced family, or the remaining member of a tenant family.
- ii. A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.
- iii. Displaced Family shall include either a single person household or a household with two or more members who have/has been or is the process of being displaced by governmental action, or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared and/or verified or otherwise formally recognized pursuant to federal disaster relief laws.
- iv. A family also includes an adult member with a dependent. A dependent is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student. The PHA shall consider any custody orders or agreements, and the amount of time the child spends with the applicant. If the child does not currently reside with the applicant, the PHA will consider the child part of the family if there is evidence that the child would reside with the applicant if the applicant were admitted to the HCV program. Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or participant family 50 percent or more of the time. When there are two separate households on the waiting list or receiving assistance, only one family will be allowed to claim the dependents as family members.
- v. When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may make a new application with a new application date if the waiting list is open. In the absence of a judicial decision or an agreement among the original family members, the PHA will determine which family will retain their placement on the waiting list or continue to receive assistance. In making its determination, the PHA

will take into consideration the following factors: (1) the interest of any minor children, including custody arrangements; (2) the interest of any ill, elderly, or disabled family members; (3) the interest of any family member who is the victim of domestic violence, dating violence, or stalking, including a family member who was forced to leave an assisted unit as a result of such actual or threatened abuse; (4) any possible risks to family members as a result of criminal activity; and (5) the recommendations of social service professionals

b. Eligibility Criteria

- i. The PHA will utilize the very low-income limit for all applicants.
- ii. Citizenship or Eligible Immigration Status:
 1. Family members who declare citizenship or national status will not be required to provide additional documentation unless the PHA receives information indicating that an individual's declaration may not be accurate.
 2. The PHA will not provide assistance to a family before the verification of at least one eligible family member.
- iii. Mandatory Denial of Assistance
 1. The PHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past 3 years for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime, is no longer living in the household.
 2. The PHA determines that any household member is currently engaged in the use of illegal drugs. Currently engaged in is defined as any use of illegal drugs during the previous six months; unless the applicant completed a PHA recognized treatment program.
 3. The PHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. The PHA will also consider evidence from treatment providers or community-based organizations providing services to household members.
 4. Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing. If any household member has ever been convicted of drug-related criminal activity for the production or manufacture of

methamphetamine on the premises of federally assisted housing or if there is probable cause that a family member has been manufacturing or producing methamphetamine on the premises of an assisted housing unit (including the building or complex in which the unit is located and the associated common areas and grounds, the family will be denied assistance. Any adult household member within this category shall be permanently denied admission to any assisted housing programs within the City of Dubuque.

5. Any household member is subject to a lifetime registration requirement under a state sex offender registration program. If any household member is currently registered as a sex offender under any State registration requirement, the family will be denied assistance. Additionally, any applicant or household member that has been charged with or convicted of sexual abuse, sexual assault or any other type of violent criminal sexual activity involving a minor child shall be denied admission to the Assisted Housing Programs until the household member has received favorable review to determine eligibility.

iv. Other Reasons for Denial of Assistance

1. Criminal Activity

- a. Drug-related criminal activity, defined by HUD as the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].
- b. Violent criminal activity, defined by HUD as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].
- c. Criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; or
- d. Criminal activity that may threaten the health or safety of property owners and management staff, and persons performing contract administration functions or other responsibilities on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor, or agent).
- e. Criminal activity associated with alcohol abuse that interferes or could interfere with the health, safety, or right to peaceful enjoyment of the premises by other residents while under the influence of alcohol.

2. Evidence of such criminal activity and time limitations of denial also includes, but is not limited to:

- a. Two or more convictions from separate incidents classified as simple misdemeanor or equivalency within a twelve-

- month period prior to the date the PHA provides notice to an applicant
 - b. A conviction that is classified as a serious misdemeanor/aggravated misdemeanor or equivalency within a three-year period prior to the date the PHA provides notice to an applicant
 - c. A felony conviction or equivalency within a seven-year period prior to the date the PHA provides notice to an applicant. Any arrests for forcible felony as defined by the Iowa Code 702.11
3. Any previous participant or applicant that had been determined to be ineligible for an assisted housing program that was notified in writing of the reason for his/her ineligibility and of his/her right to request an Informal Hearing/Review shall be held accountable to the terms and time limits of the previous notice or hearing.
 4. A family member has engaged in or threatened violent or abusive behavior toward PHA personnel.

c. Application Process

Families may obtain application forms from the PHA's office during normal business hours or from the City of Dubuque website at www.cityofdubuque.org/Section8. Families may also request – by telephone or by mail – an application be mailed to them via first class mail or FAX.

Completed applications must be returned to the PHA by mail, by fax, or submitted in person during normal business hours. Applications must be complete in order to be accepted by the PHA for processing. An application shall only be considered complete if accompanied by proof of identity; copy of SSN; citizenship, eligible immigration status or non-contending declaration; and all mandatory release forms along with a completed application. The "Application" form must be completely filled out and must not contain any blanks or unanswered questions.

All applications must be accompanied by proof of identity from a third party for all household members. Acceptable forms shall include birth certificates; current driver's license; identification card issued by a federal, state, or local agency; identification card issued by a medical insurance company or provider (including Medicare and Medicaid); or Court records. All applications must be accompanied by copies of social security cards of all household members age six or older. If the household consists of persons under the age of six who have not been assigned a SSN, a parent or guardian must provide certification stating that no SSN has been assigned or certify the SSN that has been assigned.

If an application is incomplete, the PHA will notify the family of the additional information required. HA staff will make reasonable efforts to contact the applicant and inform him/her of the additional information required and provide the applicant 15 days to correct the deficiency. Reasonable efforts shall be in the form of one letter or, if no address is provided or the applicant fails to respond, one telephone call. A record of those efforts shall be maintained with the application. A record of all applications

received (even incomplete applications) shall be maintained by the PHA indicating all attempts to contact the applicant.

Depending upon the length of time that applicants may need to wait to receive assistance, the PHA may use a one- or two-step application process. A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance. A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, the PHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

- i. If the PHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, the PHA will send written notification of the ineligibility determination within 10 business days of receiving a complete application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so.
- ii. Notification: The PHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a complete application. Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list. Applicants will be placed on the waiting list according to the date and time the complete application is received by the PHA.

d. Opening and Closing the Waiting List

- (i) Prior to closing the waiting list or accepting applications only from certain categories of families that meet particular preferences or funding criteria, the PHA shall provide HUD with notice and justification for, and receive HUD approval, prior to taking any action
- (ii) The PHA will request permission from HUD to close the waiting list when the average estimated waiting period for housing assistance for applicants on the list reaches more than an average of 12 months for applicants or exceeds the number of baseline Vouchers available through HUD contracts. Where the PHA has particular preferences or funding criteria that require a specific category of family, the PHA may elect to continue to accept applications from these applicants while closing the waiting list to others if approved by HUD (example: Project Based Vouchers)
- (iii) The PHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. The PHA shall utilize outreach and marketing strategies as identified in the Outreach/Marketing Plan approved by HUD.
 - 1. The PHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the PHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved. Outreach activities will include surrounding housing authorities, local chapters of the NAACP within 200 miles, outreach to agencies assisting persons with disabilities and organizations for persons with limited English proficiency

e. Order of Ranking the Waiting List

- i. An applicant household being displaced due to code enforcement, fire/natural disaster and by other government action will be issued a Voucher immediately upon receipt of verifications required whenever a voucher is available without regards to the waiting list position. However, applicants claiming code enforcement/displacement preference for residing in substandard units shall not receive preference if the unit is in substandard condition due to the applicant's failure to perform his or her obligation. Displacement must have occurred within 60 days of verification.
- ii. The PHA will select any family that has been terminated from its HCV program due to insufficient program funding or to any family that had been issued a voucher and the voucher was suspended or withdrawn or the briefing appointment that had been scheduled was canceled due to insufficient funding prior to selecting others from the waiting list. Assistance shall be offered in the order listed in the previous sentence- terminated families, vouchers issued and withdrawn, applicants scheduled for briefing appointment without regard to the waiting list position.
- iii. All other applicant households will be selected by date/time of completed application. No other preference points are established.

- iv. The PHA will monitor progress in meeting the income targeting requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

f. Records Management

Per HUD requirements within 180 days of the effective date of the Voluntary Compliance Agreement (VCA) (March 31, 2014), the City shall develop and submit the following report to the Department for review and approval:

- i. The Bi -Annual Waiting List Report (BWLR) that tracks the maintenance of the Section 8 waiting list. The BWLR will include the following: 1) applicant' s name, race, sex, ethnicity, familial/ elderly or disability status; 2) date of application; 3) date applicant placed on waiting list; 4) applicant preference(s); 5) date and time of offer; 6) date of lease; and 7) date applicant removed from waiting list and justification.
- ii. The Bi-Annual Report shall also track all families denied admission to the program, all applicants determined to be ineligible due to criminal background, and all determinations to terminate participation in the Assisted Housing Programs. The reports shall include race, national origin, address, age of applicants, familial status and disability. The reports shall include the specific activity or occurrence identified by the PHA in making the determination to deny admission to the program or to terminate participation, how the PHA learned of the activity or occurrence, and what if any, alternate option or information was provided to the family at the time of denial or termination. All determinations of ineligibility due to Criminal Background shall include a copy of the denial or termination notice along with the reports or other information provided to the family at the time of denial or termination.
- iii. The City shall continue to submit a BWLR every six months for the duration of the VCA. Submissions of the BWLR shall occur on the first day of the month for each six month period, and will include the wait list information for the immediately preceding six month period. The biannual reporting periods are as follows: January 1 through June 30, due on July 15; July 1 through December 31, due January 15.
- iv. The City shall maintain records for review by the Department for a minimum of five (5) years after the close of the Agreement. Records subject to review include, but are not limited to: participant lists, wait lists, ineligible applicant and applicant rejected lists, applications, and terminated participants/ applicant resolution lists. These lists and records shall be kept electronically and in hard copy. While Dubuque may select the format of the list or record, it must be uniform and consistent for review purposes. The City shall furnish copies of any and all records upon request from the Department.
- v. The City shall maintain records, including those required under HUD program regulations, which disclose all individuals who apply and the manner in which each application is treated, i.e., whether said individuals are accepted or rejected and the basis for any rejection.

- vi. The City shall maintain all participant files, including applications for residency, rental agreements or leases, notices and letters to residents, and notices of termination, along with any and all material relating to the City's implementation of the Title VI, Section 109, and AFFH requirements of this Agreement.
- vii. The City shall maintain any and all material relating to the racial composition of its HCDD operated Programs, such as waiting lists, records of the racial, national origin, elderly, disabled and familial status makeup of participants in Housing Programs, and copies of denied applications.
- viii. The City shall maintain copies of all race-related complaints, claims, grievances, investigative records, including grievance process materials.
- ix. The City shall maintain files containing documentation of its efforts to meet the obligations of this VCA Agreement.

g. Deconcentration

As part of the PHA's strategy to deconcentrate neighborhoods in poverty, HUD has approved exception rents in Census Tracts 8.01, 8.02, 12.01, 12.02 and 12.03. The Voucher Payment Standards within the above census tracts will be set at the 110% of the 50th percentile published Fair Market Rents and will be adjusted on January 1 of each year to maintain the exception payment standards of the most recent FMR data published.

2. Financial Resources

The Housing Authority is a department of the City of Dubuque. Therefore, the Section 8 Program operates and reports as a component of the City of Dubuque government. Annual Contributions for Section 8 Tenant-Based Assistance are supplied by the U.S. Department of Housing and Urban Development based upon calendar year renewal funding. Administration and operation of the Section 8 Program is budgeted at approximately \$4.5 million including the operation of the Family Self-Sufficiency Program, Housing Assistance Payments and Administrative Fees.

The Section 8 Program administrative fees provided by HUD were reduced when the number of participating families was decreased by over 200 in 2009-10. Also in 2010, HUD began the proration of administrative fees earned and the practice continues today. HUD's pro-ratio factors average about 75% of actual fees earned. The City of Dubuque supplements the loss in administrative funds and covers the wages and benefits for two Family Self-Sufficiency Coordinators. During the FFY 2012 FSS Coordinator Grant competition, the City was notified and received a grant award letter for three FSS Coordinator positions. In February 2013, the City was notified that HUD was reducing the funding to one FSS Coordinator position. However, in March 2013 the City was notified that HUD was providing a one-time additional administrative fee grant to cover the two FSS Coordinator positions that were already hired.

In CY 2013, the Section 8 Program had the lowest number of vouchers leased, which unfortunately coincided with the Federal sequestration wherein HUD's disbursement proration level dropped and the City was in a shortfall of HAP funding.

The administrative fees cover the wages and benefits of 25% of the Director; two Assisted Housing Supervisors (one was added in October 2013), three Assisted Housing Specialists, one Assisted Housing Secretary, and 80% of a Section 8 Inspector. The Housing Authority secured funding for one Family Self-Sufficiency Coordinator through the HUD FSS Grant, and two other FSS Coordinators are subsidized by the City's General Fund. From 2008-2011 partial to full funding for a Section 8 Investigator was included in Section 8 administrative fees. Currently administrative fees along with monies from the City to supplement the administrative fees are being utilized to:

1. Perform intake, briefings and selection of applicants
2. Recruit Landlords
3. Retain Landlords
4. Perform applicant income and eligibility certifications
5. Monitor income targeting
6. Perform tenant interim re-certifications
7. Manage waiting list
8. Make timely housing assistance payments to landlords
9. Perform HQS inspections including initial inspections, follow-up re-inspections, annual inspections, and complaint inspections
10. Review utility data and adjust, as needed, the utility allowance schedule
11. Assist with tenant-landlord issues
12. Make determination of rent reasonableness
13. Closely track voucher success rate, utilization and make usage forecasts
14. Report to HUD's PIC and VMS systems
15. Provide assistance to disabled applicants with reasonable accommodation requests
16. Consistently and fairly apply policies that include fair housing and equal opportunity; income targeting; deconcentration; Violence Against Women Act (VAWA); limited English proficiency (LEP); portability; reasonable accommodations; self-sufficiency, NED Vouchers and TP Vouchers
17. Plan and implement special programs such as Family Self-Sufficiency
18. Coordinate and develop partnerships with local service providers and agencies
19. Establish and update agency Administrative Plan consistent with mandatory policies
20. Deal with all portability requirements
21. Provide referrals and housing search assistance, family or credit counseling
22. Prepare legal documents (HAP Contract; FSS Contract); review lease agreements

All other duties associated with the administration of the Voucher and Moderate Rehabilitation Programs.

3. Rent Determinations

If a family chooses a unit with a gross rent (rent to owner plus an allowance for tenant-paid utilities) that exceeds the PHA's applicable payment standard: (1) the family will pay more than the TTP, and (2) at initial occupancy the PHA may not approve the tenancy if it would require the family share to exceed 40 percent of the family's monthly adjusted income. The utility allowance for a family shall be the lower of (1) the utility allowance amount for the family unit size; or (2) the utility allowance amount for the unit size of the unit rented by the family.

The income used for this determination must have been verified no earlier than 60 days before the family's voucher was issued.

The minimum rent for this locality is \$50. A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent. For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following: (1) implementation of assistance, if approved, or (2) the decision to deny assistance.

A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

The family would be evicted because it is unable to pay the minimum rent. For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent to the owner or tenant-paid utilities.

Family income has decreased because of changed family circumstances, including the loss of employment.

A death has occurred in the family. In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

When a family requests a financial hardship exemption, the PHA must suspend the minimum rent requirement beginning the first of the month following the family's request.

The PHA then determines whether the financial hardship exists and whether the hardship is temporary or long-term. The PHA defines temporary hardship as a hardship expected to last 90 days or less. Long-term hardship is defined as a hardship expected to last more than 90 days. The PHA will require the family to repay the suspended amount within 30 calendar days of the PHA's notice that a hardship exemption has not been granted.

The PHA must make a rent reasonableness determination at initial occupancy and whenever the owner requests a rent adjustment. The owner and family first negotiate the rent for a unit. The PHA (or independent agency in the case of PHA-owned units) will assist the family with the negotiations upon request. At initial occupancy the PHA must determine whether the proposed rent is reasonable before a HAP Contract is signed. The owner must not change the rent during the initial lease term. Subsequent requests for rent adjustments must be consistent with the lease between the owner and the family. Rent increases will not be approved unless any failed items identified by the most recent HQS inspection have been corrected.

Dwelling units shall be compared by utilizing computerized reports comparing similar units. All units in the database must be issued a current rental license to ensure that all units utilized meet minimum City of Dubuque Housing Code requirements. If the proposed rent of the Assisted Housing unit is equal or less than the average rent of comparable units, it is reasonable. If the proposed rent of the Assisted Housing unit is greater than the average rent of comparable units, the rent is not reasonable, and there will have to be further negotiation with the owner. Each assisted dwelling unit shall be compared to a minimum of three unassisted units. If three comparable units cannot be found, the rent reasonableness may be based upon no less than two units with approval by supervisory staff. Rent reasonableness will be determined for Voucher

holders at initial lease up and upon owner requests of an increase in rent. Documentation of reasonable rent will be included in each participant's file.

If the HA determines that the amount of initial rent requested by the owner is not reasonable, a reasonable rent will be computed, and a counter-offer will be made to the owner. Failure by the owner to lower the rent will result in disapproval of the unit for the program.

The PHA will collect and maintain data on market rents in the PHA's jurisdiction. Information sources include newspapers, realtors, market surveys, inquiries of owners and other available sources. The data will be maintained by bedroom size and market areas. The comparability system shall take into consideration the location by comparison to same census tract or adjoining census tract; size (utilizing number of bedrooms in unit or square footage of dwelling unit); type of dwelling unit; age of unit; quality of unit*; amenities; housing services provided; maintenance provided; and utilities. *Note: Quality of unit shall be determined to be standard for all units issued a City of Dubuque Rental License. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database.

Payment Standards

HUD allows Housing Agencies the authority to set the Voucher Payment Standards for units at levels between 90 percent and 110 percent of the published Fair Market Rents for the appropriate unit sizes. Each year HUD publishes Fair Market Rents for the Dubuque Metropolitan Area. Each year the PHA will review the Fair Market Rent data to ensure the Voucher Payment Standard is within the range allowed by HUD. Unless the Voucher Payment Standards fall below 90% of the Fair Market Rents, the payment standards will be changed effective January 1 of the following year in an attempt to keep the standards as close to the at 90% of the Fair Market Rents as possible. Changes to payment standard amounts will be effective on January 1st of every year unless, based on the proposed FMRs, it appears that one or more of the PHA's current payment standard amounts will be outside the basic range when the final FMRs are published falls below 90% of the FMR published. In that case, the PHA's payment standards will be effective October 1st instead of January 1st. If the PHA has already processed reexaminations that will be effective on or after October 1st, and the effective date of the payment standards is October 1st, the PHA will make retroactive adjustments to any such reexaminations if the new payment standard amount is higher than the one used by the PHA at the time the reexamination was originally processed.

The Housing Authority has established voucher payment standard amounts for all unit sizes for the City of Dubuque at 110 percent of the published fair market rent for the City of Dubuque. As part of the City of Dubuque's strategy to deconcentrate neighborhoods in poverty, HUD has approved an exception rents in Census Tracts 8.01, 8.02, 12.01, 12.02 and 12.03. The Voucher Payment Standards within the above census tracts will be set at the 110% of the 50th percentile published Rents and will be adjusted on January 1 of each year to maintain the exception payment standards of the most recent FMR data published.

Subsidy Standards

Bedroom size assignments on Vouchers will be made so that the smallest number of bedrooms needed to house a family without overcrowding shall be issued. The subsidy standards will be

consistent with space requirements under the City of Dubuque Housing Code. The subsidy standards will be applied consistently for all families of like size and composition. A child who is temporarily away from the home because of placement in foster care is considered a member of the family in determining the family unit size. A family that consists of a pregnant woman (with no other persons) must be treated as a two-person family (parent/minor child) and shall be assigned a two bedroom voucher. Any live-in aide (approved by the PHA to reside in the unit to care for a family member who is disabled) must be counted as a person residing in the household in determining the family unit size and shall be issued a separate bedroom.

In the case of a participant who shares custody of a child (or children) with a parent or guardian residing outside of the household, the child shall be included as a member of the household when considering the assignment of bedroom size if the child (or children) legally reside with the participant and is considered a household member.

Disabled household members shall be provided separate bedrooms in cases of disabled household members receiving supportive services to enhance independent living from another agency.

The bedroom size assignments on Vouchers shall be made according to the number of persons and relationship in the household. Two persons shall be assigned to each bedroom/sleeping room in cases of children or adults cohabitating and/or married.

The PHA will assign one bedroom for each two persons within the household, except in the following circumstances:

Parent(s) residing with an adult or minor child shall be allocated separate bedrooms resulting in a two bedroom Voucher. Parents who are residing with more than one adult or minor child shall be allocated Voucher size allowing for two persons per bedroom.

Adding additional persons to the household shall not increase the voucher issuance until the annual recertification or unit change, if needed, as long as adding the person does not overcrowd the current unit. The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

4. Operation and Management

A. Outreach/Marketing and Fair Housing

The Housing and Community Development Department (HCDD) has identified its internal outreach objectives as outreach, advancement, and education. We believe that our programs can benefit everyone in our community.

-Developing a Voluntary Affirmative Outreach Plan for all housing development, rehabilitation, and housing-related opportunities funded by the Community Development Block Grant Program

- Outlining an outreach program that includes special measures designed to attract those groups identified as least likely to be reached through our traditional outreach methods, while also expanding efforts designed to attract persons from the total population.

- Recognizing the community members already involved in any of our programs and encouraging them to utilize all programs and services available.

- Creating and distributing materials that educate the community on the various programs we offer, while clearly conveying the benefits our services will bring to the community as a whole.

The PHA has identified eight primary target groups/channels within this 200-mile radius where we will concentrate our outreach efforts:

1. Public Housing Authorities: We selected public housing authorities (PHA) to provide outreach materials on our Housing Choice Voucher and homeownership programs because, in most localities, the PHA is the first place that minority communities in need of assistance go to find housing opportunities and assistance. In most cases, these PHAs also operate the Housing Choice Voucher program or homeownership programs. We feel they are best equipped to provide information on our programs to potential clients who could benefit from housing opportunities in Dubuque.

2. National Association for the Advancement of Colored People (NAACP) Chapters: Traditionally, NAACP chapters were formed in cities with a population over 30,000 and were designed to protect the civil rights of minority populations and to extend to them equal opportunity under the Constitution. Most NAACP chapters today have consistent outreach programs with their membership and stakeholders that address issues in the community such as racial discrimination, unfair housing practices, and violations of civil rights. We believe that NAACP chapters in the 200-mile radius will be an excellent conduit for us to communicate and outreach about our housing opportunities and services to the minority populations in their communities.

3. Applicants purged from Dubuque's Section 8 Waiting Lists between 2009 and 2011: In its letter of findings to Dubuque, HUD found that the City's process of purging people from the waiting list resulted in disparaging impact and kept people out of the program, specifically African-Americans. We contend that there was no such intent with this process; however, we will notify all applicants on the waiting list in November and December 2009 that our waiting list is open and invite all applicants to apply. This list includes households that were purged from the waiting list and households that are not currently participating in the Housing Choice Voucher Program. Adding this activity to the City's proposed activities would potentially reach families, many of whom are African American, in the interstate area who previously wanted to live in Dubuque. We will send each individual household an invitation encouraging them to reapply and that we will mail applications upon request.

4. National Urban League: The National Urban League was formed in 1968 for the purpose of improving the economic impact and economic opportunities for minority individuals. Like the NAACP and other nonprofits, they have in place a successful outreach system to communicate with their constituents. Our plan is to solicit the National Urban League to assist us in the distribution of information on Dubuque's housing opportunities to their members and constituents. This information will explain specifically how to apply for the assisted housing program in Dubuque and will include detailed information about all homeownership opportunities, classes on improvement of credit and saving money, and information on down payment and closing cost assistance for first-time home buyers. Our information also highlights the many ways in which Dubuque is a good place to live and raise a family.

5. Social Media (i.e. Facebook and Twitter): Social media and mobile platforms, particularly Facebook and Twitter, are very effective methods of sharing information and communicating with a variety of audiences, including the populations we intend to reach through these outreach efforts. Because of the low cost involved it is an especially popular communication source used by low- to moderate income populations. For this reason and the inherent ability to share these messages, we believe social media is an excellent conduit to provide information regarding our Housing Choice Voucher and homeownership programs. The City of Dubuque and the HCDD both have Facebook pages and the City of Dubuque also manages a Twitter account. Both will continue to be utilized to help market Dubuque's housing programs to the audiences targeted by this outreach plan.

6. Mobile and Electronic Applications: Mobile phone and other wireless device applications are an increasingly inexpensive and immediate way of communicating with people. As we communicate with our current tenants, we are exploring options to allow them to access and share information concerning housing programs in Dubuque and homeownership opportunities. Additionally, we are expanding our rental assistance software to allow for the electronic submission of applications for housing programs offered in Dubuque.

7. Language Translation: In order to insure that our products and services are understood by the groups we are targeting, we will provide our outreach materials in English, Spanish, and Marshallese. We will make them available upon demand and we will also send them to our neighboring PHAs.

8. City of Dubuque Website: The City of Dubuque recently launched a new and improved website with new navigation and graphic design elements to better convey programs, information, services and emergency support to our citizens. It is also an educational tool and resource management tool. We will enhance the existing information on the website about our Housing and Community Development programs. These efforts will focus on the Housing Choice Voucher application and process as well as detailed information about Dubuque's homeownership programs. These websites are often visited by minority families and

individuals to learn about what a locality or city has to offer, and we believe could be a beneficial conduit to reach minority populations. The City website has an electronic translation service called Google Translate so a person does not need to know how to read English to read our website.

The launch date of our outreach and reaching-in campaign is on or before December 15, 2015. By that date, all eight of these methods will be in place and functioning.

The City of Dubuque has an affirmative responsibility to provide persons who are “limited English proficient” (LEP) equal opportunity for participation in the Assisted Housing Program. If any person is not fluent in English, the Housing Authority will provide an interpreter or utilize a translation service at no cost to the LEP person. The Housing Agency will take proactive steps to ensure the LEP person is able to understand the services and benefits available. The HA will continually assess the language needs of program participants and those persons on the waiting list to identify the needs of the population being served and resources available. If more than 5% of the population served or more than 100 persons are in a language group consisting of LEP persons, the HA shall ensure vital documents are translated into the appropriate language. If less than the percentage or number of persons served as stated above are in an identified language group, the HA will consider the expenses of written translations and implement if financially feasible. However, oral interpretations shall be offered as stated above. Case file information noting the language needs of each LEP applicant/participant shall be maintained in each individual’s file.

The PHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. “Reasonable steps” may not be reasonable where the costs imposed substantially exceed the benefits.

Where feasible, the PHA will train and hire bilingual staff or other known interpreters to be available to act as interpreters and translators, will pool resources with other PHAs, and will standardize documents. Where feasible and possible, the PHA will encourage the use of qualified community volunteers.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the PHA. The interpreter may be a family member or friend.

The PHA will provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 100 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or if there are fewer than 50 persons in a language group that reaches the 5 percent trigger, the PHA does not translate vital written materials, but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

If it is determined that the PHA serves very few LEP persons, and the PHA has very limited resources, the PHA will consider alternative ways to articulate in a reasonable manner a plan for providing meaningful access. Entities having significant contact with LEP persons, such as schools, grassroots and faith-based organizations, community groups, and groups working with new immigrants will be contacted for input into the process.

If the PHA determines it is appropriate to develop a written LEP plan, the following five steps will be taken: (1) Identifying LEP individuals who need language assistance; (2) identifying language assistance measures; (3) training staff; (4) providing notice to LEP persons; and (5) monitoring and updating the LEP plan.

The Violence against Women Act of 2005 (VAWA) and the HUD regulation at 24 CFR 5.2005(b) prohibit PHAs from denying an applicant admission to the HCV program “on the basis that the applicant is or has been a victim of domestic violence, dating violence, or stalking, if the applicant otherwise qualifies for assistance or admission.”

The PHA acknowledges that a victim of domestic violence, dating violence, or stalking may have an unfavorable history (e.g., a poor credit history, a record of previous damage to an apartment, a prior arrest record) that would warrant denial under the PHA’s policies. Therefore, if the PHA makes a determination to deny assistance to an applicant family, the PHA will include in its notice of denial the VAWA information described in section 16-IX.C of this plan and will request that an applicant wishing to claim protection under VAWA notify the PHA within 10 business days. If an applicant claims the protection against denial of assistance that VAWA provides to victims of domestic violence, dating violence, or stalking, the PHA will request in writing that the applicant provide documentation supporting the claim. If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the assisted unit

Documentation that the perpetrator has successfully completed rehabilitation or treatment: The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed. The victim and perpetrator must also sign or attest to the documentation.

B. PHA Staff Training

The PHA recognizes the importance of well trained staff and provides instruction to staff concerning equal opportunities, civil rights laws, and HUD’s program regulations, providing them with copies of all pertinent documents, conducting training meetings, and

maintains reviews of the PHA's actions and the results of those actions to ensure fair and equal treatment. As part of the review, the PHA will consider the appropriateness and comprehensiveness of the overall marketing plan, the ability to reach the desired segment of the lower-income population, and the effectiveness for disseminating information on the program to a cross-section of the eligible population.

All staff and members of the Housing Commission shall receive seven annual training sessions, consisting of a minimum of three (3) hours of training related to the City's duties under the Voluntary Compliance Agreement (VCA) between the US Dept of HUD and City of Dubuque.

The training shall cover topics including

1. Implementation of the VCA;
2. General nondiscriminatory requirements under Title VI, Section 109, and AFFH obligations;
3. General nondiscriminatory requirements under the Fair Housing Act.

The training shall be approved by HUD. Within thirty (30) days of each new employee's entry date of service, the City shall require new employees to review the materials provided during the previously conducted training. New employees shall participate in the regularly scheduled annual training when it occurs.

The Agreement Administrator shall maintain records of the dates the training sessions were conducted, the names and titles of people in attendance, and the agenda for the training. These records shall be included in the Status Reports submitted to HUD throughout the duration of the VCA.

C. ACCESSIBILITY OF THE APPLICATION PROCESS/PARTICIPATION

Outreach/Affirmative Fair Housing Marketing Plan

In order to ensure that information about our programs, specifically the Housing Choice Voucher and homeownership programs, reaches a sufficient minority population to remedy in measurable ways the effects of our earlier decisions described in the letter of findings, we will focus on outreach to communities that are a reasonable distance from Dubuque and that have significant minority populations. We will conduct outreach within a 200-mile radius of Dubuque, which will enable us to include portions of Iowa, Illinois, Wisconsin, Minnesota, and Missouri.

The PHA shall make good faith efforts to carry out the Program Outreach and Affirmative Fair Housing Marketing Plan and Procedures.

The PHA shall identify the segments of the eligible population which are least likely to apply for housing. The PHA has created an outreach program which includes special measures designed to attract those identified as least likely to apply and to create opportunities for all. Special outreach efforts include direct marketing to increase participation by minority populations as identified in the Executive Summary beginning on page 1. Effort will be made to communicate in writing and/or verbally with contact sources and to develop positive relationships and obtain referrals to attract targeted

groups to diversify the housing community. In an effort to track outreach efforts, the application for assisted housing shall include a question asking the applicant how the applicant became aware of the program and if the applicant is aware of outreach efforts performed by the City.

Elderly and Disabled Populations

The PHA must take steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard PHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). The PHA provides reasonable accommodation to meet the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the PHA must provide an alternate approach that provides full access to the application process. The PHA provides a full discussion of the PHA's policies related to providing reasonable accommodations for people with disabilities in its Administrative Plan that was submitted to HUD for approval.

No qualified individual with a disability shall, by reason of such disability, be excluded from application, participation or benefits of the assisted housing programs, or be subjected to discrimination. Documentation regarding the disability will be provided on a voluntary basis. Refusal to provide information regarding disability will not subject the applicant to adverse treatment; however, if the disabled person is seeking reasonable accommodation, documentation will be required. All medical information obtained shall be kept confidential, including information about functional limitations and reasonable accommodation needs.

To facilitate communication with persons with disabilities, staff to the greatest extent possible shall furnish appropriate auxiliary aids. Auxiliary aids means services or devices that are reasonably necessary to enable persons with impaired sensory, manual or speaking skills to have an equal opportunity to participate in, and to enjoy the benefits of programs and activities.

To meet the needs of persons with hearing impairments, TTD/TTY (text telephone display / teletype) communication or Relay Iowa services (<http://www.relayiowa.com/>) will be available.

To meet the needs of persons with vision impairments, large-print and audio versions of key program documents will be made available upon request. When visual aids are used in public meetings or presentations, or in meetings with PHA staff, one-on-one assistance will be provided upon request.

Additional examples of alternative forms of communication are sign language interpretation; having material explained orally by staff; or having a third party representative (a friend, relative or advocate, named by the applicant) or another interpreter hired by the PHA to receive, interpret and explain housing materials and be

present at all meetings.

When issuing a voucher to a family that includes an individual with disabilities, the PHA will include a current list of available accessible units known to the PHA and will assist the family in locating an available accessible unit, if necessary

Limited English Proficiency

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the HCV program. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin. This part incorporates the Final Guidance to Federal Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons, published January 22, 2007, in the *Federal Register*.

The PHA will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency (LEP).

LEP is defined as persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. For the purposes of this administrative plan, LEP persons are HCV applicants and participants, and parents and family members of applicants and participants.

In order to determine the level of access needed by LEP persons, the PHA will balance the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the Housing Choice Voucher program; (2) the frequency with which LEP persons come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the PHA and costs. Balancing these four factors will ensure meaningful access by LEP persons to critical services while not imposing undue burdens on the PHA.

Oral Interpretation: The City of Dubuque has an affirmative responsibility to provide persons who are "limited English proficient" (LEP) equal opportunity for participation in the Assisted Housing Program. If any person is not fluent in English, the Housing Authority will provide an interpreter or utilize a translation service at no cost to the LEP person. The Housing Agency will take proactive steps to ensure the LEP person is able to understand the services and benefits available. The HA will continually assess the language needs of program participants and those persons on the waiting list to identify the needs of the population being served and resources available. If more than 5% of the population served or more than 100 persons are in a language group consisting of LEP persons, the HA shall ensure vital documents are translated into the appropriate language. If less than the percentage or number of persons served as stated above are in an identified language group, the HA will consider the expenses of written translations and implement if financially feasible. However, oral interpretations shall be offered as stated

above. Case file information noting the language needs of each LEP applicant/participant shall be maintained in each individual's file.

The PHA will analyze the various kinds of contacts it has with the public, to assess language needs and decide what reasonable steps should be taken. "Reasonable steps" may not be reasonable where the costs imposed substantially exceed the benefits.

Where feasible, the PHA will train and hire bilingual staff or other known interpreters to be available to act as interpreters and translators, will pool resources with other PHAs, and will standardize documents. Where feasible and possible, the PHA will encourage the use of qualified community volunteers.

Where LEP persons desire, they will be permitted to use, at their own expense, an interpreter of their own choosing, in place of or as a supplement to the free language services offered by the PHA. The interpreter may be a family member or friend.

Written Translation: The PHA will provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 100 persons, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or

If there are fewer than 50 persons in a language group that reaches the 5 percent trigger, the PHA does not translate vital written materials, but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

D. Inspections

The PHA shall utilize the City of Dubuque Residential Housing Code. Any references within the Admin Plan referring to the City of Dubuque Housing Code and HQS shall be considered one and the same. Housing governed by this housing code shall meet the housing quality standards promulgated by the United States Department of Housing and Urban Development (HUD), title 24, Code of Federal Regulations, part 982.401 (a) through (n). The PHA utilizes HUD 52580 Inspection Checklist Housing Choice Voucher Program and HUD-52580-A Inspection Form Housing Choice Voucher Program. The inspection form is maintained electronically in the City of Dubuque Housing & CD Department Elite software system.. Summary of the inspection results will be sent to both the owner and the tenant and will list any deficiencies from the inspection report.

In the case of any "fail" items, a re-inspection is completed prior to approval of any payments or within the PHA specified timeframe. In the case of any "inconclusive items," further documentation of the acceptability of the items will be required, or a re-inspection will be completed to confirm acceptability of the unit. All items marked "inconclusive" are considered a fail.

Only units licensed under the Dubuque Housing Code will be acceptable. The City utilizes a Housing Code Appeals Board to conduct hearings upon application by any person aggrieved by a notice and order in connection with a violation of the housing code or of

any applicable rule or regulation issued pursuant to the housing code. However, the Appeals Board does not have the authority to over-ride federal regulations in regards to the assisted housing program. The housing code appeals board shall be comprised of seven (7) persons who shall be appointed by the city council for terms of three (3) years. All terms of office shall expire on January 11 in their respective years. Reasonable efforts should be made to obtain representation of both tenant and landlord interests in the appointment process.

The various types of inspections include: annual, biennial, alternative, move-in, move-out, complaint and special. The PHA will inspect each dwelling unit leased to an eligible family not less than biennially and at such other times as necessary to insure that the owner is maintaining the unit in accordance with City of Dubuque Housing Code and is providing the agreed upon utilities and other services. The term HQS shall also mean City of Dubuque Housing Code within the City of Dubuque. The City shall implement the use of biennial inspections to increase efficiency and make the inspection process easier for landlords and tenants. During the first year of implementation of biennial inspections, the inspection of units will be split throughout areas of the city by census tract areas or property addresses to enable a system of scheduling inspections within similar destinations for efficiency. However, at all times, the date of the last annual or biennial inspection shall be reviewed to ensure compliance with HUD regulations.

Biennial and alternative inspections do not apply to the initial unit inspection or any interim inspection. The PHA shall conduct an initial inspection, prior to entering into a HAP contract, and interim inspections, if a family, government official or other person notifies the PHA of a unit's failure to comply with City of Dubuque Housing Code (HQS).

The PHA shall conduct Special Inspections (Interim Inspections/Complaint Inspections) upon the receipt of a complaint or information received by the PHA of a problem between biennial inspections. If the information received indicates a life threatening violation, the PHA must inspect the housing unit within 24 hours of when the PHA received the notification. If the reported condition is not life-threatening, the PHA must inspect the unit within 15 days of when the PHA received the notification. In extraordinary circumstances, such as if a unit is within a Presidentially declared disaster area, HUD may waive the 24-hour or the 15-day inspection requirement until such time as an inspection is feasible. The PHA encourages both the owner and tenant to be present during biennial inspections. The PHA will send a written notification to the landlord and tenant informing them of the inspection date and time, if performed by the PHA.

The inspection report will include comments on unit conditions and will be utilized for comparison purposes at biennial inspections. It shall be the joint responsibility of the landlord and tenant to complete a move-in inspection form noting the condition of the unit within 7 days of the tenant's move-in date. While this form is not required, it is recommended for protection of the landlord and the tenant. A copy of the signed move-in inspection form shall be given to the City of Dubuque Housing & Community Development Department. Upon lease termination the landlord and tenant should schedule the date and time for a move-out inspection. Housing & Community Development Department staff will conduct the move-out inspection for assisted units under the Moderate Rehabilitation Program.

All inspections will be made to assure structures and rental units conform to the Housing Quality Standards and the Dubuque Housing Code (which uses the HUD HQS as its basis). Only units licensed under the Dubuque Housing Code will be acceptable. All deficiencies must be repaired before initial execution or renewal of a HAP Contract. Minor problems which may become HQS deficiencies are cited on the inspection report as an advisory to the owner and tenant.

Biennial inspections shall only apply to dwelling units during the term of a HAP contract. Biennial inspections shall commence for any unit under HAP contract where the PHA has conducted an inspection within the 12 months preceding the effective date of July 1, 2014 (any unit inspected July 1, 2013 or thereafter qualifies for biennial inspections).

The PHA shall utilize Alternative Inspections. The PHA will rely upon an inspection conducted under the HOME Investment Partnerships (HOME) program (under Title II of the Cranston-Gonzalez National Affordable Housing Act, 42 U.S.C. 12701 note) or housing financed via the Treasury Department's Low-Income Housing Tax Credit program (LIHTC), taking into account the standards employed by those programs. The PHA shall also rely upon an inspection performed by HUD, for example an inspection performed by HUD's Real Estate Assessment Center.

Alternative Inspections: The owner must submit a copy of the alternative inspection. The PHA shall review the alternative inspection to ensure compliance with HQS as follows:

1. If the property inspection receives a "pass" score, the PHA shall rely on that inspection to demonstrate compliance with the biennial inspection requirement.
2. If the property inspection receives a "fail" score, the PHA shall not rely on the inspection but will conduct its own inspection to comply with the biennial inspection requirement.
3. If the alternative inspection method does not utilize a pass/fail determination but lists specific deficiencies, the PHA shall review the list of the deficiencies to determine whether any cited deficiency would result in a "fail" score under HQS.
 - a. Upon review of the inspection, if no such deficiency exists, the PHA will rely on the inspection to demonstrate compliance or;
 - b. If such a deficiency does exist, then the PHA shall not rely on the inspection and will conduct its own inspection to comply with the biennial inspection requirement
4. All inspection reports shall be retained for at least three years

The PHA may not charge the family or owner for unit inspections or reinspections [24 CFR 982.405(e)]. Per City of Dubuque Ordinance 5-11, (1-18-2011) the owner/license holder may cancel a scheduled inspection one time without payment of the rescheduling fee, provided notice is provided of the cancellation not less than forty eight (48) hours prior to the scheduled inspection. If the rescheduling is necessary due to a contagious illness or other good cause as approved by supervisory staff, there will not be a rescheduling fee assessed.

E. Repayments

When an action or inaction of an owner or participant results in the overpayment of housing assistance, the PHA holds the owner or participant liable to return any overpayments to the PHA.

The PHA will enter into repayment agreements in accordance with the policies contained in this part as a means to recover overpayments.

When an owner or participant refuses to repay monies owed to the PHA, the PHA will utilize other available collection alternatives including, but not limited to, the following:

- Collection agencies
- Small claims court
- Civil law suit
- State income tax set-off program

Any amount due to the PHA by an owner must be repaid by the owner within 30 days of the PHA determination of the debt.

If the owner fails to repay the debt within the required time frame and is entitled to future HAP payments, the PHA will reduce the future HAP payments by the amount owed until the debt is paid in full.

If the owner is not entitled to future HAP payments the PHA may, in its sole discretion, offer to enter into a repayment agreement on terms prescribed by the PHA.

If the owner refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, the PHA will ban the owner from future participation in the program and pursue other modes of collection.

Any amount owed to the PHA by an HCV family must be repaid by the family. If the family is unable to repay the debt within 30 days, the PHA will offer to enter into a repayment agreement in accordance with the policies below.

If the family refuses to repay the debt, does not enter into a repayment agreement, or breaches a repayment agreement, the PHA will terminate assistance in accordance with PHA policies and will pursue other modes of collection. This policy ensures that the PHA's limited resources are being utilized by families who are willing to comply with the family obligations under the program. This policy is also consistent and mandatory under Notice PIH 2010-19 for families who have underreported or failed to report income.

Before executing a repayment agreement with a family, the PHA will generally require a down payment of a minimum of \$25. If the family can provide evidence satisfactory to the PHA that a down payment of \$25 would impose an undue hardship, the PHA may, in its sole discretion, require a lesser amount or waive the requirement.

The PHA has established the following thresholds for repayment of debts:

Amounts between \$3,000 and the federal or state threshold for criminal prosecution must be repaid within 48 months.

Amounts below \$3,000 require a minimum payment of \$25 per month unless the family can provide evidence of an undue hardship as stated below. Prior to signing a repayment agreement, the family must meet with a Family Self-Sufficiency Coordinator to review budgeting skills and to ensure payment will be made each month and shall be encouraged to join FSS program.

If a family can provide evidence satisfactory to the PHA that the threshold applicable to the family's debt would impose an undue hardship, the PHA may, in its sole discretion,

determine that a lower monthly payment amount is reasonable. In making its determination, the PHA will consider all relevant information, including the following:

The amount owed by the family to the PHA

The reason for the debt, including whether the debt was the result of family action/inaction or circumstances beyond the family's control

The family's current and potential income and expenses

The family's current family share, as calculated under 24 CFR 982.515

The family's history of meeting its financial responsibilities

Any repayment agreement between the PHA and a family must be signed and dated by the PHA and by the head of household and all adult household members (if applicable).

If a payment is not received by the end of the business day on the date due, and prior approval for the missed payment has not been given by the PHA, the PHA will send the family a delinquency notice giving the family 10 business days to make the late payment. If the payment is not received by the due date of the delinquency notice, it will be considered a breach of the agreement and the PHA will terminate assistance in accordance with the policies.

The PHA generally will not enter into a repayment agreement with a family under any of the following conditions:

The family is already under an existing repayment agreement with the PHA.

The PHA determines that the family's debt is a result of program abuse or fraud

The amount owed by the family exceeds the federal or state threshold for criminal prosecution.

F. Insufficient Funding

The PHA will determine whether there is adequate funding to issue vouchers, approve moves to higher cost units and areas, and continue subsidizing all current participants by comparing the PHA's annual budget authority to the annual total HAP needs on a monthly basis. The total HAP needs for the calendar year will be projected by establishing the actual HAP costs year to date. To that figure, the PHA will add anticipated HAP expenditures for the remainder of the calendar year. Projected HAP expenditures will be calculated by multiplying the projected number of units leased per remaining months by the most current month's average HAP. The projected number of units leased per month will take into account the average monthly turnover of participant families. If the total annual HAP needs equal or exceed the annual budget authority, or if the PHA cannot support the cost of the proposed subsidy commitment (voucher issuance or move) based on the funding analysis, the PHA will be considered to have insufficient funding.

If the PHA determines there is a shortage of funding, prior to terminating any HAP contracts, the PHA will determine if any other actions can be taken to reduce program costs. Such measures may include denying any moves to units with higher subsidies and cease issuing turnover vouchers.

If the PHA has denied requests to move due to insufficient funds, the families will be notified once any future funding is available.

In the event that the PHA decides to stop issuing vouchers as a result of a funding shortfall, and the PHA is not assisting the required number of special purpose vouchers (NED families, Tenant Protection families), when the PHA resumes issuing vouchers, the PHA will issue vouchers first to the special purpose voucher families on its waiting list until it has reached the required number of special purpose vouchers, when applicable.

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

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

The PHA will inform the family of its policy regarding moves denied due to insufficient funding in a letter to the family at the time the move is denied.

If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, the PHA will terminate HAP contracts as a last resort.

Prior to terminating any HAP contracts, the PHA will inform the local HUD field office. The PHA will terminate the minimum number needed in order to reduce HAP costs to a level within the PHA's annual budget authority.

If the PHA must terminate HAP contracts due to insufficient funding, the PHA will do so in accordance with the following criteria and instructions:

Families will be contracted for any voluntary withdrawals from the program.

After the PHA reviews the voluntary withdrawals, the PHA will then consider terminating assistance starting with the families who have violated program requirements in the past twelve months but have been allowed to remain on the program, rather than families who have fulfilled their family obligations. The policy shall take into account the severity of a violation when determining the order in which families should be terminated. Those who commit a more serious violation such as intentionally under-reporting income, or engaging in criminal activity, drug use or alcohol abuse that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents, will be terminated prior to those who commit a less serious violation such as failing to report the birth of a child within the PHA's required time frame.

Within each group below, the PHA will terminate HAP contracts according to the date the PHA first notified the family of the debt, starting with the most recent. If more than one family received notice on the same day, the PHA will rank the notices for that date using a random method.

First, the PHA will terminate families who owe the PHA money but are not yet under repayment agreement.

Second, the PHA will terminate families who owe the PHA money, are under repayment agreement, but have made at least one late payment.

Third, those who are single, not elderly or disabled or enrolled in the Family Self-Sufficiency program will be among those who are terminated.

Families comprising the required number of special purpose vouchers, including nonelderly disabled (NED), Project-Based Vouchers, and Family Self-Sufficiency Participants will be the last to be terminated.

G. Termination of Benefits

The PHA will terminate assistance if any household member has been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing or if there is probable cause that a family member has been manufacturing or producing methamphetamine on the premises of an assisted housing unit (including the building or complex in which the unit is located and the associated common areas and grounds, the assistance will be terminated. The adult household members and any household member involved shall be permanently terminated from participation in the Housing Choice Voucher and Moderate Rehabilitation programs.

The PHA will terminate a family's assistance if any household member is subject to a registration requirement under a sex offender registration program. The PHA will terminate a family's assistance if any household member is charged with or convicted of sexual abuse, sexual assault or any other type of criminal sexual activity involving a minor child.

The PHA will terminate a family's assistance if any household member is currently engaged in any illegal use of a drug, or has a pattern of illegal drug use that interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents. The PHA will terminate a family's assistance if any household member engages in drug-related activities in the unit or on the premises. "Premises" is defined as the building or complex in which the dwelling unit located, including common areas and grounds.

The PHA will terminate assistance if any household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

Currently engaged in is defined as any use of illegal drugs, possession of drug paraphernalia or alcohol abuse within the previous six months from the date the PHA provides written notice to the family while participating in any assisted housing program, unless the family member is currently receiving treatment or has completed treatment after the above stated usage in a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime is no longer living in the household.

Interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents shall mean actions of illegal drug usage or alcohol abuse by any household member in the dwelling unit or on the premises.

The PHA will consider all credible evidence, including but not limited to, any record of police reports, arrests, convictions, or eviction of household members or occurrences in the unit or on the premises related to the use of illegal drugs or abuse of alcohol.

The PHA will terminate a family's assistance if any household member has violated the family's obligation not to engage in any drug-related or violent criminal activity during participation in any assisted housing program within the City of Dubuque as evidenced by:

- Two or more convictions from separate incidents classified as simple misdemeanor or equivalency within a twelve-month period prior to the date the PHA provides notice to the family
- A conviction that is classified as a serious misdemeanor/aggravated misdemeanor or equivalency within a three-year period prior to the date the PHA provides notice to the family
- A felony conviction or equivalency within a seven-year period prior to the date the PHA provides notice to the family.
- Any arrests for forcible felony as defined by the Iowa Code 702.11

Deferred judgment shall constitute a guilty conviction.

The PHA will terminate a family's assistance if any household member engages in drug-related or violent criminal activity in the unit or on the premises

The PHA will terminate a family's assistance if any family member engages in any drug-related or violent criminal activity that interferes with the health, safety, or right to peaceful enjoyment by other residents.

Interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents shall mean actions of drug-related or violent criminal activity by any household member in the dwelling unit or on the premises.

The PHA will consider all credible evidence, including but not limited to, any record of police reports, arrests and/or convictions of household members or occurrences in the unit or on the premises related to drug-related or violent criminal activity, and any eviction or notice to evict based on drug-related or violent criminal activity.

The PHA will not terminate a family's assistance because of the family's failure to meet its obligations under the Family Self-Sufficiency program.

The PHA will terminate a family's assistance if:

The family has failed to comply with any family obligations under the program. Any family member has been evicted from federally-assisted housing in the last three years.

Any family member has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.

The family currently owes rent or other amounts to any PHA in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs.

The family has not reimbursed any PHA for amounts the PHA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease.

The family has breached the terms of a repayment agreement entered into with the PHA.

A family member has engaged in or threatened violent or abusive behavior toward PHA personnel. While recognizing that program clients often experience frustration in relating to program requirements, the PHA also requires a standard of conduct. All persons are to be treated with respect. Any person using profanity or raising his/her voice to the point of disrupting the office will be asked to refrain from such usage, asked to leave the office, or will be determined ineligible and benefits will be terminated if the request to stop is ignored. These types of behavior will be considered abusive.

Abusive or violent behavior towards PHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

Threatening refers to oral or written threats or physical gestures that communicate intent to abuse or commit violence.

The PHA will use the concept of the preponderance of the evidence as the standard for making all termination decisions. Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

The PHA will consider the circumstances when deciding whether to terminate assistance. When considering the circumstances and reviewing alternative choices to termination of assistance, two staff members, one staff consisting of an FSS Coordinator or Circles® Initiative staff, will meet to make the decision prior to proposal of termination to consider whether there are other alternatives that can be presented.

The PHA will consider the following factors when making its decision to terminate assistance:

The seriousness of the case, especially with respect to how it would affect other residents
The effects that termination of assistance may have on other members of the family who were not involved in the action or failure to act
The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities or a victim of domestic violence, dating violence, or stalking
The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

The PHA will require the participant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

In the case of program abuse, the dollar amount of the overpaid assistance and whether or not a false certification was signed by the family.

In the case of non-compliance with HQS by the family, consideration will include whether the non-compliance consists of safety, life threatening conditions and/or if the family has submitted a plan of action to correct the deficiency.

In determining whether a program participant who is a victim of domestic violence, dating violence, or stalking is an actual and imminent threat to other tenants or those employed at or providing service to a property, the PHA will consider the following, and any other relevant, factors:

- Whether the threat is toward an employee or tenant other than the victim of domestic violence, dating violence, or stalking

- Whether the threat is a physical danger beyond a speculative threat

- Whether the threat is likely to happen within a short period of time

- Whether the threat to other tenants or employees can be eliminated in some other way, such as by helping the victim relocate to a confidential location or seeking a legal remedy to prevent the perpetrator from acting on the threat

If the participant wishes to contest the PHA's determination that he or she is an actual and imminent threat to other tenants or employees, the participant may do so as part of the informal hearing.

The PHA will terminate assistance to a family member if the PHA determines that the family member has committed criminal acts of physical violence against other family members or others. This action will not affect the assistance of the remaining, nonculpable family members.

H. Record Keeping for Termination of Assistance

The PHA will provide a bi-annual report of all families who have had their assisted housing benefits terminated or proposed to be terminated to HUD including data on race, national origin, address, age of applicants, familial status and disability.

The report shall include the specific activity or occurrence identified by the PHA in making the determination to propose participation be terminated or families whose participation has been terminated, how the PHA learned of the activity or occurrence, and what if any, alternate option or information was provided to the family at the time of termination.

Ineligibility due to Criminal Background: The PHA will track and report all families whose participation has been proposed to be terminated and families whose participation has been terminated in the bi-annual report. The report shall include the specific activity or occurrence identified by the PHA in making the determination, how the PHA learned of the activity or occurrence, and a copy of the proposed or termination notice or other information provided to the family at the time of proposed termination or termination notice shall be provided to HUD.

I. Grievance Procedures (24 CFR 982.554 (applicant) 982.555 (participant))

The PHA will only offer an informal review to applicants for whom assistance is being denied. Denial of assistance includes: denying listing on the PHA waiting list; denying or withdrawing a voucher; refusing to enter into a HAP contract or approve a lease; refusing to process or provide assistance under portability procedures.

Any previous participant or applicant that had been determined to be ineligible for Assisted Housing that was notified in writing of the reason for his/her ineligibility and of his/her right to request an Informal Review/Hearing shall be held accountable to the terms and time limits of the previous notice or decision letter.

A request for an informal review must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA's denial of assistance. Exceptions for requesting an informal review in writing may be granted for limited English proficiency, disabled individuals or for reasonable accommodations.

The PHA must schedule and send written notice of the informal review within 10 business days of the family's request.

The family may request to reschedule a review 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 review must be made orally or in writing prior to the review date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the review.

Upon notification in advance with at least 24 hours' notice on any party's unavailability to attend a scheduled review, the review will be rescheduled one time only without justification of the need to reschedule. After the review 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 applicant to attend the review must be provided within 24 hours of the review along with third party verification of the situation. The review officer will have the sole discretion to decide if the request is legitimate and with good cause.

In rendering a decision, the PHA will evaluate the following matters:

Whether or not the grounds for denial were stated factually in the notice to the family.

The validity of the grounds for denial of assistance. If the grounds for denial are not specified in the regulations, then the decision to deny assistance will be overturned.

The validity of the evidence. The PHA will evaluate whether the facts presented prove the grounds for denial of assistance. If the facts prove that there are grounds for denial, and the denial is required by HUD, the PHA will uphold the decision to deny assistance. If the facts prove the grounds for denial, and the denial is discretionary,

the PHA will consider the recommendation of the person conducting the informal review in making the final decision whether to deny assistance.

The PHA will notify the applicant of the final decision, including a statement explaining the reason(s) for the decision. The notice will be mailed within 10 business days of the informal review, to the applicant and his or her representative, if any, along with proof of mailing.

If the decision to deny is overturned as a result of the informal review, processing for admission will resume.

If the family fails to appear for their informal review, the denial of admission will stand and the family will be so notified.

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

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

- The proposed action or decision of the PHA.
- A brief statement of the reasons for the decision, including the regulatory reference.
- The date the proposed action will take place.
- A statement of the family's right to an explanation of the basis for the PHA's decision.
- A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.
- A deadline for the family to request the informal hearing.
- To whom the hearing request should be addressed.

A copy of the PHA's hearing procedures or written explanation of hearing procedures. Without this information, the family will be unable to properly prepare for the hearing. Providing this information as a matter of policy provides assurance that the PHA has done all it can to inform the family of their rights and responsibilities in the hearing process.

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, 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 schedule and send written notice of the informal hearing to the family within 10 business days of the family's request.

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.

The family will be allowed to copy any documents related to the hearing at the family’s expense. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date

The PHA must be given an opportunity to examine at the PHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, the PHA will automatically mail a letter to the participant requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.

The PHA has designated the following to serve as hearing officers:

- Director of the PHA or his/her designated individual including the Assisted Housing Supervisor
- Hearings may be attended by a hearing officer and the following applicable persons:
- A PHA representative(s) and any witnesses for the PHA
- The participant and any witnesses for the participant
- The participant’s counsel or other representative
- Any other person approved by the PHA as a reasonable accommodation for a person with a disability
- Any person attending the hearing as an interpreter due to a disability or Limited English Proficiency

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

Oral evidence: the testimony of witnesses

Documentary evidence: a writing which is relevant to the case, for example, a letter written to the PHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.

Demonstrative evidence: Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

Real evidence: A tangible item relating directly to the case.

Hearsay Evidence is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If either the PHA or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

In rendering a decision, the hearing officer will consider the following matters:

PHA Notice to the Family: The hearing officer will determine if the reasons for the PHA's decision are factually stated in the Notice.

Discovery: The hearing officer will determine if the PHA and the family were given the opportunity to examine any relevant documents.

PHA Evidence to Support the PHA Decision: The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support the PHA's conclusion.

Validity of Grounds for Termination of Assistance (when applicable): The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and PHA policies. If the grounds for termination are not specified in the regulations or in compliance with PHA policies, then the decision of the PHA will be overturned.

The hearing officer will issue a written decision to the family and the PHA no later than 10 business days after the hearing. The report will contain the following information:

Hearing information:

Name of the participant;

Date, time and place of the hearing;

Name of the hearing officer;

Name of the PHA representative; and

Name of family representative (if any).

Background: A brief, impartial statement of the reason for the hearing.

Summary of the Evidence: The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

Findings of Fact: The hearing officer will include all findings of fact, based on a preponderance of the evidence. Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Conclusions: The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold the PHA's decision.

Order: The hearing report will include a statement of whether the PHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct the PHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct the PHA to restore the participant's program status.

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of the PHA will take effect and another hearing will not be granted.

The PHA will mail a "Notice of Final Decision" including the hearing officer's report to the participant and their representative. This notice will be sent by first-class mail, postage pre-paid. The participant will be mailed the original "Notice of Final Decision". A copy of the "Notice of Final Decision" will be maintained in the PHA's file.

J. Guest Policy

It is the intent of the PHA to avoid instances of program abuse in which an individual receives the benefit of the HCV assistance on a continuing basis, but the family does not report the individual's income. However, it is not the intent of the PHA to infringe on a family's ability to have legitimate guests.

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. Requests should be made in writing when possible and approved by the PHA prior to the individual moving into the unit.

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

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure is expected to last 40 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

6. Designated Housing for Elderly and Disabled Families

Public Housing Only- not applicable

7. Community Service and Self-Sufficiency

The City of Dubuque's Family Self-Sufficiency Program is designed to use stable housing as a platform for families to gain skills and create positive momentum in their lives that will lead to lasting, sustainable change for themselves and their families. The objective of the FSS program is to enable participating low-income individuals/families to increase their earned income and reduce their dependency on welfare assistance and rental subsidies. Under the FSS program, individuals/families are provided opportunities for education, job training, transportation, child care, employment, financial literacy, counseling and other forms of assistance, while living in assisted housing units, so they can obtain skills necessary to achieve self-sufficiency. Three coordinators serve an average of 148 families per fiscal year.

Bridges Out of Poverty is a training based off of the work of Dr. Ruby Payne. It provides insight for middle and upper class individuals about the "hidden rules" of each socio-economic class and how these unspoken rules can serve as barriers to effective communication. Bridges Out of Poverty is open to the public and provides training to individuals, agencies, and businesses. To date, over 1,500 community members have been trained in Bridges principles.

Getting Ahead in a Just-Gettin'-By World is a 16-20 week curriculum offering step-by-step life planning lessons while exposing the hidden rules of economic class culture. It is designed to teach families and individuals who are experiencing poverty how they can create the path to a stable, secure future for their family. The Getting Ahead workbook is based on Philip DeVol's *Getting Ahead in a Just-Gettin'-by-World: Building Your Resources for a Better Life*. Over 200 community members have graduated from Getting Ahead to date.

The Dubuque Circles® Initiative is part of an innovative national movement that connects volunteers and community leaders to families wanting to make the journey out of poverty. Volunteer Allies help families break the cycle of poverty by sharing their time and friendship. There are barriers that keep even the most motivated from achieving prosperity, but Circles

breaks down these barriers by expanding opportunity and support for families as they create their own paths to stability. It encourages growth from people of all financial classes and engages the community as a whole, so we can work together to create deep and lasting change in Dubuque. Individuals who graduate from Getting Ahead have the opportunity to become Circle Leaders. These Leaders put their plans into action, with the support of 2-5 volunteer Allies. The group works to achieve goals, volunteer in the community, assist in the planning and organizing of Circles, all while building friendship along the way. Many of our Circle Leaders eventually go on to become Allies, often after years of hard work to permanently get out of poverty. To date, there are 20 active/completed Circle Leaders. One cohort of Circle Leaders increased their annual earned income from an average of \$7,200 prior to joining Circles to \$45,112 after 18 months of participation in the program.

8. **Safety and Crime Prevention**: Public Housing Only- not applicable

9. **Pets**: Public Housing Only- not applicable

10. **Civil Rights Certification**

The Housing Authority will not discriminate on the basis of: race, color, national origin, religion, sex, familial status, or disability. The Housing Authority shall implement its program and format its policy to fully comply with all Federal, State and local nondiscrimination laws and to conduct business in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing and employment.

In the event an applicant or participant believes he or she has been discriminated against in seeking housing, the Housing Authority shall advise that person of his or her right to file a formal complaint under one or more of the above laws. HUD FORM-903 Housing Discrimination Complaint forms are available for the public at the City of Dubuque Housing & Community Development Department and are located in the lobby along with a posting notifying persons of the right to file a complaint. The Housing Authority shall assist that person in completing the HUD FORM-903 (Housing Discrimination Complaint), if desired, and forward it to the HUD Regional office in Kansas City. Additionally referrals will be made to the City of Dubuque Human Rights Department.

HUD-1260-FHEO (1) - Fair Housing pamphlets are available to the public and are provided to each person in the briefing packet.

The HA will not discriminate against any applicant or resident because of race, color, creed, national or ethnic origin or ancestry, religion, sex, age, disability, gender identity, sexual orientation or familial status; nor will any criteria be applied, nor information be considered, pertaining to attributes or behavior that may be imputed by some to a particular group or category. All criteria applied and information considered in administering this plan shall relate to the attributes and behavior of the individual members of the household.

The HA shall not, on account of race, creed, color, sex, age, disability, religion, or familial status deny to any family the opportunity to apply for assistance or deny any eligible applicant the opportunity to lease a housing unit suitable to its needs

The City of Dubuque Housing Authority is fully committed to providing reasonable accommodations to its applicants and participants with handicaps or disabilities.

The HA provides Voucher holders and Moderate Rehabilitation tenants information on Federal/State/local laws regarding housing discrimination and any recourse available. Such information will be made available as part of the briefing session, and all applicable Fair Housing Information and Discrimination complaint forms will be made part of the Voucher holders' packet. The HA will provide referrals and information to applicants and participants about local organizations which provide assistance in filing discrimination complaints.

The City of Dubuque has an affirmative responsibility to provide persons who are "limited English proficient" (LEP) equal opportunity for participation in the Section 8 Assisted Housing Program. If any person is not fluent in English, the Housing Authority will provide an interpreter or utilize a translation service at no cost to the LEP person. The Housing Agency will take proactive steps to ensure the LEP person is able to understand the services and benefits available. The HA will continually assess the language needs of program participants and those persons on the waiting list to identify the needs of the population being served and resources available. If more than 5% of the population served or more than 100 persons are in a language group consisting of LEP persons, the HA shall ensure vital documents are translated into the appropriate language. If less than the percentage or number of persons served as stated above are in an identified language group, the HA will consider the expenses of written translations and implement if financially feasible. However, oral interpretations shall be offered as stated above. Case file information noting the language needs of each LEP applicant/participant shall be maintained in each individual's file.

If any person is disabled and requires special assistance due to the nature of a disability, extra efforts shall be made by the HA to assist with any reasonable requested need.

It is also the policy of the HA to guard the privacy of individuals in accordance with the Privacy Act of 1974, and to ensure the protection of individuals' records maintained by the PHA. Therefore, the Housing Authority shall not disclose any personal information (including, but not limited to information on any disability medical or financial) contained in its records to any person or agency unless the individual about whom the information is requested gives written consent to such disclosure, or as required by law. This privacy policy in no way limits the HA's ability to collect such information as it may need to determine eligibility or compute rent.

A Civil Rights Audit was conducted on the City of Dubuque HA by HUD for policies and practices that created impediments to Fair Housing during the years 2009-2010. The following are City policies and practices that operated as impediments to fair housing choice as identified by HUD in its Letter of Findings:

- The policy decision to serve local residents first through the Section 8 HCV Program in the absence of any data demonstrating that preference points were necessary to address housing

needs of individuals from within the City, County, and State before addressing those from out of state.

- The policy decision to assign an officer from the Community Oriented Policing (COP) Officers Division to the Dubuque Housing and Community Development Department (HCDD) to alleviate the workload from case workers and provide a trained individual to perform criminal background checks and investigation of complaints. The duties included criminal background checks, complaint based investigations, nuisance investigations, and verifying attendance at the City's landlord training program.
- The policy decision in December 2009 to reduce the housing voucher program from 1,076 participating families to 900 participating families by eliminating the very low income preference point allotment and to close the waitlist to only those individuals who qualified for one of the program's preference point allotments, one of which was local residency which acted as an impediment to families outside the area.
- The policy decision to appoint a Safe Community Task Force (SCTF) and consider resident suggestions without sufficient analysis of the potential impact on minority groups in a community where there is limited racial diversity.
- The purge of the wait list in 2010, resulting in the removal of 554 families of which 371 had an African American head of household. African Americans made up sixty-seven percent (67%) of those removed from the list as a result of the purge. This, in turn, impacted participation on the Housing Choice Voucher program. The participation of African Americans went from a high of 30.77% in November 2009 to a low of 20.55% in July 2011.

Note: As of January 2015, of 927 participants on the Housing Choice Voucher program, 34.09% had an African American head of household while 64.29% of those on the waitlist had an African American head of household.

The City of Dubuque HA has entered into a Voluntary Compliance Agreement (VCA) with HUD and has taken steps to ameliorate the impediments caused by these actions. The City intends to comply with Federal Civil Rights law and certifications to AFFH, insuring equal access to affordable housing throughout the City of Dubuque.

11. **Fiscal Year Audit**

See Attachment

12. **Asset Management**- Public Housing Only- not applicable

13. **Violence Against Women Act (VAWA)**

If a member of the participant household is a victim or threatened victim of domestic violence, dating violence, or stalking, the victim shall not be penalized by the HA by terminating benefits for the victim. If a member of a tenant's household engages in criminal activity directly relating

to domestic violence, dating violence, or stalking, the victim shall not be penalized by the HA with termination of benefits. Criminal activity directly relating to domestic violence, dating violence, or stalking shall not be considered a serious or repeated violation of the lease by the victim for purposes of termination of housing benefits. If the victim has moved out of the assisted dwelling unit in order to protect the health or safety of the victim, the HA will consider circumstances for issuance of a voucher and a possible move to another jurisdiction under the tenant-based program. The HA will request certification that the incident or incidents are bona fide incidents of abuse according to VAWA. The certification shall include the name of the perpetrator. Documents of supporting evidence will be requested to assist the HA in making its decision. The individual must supply documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse, in which the professional attests under penalty of perjury to the professional's belief that the incident or incidents in question are bona fide incidents of abuse, and the victim has signed or attested to the documentation or the individual must produce a Federal, State or local police or court record of the incident(s). The victim shall provide documents requested by the HA within 30 days of the request.

However, the HA shall terminate the assistance to any individual who is a member of the victim's household who engages in criminal acts of violence against other family members. The HA will honor court orders addressing rights of access to or control of the property, including civil protection orders issued to protect the victim and that are issued to address the distribution or possession of property among the household members in cases where a family breaks up. The HA will consider any extenuating circumstances.

If an applicant had previously been denied due to a family member engaging in domestic violence, dating violence, or stalking and the perpetrator is no longer in the household, the applicant may be considered if otherwise eligible. The applicant will be required to disclose living arrangements made by the perpetrator to the best of their ability and to certify that the perpetrator will not be allowed to reside or stay in the household.

Victims shall be referred to the YWCA Domestic Violence Program in an effort to assist with counseling and advocacy services. All services are free and confidential.

7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers

(d) Homeownership

The Section 8 Homeownership Program permits eligible participants in the Section 8 Housing Choice Voucher Program, including participants with portable vouchers, the option of purchasing a home with their Section 8 assistance rather than renting.

FAMILY ELIGIBILITY REQUIREMENTS for HOMEOWNERSHIP

1. The homeownership option is available to current participants who have completed an initial Section 8 lease term consisting of 12 months, do not owe monies to the City of Dubuque Housing Department or any other Housing Agency for any outstanding debts, are not in violation of their family obligations and who meet the eligibility criteria set forth below.
2. Section 8 homeownership assistance may be used to purchase the following type of homes within the City of Dubuque: single-family dwelling unit, condominium or cooperatives.
3. Each Section 8 homeownership participant must meet the general requirements for admission to the Section 8 Housing Choice Voucher Program as described in the City of Dubuque Section 8 Housing Administrative Plan. The family must satisfy all of the following initial requirements at commencement of homeownership assistance.
 - a. The family must be a first-time homeowner or not have owned a home in the last 3 years (unless member of household is disabled).
 - b. The family must satisfy the minimum income requirements. The head of household, and/or other adult who will own the home, must have a gross annual income of at least the Federal minimum hourly wage multiplied by 2,000 hours. For disabled persons, the gross annual income must be a minimum of the monthly Federal SSI benefits of an individual multiplied by 12.
 - c. The family must satisfy the employment requirements. One or more of the adult members in the family who will own the home must be employed full time (no less than an average of 30 hours a week) and has been continuously employed for at least one year prior to being eligible for the program. Elderly and disabled families may be exempt.
 - d. The family must not have defaulted on a mortgage securing debt to purchase a home under any previous HUD program.
 - e. The family must be financially capable to qualify for approved financing and be able to provide at least 3% of the purchase price as a minimum homeowner down payment.

- f. The family must attend and complete the pre-assistance Home Ownership and housing counseling program which is required by the Housing & Community Development Department.
- g. Any household member must not be related to the seller.
- h. The home must be inspected by the City Housing Rehabilitation Inspector.
- i. A certified home inspection must be completed. Cost estimated around \$300-\$350.

Home ownership is encouraged among all HCV participants, and information is given to all new participants during their oral briefing prior to receiving their voucher. Family Self-Sufficiency participants who identify homeownership as a goal receive additional support from their FSS Coordinator. The HA provides a four-part homeownership counseling program on a bi-monthly basis. The fee for this course is waived for FSS participants. The HA has also established a relationship with the local chapter of Habitat for Humanity so that HCV participants who are not eligible for a traditional loan from a financial institution have another avenue available. Twenty-nine families have moved to homeownership through the HCV Homeownership program.

Homeownership benefits the community on many levels. For the family who owns the home, it is a way to build wealth, as well as maintain stability. Known benefits of homeownership include higher educational achievement, better school attendance for children, and increased health benefits/outcomes. Homeowners have also made an investment in the community and are more likely to stay longer, have earned income (requirement for eligibility unless elderly/disabled), and invest in local businesses and organizations. Research also shows that homeowners (regardless of the assessed value of the home) are more likely to volunteer in their neighborhoods. Homeowners also generally take more pride in their properties and will maintain or improve their homes if needed. The HA has funding available for homeowner repair/rehab with the Community Development Block Grant. The HCV Homeownership Program also makes homeownership an affordable opportunity for single family Heads of Household, and full-time workers earning low wages.

On a broader level, homeownership can aid in the de-concentration of poverty, reduction in crime, and reduced public assistance. If homeowners make repairs to their home it increases property taxes, as well as increasing the value of the neighborhood, which in turn provides a financial benefit to the City. Tax breaks are available for homeowners who make repairs or improvements in targeted neighborhoods, which reduces an additional cost-burden that may arise. Additionally, substandard housing is reduced with the PHA's Rehabilitation Program.

The HA intends to maximize the program by continuing to educate participants on the opportunity of home ownership through the HCV Homeownership program, as well as the homeownership incentives available through CDBG funding including down payment assistance and home improvement resources. Additionally, the HA has a partnership with a local branch of Community Housing Initiatives, an organization that supports communities across Iowa through providing and developing affordable housing, resident engagement, and neighborhood based activities.

(e) Project Based Vouchers

The City of Dubuque has entered into a HAP Contract to administer 17 project based vouchers for an assisted housing facility. The property is located in an area that is consistent with the goals to deconcentrate poverty and expand housing opportunities. The assisted living facility assists low income elderly or disabled households who receive professional medical needs evaluations and are able to participate in a service plan that meets their needs. The units have access to a dining room that provides up to 3 nutritious meals daily, emergency response pendant system, and activity/socialization programming.

9.0 Housing Needs

The City of Dubuque Housing Agency (HA) administers the Section 8 assisted housing programs in Dubuque, Iowa. The primary objective of these programs is to provide decent, safe, sanitary and affordable rental housing for low income households and to provide these households with greater opportunities and choices.

9.1 Strategy for Addressing Housing Needs

A. Housing Needs of Families on the Section 8 Tenant- Based Assistance Waiting List

Housing Needs of Families on the PHA's Waiting list			
Waiting list type: (select one) <input checked="" type="checkbox"/> Section 8 tenant-based assistance <input type="checkbox"/> Public Housing <input type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/sub jurisdiction:			
	# of families	% of total families	Annual turnover
Waiting list total	1288		494 were removed from waiting list in CY 2014 including voucher issuance and determinations of ineligibility
Extreme low income <=30% AMI	1114	87%	
Very low income (>30% but <=50% AMI)	174	13%	
Low income (>50% but <80% AMI)	0	0	
Families with children	792	61.49%	
Elderly families	57	4.43 %	
Families with Disabilities	147	11.41 %	
Single	292	22.67%	
American Indian/Alaska Native	3	0.23%	
Asian	3	0.23%	
Native Hawaiian/Other Pacific Islander	15	1.16%	
African American/Black	828	64.29%	
White	439	34.08%	
Latino/Hispanic	32	2.48%	
Not Latino/Not-Hispanic	21	97.52%	

Jan.2015 waiting list data

B. Participant Statistical Summary Housing Choice Voucher Program- Jan 2015 Data

Number of Heads of Household		
Household Size	Total Families	%
1	438	47.25%
2	192	20.71%
3	146	15.75%
4	77	8.31%
5	48	5.18%
6	17	1.83%
7	6	0.65%
8 or more	3	0.32%
Total Families:	927	100.00%

Racial Composition of Household		
Primary Race (Non Hispanic)	Total Families	%
White	590	63.65%
Black/African American	316	34.09%
American Indian/Alaska Native	1	0.11%
Asian	4	0.43%
Native Hawaiian/Other Pacific Islander	16	1.73%
Total (Non Hisp) Families:	927	100.00%

Citizenship Composition of Head of Household		
Citizenship	Total Members	%
Ineligible NonCitizen	0	0.00%
Eligible Citizen	923	99.57%
Eligible NonCitizen	4	0.43%
Total Citizenships:	927	100.00%

Ethnicity Composition of Heads of Household		
Ethnicity	Total Families	%
Non Hispanic	908	97.95%
Hispanic	19	2.05%
Total Families:	927	100.00%

Household Gross Income		
Gross Income	Total Families	%
0 - 4,999	171	18.45%
5,000 - 9,999	298	32.15%
10,000 - 14,999	253	27.29%
15,000 - 19,999	104	11.22%
20,000 - 24,999	50	5.39%
25,000 - 34,999	46	4.96%
35,000 - 44,999	3	0.32%
45,000 - 999,999	2	0.22%
Total Families:	927	100.00%

Number of Children in Household		
Number Children	Total Families	%
0	476	51.35%
1	184	19.85%
2	129	13.92%
3	83	8.95%
4	38	4.10%
5	14	1.51%
6	1	0.11%
7	2	0.22%
Total Families	927	100.00%

Head of Household Status		
Status	Total Members	%
Non Elderly/Non Disabled	466	50.27%
Elderly/Non-Disabled	75	8.09%
Non Elderly/Disabled	294	31.72%
Elderly/ Disabled	92	9.92%
Total Members:	927	100.00%

Voucher/Bedroom Size		
Size	Total Families	%
0	69	7.44%
1	373	40.24%
2	270	29.13%
3	182	19.63%
4	30	3.24%
5	3	0.32%
Total Families:	927	100.00%

9.1 Strategies

The HUD LOF states: The number of individuals on the waitlist was impacted by the actions taken by the City in 2009-2010, including the closing of the wait list, and the purge in early 2010, which removed 582 families from the waitlist, 387 of whom were African American, approximately 67%. Whenever identifying needs, the City will ensure the allegations and findings in the HUD LOF, will be addressed and corrected.

The waiting list has since been reopened, and from January 1, 2014-August 29, 2014, there were 494 families pulled from the waiting list to determine eligibility and issue vouchers.

1. Need: Shortage of affordable housing for all eligible populations

Strategy #1: Maximize the number of affordable units available to the PHA within its current resources by:

- Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- Increase or maintain lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- Increase or maintain Section 8 lease up rates by encouraging owner acceptance of program

- Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- Support HOME programs through the City of Dubuque Rehabilitation activities and continue Section 8 Homeownership program. All HCV participants desiring to enroll in the Homeownership Made Easy classes attend free of charge.
- Any change in lease up rates that would result in a decrease in the number of vouchers utilized must be proposed and approved by HUD

Strategy #2: Carry out the actions in the Voluntary Compliance Agreement of 2014 to bring PHA into compliance with and ameliorate the impacts of the policies from 2009-2010 that lead to the Findings of Noncompliance with Title VI of the Civil Rights Act.

On June 20-24, 2011, staff from HUD's Office of Fair Housing and Equal Opportunity (FHEO) completed a civil rights related program review of the City's Housing and Community Development Department. The review focused on policies that were primarily implemented in late 2009 and early 2010 that limited the participation of African American participants in the program. The review team collected demographic data on Section 8 program participants, including wait list information, applicant resolution information, and voucher utilization. The team further collected and reviewed information available through public record, including city meeting minutes, committee meeting minutes, and newspaper articles. Finally, the team collected policies, plans, and reports such as the City's Consolidated Plan and the PHA's wait list admission policies.

As a result of the compliance review, HUD issued a Letter of Findings (LOF) on June 17, 2013. The LOF alleged that the PHA discriminated against African Americans based on race by taking the actions of freezing voucher issuance, establishing local residency preference points, eliminating the very-low income preference, and purging the wait list. The City denies discriminating against African American applicants to the program. However, the City has agreed to enter into a Voluntary Compliance Agreement to ensure continued compliance with its responsibilities under Title VI and its implementing regulations, as well as the City's AFFH obligations and compliance with the PIH Program Requirements.

- Take actions to meet the provisions detailed within the Voluntary Compliance Agreement.

2. Need: Specific Family Types: Families at or below 30% of median

Strategy: Target available assistance to families at or below 30% of AMI

- Encourage enrollment in FSS to support and encourage work
- Provide listings of available Mod Rehab and HOME units

3. Need: Specific Family Types: Families at or below 50% of median

Strategy: Target available assistance to families at or below 50% of AMI

- Encourage enrollment in FSS to support and encourage work
- Provide listings of available Mod Rehab and HOME units

4. Need: Specific Family Types: The Elderly

Strategy #1: Target available assistance to the elderly

- Collaborate efforts and funding resources with area agencies
- Increase awareness of assisted housing benefits
- Maintain collaborative services with elderly service agencies/apartment complexes
- Continue referrals to elderly apartments/complexes designed to assist lower income household
- Increase opportunities for the elderly with special needs to maintain an independent lifestyle by providing Project Based Vouchers at an assisted living facility (17 Vouchers)

5. Need: Specific Family Types: Families with Disabilities

Strategy #1: Assist families with disabilities in locating suitable housing.

- Affirmatively market to local non-profit agencies that assist families with disabilities
- Actively participate in Fair Housing Planning and identification of impediments to Fair Housing Choice
- Encourage owners to make dwelling units accessible
- Advise disabled participants of monies that are available for their landlords to modify units for accessibility purposes through the City of Dubuque Rehabilitation Activity.

6. Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy #1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

- Continue to participate and support community agencies/groups/organizations to provide Fair Housing Act information and support
- Continue Fair Housing awareness, outreach, and training
- Increase awareness and understanding of the issues facing special populations as well as persons with low and moderate incomes

- Provide marketing to minority races and ethnicities, specifically to African Americans, including marketing on the Homeownership Program and corollary self-sufficiency programs.

Strategy #2: Conduct activities to affirmatively further fair housing

- Counsel Section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to located those units
- Market the Section 8 program to owners outside of areas of poverty/minority concentrations
- Participate and encourage training of staff and landlords in Fair Housing Laws
- Participate and encourage training of tenants in Fair Housing rights.

Reasons for Selecting Strategies: list all that influenced the PHA's selection of the strategies it will pursue:

- The need to address and correct the allegations and findings contained in the LOF.
- Funding constraints
- Staffing constraints
- Extent to which particular housing needs are met by other organizations in the community
- Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA
- Influence of the housing market on PHA programs
- Community priorities regarding housing assistance
- Results of consultation with local or state government, with residents and the Resident Advisory Board, and with advocacy groups
- Results of a Fair Housing Planning Guide for the City of Dubuque
- Discussions with the City's Housing Commission
- Feedback from the community

10.0 Additional Information

(a) Progress in Meeting Mission and Goals

Due to the Letter of Findings (LOF) of Noncompliance under Title VI of the Civil Rights Act that was received in June 2013 for activities occurring in 2009-2010, and the subsequent Voluntary Compliance Agreement (VCA) that the City entered into with HUD, there is a need to address the allegations and findings contained within the LOF. The goals that have been identified by the City to address these issues are included in section 5.2 of this document, and many steps have already been taken towards reaching these goals.

Goal: Ensure equal opportunity in Housing for all eligible families and affirmatively further fair housing.

Progress/Achievement: The Housing Commission voted to eliminate local residency preference points on December 4, 2012. While minority participation in the program and on the waiting list has varied, it decreased following the implementation of policy changes in 2009 and 2010. The waiting list has since been opened and African American families constitute 64% of applicants currently on the list. The HA also mails application packets to individuals and families interested in applying for a voucher. Additionally, 494 individuals were pulled from the waiting list from January 1-August 29, 2014 to verify information, determine final eligibility and issue vouchers.

An objective has been added to this goal to allow minority participation to naturally fluctuate consistent with market demand and the new outreach programs and marketing plans consistent with the provisions set forth in the VCA.

All Housing Department, Human Rights Department, Planning and Zoning Department, City Manager's Office and Police Department staff members, City Council, Housing Commission, Long Range Planning Commission, Community Development Advisory Commission members, and the Mayor have received a full day of civil rights and housing law training conducted by John Marshall Law School in August 2014.

Housing staff are involved with the City's Intercultural Competency initiative, a multi-year process designed to improve the ability of City staff to work effectively across cultures with each other, and the citizens of Dubuque. Additionally, several Housing staff members are involved with the Inclusive Dubuque Initiative, a local network of community leaders from faith, labor, education, and government dedicated to advancing justice and social equity in our community. The network organizes people, identifies issues, and takes action to challenge and change social and economic structures.

Goal: Preserve and maintain existing affordable housing/expand the supply of assisted housing.

Progress/Achievement: Number of leased vouchers has increased from a low of 743 at the beginning of April 2014 to 927 as of January 1, 2015. The PHA is unable to lease beyond this number at this time because we are operating at full capacity for HAP funding available.

Partnerships have been developed with Habitat for Humanity and Community Housing Initiatives to expand housing choice and homeownership options for extremely low to low-income families. The HA continues to partner with programs that utilize CDBG funds to offer down payment assistance to first-time home buyers.

Increased rental licensing fees and the adoption of a new Housing Code could also expand the supply of assisted housing. From a business perspective, landlords would benefit from making their units available to voucher-holders because inspections fees are much lower for those units.

Goal: Improve the quality of assisted housing.

Progress/Achievement: Representatives from the Housing Department have provided interactive table displays at several community outreach events, including National Night Out and the Dubuque Kids Expo. These events are an opportunity to showcase our services in a more casual setting, and show our commitment to being involved in the community. It also allows staff to interact with participants outside the office, and answer any questions the public have about programs offered.

Goal: Increase assisted housing choices.

Progress/Achievement: The City continues to offer HUD approved exception rent areas to voucher holders, which allow families to live in higher cost areas to expand choice and deconcentrate poverty.

Twice per year, staff present to area landlords at the Successful Rental Property Management Program about the process and benefits of renting to voucher holders.

The HA has launched a new interactive Landlord Portal in January 2015 to make information about payments, inspections, and licensing more readily available to them. Landlords can also manage their unit vacancy and add their units to the Vacant Unit listing that is made available in the PHA office. The City is currently working to activate an Applicant Portal with a Participant Portal to follow for ease of use.

The rental license application/renewal has been edited to include an inquiry about whether or not landlords accept the voucher for their unit(s) they are licensing. The HA will use this information to target outreach for recruiting more landlords to rent to HCV holders.

Goal: Provide an improved living environment.

Progress/Achievements: Representatives from neighborhood associations, other City departments, local businesses and organizations, and transportation services have spoken to a group of residents on a monthly basis.

The Dubuque Circles® Initiative is a national model based on a body of research suggesting that in order for low income families to improve their situation, they must have bonding social capital within the community, bridging social capital to access the resources contained by higher income networks, and linking social capital that connects the first two with public institutions. The Circles® Initiative is a community-wide effort involving churches, schools, families and other

organizations. Circles® also mobilizes hundreds of volunteers per year to support participants in their journey out of poverty.

Goal: Promote self-sufficiency and asset development of assisted households.

Progress/Achievement: Family Self-Sufficiency continues to serve over 140 participants per year. As of January 1, 2015, 54% of families participating in FSS had income from earning wages. The average escrow paid in FYE 2014 was \$3,521.35. All FSS participants receive budget training and all are offered homeownership training.

The Circles® Initiative hosts a bi-annual class called Getting Ahead in a Just-Gettin'-By World based on the work by Phil DeVol in which individuals experiencing poverty investigate the causes of poverty in the community and the resources needed to get out of poverty. Individuals participating in this class are paid a stipend for their investigation and participation throughout the process. This stipend is directly deposited into a bank account that they set up before the class begins, and is a first step in asset development. After participants graduate from this class, they may become Circle Leaders who are matched with volunteer Allies to assist them in reaching their goals and gaining self-sufficiency. To date, 15 of 29 Circle Leaders who are currently participating or who have completed their term were/are voucher holders. Only 45% of all Circles Leaders were employed when they began the program, but the employment rate grows to 90% after 18 months participating in Circles.

Goal: Increase public awareness and support of the Family & Assisted Housing Programs

Staff provided an interactive table at the Senior Discovery Day/Exploring Housing Options Staff attends meetings/speaking engagements at area non-profit agencies and community events, such as, Project Concern, Operation New View, NAACP meetings, Black Men's Coalition meetings, Faces of Homelessness events, NICC Career Coach, Women's Giving Circle panel, BBQ in DBQ and TAG-transportation group. Staff attends monthly meetings with representatives from the Dubuque Landlord Association.

(b) Significant Amendment and Substantial Deviation

For the duration of the Voluntary Compliance Agreement between the City of Dubuque Housing and Community Development Department and HUD (until March 31, 2021), all changes to admissions policies, waiting list organization, additional programs; changes to interim rent policies and interim determinations affecting applicants and participants will be reported to HUD prior to implementation.

11.0 Required Submission for HUD Field Office Review

(f) Resident Advisory Board (RAB) comments

City of Dubuque Resident Advisory Board Membership:

Susan Fah
Charity Wonne
James Wyant, Jr.
Shirley Vogt
Teresa Stegall
Paula Ellis
David Hamilton
Pattie Breitbach
Lamin Betwell
Emery Miranda
Agnes Jones
Deborrah Saunders
Jemity Aititi
Shantae Richard
Tammy Lynch
Becky Latham
Rhonda Latham
Patrice Green
Hemrina Charlie
Lashon Evans
Lisa Eubanks

The membership of the RAB consists of individuals who reflect and represent the residents assisted by the PHA. The RAB makes recommendations regarding the development of the Administrative Policy, PHA Plan, and any amendments or modifications to the Plan. The PHA appreciates, encourages and considers all recommendations made by its RAB. Comments from previous meetings are listed below. Some of the recommendations have been incorporated in the revised Administrative Policy that also affects the PHA Plan.

Recommendations from the RAB that have been adopted into the revised Administrative Policy and PHA Plan include:

1. Termination of household benefits due to criminal activity will be based upon adult household members actions and will not include the behaviors of minor children unless the minor is tried as an adult in the court system.
2. The household is responsible for all household members' activities in the unit or on the premises when determining if there is illegal drug activity in the dwelling unit.
3. Translation services for Marshallese will be provided and the City is currently in the process of, or attempting to obtain, posters, flyers and brochures in the Marshallese language.
4. The guest policy allows for shared custody of children and also allows for longer periods of guest stays with landlord and PHA knowledge.

Resident Advisory Board Meeting Minutes
Thursday, January 16, 2014
11:30am-1:00pm
Housing Conference Room

RAB members in attendance: Becky Latham, Rhonda Latham, Pattie Breitbach, Paula Ellis, David Hamilton, Lisa Eubanks, Deena Rang, Hemrina Charlie

Staff in attendance: Maddy Cairney, Teresa Bassler, Jessica Kieffer, Tracy Doyle

Topic: Reviewing the 5-year PHA Plan

Meeting was opened with introductions.

Teresa was introduced as the speaker to give an overview of some of the proposed changes to the 5 year plan. Teresa clarified that the feedback from the participants present was very important because the proposed changes will go to the Housing Commission.

1. The first proposed change addresses the way in which we provide services to individuals with Limited English Proficiency (LEP). Teresa reviewed the current policy, then explained that the proposed policy is more proactive. Everyone agreed that the proposed changes were acceptable; no significant comments were made.
2. The second proposed change addresses preference points. Teresa explained that the proposed changes would do away with preference points and that all households would be selected by the date and time their application was completed/submitted.
 - a. There was some disagreement with this proposal from several participants. Lisa Eubanks stated that she disagreed because some people have greater needs and they should have preference points based on the situation, for example, a family with children or a family that can't work has a greater need than one person supporting him or herself. Through some discussion, the group stated that highest priorities should be given to elderly (62+), disabled, and single parents.
 - b. David asked what it means to be "displaced by code enforcement". Jessica explained that this would include things that are out of your control that the landlord may not fix right away that would make the building uninhabitable.
 - c. Lisa asked if it is required under HCV rules to have renter's insurance. Teresa replied that it was not required. Some discussion between participants followed, prompting the question of whether it should be a program requirement. No proposal was made on this point.
 - d. It was agreed that there should be more discussion on this proposed change after people have time to think about it, so we will revisit this proposed change at the February RAB meeting.
3. The next proposed change addresses applicant eligibility. Teresa explained that the proposed changes would be less stringent than before. No significant discussion followed this point.

4. The next proposed change addresses termination for participants. Teresa reviewed the current policy and instances in which a participant can be terminated. She then reviewed the proposed changes and stated that they held participants to a higher standard once you're on the program.
 - a. David asked about if there is a child in the household with misdemeanors. Teresa explained that with the proposed changes, we would not be looking at minors, and that charges are not taken into account until the household member is 18 years of age.
 - b. Lisa stated that she would like to keep juvenile charges and convictions in the plan for the safety of others. David and Pattie stated their support for what Lisa suggested. Some further discussion ensued regarding the severity of the charge/conviction and if there should be a certain age range that should be taken into account. It was discussed that juveniles ages 13-18 should be taken into consideration if they have charges/convictions.
 - c. Lisa had concerns about the language of the proposal, specifically that participants will be held responsible for household members or guests in the unit or on premises or persons under their control. The concern is that you can't control another adult. For example, if someone visits her and has drugs on their person and the police come and bust the person on the premises, she would be up for termination even if she was unaware that the person was carrying drugs. Teresa explained that in this case, if termination was proposed that she would have a chance to appeal and keep her voucher. Lisa was still uncomfortable with the language, stating that she was concerned about having to go through the process just because someone else beyond her control was being dishonest and she had done nothing wrong in this theoretical instance.
 - d. The conversation continued examining both sides of the coin for all scenarios within this point. There was still some ambiguity in the final proposal, and desire for further discussion at the February meeting.
5. The fifth proposed change addresses the bedroom size and subsidy standards. Teresa explained that the proposed change no longer considers gender when assigning the bedroom size of a unit.
 - a. Lisa asked why gender is no longer being taken into consideration. Teresa explained that this brings down the cost per unit.
 - b. Rhonda asked if there were ages outlined where boys and girls would be expected to share a room. Teresa explained that HUD says that the living room is a sleeping room, so if, for example, a mother with a son and a daughter would be issued a 2-bedroom voucher. In this example, the mother and daughter could share a room, the son and daughter could share a room, or the mother could have a room, one child could have a room, and the other child could sleep in the living room. Another option would be that the family could look for another apartment within the payment standard that may have more bedrooms.
 - c. Lisa suggested that children ages 10+ should have separate bedrooms based on gender, or that there should definitely be some kind of age limit on boys and girls sharing a bedroom. Rhonda agreed with Lisa.

- d. It was agreed that more discussion was needed on this proposed change at the February RAB meeting.
- 6. The final proposal reviewed addressed what would occur in a time of insufficient funding. Teresa explained that there was no current policy on this, but we are proposing that if we experience another sequestration or budget cuts to the program that we would utilize this policy. It was agreed that this proposal was acceptable; no significant discussion followed. Copies were made of the proposed changes and sent home with the participants for review so they can come prepared to further the discussion and make suggestions at the next meeting.

Lisa suggested that we host an “Ask a lawyer” time for residents to clarify any legal questions they may have, specifically regarding landlord/tenant law.

The next RAB meeting is scheduled for Thursday, February 20, 2014 from 11:30am-1pm in the Housing Conference Room.

Respectfully submitted by Maddy Cairney.

Resident Advisory Board Meeting Minutes
Thursday, March 20, 2014
11:30am-1:00pm
Housing Conference Room

RAB members in attendance: Pattie Breitbach, Bob Wonne, David Hamilton, Teresa Stegall, Lashon Evans, Brandy Gonnigan, Patrice Green, Albert Newman
Staff in attendance: Maddy Cairney, Teresa Bassler, Hollie Ohnesorge
Topic: PHA Administrative Plan

Meeting was opened with staff introductions.

Teresa B. began with the review of the proposed changes to the PHA Administrative Plan.

Regarding the changes towards working with LEP persons:

- Bob Wonne stated that he was attending on behalf of his wife, Charity. He suggested that it would be helpful to have a briefing in Marshallese and that it would also be helpful if the rules were translated into Marshallese. He said that he and Charity would be willing to work with us to provide some of those services.

Regarding the changes towards preference points:

- Many RAB members were concerned about doing away with all of the preference points completely. The main concern was that nondisabled single individuals would be receiving assistance when it may be more “needed” by someone else.
- David Hamilton moved to keep the preference points for elderly and disabled. Bob seconded. All were in favor; none opposed.

Regarding the changes towards Eligibility and Termination:

- No significant discussion took place.
- All agreed that the proposed changes were satisfactory.

Regarding the changes towards Unit Size:

- Concerns were made about having male and female children share a bedroom. It was explained that the living room can be considered a sleeping room. There was some discussion about someone using the living room as a sleeping room to have space for their things and privacy. The most critical topic was having children of the opposite gender sharing a room once they hit a certain age.
- Brandy Gonnigan moved to change the rule to be that children ages 10 or older of opposite gender should each have a bedroom, and the parent(s) should have a separate bedroom, with a 2 person per bedroom maximum. David seconded. All were in favor; none opposed.

Regarding Insufficient Funding:

- Teresa B. explained that there is updated information on this policy and we’ll have to revisit it next month.

Other:

- Maddy asked for feedback regarding the Housing website, and asked if anyone would like to have input on the redesign. No volunteers.
- Teresa S. asked if there were bus passes available to get to and from school. She was referred to Project Concern for Project Pass.
- Bob asked about the Free Way to Fun City bracelets that the Jule has provided for children in the past. Kids used to have to show their Medicaid card to get a bracelet. He wondered if we could distribute the bracelets to families receiving rental assistance.
 - Maddy contacted the Jule. They are no longer doing bracelets. At the end of the school year, all children under the age of 18 will be able to ride the bus for free without a bracelet. High school aged children may need to show an ID to verify that they are under 18.

Next meeting is Thursday, April 17 from 11:30am-1pm in the Housing Conference Room.

**Resident Advisory Board Meeting Minutes
3.19.2015**

Present: Pattie Breitbach, Paula Ellis, David Hamilton, Susan Fah

Staff: Maddy Cairney, Tracy Doyle, Ericka Lessears, Janet Walker

Presenter: Janet Walker, City of Dubuque Housing Department

Introductions

Janet introduced herself as the Assisted Housing Supervisor. She goes on to explain the PHA 5 year and annual plan is this year. She proceeded to discuss what changes have been made to the admin plan and ask for member input:

- For preference points for the waiting list – those have been removed and applicants will be placed on the list in order by date and time of application
- Terminations for participants will be based most serious crimes like drug, violent or alcohol abuse related crimes, aligning with HUD recommendations. Drug use doesn't need a conviction is use on premises
- Criminal activity is for adult members of the household – will only include minors turned over to adult courts
- For bedroom sizes on vouchers, no longer will gender be considered. There will be 1 bedroom per 2 persons. Change would be effective after approval by HUD, review by RAB, Adopted by Housing Commission and City Council
- There will be a minimum rent of \$50.00
- Outreach efforts have been created to reach a target within 200 miles to get word out about the housing departments programs offered and increase landlord participation in the program
- Those in a repayment agreement and default, will be terminated if they do not pay in full
- The payment standard will be changing to 90% of fair market rent – will not affect anyone until 2nd annual renewal
- Due to the short fall or insufficient funds:
 - We are no longer issuing vouchers
 - We are denying participants move if they want to move to another unit or port to another locality if the move results in a higher subsidy
 - May have to ask landlords not to increase rent this calendar year
 - Goal is to not terminate participants but if needed, there is a tier system set up for that
- Looking to ask HUD to close the waiting list
- Participants will now have to report any changes in income as when they happen- staff performing interim changes more frequently

One RAB member asked: What will the bedroom rule do to those who already live in apartments? Janet answers that at their renewal, they will be reissued at the correct bedroom size. They may not have to move but may have to pay more in their rent instead.

One RAB member stated their concern that participants may not be able to take the hit if they need to pay more in their rent.

One participant asked: Is there a time limit that someone could be on the voucher program? Janet answers no and the RAB member suggested putting a time limit on the program. Janet goes on to explain that the program is governed by Congress and the Federal government and that mandate would have to come from them.

One participant asked about the PHA's ability to assist owners of trailers. Janet explained that in most cases, the only rental costs that can be covered with a trailer are for lot rental and that generally people are over the 30% of their income threshold for the lot rental and are therefore ineligible for assistance.

Submitted by Ericka Lessears.



INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURE

We have performed the procedure described in the second paragraph of this report, which was agreed to by the City of Dubuque, Iowa (the Housing Authority) and the U.S. Department of Housing and Urban Development, Real Estate Assessment Center (REAC), solely to assist them in determining whether the electronic submission of certain information agrees with the related hard copy documents. The Housing Authority is responsible for the accuracy and completeness of the electronic submission. This agreed-upon procedure engagement was conducted in accordance with the attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States. The sufficiency of the procedure is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedure described below either for the purpose for which this report has been requested or for any other purpose.

We compared the electronic submission of the items listed in the "UFRS Rule Information" column with the corresponding printed documents listed in the "Hard Copy Documents" column. The results of the performance of our agreed-upon procedure indicates agreement of the electronically submitted information and hard copy documents as shown in the chart below.

The Housing Authority is a department of the City of Dubuque, Iowa (the Reporting Entity). We were engaged to perform an audit in accordance with OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, of the financial statements of the Reporting Entity as of and for the year ended June 30, 2014, and have issued our reports thereon dated December 18, 2014. The information in the "Hard Copy Documents" column was included within the scope, or was a by-product, of that audit. Further, our opinion on the fair presentation of the Housing Authority's Financial Data Schedule (FDS) dated March 19, 2015, was expressed in relation to the basic financial statements of the Reporting Entity taken as a whole.

A copy of the financial statement package required by OMB Circular A-133, which includes the auditor's reports, is available in its entirety from the City of Dubuque, Iowa. We have not performed any additional auditing procedures since the date of the aforementioned audit reports. Further, we take no responsibility for the security of the information transmitted electronically to the U.S. Department of Housing and Urban Development, REAC.

This report is intended solely for the information and use of the Housing Authority and the U.S. Department of Housing and Urban Development, REAC, and is not intended to be and should not be used by anyone other than these specified parties.

Dubuque, Iowa
March 30, 2015

UFRS Rule Information	Hard Copy Document(s)
Balance Sheet, Revenue and Expense (data line items 111 to 11210)	Financial Data Schedule of component unit
Footnotes (data element G5000-010)	Footnotes to audited basic financial statements of the reporting entity
Type of opinion on FDS (data element G3100-040)	Auditor's supplemental report on FDS

Financial Data Schedule (FDS)

June 30, 2014

City of Dubuque, Iowa



**Independent Auditor's Report on the Financial Data Schedule Required by the U.S.
Department of Housing and Urban Development, Real Estate Assessment Center**

To the Honorable Mayor and
Members of the City Council
City of Dubuque, Iowa

**Report on the Financial Data Schedule Required by the U.S. Department of Housing and Urban
Development, Real Estate Assessment Center**

We have audited the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Dubuque, Iowa, as of and for the year ended June 30, 2014, and the related notes to the financial statements, which collectively comprise the City's basic financial statements. We issued our report thereon dated December 18, 2014, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying Financial Data Schedule (FDS) is presented for purposes of additional analysis as required by the U.S. Department of Housing and Urban Development, Real Estate Assessment Center (REAC), and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

A handwritten signature in black ink that reads "Eide Bailly LLP".

Dubuque, Iowa
March 19, 2015

City of Dubuque (IA087)
Dubuque, IA
Entity Wide Balance Sheet Summary

Submission Type: Audited/A-133 Fiscal Year End: 6/30/2014

	14.871 Housing Choice Vouchers	14.856 Lower Income Housing Assistance Program_Section 8 Moderate	Total
111 Cash - Unrestricted	\$98,537	\$180,001	\$278,538
113 Cash - Other Restricted	\$269,407	\$0	\$269,407
100 Total Cash	\$367,944	\$180,001	\$547,945
122 Accounts Receivable - HUD Other Projects	\$4,052	\$0	\$4,052
125 Accounts Receivable - Miscellaneous	\$5,475	\$0	\$5,475
128 Fraud Recovery	\$41,918	\$1,374	\$43,292
128.1 Allowance for Doubtful Accounts - Fraud	-\$12,575	\$0	-\$12,575
129 Accrued Interest Receivable	\$1,651	\$0	\$1,651
120 Total Receivables, Net of Allowances for Doubtful Accounts	\$40,521	\$1,374	\$41,895
150 Total Current Assets	\$408,465	\$181,375	\$589,840
290 Total Assets and Deferred Outflow of Resources	\$408,465	\$181,375	\$589,840
312 Accounts Payable <= 90 Days	\$7,663	\$0	\$7,663
321 Accrued Wage/Payroll Taxes Payable	\$2,391	\$0	\$2,391
331 Accounts Payable - HUD PHA Programs	\$37,748	\$2,860	\$40,608
342 Unearned Revenue	\$14,003	\$0	\$14,003
310 Total Current Liabilities	\$61,805	\$2,860	\$64,665
353 Non-current Liabilities - Other	\$83,028	\$0	\$83,028
350 Total Non-Current Liabilities	\$83,028	\$0	\$83,028
300 Total Liabilities	\$144,833	\$2,860	\$147,693
509.3 Restricted Fund Balance	\$186,379	\$0	\$186,379
511.3 Assigned Fund Balance	\$77,253	\$178,515	\$255,768
513 Total Equity - Net Assets / Position	\$263,632	\$178,515	\$442,147
600 Total Liabilities, Deferred Inflows of Resources and Equity	\$408,465	\$181,375	\$589,840

City of Dubuque (IA087)
Dubuque, IA
Entity Wide Revenue and Expense Summary

Submission Type: Audited/A-133 Fiscal Year End: 6/30/2014

	14.871 Housing Choice Vouchers	14.856 Lower Income Housing Assistance Program_Section 8 Moderate	Total
70600 HUD PHA Operating Grants	\$4,124,309	\$71,942	\$4,196,251
71100 Investment Income - Unrestricted	\$1,662	\$0	\$1,662
71400 Fraud Recovery	\$24,075	\$0	\$24,075
71500 Other Revenue	\$47,093	\$0	\$47,093
70000 Total Revenue	\$4,197,139	\$71,942	\$4,269,081
91100 Administrative Salaries	\$532,169	\$5,400	\$537,569
91200 Auditing Fees	\$1,300	\$0	\$1,300
91500 Employee Benefit contributions - Administrative	\$243,386	\$2,459	\$245,845
91600 Office Expenses	\$36,202	\$365	\$36,567
91700 Legal Expense	\$152	\$0	\$152
91800 Travel	\$312	\$3	\$315
91900 Other	\$21,321	\$75	\$21,396
91000 Total Operating - Administrative	\$834,842	\$8,302	\$843,144
94300 Ordinary Maintenance and Operations Contracts	\$10,872	\$110	\$10,982
94000 Total Maintenance	\$10,872	\$110	\$10,982
96110 Property Insurance	\$777	\$8	\$785
96120 Liability Insurance	\$5,454	\$55	\$5,509
96130 Workmen's Compensation	\$2,119	\$21	\$2,140
96100 Total insurance Premiums	\$8,350	\$84	\$8,434
96200 Other General Expenses	\$7,321	\$8	\$7,329
96000 Total Other General Expenses	\$7,321	\$8	\$7,329
96900 Total Operating Expenses	\$861,385	\$8,504	\$869,889
97000 Excess of Operating Revenue over Operating Expenses	\$3,335,754	\$63,438	\$3,399,192
97300 Housing Assistance Payments	\$3,486,658	\$62,289	\$3,548,947
97350 HAP Portability-In	\$44,120	\$0	\$44,120
90000 Total Expenses	\$4,392,163	\$70,793	\$4,462,956
10030 Operating Transfers from/to Primary Government	\$262,497	\$0	\$262,497
10100 Total Other financing Sources (Uses)	\$262,497	\$0	\$262,497
10000 Excess (Deficiency) of Total Revenue Over (Under) Total Expenses	\$67,473	\$1,149	\$68,622

(continued)

City of Dubuque (IA087)
Dubuque, IA
Entity Wide Revenue and Expense Summary (Continued)

Submission Type: Audited/A-133 Fiscal Year End: 6/30/2014

	14.871 Housing Choice Vouchers	14.856 Lower Income Housing Assistance Program_Section 8 Moderate	Total
11030 Beginning Equity	\$196,159	\$177,366	\$373,525
11170 Administrative Fee Equity	\$77,253	\$0	\$77,253
11180 Housing Assistance Payments Equity	\$186,379	\$0	\$186,379
11190 Unit Months Available	12756	168	12924
11210 Number of Unit Months Leased	9549	157	9706

*Original Sent to Emma B.
in April.*



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Region VII
OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY
Gateway Tower II, 4th Floor
400 State Avenue
Kansas City, KS 66101-2406

April 9, 2014

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Honorable Roy D. Buol
Mayor of Dubuque
City Hall
50 West 13th Street
Dubuque, IA 52001

Dear Mayor Buol:

SUBJECT: Signed Voluntary Compliance Agreement
Regarding Civil Rights Compliance Review of the
City of Dubuque's CDBG and Section 8 Programs
Title VI Review Number: 07-11-R001-6
Section 109 Review Number: 07-11-R001-9

RECEIVED
14 APR 14 PM 1:30
City Clerk's Office
Dubuque, IA

Enclosed is one copy of the Voluntary Compliance Agreement (VCA) signed by the City of Dubuque, Iowa and the U.S. Department of Housing and Urban Development (HUD) outlining remedies to address the findings of noncompliance identified in HUD's letter to the City dated June 17, 2013. The VCA will bring the City and its HUD funded programs into compliance with its civil rights obligations under Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 C.F.R. Part 1.

We look forward to working with the City of Dubuque to fully implement the VCA. If you have any questions, please call me at 913-551-6857.

Sincerely,

A handwritten signature in black ink, appearing to read "Betty J. Bottiger".

Betty J. Bottiger
Regional Director
Region VII Office of Fair Housing
and Equal Opportunity

Enclosure

THE UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY

VOLUNTARY COMPLIANCE AGREEMENT

BETWEEN

THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

AND

DUBUQUE, IOWA

HUD COMPLIANCE REVIEW CASE NUMBER 07-11-R001-6

Dubuque, Iowa

Voluntary Compliance Agreement

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THE UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY
VOLUNTARY COMPLIANCE AGREEMENT

BETWEEN

THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

AND

DUBUQUE, IOWA

HUD COMPLIANCE REVIEW CASE NUMBER 07-11-R001-6

I. INTRODUCTION

The City of Dubuque, Iowa (the City) receives funds from the U.S. Department of Housing and Urban Development (HUD or the Department) through the Section 8 Housing Choice Voucher program (Section 8 or HCV) and the Community Development Block Grant (CDBG) program. The City's Housing and Community Development Department (HCDD) both administers and operates Section 8 and operates and distributes CDBG monies. HCDD operates corollary programs that include, but are not limited to the Family Self Sufficiency Program (FSS), and Circles Initiative.

The City is subject to various Federal civil rights laws and regulations including Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d-1 and the implementing regulations at 24 C.F.R. § Part 1 (Title VI); Section 109 of Title I of the Housing and Community Development Act of 1974, as amended, 42 U.S.C. § 5309 and the implementing regulations at 24 C.F.R. Part 6 (Section 109); and the Fair Housing Act, as amended, 42 U.S.C. §§ 3601 et seq. and its implementing regulations at 24 C.F.R. Part 100 (Fair Housing Act). Additionally, the City is obligated to affirmatively further fair housing (AFFH) pursuant to Section 104 of Title I of the Housing and Community Development Act of 1974, 42 U.S.C. § 5304, the Fair Housing Act, 42 U.S.C. § 3608(e)(5), and the regulations implementing AFFH obligations for programs administering CDBG funds at 24 C.F.R. Parts 570 and 91 and public housing programs participating in the HCV program found at 24 C.F.R. Parts 903 and 982.

On June 20-24, 2011, staff from HUD's Office of Fair Housing and Equal Opportunity (FHEO) completed a civil rights related program review of the City's HCDD which administers the City's Section 8 program and the City's CDBG program. The on-site review was conducted by Equal Opportunity Specialists from HUD's Office of FHEO, a Community Planning and Development (CPD) Representative, and a Financial Analyst from HUD's Office of Public and Indian Housing (PIH).

The review focused on policies that were primarily implemented in late 2009 and early 2010 that limited the participation of African American participants in the program. The review team collected demographic data on Section 8 program participants, including wait list information, applicant resolution information, and voucher utilization. The team further collected and reviewed information available through public record, including City meeting minutes, committee meeting minutes, and newspaper articles. Finally, the team collected policies, plans and reports such as the City's Consolidated Plan and HCDD's wait list and admission policies.

As a result of the compliance review, the Department issued a Letter of Findings on June 17, 2013, (the LOF) which is incorporated by reference in its entirety into this Agreement, concluding that the City violated Title VI in the administration of its Section 8 Program.

Additionally, on October 26, 2012, based on the evidence gathered during the compliance review, the Office of PIH withheld the City's Section 8 Management Assessment Program (SEMAP) score for the fiscal year ending June 30, 2012, due to substantial noncompliance with Program Requirements found at 24 C.F.R. §§ 985.3(n) and 982.207(b).

The City denies discriminating against African American applicants to the program. However, the City agrees to enter this Voluntary Compliance Agreement (VCA or Agreement) to ensure continued compliance with its responsibilities under Title VI and its implementing regulations, as well as the City's AFFH obligations and compliance with PIH Program Requirements.

Nothing herein shall be deemed or construed to be an admission or concession of any liability whatsoever on the part of the City, that any policy or procedure of the City had a discriminatory effect on a protected class, that the City had the intent to discriminate against anyone in a protected class, or that the City agrees with the Department's conclusions in the June 17, 2013 Letter of Findings contained herein.

II. DEFINITIONS [Add or remove definitions as necessary.]

Administrative Plan (Admin Plan) – The written plan that establishes local policies for the administration of the HCV Program in accordance with HUD requirements.

Affirmatively Further Fair Housing (AFFH) - A jurisdiction's obligation to conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take

appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard.

Affordable Housing - Housing which in general allows a household to pay no more than thirty percent (30%) of its annual income on housing. In some instances, families with lower income may pay more than this, even with financial or voucher assistance.

Analysis of Impediments to Fair Housing Choice (AI) - An analysis undertaken by the City to determine factors that prohibit or impede fair housing choice within the Recipient's jurisdiction.

Annual Action Plan (AAP) - The CDBG written plan detailing the annual objectives the City expects to achieve during the forthcoming program year and the resources to be used and activities to be undertaken in pursuit of these objectives.

Certification - A written assertion, based on supporting evidence, that must be kept available for inspection by HUD, by the Inspector General of HUD, and by the public. See 24 C.F.R. § 91.5.

City - the City of Dubuque, Iowa. Dubuque, through its Housing and Community Development Department (HCDD), administers Section 8 Housing Choice Vouchers (Section 8 or voucher program) and Community Development Block Grant Funds (CDBG). The City is a recipient of Federal financial assistance.

Consolidated Annual Performance and Evaluation Report (CAPER) - An annual review and report for jurisdictions with Consolidated Plans on the progress the jurisdiction has made in carrying out its strategic plan and its action plan. See 24 C.F.R. § 91.520.

Consolidated Plan (Con Plan) - The document submitted to HUD that serves as the comprehensive housing affordability strategy, community development plan, and submissions for funding under any of the Community Planning and Development formula grant programs (e.g., CDBG, ESG, HOME and HOPWA) that is prepared in accordance with the process described in 24 C.F.R. Part 91 Subpart C. See 24 C.F.R. § 91.5.

Effective Date - The effective date of this Agreement is the date of the last signature in Section IX.

Family Self-Sufficiency Program (FSS) - The program established by a PHA in accordance with 24 C.F.R. Part 984 to promote self-sufficiency of assisted families, including the coordination of supportive services.

Housing Assistance Payments (HAP) – The monthly assistance payment, on behalf of the family participating in the HCV program, by a PHA to the property owner, for rent to the owner under the family's lease.

Housing and Community Development Department (HCDD) Program – The City of Dubuque, Iowa's Housing Program, which operates the Section 8 Program and distributes CDBG monies.

HAP Contract – Housing assistance payments contract.

Non-housing Programs - Non-housing programs include any aid, benefit or service provided by the Recipient, policies, procedures and services whose operation contributes to the application for housing, full enjoyment of housing, and full participation in the Recipient's housing programs.

Participant (participant family) – A family that has been admitted to the PHA program and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

Public Housing Agency/Authority (PHA) - Also referred to as the Housing Authority of Dubuque (HAD), operated by the HCDD for the City with Federal funding received from HUD.

PHA Plan – The Annual Plan (AP) and the 5-Year Plan as adopted by the PHA and approved by HUD as required by 5A of the United States Housing Act of 1937 (42 U.S.C. § 1437c-1) and in accordance with 24 C.F.R. Part 903. These plans provide the framework for local accountability.

Program or Activity – All of the operations of a department, agency, special purpose district, or other instrumentality of a State or local government. For this Agreement, the program or activity encompasses all of the operations of the HCDD, the instrumentality of Dubuque, Iowa, that operates Dubuque's PHA and distributes CDBG Program funds. See 24 C.F.R § 6.3.

Undue Hardship – An undue hardship, with respect to compliance with this Agreement, means any action that would be unduly costly or disruptive or that would significantly and adversely affect the operations of the City in its day to day activities.

- a) If the City demonstrates that compliance with a provision of this Agreement would cause an undue hardship, it is still required to act if funding from an external source is available to offset the portion of the cost that would cause an undue hardship.
- b) If the City is or may be eligible to receive funds from an external source to offset the cost, the City must pursue such funds. The City may not claim cost as an undue hardship, or claim cost as a defense to noncompliance with this Agreement,

unless it has unsuccessfully pursued such funds, or an alternative source does not exist.

- c) If an undue hardship arises in the course of implementation of one or more provisions in this Agreement, the City shall propose to HUD an alternative course of action that meets the spirit of this Agreement, but which is consistent with the constraints identified by the City.
- d) The City's notice of an undue hardship to the Department shall provide:
 - (1) an analysis detailing why the cost or difficulty of implementation of the action sought is an undue hardship; (2) a detailed description of outside revenue sources pursued unsuccessfully by the City; (3) the City's proposed alternative course of action; and (4) a list of dates and times within twenty (20) business days of the date of the notice within which representatives of the City can meet (telephonically) with representatives of the Department to discuss the alternative proposals. Upon receipt of the notice of undue hardship, the Department will respond to the City to confirm or to propose an alternate date and time, within which to discuss the information provided by the City. During the meeting(s), the Department may provide alternate terms, and the City and the Department agree to discuss potential alternatives. The Department will provide concurrence or non-concurrence on the assessment of undue hardship, as well as approval or non-approval on the alternative proposal sought during the discussions between the parties, within forty-five days of the last meeting between the Department and the City.

Housing Choice Voucher (HCV) – A document issued by the PHA to a family selected for admission to the voucher program. This document describes the program and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Voucher Holder – A family holding a voucher with an unexpired term (search time).

III. GENERAL PROVISIONS

- A. This Agreement applies to all federally funded projects, developments and related facilities and programs or activities that the City, its agents, successors, and assigns or beneficiaries own, control, operate or sponsor.
- B. This Agreement does not affect the obligation of the City to have all programs, facilities, activities and policies in compliance with Title VI; Section 109; and the City's obligations to AFFH; nor does it address whether the entirety of the City's operations are in compliance.
- C. The effective date of this Agreement is the date of the last signature in Section IX. This Agreement shall be binding on all of the officers, trustees, directors, agents, employees, and successors or assigns of the City and HUD. This Agreement shall remain in effect for seven (7) years after the effective date of this Agreement. The City will provide a written letter of satisfaction for

completed items. The Department will send a written response indicating concurrence or non-concurrence to the letter of satisfaction within forty-five days.

- D. This Agreement does not increase or diminish the ability of any person or class of persons to exercise their rights under Title VI, Section 109, and/or the Fair Housing Act or any other federal, state, or local civil rights statute or authority. This Agreement does not create any private right of action for any person or class of persons not a party to this Agreement.
- E. The City agrees to refrain from discriminating against any person in violation of Title VI, Section 109; and the Fair Housing Act and to refrain from retaliating against any person who has exercised his/her civil rights; has participated in any manner with respect to the above-referenced compliance review; or participated in any manner in protecting the civil rights of the Recipient's residents.
- F. This Agreement does not affect the ability of HUD or the City to take action under appropriate statutory or regulatory authorities unrelated to issues covered by this VCA.
- G. This Agreement will be a public document when placed on the City Council Agenda. A copy of this Agreement shall be made available to any person for his/her review, in accordance with law.
- H. The City shall provide a copy of reporting data it generates to comply with this Agreement to any person, upon request, in accordance with the City's information and privacy practices and procedures and applicable law. In no event will public disclosure include personally identifiable information regarding applications or residents.
- I. The Department acknowledges receipt and approval of the City's December 5, 2012, response to the withholding of the City's SEMAP score. The City's response proposed corrective actions implemented by the City to address areas of noncompliance with Housing Choice Voucher regulations revealed during the on-site compliance review. Included in the proposed corrective actions from the City was an intention to increase the City's lease up efforts to award 1,063 vouchers on an annual basis by June 2015. The Department approved the implementation of this goal.
- J. To the extent that any prior HUD guidance (written or oral) in the form of waivers, administrative decisions, letters, opinions, or similar guidance regarding the City's obligations, responsibilities, or technical requirements under Title VI, Section 109, and/or the Fair Housing Act, conflicts with this Agreement, this Agreement is the controlling document from the effective date of this Agreement.
- K. This Agreement does not supersede, or in any manner change, the rights, obligations, and responsibilities of the parties under any and all court orders, or settlements of other controversies involving compliance with civil rights statutes.

- L. This Agreement does not affect any requirements for the City to comply with all requirements of Title VI, Section 109, and/or the Fair Housing Act not addressed in this Agreement.
- M. The City will provide in alternate formats, upon request, all notices, correspondence and/or communications that this Agreement requires to be disseminated. See 24 C.F.R. § 1.6(b).
- N. The City shall hire or appoint appropriate personnel to oversee compliance with the provisions of this Agreement.

IV. SPECIFIC PROVISIONS

A. Agreement Administrator

- (1) Within forty-five (45) days of the effective date of this Agreement, the City shall hire or appoint an Agreement Administrator and provide HUD with the name of the individual designated to serve as such and a copy of the Administrator's resume and/or curriculum vitae.
- (2) The individual fulfilling the role of Agreement Administrator must have prior experience that demonstrates knowledge of and expertise concerning the following: Title VI; Section 109; the Fair Housing Act; the regulations implementing those statutes; as well as requirements related to AFFH; and Section 8 and CDBG Program and reporting requirements.
- (3) The Agreement Administrator will report directly to the City Manager and shall serve as the point of contact for the Department regarding this Agreement.
- (4) The Agreement Administrator will perform the following functions:
 - a. Coordinate the City's compliance with Title VI, Section 109, the Fair Housing Act, and HUD's implementing regulations, as well as compliance with the Recipient's obligations to AFFH;
 - b. Coordinate the implementation of the provisions of this Agreement;
 - c. Coordinate the activities of the City's personnel who will assist with both the implementation of HUD's regulations and this Agreement.
 - d. Submit reports, records and plans required by this Agreement to the Department.
- (5) Administration of this Agreement by the Administrator and the successful accomplishment of the objectives laid out herein shall not be impaired by a lack of sufficient resources. The City shall pursue and make effective resource determinations so as to ensure the success of the Agreement. The City is required, absent undue hardship, to comply.
- (6) In the event the Agreement Administrator resigns or is otherwise terminated prior to the termination of this Agreement, the City shall designate an

Acting Agreement Administrator within fourteen (14) days of the resignation or termination. Upon designation, the City shall provide HUD with the name of the individual selected to serve as the Acting Agreement Administrator.

- (7) Within forty-five (45) days of the termination or resignation of the Agreement Administrator, the City shall select a new Agreement Administrator. Upon designation, the City shall provide HUD with written notice of the Agreement Administrator and a copy of the Agreement Administrator's resume and/or curriculum vitae.

B. Analysis of Impediments (AI)

- (1) Within ninety (90) days of the effective date of this Agreement, the City shall commence an update of the 2010 AI to include the following:
 - a. A history of race relations in Dubuque from at least 1987 to the present, and how the recent history of race relations in Dubuque affects fair housing choice within the City.
 - b. A section addressing City policies and practices that operated as impediments to fair housing choice.
 - c. A section addressing HCDD PHA specific policies that operated as impediments to fair housing choice.
 - d. The Fair Housing Action Plan shall include within the identified activities, specific, concrete steps the City shall take to overcome identified impediments, and to address the discriminatory effects of the City's reduction of the Section 8 program. The activities shall include efforts the City will take to integrate affordable housing that is fully available without regard to race or ethnicity throughout all of the communities within the City and to create equal housing opportunities. General statements and/or goals without identified implementing steps will not be sufficient.
- (2) Within one hundred and eighty (180) days after commencing an update to the AI, the City shall submit the completed and updated AI to the Department.
 - a. The Department shall provide approval or disapproval and comments on the updated AI within sixty (60) days of receipt of the AI.
 - b. In the event of the Department's disapproval, the City will have an additional sixty (60) days from the receipt of the Department's comments to provide an updated AI.
 - c. Any further negotiations between the parties will occur within a thirty (30) day time frame for approval or disapproval.
 - d. Any amendments will be considered approved if the City does not receive a response from the Department within sixty (60) days.

C. Amendments to the Section 8 Administrative Plan (Admin Plan):

- (1) Within ninety (90) days of the effective date of this Agreement, the City shall submit either a new Admin Plan or an Admin Plan with the following amendments to the Department for review and approval.
 - a. Each Section of the Admin Plan is detailed below:
 - i. Application Process
 - (a) "Availability of Application":
 - I. Include a clause requiring the PHA to provide HUD with notice and justification for, and to receive HUD approval, prior to accepting only applications meeting certain criteria such as limiting the waiting list to applicants with local preference only.
 - II. Allow application packets to be mailed.
 - III. Cross reference the section on Purging the Waiting List.
 - (b) "Program Outreach"
 - I. Insert the Outreach Plans specified in this Agreement to the section on Program Outreach.
 - (c) "Receipt of Applications"
 - I. Include clause that whenever the Housing Commission directs staff to suspend taking applications, notice of such suspension shall be given to HUD with evidence that applicants have at least a year wait prior to being offered assistance.
 - (d) "Purging the Waiting List"
 - I. Specify exact Purging Policies, including whether applicants will be contacted in groups or all at one time, when purges shall occur, and the time allotted for applicants to respond to HA inquiry
 - (e) "Local Preferences"¹
 - I. Include that notice and final HUD approval is required whenever the PHA intends to change the preference system.
 - A. The Department will acknowledge receipt of the City's request to change the preference system within twenty (20) days.

¹ The Department recognizes that the City has made changes to its preference point allotments since the time of the review, including the removal of the residency preference point system. This information is included so as to contractually bind the City to this update.

B. The Department shall provide approval or disapproval of the proposed preference system, and comments, if any, within sixty (60) days of receipt.

II. Include that when giving notice to the Department that a local preference change is being sought, evidence supporting the need for the change must also be provided from generally accepted data sources, i.e. census data, indicating a change in local demographics or the identification of need not previously met, thus necessitating additional assistance for an expanding or newly identified demographic.

III. Remove all residency preference point allotments.

IV. Remove section detailing residency preference verification.

(f) "Certification and Verification of Preference Qualification"

I. Remove language detailing verification of residency.

II. Ensure consistency amongst provisions on verification of disability.

ii. "Waiting List Selection"

(a) Clarify how point system, if used, operates and individuals are ranked. Include explanation clarifying that single member households consisting of disabled, elderly and displaced single member households are housed prior to serving all other single member households, regardless of points, as explained in the Section of the plan defining family, and family assistance.

(b) Include information explaining the accumulative nature of point system, if used, i.e. that individuals qualifying for more than one point preference accumulate the points for all preferences.

iii. "Eligibility and Denial of Assistance"

(a) "Denial of Application"

I. Insert a clause requiring the City to track all families denied admission to the program based on the requirements and standards of this part, and to submit a bi-annual report on these families, including data on race, national origin, address, age of applicants, and familial status and disability. The report shall include the specific activity or occurrence identified by the PHA in making the determination to deny admission to the program or to terminate participation, how the

PHA learned of the activity or occurrence, and what if any, alternate option or information was provided to the family at the time of denial or termination. The Department reserves the right to require additional changes to the Administrative Plan, if information revealed throughout the bi-annual reporting process indicates non-compliance with Federal Civil Rights law or non-compliance with this Agreement.

(b) "Ineligibility due to Criminal Background"

- I. Insert a clause requiring the City to track all families denied admission to the program based on the requirements and standards of this part, and to submit a bi-annual report on these families, including data on race, national origin, address, age of applicants, and familial status and disability. The report shall include the specific activity or occurrence identified by the PHA in making the determination to deny admission to the program or to terminate participation, how the PHA learned of the activity or occurrence, and a copy of the denial or termination notice or other information provided to the family at the time of denial or termination. The Department reserves the right to require additional changes to the Administrative Plan, if information revealed throughout the bi-annual reporting process indicates non-compliance with Federal Civil Rights law or non-compliance with this Agreement.

iv. "Termination"

(a) "Housing Assistance Termination."

- I. Insert a clause requiring the City to track all families denied admission to the program based on the requirements and standards of this part, and to submit a bi-annual report on these families, including data on race, national origin, address, age of applicants, and familial status and disability. The report shall include the specific activity or occurrence identified by the PHA in making the determination to deny admission to the program or to terminate participation, how the PHA learned of the activity or occurrence, and what if any, alternate option or information was provided to the family at the time of denial or termination. The Department reserves the right to require additional changes to the Administrative Plan, if information revealed throughout the bi-annual

reporting process indicates non-compliance with Federal Civil Rights law or non-compliance with this Agreement.

v. Additional Items

(a) "Managing the On-Going Operation"

- I. Include language specifying that any proposals to decrease the size of the program must be based on evidence contained within the Con Plan that establishes the need for the vouchers within the community has decreased significantly from the creation of additional affordable housing through other programs or organizations. The PHA shall endeavor to maintain not less than 95% utilization rate based on the greater of unit months leased or 95% of the dollar amount subject to the HAP budget. Any proposals to decrease the size of the program must be submitted to the Department for verification of the evidence presented in the Con Plan indicating the reduced need and Departmental approval prior to implementation.
- b. HUD will provide its approval or comments to the proposed amendments to the Administrative Plan within ninety (90) days of receipt.
- c. Within forty-five (45) days of HUD's approval, the City shall submit the proposed amendments to the Administrative Plan to the Resident Advisory Board, followed by the City's Housing Commission and for public comment pursuant to 24 C.F.R. §§ 982.54, 903.17 and 903.21.
- d. Within thirty (30) days of the close of the public comment period and if there are no public comments as described above, the City Council shall provide final approval and the City will fully adopt and implement the amended Administrative Plan.
- e. In the event that public comments require a change to any of the amended Administrative Plan sections that relate to requirements of this Agreement, within thirty (30) days of the close of the public comment period, the City shall submit proposed revisions of the amended Administrative Plan to HUD for approval. Within thirty (30) days of HUD approval, the City's Board shall provide final approval and the City will fully adopt and implement the amended Administrative Plan.
- f. Within fifteen (15) days of the adoption of the new Administrative Plan the City shall notify all participants of policy changes, rules and procedures by mailing and by publishing public notice pursuant to 24 C.F.R. § 982.206 that the wait list is open.

D. 2015 Consolidated Plan (Con Plan)

(1) The 2015 Con Plan shall contain the following:

- a. The section of the Con Plan entitled Section 8 Housing Assistance, shall contain a narrative explaining the City's actions that led to the significant, permanent decrease in the Section 8 Program during AY 2010. The narrative shall include the effect this decrease had on the lack of affordable housing in Dubuque, the loss of funds to the community, the effect on African Americans who were previously eligible to participate in the program, the African American community in Dubuque, and the worsening of the impediments identified in the AI.
- b. The section of the Con Plan detailing affordable housing needs must provide both a table and map summarizing where affordable housing is generally located by census tract, the number of units, and whether and what kind of assistance the units receive (project based assistance, tenant based assistance, or other, if any). This will allow the City and the Department to track the location of affordable housing and type, specific addresses of voucher holders are not required or desired, rather an accounting of the number of units per census tract.
- c. The section entitled Barriers to Affordable Housing must include a narrative identifying and prioritizing Dubuque's need for affordable housing throughout Dubuque, and how Dubuque will increase affordable housing opportunities and fair housing choice throughout Dubuque. This narrative will take into account the information presented in the updated AI, as well as the information identified in the narrative described in Section IV.B.1.a. of this Agreement and shall specifically identify and address the needs of minority populations.
- d. The Fair Housing Action Plan shall include within the identified activities specific, concrete steps the City shall take to overcome identified impediments, and the effects of the City's reduction of the Section 8 Program. The activities shall include efforts the City will take to integrate affordable housing that is fully available without regard to race or ethnicity throughout all of the communities within Dubuque and to create equal housing opportunities. General statements and/or goals without identified implementing steps will not be sufficient.
- e. The Strategic Plan portion of the Con Plan which summarizes the priorities and specific objectives of the City must include a specific objective statement which prioritizes addressing the allegations and findings contained in the LOF, including how federal funds that are reasonably expected to be available will be used including, but not limited to, addressing the effects of the City's actions and policy changes in 2009 and 2010 to the Section 8 program.

- f. The Con Plan shall include a list of specific proposals that will expand opportunities for Section 8 Program applicants and participants;
- g. A description of the manner in which the City will provide financial or other assistance to the operations of the Section 8 Program, such as through the reallocation of costs, or coordination of CDBG programs with Section 8 Programs to produce sustained and substantial benefit to participants. The City is required, absent undue hardship, to comply.
- h. The 2015 Con Plan shall contain a provision entitled Factors Affecting Affordable Housing in Dubuque. This section shall specifically identify any projected increase or decrease in any of the available affordable housing in Dubuque. If a decrease is projected, for any reason, in any of the available affordable housing, a narrative explaining the cause of the decrease, how it affects the AI, the Con Plan, and other City Planning, as well as how the City aims to mitigate and address the decrease shall be provided, both within the narrative contained within this section, and throughout the entirety of the Con Plan, Annual Plan, PHA Annual Plan, and PHA 5-Year Plan.
- i. The 2015 Con Plan shall contain a provision entitled Strategy Development pursuant to the June 17, 2013, Title VI Letter of Findings. This section shall detail the strategies developed by the City to address the first three Corrective Actions identified by the Department:
 - i. A strategy to increase housing opportunities throughout Dubuque which takes into account the needs of minority populations;
 - ii. A strategy to provide affordable housing that is fully available without regard to race or ethnicity throughout all the communities within Dubuque to create equal housing opportunities; and
 - iii. A strategy to take affirmative steps to provide opportunities for desegregation of areas of racial and ethnic concentration and poverty, which may include, but would not be limited to, expanding HCDD program opportunities for applicants and participants.

- (2) HUD will review the 2015 Con Plan upon receipt. The plan will be deemed approved forty-five (45) days after HUD receives the plan, unless before that date HUD has notified the jurisdiction that the plan is disapproved.
 - a. If the Department disapproves the 2015 Con Plan, within fifteen (15) days after HUD notifies the City that it is disapproving the plan, it will inform the City in writing of the reasons for the disapproval and what actions the City can take to meet the criteria for approval.
 - b. The City may revise and/or resubmit the 2015 Con Plan within forty five (45) days after the first notification of disapproval.
 - c. The Department shall respond to approve or disapprove within thirty (30) days of receiving the revisions or resubmission.

E. Consolidated Annual Performance and Evaluation Report (CAPER)

- (1) All CAPERs submitted yearly throughout the course of this Agreement pursuant to 24 C.F.R. § 91.520 shall report on the specific actions taken by the City to address the allegations and findings contained in the LOF.
- (2) The portion detailing CDBG reporting requirements as required by 24 C.F.R. § 91.520(d) shall include information on race and ethnicity of the individuals assisted with CDBG funds, as well as a report on how CDBG funds were utilized to assist the Section 8 program.
- (3) HUD shall review the report and determine if it is satisfactory.

F. Annual Action Plan (AAP)

- (1) The CDBG AAP submitted for the Fiscal Year immediately following the effective date of this Agreement shall reflect the City's obligations under this Agreement in light of the Department's Letter of Findings. The Action Plan shall include specific affordable housing objectives, to address the diminished availability of affordable housing in Dubuque, and shall further include the following additions to the sections identified below:
 - a. The concise executive summary shall include a portion dedicated to explaining the actions taken by the City in late 2009 and throughout 2010 that led to the allegations and findings contained in the LOF, and the need to consider and address the allegations and findings identified by the Department in all of the Recipient's reporting, recordkeeping and objectives during the course of this seven (7) year Agreement.
 - b. The Annual Objectives section shall identify and summarize the annual objectives that the City expects to achieve during the forthcoming fiscal year that will specifically address the allegations and findings contained in the LOF.

- c. The Activities to be Undertaken section shall provide a description of the activities the City will undertake to address the allegations and findings contained in the LOF.
 - d. The Affordable Housing section shall also include specific one year goals to Affirmatively Further Fair Housing, by including a plan to increase the number of minorities, specifically African American households, to be provided affordable housing through activities that provide rental assistance, family self-sufficiency programs, or homeownership assistance. This may include marketing and information sharing of the programs availability and participation benefits.
 - e. The Public Housing section shall include a description of the manner in which the City will provide financial or other assistance to improve its operations and address the allegations and findings in the LOF. The City is required, absent undue hardship, to comply.
 - f. The Barriers to Affordable Housing section shall include actions the City plans to take to remove or ameliorate the negative effects of the Title VI Findings.
 - g. Additionally, the AAP may not generally reference the Fair Housing Action Plan included in the Amended Con Plan, but must specifically provide the details required by the foregoing provisions within the AAP itself.
- (2) The Department will review the plan upon receipt. The plan will be deemed approved forty-five (45) days after HUD receives the plan, unless before that date HUD has notified the jurisdiction that the plan is disapproved.
- a. If the Department disapproves the plan, within fifteen (15) days after HUD notifies the City that it is disapproving the plan, it will inform the City in writing of the reasons for the disapproval and what actions the City can take to meet the criteria for approval.
 - b. The City may revise and/or resubmit the plan within forty five (45) days after the first notification of disapproval.
 - c. The Department shall respond to approve or disapprove within thirty (30) days of receiving the revision or resubmission.

G. 2015 PHA 5-Year Plan

- a. The 2015 5-Year Plan shall contain the following information in the identified Sections, as based on Sections provided in previous 5-Year Plans.
 - i. Section 1.0 – Indicate that as a result of evidence obtained during the on-site review indicating noncompliance with Housing Choice

Voucher regulations 24 C.F.R. §§ 982.207(b) and 985.3(n) for the fiscal year ending June 30, 2012, the City's SEMAP rating of "high performing" was withheld. The City implemented changes to the program, and for the fiscal year that ended June 30, 2013, the City's SEMAP rating was designated as "high performing."

- ii. Section 2.0 – Provide the number of Vouchers currently utilized as well as baseline information. Include a brief explanation of the voucher freeze, the reduction in vouchers, and the resulting LOF.
- iii. Section 5.1 - Add the following clause to subsection a "that is free from discrimination and available to all regardless of race, color, religion, sex, familial status, national origin, or disability."
- iv. Section 5.2 – Subsection 1, shall highlight the need to increase or at a minimum maintain the number of vouchers in use within the City, to ensure vital housing resources are available to those who need them, highlighting that the Mission Statement provides that "The provision of shelter is a basic human need." Subsection 2, objective b, shall be amended to read, "continue to develop/increase awareness of the benefits conferred by the assisted housing program to participants and the community." Subsection 6 shall be moved to Subsection 1, and shall include a narrative explaining that due to recent Title VI Findings stemming from HCDD activities in 2009 and 2010, AFFH is the first and foremost objective and goal of the HCDD. Under "Other PHA Goals and Objectives," Subsection 7, amend to include (c) Increase or at a minimum, maintain vouchers utilized by individuals in the community to insure individuals with accessibility needs can seek and find housing that meets those needs.
- v. Section 6.0 PHA Plan Update – The narrative shall include a timeline of the City's activities that led to a Finding of Noncompliance under Title VI and the City's efforts to mediate the effects of these activities by entering into this Agreement and other anticipated steps.
- vi. Section 6.0 PHA Plan Elements -
 - Accepting Application: remove the clause "or limited to applicant households within certain criteria."
 - Availability of Application: remove the clause that "or may accept only applications meeting certain criteria such as limiting the waiting list to applicants with local preference only."
 - Local Preferences: Delete the final paragraph pertaining to residency preferences.
- vii. Section 6.0 Financial Resources – In 2010 this paragraph provided that the Section 8 Program administrative costs are being

supplemented by General Funds in the amount of approximately \$100,000 as designated by the City of Dubuque City Council to assist with the deficit in funding from the federal government. In 2015 this section must be amended to explain that the administrative fees received by the City were reduced when the program was decreased by over 200 participants. It should also provide an explanation of what services are covered under the administrative fees, including the identification of specific positions for which salaries are covered.

- viii. Section 6.0 Operation and Management, Section 3, paragraph 13, and paragraph 14 must include information requiring the mandatory tracking and reporting detailed in Sections IV.C.(1)(a)(iii)(a)(I); IV.C.(1)(a)(iii)(b)(I); and IV.C.(1)(a)(iv)(a)(I).
- ix. Section 6.0 Civil Rights Certification – Shall include a narrative explaining the events of 2009 through 2010 and the allegations and findings contained within the LOF, and the City's intention to ameliorate the harm caused by the City's actions during that time, by complying with Federal Civil Rights law and certifications to AFFH, insuring equal access to Section 8 vouchers and pursuing equal access to affordable housing throughout the HCDD's jurisdiction.
- x. Section 7.0 – Include a narrative explaining the Section 8 Program as it pertains to homeownership, its importance in the community, how many are currently served by the program, the financial benefit the City receives from the program, and how the City intends to maximize the program.
- xi. Section 9.0 – Housing Needs – Include within the narrative a description of affordable housing needs in Dubuque, and the need to maintain the supply of vouchers to address this need.
- xii. Section 9.1 – Strategy for Addressing Housing Needs – Include an explanatory note that the number of individuals on the waitlist was impacted by the actions taken by the City, including the closing of the wait list, and the purge in early 2010, which removed 582 families from the waitlist, 387 of whom were African American, approximately 67%, and that this section therefore may not accurately reflect what the needs were when the plan was drafted.
- xiii. Section 9.1 – Strategies:
 - Paragraph 1) Need: Shortage of affordable housing for all eligible populations - amend to include within Strategy 1 the requirement that any change in lease up rates that would result in a decrease in the number of vouchers utilized must be proposed and approved by

the Department. Bullet points 2 and 3 shall include the words "Increase or" prior to Maintain.

Paragraph 6) Need: Specific Family Types: Races or ethnicities with disproportionate housing needs, Strategy 1 – amend to include a bullet point that provides marketing to minority races and ethnicities, specifically to African Americans, including marketing on the Homeownership Program and corollary self-sufficiency programs. Strategy 2 – include a narrative summarizing the LOF and efforts to correct the effects of the City's previous actions in 2009 and 2010. Include within the Reasons for Selecting Strategies the need to address and correct the allegations and findings contained in the LOF.

- xiv. Section 10.0 - Additional Information, subsection (a) Progress in Meeting Mission and Goals – Provide a narrative explaining the need to address the allegations and findings contained in the LOF, the goals identified by the City to do so, and progress made on meeting those goals. For the Goal of Ensuring Equal Opportunity in Housing for all Americans, a section will be added to explain that while minority participation in the program and on the waiting list has varied, it decreased following the implementation of policy changes in 2009 and 2010. The City will include a new goal to allow minority participation to naturally fluctuate consistent with market demand and the new outreach programs and marketing plans and the elimination of the "local resident preference" which led to the negative impact on African American participation in the program and on the waiting list.
 - xv. Section 10.0 – Significant Amendment and Substantial Deviation – Amend the narrative to provide that for the duration of this Agreement that all changes to admissions policies, waiting list organization, additional programs; changes to interim rent policies and interim determinations affecting applicants and participants will be reported to the Department prior to implementation.
 - xvi. Updated Certifications, submitted in conjunction with PHA 5-Year Plans, affirming the City's intention to comply with Federal non-discrimination laws shall be signed and submitted in concurrence with the signing of this Agreement, reaffirming the City's obligation to comply and AFFH.
- (2) Additionally, if a section of the Plan includes information on a provision that specifically addresses a corrective action, the City shall identify that the corrective action, and what it is intended to address.
 - (3) Pursuant to 24 C.F.R. § 903.23, HUD will provide its approval or disapproval and comments to the proposed Plan within seventy-five (75) days of receipt. HUD may disapprove the Amended 5-Year Plan if it fails to include the foregoing or is not otherwise consistent with applicable

Federal laws and regulations, or remains inconsistent with the information and data available to HUD.

- (4) Upon receiving HUD approval of the amendments, HCDD shall follow the requirements of 24 C.F.R. § 903.21(a)(1) requiring an open meeting.
- (5) The 2015 5-Year Plan shall also contain a provision entitled Factors Affecting the Availability of Affordable Housing in Dubuque. This section shall specifically identify any projected increase or decrease in the availability of affordable housing in Dubuque. If a decrease is projected, for any reason, a narrative explaining the cause of the decrease, how it affects the AI, the Con Plan, and other City Planning, as well as how the City intends to mitigate and address the decrease by providing or encouraging alternative affordable housing options shall be provided, both within the narrative contained within this section, and throughout the entirety of the Con Plan, Annual Plan, PHA Annual Plan, and PHA 5-Year Plan.

H. PHA Annual Plans

- (1) The City, for the duration of this Agreement, is no longer eligible to submit streamlined plans and will commence submitting full PHA Annual Plans on a yearly basis. These plans will contain the information required by 24 C.F.R. § 903.7, as well as the following:
 - a. A narrative explaining the history of race relations in Dubuque going back to at least 1987, as well as the activities of the City in 2009 and 2010 that led to the issuance of the LOF, and the City's commitment to pursue goals and objectives proposed by the City and identified in the Annual Plan to ameliorate the effects of the City's previous actions.
 - b. The Other Admissions Policies section, required by 24 C.F.R. § 903.7(b)(3), shall include a narrative explaining why the residency preference has been removed as part of this Agreement, and how it will not be reinstated throughout the duration of this Agreement.
 - c. The Statement of Financial Resources section, required by 24 C.F.R. § 903.7(c), shall include a discussion of how the City will pursue additional funding and coordinate CDBG resources pursuant to this Agreement to assist the Section 8 Program or Section 8 Program participants.
 - d. In identifying the basic criteria the PHA will use for determining a substantial deviation from its 5-Year Plan and Annual Plan and/or a significant amendment or modification to its 5-Year and Annual Plan, required by 24 C.F.R. § 903.7(r), the Plan shall state that pursuant to this Agreement, the PHA broaden the definition so as to require that all

amendments, modifications and deviations shall be reported to the Department and must receive Departmental approval prior to implementation.

- (2) The first Annual Plan shall be submitted in conjunction with the proposed Amended 5-Year Plan.
- (3) Pursuant to 24 C.F.R. § 903.23, HUD will provide its approval or disapproval and comments to the proposed Annual Plan within seventy-five (75) days of receipt. HUD may disapprove the Annual Plan if it fails to include the foregoing or is not otherwise consistent with applicable Federal laws and regulations, or remains inconsistent with the information and data available to HUD.

I. Employee Education and Training

- (1) Within one hundred and eighty (180) days of the effective date of this Agreement, all City Council members, Housing Commission members, Long Range Planning Commission members, Community Development Advisory Commission members, the Mayor, as well as the current administrators, managers and staff of the following departments: HCDD, Human Rights Department, Planning & Zoning Department, Police Department and City Manager's Office (hereinafter the core group) shall receive the first of seven annual training sessions, consisting of a minimum of three (3) hours of training related to the City's duties under this Agreement, as well as applicable civil rights statutes.
 - a. The training shall cover topics including
 - i. Implementation of the VCA;
 - ii. General nondiscriminatory requirements under Title VI, Section 109, and AFFH obligations.
 - iii. General nondiscriminatory requirements under the Fair Housing Act.
 - b. The City shall submit the name and qualifications of the person and/or organization providing the training to the Department within forty (40) days of the effective date of the Agreement.
 - c. The Department shall provide its disapproval, approval and/or comments within fifteen (15) days of receipt of the information.
 - d. The proposed training shall be considered approved if the City does not receive a response from the Department within forty-five (45) days.

- (2) Within thirty (30) days of each new employee's entry date of service, the City shall require new employees to review the materials provided during the previously conducted training as set forth in Paragraph I.(1) above. New employees shall participate in the regularly scheduled annual training when it occurs.
- (3) The training detailed in Paragraph IV.J.(1) of this Agreement shall be held each year, pursuant to a schedule submitted by the City within thirty (30) days of the anniversary of the signing of this agreement, for the duration of this Agreement.
- (4) The Agreement Administrator shall maintain records of the dates the training sessions were conducted, the names and titles of people in attendance, and the agenda for the training. These records shall be included in the Status Reports submitted to the Department throughout the duration of this Agreement.

J. Notice and Publication

- (1) Within sixty (60) days of the effective date of this Agreement, the Agreement Administrator shall distribute a letter describing the terms of this VCA to the Core Group.
- (2) Within sixty (60) days of the effective date of this Agreement, the Agreement Administrator shall distribute a copy of the VCA to members of the City's City Council members, Housing Commission members, Long Range Planning Commission members, the Mayor and City Manager, as well as the Core Group that will be responsible for the implementation of the actions set out in the VCA.

K. Outreach Plan

- (1) Within ninety (90) days of the effective date of this Agreement, the City shall develop and submit to the Department an Outreach Plan to ensure that information regarding the City's Section 8 Program, including the opening of the waitlist and the corollary programs offered by the City, reaches minority populations within Dubuque and surrounding interstate areas. While the City does not operate public housing stock, and is therefore not obligated to use the Public Housing Occupancy Guidebook (PHOG), for purposes of this Agreement, the City will perform outreach consistent with Section 1.3 of the PHOG, to reach those identified as the populations less likely to apply.
 - a. The Department shall provide approval and comments, if any, on the outreach plan within thirty (30) days of receipt of the plan.
 - b. If the Department disapproves the Outreach Plan, the City will have forty-five (45) days to submit an updated Outreach Plan.
 - c. Any further communications between the parties regarding the Outreach Plan will occur within a thirty (30) day time frame for approval, or disapproval with comments.

- d. The Outreach Plan shall be considered approved if the City does not receive a response from the Department within sixty (60) days.
- (2) Within ninety (90) days of the effective date of this Agreement, the City shall develop and submit to the Department an Outreach Plan to ensure that information regarding the City's Homeownership Program reaches minority populations within Dubuque and surrounding interstate areas. While the City does not operate public housing stock, and is therefore not obligated to use the Public Housing Occupancy Guidebook (PHOG), for purposes of this Agreement, the City will perform outreach consistent with Section 1.3 of the PHOG, to reach those identified as the populations less likely to apply.
 - a. The Department shall provide approval or disapproval and comments, if any, on the Outreach Plan within thirty (30) days of receipt of the plan.
 - b. If the Department disapproves the Outreach Plan, the City will have forty-five (45) days to submit an updated Outreach Plan.
 - c. Any further communications between the parties regarding the Outreach Plan will occur within a thirty (30) day time frame for approval, or disapproval with comments.
 - d. The Outreach Plan shall be considered approved if the City does not receive a response from the Department within sixty (60) days.
 - (3) The City shall implement the Outreach Plans within thirty (30) days of receiving the Department's approval.
 - (4) As evidence of the implementation of the Outreach Plans, the City shall submit copies of the notices provided to community agencies and in the Recipient's quarterly newsletters, copies of advertisements purchased in local papers, or receipts of other advertising actions, in the Status Reports submitted to the Department throughout the duration of this Agreement.
 - (5) The City shall add questions to the Section 8 Program application, as well as the Homeownership Program application, that tracks how an individual became aware of the program, and whether the applicant was aware of the Recipient's Outreach activities. This information, along with race data, will be tracked and monitored and submitted to HUD in the Bi-Annual Status Reports as detailed below in Section V of this Agreement. If the information submitted to HUD indicates that the Outreach Plan is not successfully reaching a diverse pool of potential applicants as evidenced by a lack of increased African Americans on the waitlist and/or a lack of increased participation in the program by African American families, HUD may prescribe additional Outreach activities that do not constitute an undue burden, consistent with Section 1.3 of the PHOG.

L. Recordkeeping Requirements

- (1) Within one hundred and eighty (180) days of the effective date of this Agreement, the City shall develop and submit the following report to the Department for review and approval:
 - a. The Bi-Annual Waiting List Report (BWLR) that tracks the maintenance of the Section 8 waiting list. The BWLR will include the following: 1) applicant's name, race, sex, ethnicity, familial/elderly or disability status; 2) date of application; 3) date applicant placed on waiting list; 4) applicant preference(s); 5) date and time of offer; 6) date of lease; and 7) date applicant removed from waiting list and justification.
- (2) The City shall continue to submit a BWLR every six months for the duration of this Agreement. Submissions of the BWLR shall occur on the first day of the month for each six month period, and will include the wait list information for the immediately preceding six month period. The bi-annual reporting periods are as follows: January 1 through June 30, due on July 15; July 1 through December 31, due January 15.
- (3) The Department shall provide approval and comments, if any, on the report within thirty (30) days of receipt of the report.
- (4) The City shall maintain records for review by the Department for a minimum of five (5) years after the close of the Agreement. Records subject to review include, but are not limited to: participant lists, wait lists, ineligible applicant and applicant rejected lists, applications, and terminated participants/applicant resolution lists. These lists and records shall be kept electronically and in hard copy. While Dubuque may select the format of the list or record, it must be uniform and consistent for review purposes. The City shall furnish copies of any and all records upon request from the Department.

V. REPORTING AND COMPLIANCE REQUIREMENTS

A. Bi-Annual Status Reports (BSR)

- (1) This Agreement establishes the requirement for the City to submit Bi-Annual (Two per Annual Year) Status Reports to the Department detailing the Recipient's ongoing progress towards compliance with Title VI, Section 109, and the Recipients AFFH obligations throughout the duration of this Agreement.

- (2) The first of these BSR is due one hundred and eighty (180) days from the effective date of this Agreement. Thereafter the BSR shall be due on the first day of the month for each six month period. The bi-annual reporting periods are as follows: January 1 through June 30 due on July 15; July 1 through December 31 due January 15.
- (3) BSRs shall be submitted for the duration of the Agreement. The first BSR shall contain:
- a. Confirmation that the City has appointed or hired an Agreement Administrator and that such person has begun to fulfill the duties set out in Section IV of this Agreement.
 - b. Certification of or a report on the status of the items that have been completed pursuant to Sections IV.B (Analysis of Impediments), C (Amendments to the Admin Plan), G (2015 PHA 5 Year Plan), H (PHA Annual Plans), I (Employee Education and Training), J (Notice and Publication), K (Outreach Plan), and L(Remedies for Recordkeeping Violations).
 - c. A report on the results of the Outreach Plan referenced in Section IV.K of this Agreement, including copies of the advertisements and marketing required under Section IV.K.(4), and as outlined in 24 C.F.R. 903.2(d)(2) and the Public Housing Occupancy Guidebook, and the data tracked by the City required pursuant to Section IV.K.(5) of this Agreement.
 - d. Evidence that the employee training required under Section IV.I of this Agreement has been completed.
 - e. Evidence that the notification requirements referenced in Section IV.J of this Agreement have been satisfied.
 - f. A breakdown of funds allocated and used in order to bring the HCDD into Title VI, Section 109, and AFFH compliance during the phase being reported.
 - g. The data collected pursuant to sections IV.C.(1)(a)(iii)(a)(I); IV.C.(1)(a)(iii)(b)(I); and IV.C.(1)(a)(iii)(b)(I) of this Agreement.
- (4) The Second status report shall contain:
- a. A report on the results of the Outreach Plan referenced in Section IV.K of this Agreement, including copies of the advertisements and marketing required under Section IV.K.(4), and the data tracked by the City required pursuant to Section IV.K.(5) of this Agreement.
 - b. Notice of the completion, submissions, or anticipated submissions of the plans referenced in Section IV. G (2015 PHA 5-Year Plan) and H (PHA Annual Plans).

- c. A breakdown of funds allocated and used in order to bring the HCDD into Title VI, Section 109, and AFFH compliance during the phase being reported.
 - d. The data collected pursuant to sections IV.C.(1)(a)(iii)(a)(I); IV.C.(1)(a)(iii)(b)(I); and IV.C.(1)(a)(iii)(b)(I) of this Agreement.
- (5) The remaining status reports shall contain:
- a. Notice of the completion, submissions, or anticipated submissions of the plans referenced in Section IV.F (Annual Action Plan) and H (PHA Annual Plans).
 - b. A report on the results of the Outreach Plan referenced in Section IV.K of this Agreement, including copies of the advertisements and marketing required under Section IV.K.(4), and the data tracked by the City required pursuant to Section IV.K.(5) of this Agreement.
 - c. A breakdown of funds allocated and used in order to bring the HCDD into Title VI, Section 109, and AFFH compliance during the phase being reported.
 - d. The data collected pursuant to sections IV.C.(1)(a)(iii)(a)(I); IV.C.(1)(a)(iii)(b)(I); and IV.C.(1)(a)(iii)(b)(I) of this Agreement.

B. General Reporting

- (1) For purposes of this Agreement, if the reporting day falls on a weekend or a federal holiday, the report will be due the first business day after the weekend or holiday.
- (2) For purposes of this Agreement, all reporting and related material must be mailed to:

Betty Bottiger, Director
 Region VII
 Office of Fair Housing and Equal Opportunity
 U.S. Department of Housing and Urban Development
 Gateway Tower II, 4th Floor
 400 State Avenue
 Kansas City, KS 66101-2406

- (3) The submission of the Consolidated Plan, PHA Plan, and forthcoming Annual Action Plans and Annual PHA Plans shall be submitted to the Offices of Community Planning and Development (CPD) and Public Indian Housing (PIH) and FHEO.

VI. ADDITIONAL RECORDKEEPING REQUIREMENTS

- A.** During the term of this Agreement, the City shall maintain the following records and upon request, the City shall make these records available for inspection to appropriate Department employees.
 - (1) The City shall maintain records, including those required under HUD program regulations, which disclose all individuals who apply and the manner in which each application is treated, i.e., whether said individuals are accepted or rejected and the basis for any rejection.
 - (2) The City shall maintain all participant files, including applications for residency, rental agreements or leases, notices and letters to residents, and notices of termination, along with any and all material relating to the City's implementation of the Title VI, Section 109, and AFFH requirements of this Agreement.
 - (3) The City shall maintain any and all material relating to the racial composition of its HCDD operated Programs, such as waiting lists, records of the racial makeup of participants in Housing Programs, and copies of denied applications.
 - (4) The City shall maintain copies of all race-related complaints, claims, grievances, investigative records, including grievance process materials.
 - (5) The City shall maintain files containing documentation of its efforts to meet the obligations of this Agreement.

VII. IMPLEMENTATION, MONITORING AND ENFORCEMENT

- A.** HUD will monitor the City's implementation of this Agreement. During the first year after the effective date of this Agreement, HUD and the City will meet quarterly to discuss the City's progress towards meeting the requirements of this Agreement. Thereafter, at its discretion, HUD may convene meetings with the City's City Manager, Mayor, Housing and Community Development Director and/or Agreement Administrator and/or other appropriate personnel, to discuss progress with implementing the terms of this Agreement, propose modifications, or conduct other business with respect to this Agreement.
- B.** HUD reserves the right to conduct periodic on-site record reviews to ensure compliance with this Agreement, Title VI, Section 109 and the City's AFFH obligations.
- C.** Prior to the expiration of any timeframe in this Agreement, the City may submit a request for an extension supported by documentation of good cause. The Department shall review requests for extensions and grant them if they are reasonable.
- D.** In the event that the City shall fail to comply in a timely fashion with any requirement of this Agreement without obtaining advance written agreement

from HUD, the Department may enforce the terms of this Agreement by any contractual, statutory or regulatory remedy available to HUD.


- E. Failure by HUD to enforce this entire Agreement or any provision in the Agreement with regard to any deadline or any other provision herein shall not be construed as a waiver of its right to do so with regards to other deadlines and provisions of this Agreement. Furthermore, HUD's failure to enforce this entire Agreement or any provision thereof shall not be construed as a waiver of any obligation of the City under this Agreement.

VIII. EFFECT OF NON-COMPLIANCE WITH THIS AGREEMENT

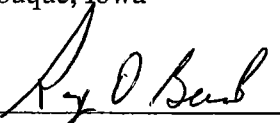
- A. The parties intend to resolve their disputes with respect to non-compliance with this Agreement in a timely and efficient manner. Upon a finding of non-compliance, HUD will provide the City with a written statement specifying the facts of the alleged non-compliance and a reasonable opportunity to resolve or cure the alleged non-compliance; or, in the alternative, an opportunity to negotiate in good faith HUD's findings of non-compliance. However, if the Department determines that the City has not satisfactorily resolved the LOF, the Department may take any of the following actions for non-compliance, in addition to actions permitted under HUD's statutory or regulatory authority but not identified below.
- (1) Any act(s) or omission(s) that violates the terms of this Agreement may serve as grounds for HUD's declaring a breach of the annual contributions contract (ACC) with respect to some or all of the City's functions.
24 C.F.R. § 968.335(f) (2012).
 - (2) Any act(s) or omission(s) that violates the terms of this Agreement may serve as grounds for the United States to seek specific performance of any or all of the provisions of this Agreement in federal court.
 - (3) Any act(s) or omission(s) that violates the terms of this Agreement may serve as grounds for the Department to conduct additional compliance reviews under Title VI, Section 109, AFFH or other appropriate statutory or regulatory authority.
 - (4) Any act(s) or omission(s) that violates the terms of this Agreement may serve as grounds for the United States to pursue an action in federal court for failure to comply with civil rights authorities.
- B. The acts set forth in this Section VIII are not mutually exclusive, and the Department has the right to pursue any or all of these remedies or any other remedies available under law.

IX. SIGNATURES

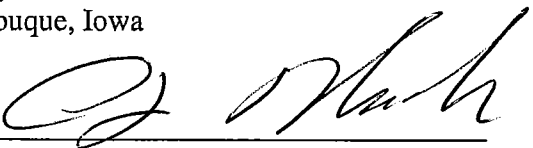
Dubuque, Iowa:



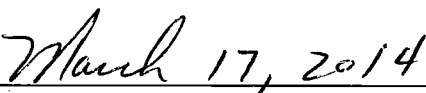
Michael Van Milligen
City Manager
Dubuque, Iowa



Roy Buol
Mayor
Dubuque, Iowa

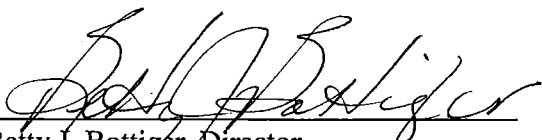


Alvin Nash
Housing and Community Development Director
Dubuque, Iowa

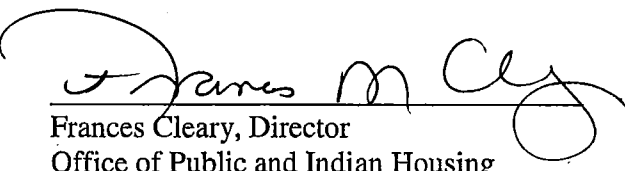


Date

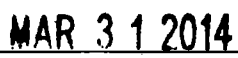
For the U.S. Department of Housing and Urban Development:



Betty J. Bottiger, Director
Office of Fair Housing and Equal Opportunity
Region VII



Frances Cleary, Director
Office of Public and Indian Housing
Region VII



Date

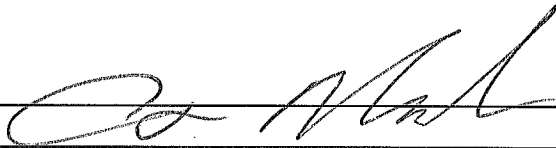
DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

Approved by OMB

0348-0046

(See reverse for public burden disclosure.)

1. Type of Federal Action: <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: ^{4c}			5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:		
6. Federal Department/Agency:			7. Federal Program Name/Description: Housing Choice Voucher and Moderate Rehabilitation Programs CFDA Number, if applicable: _____		
8. Federal Action Number, if known:			9. Award Amount, if known: \$		
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): 		
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.			Signature: _____ Print Name: <u>Alvin Nash</u> Title: <u>Director</u> Telephone No.: <u>(563) 589-4230</u> Date: <u>03/31/2015</u>		
Federal Use Only:			Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)		

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Certification of Payments to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0157 (Exp. 01/31/2017)

Applicant Name

City of Dubuque

Program/Activity Receiving Federal Grant Funding

Housing Choice Voucher/Project Based Voucher/Voucher Homeownership/FSS and Moderate Rehabilitation Programs

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Alvin Nash

Title

Director

Signature

Date (mm/dd/yyyy)

03/31/2015

Certification for a Drug-Free Workplace

U.S. Department of Housing
and Urban Development

Applicant Name

City of Dubuque IA087

Program/Activity Receiving Federal Grant Funding

Housing Choice Vouchers/Voucher Homeownership/Project-Based Voucher/FSS and Moderate Rehabilitation

Acting on behalf of the above named Applicant as its Authorized Official, I make the following certifications and agreements to the Department of Housing and Urban Development (HUD) regarding the sites listed below:

I certify that the above named Applicant will or will continue to provide a drug-free workplace by:

a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

b. Establishing an on-going drug-free awareness program to inform employees ---

(1) The dangers of drug abuse in the workplace;

(2) The Applicant's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph a.;

d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant, the employee will ---

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

e. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph d.(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a. thru f.

2. **Sites for Work Performance.** The Applicant shall list (on separate pages) the site(s) for the performance of work done in connection with the HUD funding of the program/activity shown above: Place of Performance shall include the street address, city, county, State, and zip code. Identify each sheet with the Applicant name and address and the program/activity receiving grant funding.)

City of Dubuque Housing & CD Department
350 West 6th Street Suite 312
Dubuque IA 52001

Check here ☐ if there are workplaces on file that are not identified on the attached sheets.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties.

(18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Alvin Nash

Title

Director

Signature

Date

X

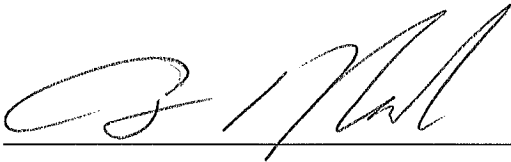
03/31/2015

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB# 2577-0226
Expires 08/30/2011

**Certification by State or Local Official of PHA Plans Consistency with the
Consolidated Plan**

I, Alvin Nash the Director certify that the Five Year and
Annual PHA Plan of the City of Dubuque IA087 is consistent with the Consolidated Plan of
City of Dubuque prepared pursuant to 24 CFR Part 91.



03/31/2015

Signed / Dated by Appropriate State or Local Official

Civil Rights Certification

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
Expires 08/30/2011

Civil Rights Certification**Annual Certification and Board Resolution**

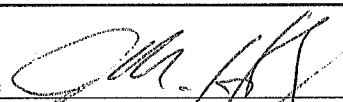
Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioner, I approve the submission of the Plan for the PHA of which this document is a part and make the following certification and agreement with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing.

City of Dubuque
PHA Name

IA087
PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official Jim Holz	Title Chair, Housing Commission
Signature 	Date 03/31/2015

form HUD-50077-CR (1/2009)

OMB Approval No. 2577-0226

**PHA Certifications of Compliance
with PHA Plans and Related
R e g u l a t i o n s**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 08/30/2011

**PHA Certifications of Compliance with the PHA Plans and Related Regulations:
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the X 5-Year and/or X Annual PHA Plan for the PHA fiscal year beginning July 1, 2015, hereinafter referred to as "the Plan", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes a policy for site based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2006-24);
 - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such waiting list is consistent with affirmatively furthering fair housing;
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR part 903.7(c)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
10. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
11. The PHA will comply with the requirements of section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
12. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.

13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
15. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
20. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
21. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

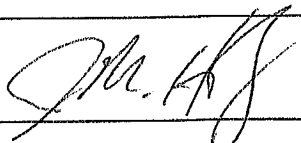
City of Dubuque Housing & CD Department
PHA Name

IA087
PHA Number/HA Code

5-Year PHA Plan for Fiscal Years 2015- 2019

Annual PHA Plan for Fiscal Years 2015- 2015

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official	Jim Holz	Title	Chair, Housing Commission
Signature		Date	03/31/2015