



# HOUSING AND REDEVELOPMENT COMMISSION

Wednesday, October 8, 2008

## REGULAR MEETING

Council Chambers  
Vallejo City Hall  
555 Santa Clara Street

7:30 P.M.

**CHAIR**  
Mustafa Abdul-Ghance  
**VICE-CHAIR**  
Michelle Pitts  
**COMMISSION**  
Charles Brown III  
Chris Platzer  
Mike Urick  
Carmen Marie Vance  
Rozzana Verder-Aliga, Ed.D.

## AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda

Recommendation: Approve the agenda as presented.

*Notice of Availability of Public records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Commission, will be available for public inspection in the Housing and Community Development Division, 200 Georgia Street, Vallejo, CA 94590 at the same time that the public records are distributed or made available to the Commission. Such documents may also be available on the City of Vallejo website at <http://www.ci.vallejo.ca.us>, subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling 707/648-4507.*

*Requests for disability-related modifications or accommodations, aids, or services may be made by a person with a disability to the Vallejo Housing and Community Development Division office, located at 200 Georgia Street, no less than 72 hours prior to the meeting (as required by Section 202 of the Americans with Disabilities Act of 1990, and the Federal rules and regulations adopted in implementation thereof). The Vallejo Housing and Community Development Division may be contacted as follows: Telephone (707) 648-4507; Fax (707) 648-5249; or by e-mail to: [madamou@ci.vallejo.ca.us](mailto:madamou@ci.vallejo.ca.us). The hearing impaired may call the California Relay Service at (800) 735-2922 without a TTY/TDD, or (800) 735-2929 with a TTY/TDD.*

I, \_\_\_\_\_, do hereby certify that I caused a true copy of the above notice and agenda to be delivered to each of the members of the Housing and Redevelopment Commission at the time and manner prescribed by law and posted in an area freely accessible to members of the public on \_\_\_\_\_, 2008.

\_\_\_\_\_  
Signature



**HOUSING AND REDEVELOPMENT COMMISSION AGENDA  
REGULAR MEETING  
October 8, 2008**

**Page 2**

5. Approval of Minutes

- a. Regular Meeting of August 13, 2008
- b. Special Meeting of August 19, 2008

Recommendation: Approve the minutes as presented.

6. Report of Presiding Officer and Members of the Commission

7. Secretary's Report

8. Council Liaison's Report

9. Communications and Presentations

10. Community Forum

Anyone wishing to address the Commission on any matter not listed on the agenda, but within the jurisdiction of the Commission to resolve, may step to the podium and state his/her name and address for the record.

11. Consent Calendar

12. Public Hearings

13. Administrative Items

a. Housing Authority for the City of Vallejo Administrative Plan Changes

Housing Authorities are required to submit an Annual Plan to the Department of Housing and Urban Development (HUD) 75 days prior to commencement of the Fiscal Year (FY). Annual Plan regulations require a 45 day public review and comment period. During the comment period for the FY 2008/2009 Annual Plan, Legal Services of Northern California and the National Housing Law Project submitted joint comments. These comments necessitate the revision of certain chapters of the Administrative Plan.

On August 19, 2008, Housing Authority staff brought forward language intended to create a process to establish an emergency preference for Housing Choice Vouchers. The Housing Authority Board approved the resolution in order to facilitate issuance of 115 emergency vouchers for the Casa de Vallejo fire victims. The Housing Authority Board directed staff to bring the emergency language back in 60 days for further revision.

Recommendation: Adopt the resolution recommending approval of the revised Administrative Plan chapters by the Housing Authority Board.



b. Buchongo Settlement Agreement Annual Report 2007

In 1999, the Vallejo Redevelopment Agency entered into an affordable housing agreement with Legal Services of Northern California known as the "Buchongo Settlement Agreement." In this Agreement, the Agency agreed to provide 425 units of affordable housing to low- and moderate-income Vallejo residents within eight years, (or by August 2007). A calendar year report on the Redevelopment Agency's performance under the terms of the Settlement Agreement is required. This report represents the performance report for calendar year 2007.

Recommendation: This is an informational item only. No action is required.

14. Policy Items

None

15. Adjournment

5.a. Approval of Minutes  
- Regular Meeting of  
August 13, 2008

5.a. Approval of Minutes  
Regular Meeting of August 13, 2008



HOUSING AND REDEVELOPMENT COMMISSION  
CITY HALL  
AUGUST 13, 2008

MINUTES

1. Call to Order

The Housing and Redevelopment Commission of the City of Vallejo met in a regular meeting on August 13, 2008 at 7:41 p.m. in the Council Chambers of the City Hall at 555 Santa Clara Street in Vallejo, California.

2. Pledge of Allegiance

The Pledge was recited.

3. Roll Call

Present: Commissioners: Abdul-Ghanee, Brown, Platzer, and Urick

Absent: Commissioners: Pitts, Vance, and Verder-Aliga

Staff/Secretary: Guy L. Ricca, Senior Community Development Analyst

4. Approval of Agenda

A motion was made by Commissioner Urick to approve the agenda. The motion passed unanimously by voice vote, 4-0-0.

5. Approval of Minutes

a. Regular Meeting of May 14, 2008

Commissioner Urick made a motion to approve the minutes of the regular meeting of May 14, 2008. The motion passed unanimously by voice vote, 4-0-0.

6. Report of Presiding Officer and Members of the Commission

The Presiding Officer stated he had consulted with the Code Enforcement Division regarding overgrown weeds at a residential property in the Country Club Crest neighborhood, and the City Ordinance related to this issue.

7. Secretary's Report

The Secretary noted two items: (1) The City's Housing and Community Development Division will staff the Commission's regular meetings scheduled for August 13, 2008, October 8, 2008, and December 10, 2008; and the Economic Development Division will staff the Commission's regular meetings scheduled for January 14, 2009, March 11,

2009, and May 13, 2009; and (2) the order of business and subject titles approved by the Commission in its August 13, 2008 agenda are not in compliance with Section 3.08, Order of Business, of the Commission's By-Laws.

8. Council Liaison's Report

There was no report.

9. Communications and Presentations

- a. Letter dated July 10, 2008 sent by FAX to the Housing and Redevelopment Commission from Willie B. Quinn, President, Concerned Citizens of Country Club Crest

The Secretary reviewed the communication.

10. Community Forum

There were no speakers.

11. Consent Calendar

There were no items.

12. Public Hearings

There were none.

13. Administrative Items

- a. Follow-up Regarding the North Vallejo Senior Lunch Room Request for Help

The Chair gave an overview on the work of the Commission Ad Hoc Committee on this subject. The Chair asked the Secretary for any further updates, including a description of the process for forwarding, by staff, items from the Commission to the City Council.

Mr. Ricca stated that staff had been providing technical assistance to Betty Frank, Concerned Citizens of Country Club Crest, regarding what documentation is required of an organization to qualify for funding from the City. He indicated that the Fiscal Year 2008/2009 Agreement between Meals on Wheels of Solano County, Inc. and the City of Vallejo was scheduled for consideration by the City Council on September 9, 2008. Effective July 1, 2008, Meals on Wheels is no longer providing a congregate dining program at Fairgrounds Plaza. Mr. Ricca said that Resolutions adopted by the Commission regarding this matter are forwarded to the City Council.

b. Collaboration with Greater Vallejo Recreation District (GVRD) on Increasing Usage of the North Vallejo Community Center

Commissioner Urick, Chair of a Commission Ad Hoc Committee on this subject, provided a report. He noted that \$1.8 million has been allocated by the Redevelopment Agency to GVRD for improvements to the North Vallejo Community Center, and that the Commission held its meeting in July 9, 2008 at that location to discuss the strengths and weaknesses of the facility as a community center, and to obtain input from the residents of the area. He discussed the possibility of sending out a survey to residents as to their needs and interests pertaining to the Center. Commissioner Urick stated he would like to know of any homeowners associations that are present to the north or to the west of the Center, or in the Country Club Crest neighborhood, that can be contacted.

c. Country Club Crest Neighborhood Preservation Project

The Secretary presented the item, noting that a total of \$918,138 had been allocated in Fiscal Year 2008/2009 by the City Council and Redevelopment Agency for the project, primarily for public improvements; \$518,138 in Federal Community Development Block Grant (CDBG) Program funds for specific activities; and \$400,000 from the Flosden Redevelopment Project Area for specific improvements to be determined. Specific public improvements proposed by staff for the Country Club Crest using Flosden Project funds will be presented to the Commission for its consideration at a future meeting.

d. Status of Community Land Trust Option to Provide Affordable Housing

Melinda Nestlerode, Acting Housing and Community Development Manager, presented the item.

The following persons spoke: (1) Jennifer Wilson made comments in response to an attachment to the staff report, a letter from Legal Services of Northern California regarding a Community Land Trust (CLT) in Vallejo and the Buchongo Settlement Agreement; and (2) Diana Lang praised the CLT Request for Proposal, supported a CLT feasibility study, and the CLT concept. She spoke in favor of homeownership opportunities for residents.

14. Policy Items

There were none.

15. Adjournment

At 9:03 p. m., the meeting was adjourned.

**5.b. Approval of Minutes  
- Special Meeting of  
August 19, 2008**

**5.b. Approval of Minutes  
Special Meeting of August 19, 2008**

HOUSING AND REDEVELOPMENT COMMISSION  
CITY HALL  
AUGUST 19, 2008

MINUTES

1. Call to Order

The Housing and Redevelopment Commission of the City of Vallejo met in a special meeting on August 19, 2008 at 7:12 p.m. in the Planning Conference Room of the City Hall at 555 Santa Clara Street in Vallejo, California.

2. Pledge of Allegiance

The Pledge was recited.

3. Roll Call

Present: Commissioners: Abdul-Ghaneer, Brown, Platzer, Urick and Verder-Aliga

Absent: Commissioners: Pitts and Vance

Staff/Secretary: Melinda Nestlerode, Acting Housing and Community Development Manager

13. Administrative Items

a. Revision to Housing Authority Administrative Plan Chapter Four

Ms. Nestlerode provided an overview of the fire at Casa de Vallejo senior apartments which had displaced 120 Vallejo senior citizens. Phone calls made by Ms. Nestlerode indicated that the Department of Housing and Urban Development, (HUD), who subsidized the rent at Casa de Vallejo, was unable to provide assistance to the displaced seniors. The Housing and Redevelopment Commission (HRC) was asked to approve emergency revisions to the Housing Authority of the City of Vallejo (VHA) Administrative Plan. The revised language would allow the displaced senior citizens to move to the top of the VHA waiting list and receive Housing Choice Vouchers (HCV) immediately.

Commissioner Verder-Aliga questioned why only 75 vouchers were available to the Casa de Vallejo seniors. Commissioner Urick asked why the seniors would have to recertify eligibility for the program. Commission Chair Abdul-Ghaneer presented alternative language, and specified that he wanted to make sure that the Housing Authority Board heard the concerns of the HRC. Commission Chair Abdul-Ghaneer stated his concerns over the phrase "manmade disaster"; the fact that the language as written required destruction of four or more units; the requirement that victims of the disaster would be required to verify their circumstances; the fact that the language

required the “family” to verify their pre-disaster circumstances, rather than the “head of household”; and stated that the disaster should be confirmed by resolution of the City Council, rather than by language written into the Administrative Plan. Both Commissioners Platzer and Urick stated that requiring City Council resolution would delay immediate action by the VHA.

A revised resolution, which ensured that the Housing Authority Board would consider the alternative language presented by Commission Chair Abdul-Ghaneer was unanimously approved.

Ayes: Abdul-Ghaneer, Brown, Platzer, Urick, and Verder-Aliga

Noes: None

Absent: Pitts and Vance

#### 14. Adjournment

At 7:46 p.m., the meeting was adjourned.

13.a. Administrative Items  
- Housing Authority for  
the City of Vallejo  
Administrative Plan  
Changes

13.a. Administrative Items  
Housing Authority for the City of Vallejo  
Administrative Plan Changes



CITY OF VALLEJO


Agenda Item No.

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## HOUSING AND REDEVELOPMENT COMMISSION

Date: October 8, 2008

TO: Chair and Commissioners

FROM: Melinda Nestlerode, Acting Housing and Community Development  
Manager 

SUBJECT: REVISION OF ADMINISTRATIVE PLAN CHAPTERS THREE, FOUR  
TWENTY-TWO AND TWENTY-FOUR

### BACKGROUND AND DISCUSSION

Housing Authorities are required to maintain Administrative Plans by the U.S. Department of Housing and Urban Development (HUD). The purpose of the administrative plan is to establish policies for carrying out programs in a manner consistent with HUD requirements and local goals and objectives. Local goals and objectives are contained in the Housing Authority of the City of Vallejo's (VHA) one year and five year Agency Plans. HUD requires that the Administrative Plan be made available for public review. The full Administrative Plan is available on the City website at [www.ci.vallejo.ca.us](http://www.ci.vallejo.ca.us).

The administrative plan is set forth to define the VHA's local policies for operation of housing programs in conjunction with Section 8 of the United States Housing Act of 1937. At this time the VHA administers the Section 8 Housing Choice Voucher (HCV) program, as well as the Family Self Sufficiency, Homeownership and Project Based Voucher programs. All issues related to these programs not addressed in the Administrative Plan are governed by federal regulations, HUD handbooks and guidebooks, notices and other applicable law.

The VHA is responsible for complying with all changes in HUD regulations affecting the programs administered. The Administrative Plan must be revised as needed to comply with changes in HUD regulations, and to reflect local policy decisions. The original plan and any changes must be approved by the Housing Authority Board (HAB), with a copy provided to HUD. The revisions addressed below are scheduled to be reviewed by the HAB on October 21, 2008.

### Administrative Plan Revisions As A Result Of Annual Plan Comments

Housing Authorities are required to submit an Annual Plan to HUD, 75 days prior to commencement of the Fiscal Year (FY). Annual Plan regulations require a 45 day public review and comment period. The VHA's Resident Advisory Board (RAB) is a mandatory participant in the Annual Plan process. The role of the RAB is to assist and make

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recommendations regarding the development of the Plan and any significant amendments or modifications to it.

On April 11, 2008 Legal Services of Northern California and the National Housing Law Project (LSNC/NHLP) submitted joint comments regarding the Annual Plan (Attachment B). The majority of the comments focused on their recommendations for revisions to the Administrative Plan. A special meeting of the RAB was scheduled to review the comments. The revisions to the Administrative Plan outlined below represent the changes advised by LSNC/NHLP, and approved by the RAB. Due to time constraints, only half of the suggestions have currently been incorporated into the Administrative Plan. The remaining revisions will come before the HRC and the HAB in December 2008.

Chapter Three - Eligibility

Section 3-I.C: Family Break-Up and Remaining Member of Tenant Family - Page 3-3 of Administrative Plan:

LSNC/NHLP's suggestion pertains to family break ups, for both applicants on the waiting list, and participants in the HCV program. Current Administrative Plan language provides for only one segment of the broken family to retain their place on the waiting list or the voucher. LSNC/NHLP contend that there may be equally compelling reasons for both families to remain on the waiting list or to continue assistance. The current language provides some discretion to the VHA:

“In the absence of a judicial decision, or an agreement among the original family members, the HA will determine which family retains their placement on the waiting list, or will continue to receive assistance taking 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) any possible risks to family members as a result of domestic violence or criminal activity, and (4) the recommendations of social service professionals.”

In addition to the language indicated above, the VHA will include the following sentences:

“In the case of a family break up where both parties include a responsible adult and minor children, and/or a person or persons with disabilities, the Executive Director, or his/her designee may decide to allow both parties to remain on the list or retain the voucher. In order for the Executive Director, or his/her designee, to consider this arrangement, the family must request the exception in writing, and all family members must have been listed on the initial application. In the case of program participants, all members of the family must have been authorized family members for at least three years prior to the break up.”

Section 3-I.L: Absent Family Members: Return of Permanently Absent Family Members - Page 3-6 of Administrative Plan

LSNC/NHLP's concern was the requirement that returning family members were included in the subsidy calculation only through birth, marriage, adoption or court awarded custody. The VHA realizes that current economic conditions may necessitate the return of family members, and has revised the language in this section to address LSNC/NHLP's concerns. The Absent Student policy has been adjusted to incorporate students of all ages. The Return of Permanently Absent Family Members section has been revised to eliminate the restrictive subsidy increase requirements. Any family member approved to rejoin the family by the VHA will be included in the subsidy calculation. The subsidy size will be adjusted at the time of the family's annual recertification, or when the family moves, whichever comes first.

Section 3-III.A: Forms of Denial of Assistance - Page 3-15 of Administrative Plan

LSNC/NHLP's comments concerned itemized definitions of actions that would classify as forms of denial of assistance. The VHA has revised this section of the Administrative Plan as follows, to include LSNC/NHLP's suggestions:

Not placing the family's name on the waiting list

Denying or withdrawing a voucher

Not approving a request for tenancy or refusing to enter into a HAP contract,

Refusing to process a request for or to provide assistance under portability procedures

Removal of the family's name from the waiting list, or

Refusal to schedule an eligibility interview once a family's name has been selected from the waiting list

Two of LSNC/NHLP's suggestions were not used in this section, as they pertain to the granting of preferences. The withdrawal or revision of a preference does not qualify as "denial of assistance". If preferences are revised based on verification of a family's claimed preferences, the family remains on the waiting list.

Section 3-III.C: Other Permitted Reasons for Denial of Assistance – Page 3-18 of Administrative Plan

LSNC/NHLP's concerns involve VHA policies which require denial of assistance "if the family has not reimbursed any HA for amounts the HA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the

lease, unless the family repays the full amount of the debt prior to being selected from the waiting list.”

Based on the advice provided by LSNC/NHLP’s, this section of the Administrative Plan has been revised to create exceptions for debts whose statute of limitations has passed. The VHA will continue to comply with the Consideration of Circumstances policy outlined at part 3-III.E of the Administrative Plan.

Chapter Four – Applications, Waiting List and Tenant Selection

Section 4-II.F: Updating the Waiting List – Purging the Waiting List – Page 4-6 of Administrative Plan

It is typical Housing Authority industry practice to “purge” the waiting list on a regular basis, in order to remove family’s who are no longer interested or available for a voucher. LSNC/NHLP’s comments requested additional notification to families who did not respond to update notices, prior to removal of their names from the waiting list.

This section of the Administrative Plan has been updated. The new policy will allow non-responses for two consecutive updates, prior to removal from the waiting list. A second non-response will illicit a notice to the family describing their informal review rights.

Administrative Plan Revisions to Revise Emergency Preference Language

Chapter Four – Applications, Waiting List and Tenant Selection

Section 4-III.C: Selection Method – Page 4-9 of Administrative Plan

On August 19, 2008, the HAB adopted a revised resolution approving the revision of VHA preference categories to incorporate an emergency preference. The revision was predicated by the Casa de Vallejo fire, which displaced 120 senior citizens. The HAB requested that the revised emergency language return for their review in 60 days. The VHA has incorporated suggestions from the HRC and the HAB, has reviewed similar language in Administrative Plans from other Housing Authorities, and proposes the following revised language:

**Definition of Disaster**

A calamitous event, esp. one occurring suddenly and causing *great* loss of life, damage, or hardship, as a flood, airplane crash, or business failure.<sup>1</sup>

**Definition of Great**

Unusually or comparatively large in size or dimensions, large in number; numerous.<sup>2</sup>

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<sup>1</sup> <http://dictionary.reference.com/browse/disaster>. Dictionary.com. 2008

“The highest priority on the VHA waiting list will be reserved for emergency assistance for families or individuals who reside in dwelling units within the City of Vallejo, which have been rendered uninhabitable by natural or fire related disasters. In order to avoid negatively impacting the current applicants on the VHA waiting list, the disaster must be of significant magnitude to invoke emergency assistance. Any multifamily building in which four or more units have been deemed uninhabitable, or any four single family homes which have been impacted by a single disaster and made uninhabitable, would trigger the implementation of this emergency assistance. The affected families or individuals must be able to verify the uninhabitable condition of their immediate residence through official documentation, such as a report from the Vallejo Fire Department; documentation that the building is uninhabitable by the Vallejo Building Official, Solano County Health Department, or other local, state or federal branch of government; and they must qualify for assistance through the Federal Emergency Management Agency (FEMA) and/or the American Red Cross. This preference category will be considered “targeted assistance”, and will only be utilized in the case of an emergency situation meeting the criteria described above. Due to the emergency nature of this preference category, families and individuals meeting the criteria may apply regardless of whether the VHA waiting list is open. Families or individuals requesting emergency assistance will be required to verify their authorized “head of household” residence in the impacted building.

Families and individuals meeting the criteria for emergency disaster assistance must meet all eligibility guidelines required by the Housing Authority, including income eligibility, and must pass a criminal background check. Applicants meeting all requirements described above will receive first preference for a voucher as soon as one becomes available. ”

Administrative Plan Revisions Due to Policy Updates

Chapter 22 – Family Self Sufficiency – Entire Chapter

Chapter 22 was reviewed in its entirety to assess areas requiring updates or improvements. The new chapter includes Purpose and Objectives sections to more clearly outline the goals of the Family Self Sufficiency (FSS) program. Other revisions are designed to address improvements made to VHA FSS policies, and include:

- ❖ The addition of Interest Forms and a waiting list in the selection process

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2 <http://dictionary.reference.com/browse/great>. Dictionary .com 2008

- ❖ Codification of the fact that we now have a voluntary FSS program, rather than HUD mandated
- ❖ Clarification of portability procedures and participant responsibilities under portability
- ❖ Definition of GED, high school diploma, and suitable employment graduation criteria

**Chapter 24 – Homeownership Action Plan – Entire Chapter**

Chapter 24 was revised to include current HUD guidance and clarify the current language. Highlights of the revisions to Chapter 23 include:

- ❖ Reduced families total housing cost to 55%, from 65%
- ❖ Added special provisions available to disabled families
- ❖ Included new HUD provision which allows the purchase of newly constructed housing
- ❖ Added Homeownership Family Obligations

**FISCAL IMPACT**

There is no immediate fiscal impact caused by the revision of the Administrative Plan

**RECOMMENDATION**

Review and comment on the revisions to Chapters Three, Four, Twenty-Two and Twenty Four of the Administrative Plan.

**ENVIRONMENTAL REVIEW**

An environmental review is not required.

**PROPOSED ACTION**

Recommend adoption of the revised Chapters Three, Four, Twenty-Two and Twenty Four of the Administrative Plan to the Housing Authority Board.

**ATTACHMENTS**

- Attachment A – Resolution
- Attachment B - LSNC/NHLP's Comments on the Annual Plan
- Attachment C – Chapter Three
- Attachment D – Chapter Four
- Attachment E – Chapter Twenty-Two
- Attachment F – Chapter Twenty-Four

**PREPARED BY/CONTACT:**

Melinda Nestlerode, Acting Housing and Community Development Manager, (707) 648-4408, [mnestlerode@ci.vallejo.ca.us](mailto:mnestlerode@ci.vallejo.ca.us)

# ATTACHMENT “A”

# ATTACHMENT "A"

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the Housing and Redevelopment Commission of the City of Vallejo reviewed and provided comments on the revised Administrative Plan chapters;

THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Commission of the City of Vallejo that Chapters Three, Four, Twenty-Two and Twenty-Four of the Housing Authority's Administrative Plan are hereby recommended for approval by the Vallejo Housing Authority.

(HRC meeting – 10/08/08)



# ATTACHMENT “B”

LEGAL SERVICES OF  NORTHERN CALIFORNIA

SOLANO COUNTY OFFICE 1810 CAPITOL STREET VALLEJO, CA 94590  
VOICE: (707) 643-0054 TOLL FREE: (800) 270-7252 FAX: (707) 643-0184  
EMAIL: SOLANO@LSNC.NET WEB: WWW.LSNC.NET

April 11, 2008

Melinda Nestelrode  
Senior Community Development Analyst  
City of Vallejo Housing Authority  
200 Georgia Street  
Vallejo, California 94590

RECEIVED  
City of Vallejo  
Housing and Community  
Development Division

APR 14 2008

Referred to \_\_\_\_\_

Dear Melinda Nestelrode:

Legal Services of Northern California and the National Housing Law Project submit the following comments in connection with the City of Vallejo Housing Authority's (VHA) proposed Annual Plan for Fiscal Year 2008-2009, including revisions to the Section 8 Administrative Plan.

Legal Services of Northern California (LSNC) provides free legal services to low-income residents of Northern California including Vallejo. The National Housing Law Project (NHLP) is a national housing law and advocacy center that provides legal assistance, advocacy advice and housing expertise to legal services and other attorneys, low-income housing advocacy groups, and others who serve the poor. We submit these comments in the hope that they will facilitate a continued dialogue with Vallejo and assist the agency in administering its housing programs in a manner consistent with its mission of promoting adequate and affordable housing.

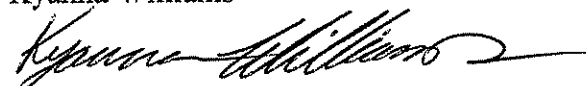
Our comments on the Annual Plan focus on the following general areas: Voucher utilization; Family Break-up; Return of Absent Family Members; Denial of Assistance; Waiting List Purges; HQS Standards and Inspections; Implementation of the Violence Against Women Act; Reasonable Accommodation Policies and; Limited English Proficiency Issues.

We welcome meeting with VHA to further discuss any of these issues.

Sincerely,

LEGAL SERVICE OF NORTHERN CALIFORNIA

Kyanna Williams



NATIONAL HOUSING LAW PROJECT

Catherine Bishop

Navneet Grewal

Meliah Schultzman

Enclosure:

LSNC and NHELP Comment to VHA Annual Plan, 2008-2009 – 14 pages

## **I. Voucher Utilization**

### **Annual Plan**

#### **Page 1**

The Streamlined Annual Plan for 2009 states that the Housing Authority for the City of Vallejo (VHA) has 2266 authorized vouchers. A recently released chart, which is attached, compiled by the Center on Budget and Policy Priorities (CBPP) notes that VHA had 2268 authorized vouchers and more importantly used on average only 2020 vouchers in calendar year 2007, which is 248 less than authorized or 89% of the authorized level. In practical terms that means that 248 families on VHA's waiting list were not assisted and approximately \$2 million of available funds were not used (244 x \$8,478 (estimated cost per unit) = \$2,102,544). In contrast, in 2004 and 2005, VHA achieved substantially higher utilization rates of 98% and 97%.

Looking to this calendar year, 2008, we are extremely concerned that VHA make every possible effort to fully lease up all available vouchers. We believe that this is the last year that VHA will have sufficient reserves to fully lease up all authorized vouchers. Therefore, we would like to know.

- Has VHA evaluated the reasons why it has not fully leased up all available vouchers?
- If so, what are the reasons for not fully leasing up all available vouchers? (Is it because the payment standard is too low, applicants cannot find units that meet the housing quality standards, staff cannot quickly process the families on the waiting list, etc.)
- Has VHA developed a plan to maximize voucher lease up in calendar year 2008?
- If so, what steps is VHA taking to maximize voucher lease up in calendar year 2008?
- Can VHA increase significantly its program of project-based vouchers?
- What assistance does VHA need to fully lease up authorized vouchers in calendar year 2008?

## **II. Family Break-Up and Remaining Member of Tenant Family - 3-I.C**

VHA Policy:

When a family on the waiting list breaks 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.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

Comment:

VHA should consider that there may be equally compelling reasons for both families to remain on the waiting list or for continuing assistance to both families following a break up. The Administrative Plan should reflect that VHA has discretion to allow both families

to remain on the waiting list or to continue receiving assistance following a break up. VHA should use this discretion to protect the needs of both families when both families include minor children and/ or individuals with disabilities.

### **III. Absent Family Members – Return of Permanently Absent Family Members - 3-I.L**

VHA Policy:

The family must request HA approval for the return of any adult family members that the HA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter. The voucher size will not be increased, other than through family composition changes based on birth, marriage, adoption or court awarded custody

Comment:

VHA's current policy of denying an increased voucher size when a permanently absent family member returns home is detrimental to families. If the presence of the returning family member would have otherwise triggered an increase in the voucher size, VHA should grant the increase regardless of whether the person was last classified as a permanently absent family member. If VHA has determined that the person is eligible to be part of the family (for Section 8 purposes) and VHA in fact approves that person, there is little or no justified reason for refusing to increase the family's voucher size.

Refusal to increase the voucher size where it would have otherwise been warranted (because of the number of family members) discourages families from reuniting, particularly where the returning family member has countable income.

This rule is particularly unfair when the returning family member was "permanently absent" because of medical reasons. VHA considers family members that are expected to be confined to a nursing home or hospital for more than 90 consecutive days as being permanently absent from the home. (Administrative Plan, §3-I.L) These family members may be disabled and more likely to need separate bedrooms. While a family member with disabilities can request a reasonable accommodation under these circumstances, it is more appropriate for VHA to address this problem on a policy level through its Administrative Plan.

### **IV. Forms of Denial of Assistance - 3-III.A**

VHA Policy:

Denial of Assistance includes any of the following:

- Not placing the family's name on the waiting list.
- Denying or withdrawing a voucher.
- Not approving a request for tenancy or refusing to enter into a HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures

Comment:

VHA should also include the following under Denials of Assistance:

- Removal of the family's name from the waiting list,
- Refusal to grant a preference,
- Withdrawal of a preference, or
- Refusal to schedule an eligibility interview once a family's name has been selected from the waiting list.

#### **V. Other Permitted Reasons for Denial of Assistance - 3-III.C**

VHA Policy:

The HA will deny assistance to an applicant family if:

- If the family has not reimbursed any HA for amounts the HA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to being selected from the waiting list.

Comment:

24 CFR §982.552 allows a PHA to terminate or deny assistance "if the family currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act." Statutes of limitation limit the time in which a party may collect a debt through a lawsuit. Program applicants and participants should not be denied assistance because of debts where the statute of limitations has passed. Such debts are not "current" debts and thus are not addressed by 24 CFR §982.552. VHA Administrative Plan should explicitly create an exception for debts whose statute of limitations has passed.

Before determining that a family owes a debt to VHA, VHA should first allow the family to submit evidence rebutting the allegation. If VHA subsequently determines that a debt is owed, the determination should be subject to an informal review for program applicants and an informal hearing for program participants.

Before denying assistance to an applicant or participant family because of debts, VHA should follow its general policy of considering any mitigating circumstances.

"The HA will consider the following factors when making its decisions: The seriousness of the case, especially with respect to how it would affect other residents; The effects that denial of assistance may have on other members of the family who were not involved in the action or failure; The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities; The length of time since the violation occurred, the family's recent history and the likelihood of favorable conduct in the future; ..." (Administrative Plan, 3-III.E).

By routinely considering all mitigating circumstances prior to proposing denial of assistance, VHA better protects the rights and needs of vulnerable families and individual family members.

## **VI. Updating the Waiting List - Purging the Waiting List - 4-II-F**

VHA Policy:

“If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice.”

VHA Policy:

“If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.”

Comment - VHA should treat removal from the waiting list through purging the same as it treats removal in any other circumstance (i.e., discovering that the family is not eligible for the program, or return of a tenant notification letter). Before VHA removes an applicant family's name through purging, VHA should give the family a notice of action that explains reasons for the removal and informs the family how to request an informal review of the proposed action.

Removal through purging is really just another way of saying that the family is no longer eligible for assistance because the family has not complied with VHA rules while on the waiting list. It is unfair for a family to not have notice that it is being removed from the waiting list. It may potentially be one year or more before a family realizes that it has been removed from the waiting list. Such a system severely limits the family's ability to take action and limits the family's ability to challenge an inappropriate removal. It is difficult for families to gather evidence in support of their position when so much time has passed. Facts and dates, which may have been fresh in family members' or potential witness' minds will dull with the passage of time.

If the Executive Director/ designee decides to reinstate the applicant family to the waiting list, the family should be put in the same position as it would have been had removal from the waiting list not occurred. To do otherwise would be to subject the family to punishment that is particularly inappropriate once the family has established that the family's lack of response was due to VHA error or circumstances beyond the family's control.

## **VII. HQS and Inspections – Move-Out/ Vacate - 10-D and 10-K**

VHA Policy:

A move out inspection will be performed only at the landlord's or tenant's request. (§ 10-D)

Comment:

VHA should include further guidelines regarding the scope and content of move-out inspections in the Administrative Plan.

VHA Policy:

The HA is not a party to the lease, and therefore has no responsibilities regarding the disposition of the security deposit. The HA may, at the owner or tenant's request, conduct a move-out inspection for the owner or tenant to use as documentation for any disputes that arise concerning the security deposit disposition. The tenants are encouraged to utilize other avenues to resolve security deposit disputes, including utilizing the services of the Human Relations Commission or Solano County Legal Assistance. (§10-K)

Comment:

The language above should change to read:

The HA is not a party to the lease, and therefore has no responsibilities regarding the disposition of the security deposit. The HA ~~may~~ **will**, at the owner or tenant's request, conduct a move-out inspection for the owner or tenant to use as documentation for any disputes that arise concerning the security deposit disposition. The tenants are encouraged to utilize other avenues to resolve security deposit disputes, including utilizing the services of the Human Relations Commission or ~~Solano County Legal Assistance~~ **Legal Services of Northern California.**"

Changing "may" to "will" is in keeping with VHA's aforementioned policy that "A move-out inspection will be performed only at the landlord's or tenant's request." Such a policy is especially important for vulnerable tenants. Tenants often find themselves in unequal positions of power with landlords and property managers. Landlords frequently fail to maintain habitability standards. Locally, many landlords and property managers have established the practice of routinely keeping security deposits in violation of the law. Currently, there are a large number of foreclosed rental properties where owners have disappeared and tenants are thus not able to participate in walkthrough move-out inspections with the landlord or property manager. Move-out inspections with VHA greatly help to protect tenant's rights, especially the right to recover much needed security deposit fees.

"Legal Services of Northern California" was formerly named "Solano County Legal Assistance". The Administrative Plan should be updated to reflect the change in name.

### **VIII. HQS and Inspections – Determination of Responsibility (Vermin Infestation) - 10-J**

VHA Policy:

If the family is responsible but the owner carries out the repairs, the owner will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

Comment:

VHA should require the owner to demonstrate that the family in fact caused the vermin infestation before VHA places any negative notation in the family's file. A mere allegation on the owner's part is not sufficient to establish conclusively that the family was in fact responsible for the infestation. VHA should not place a negative notation in

the family's file based solely on unsubstantiated allegations by the owner. In the interests of fairness, VHA should at a minimum, take the following steps before placing a negative notation in the family file: 1) Require the owner to submit evidence demonstrating that there was a vermin infestation; 2) Require the owner to submit evidence demonstrating that the family caused the vermin infestation; 3) Require the owner to submit evidence demonstrating that the owner resolved the infestation (cleared the home of vermin); 4) Require the owner to submit bills or receipts demonstrating how much it actually cost the owner to resolve the infestation; 5) Allow the family to submit evidence demonstrating that it did not cause the alleged infestation; 6) Allow the family to submit evidence rebutting the owner's assertion of how much it cost to resolve the alleged infestation; 7) use the preponderance of the evidence standard to determine whether the family was in fact responsible for an infestation which the owner subsequently cured.

### **IX. HQS and Inspections – Consequences if Family is Responsible - 10-K**

VHA Policy:

If non-emergency violations of HQS are determined to be the responsibility of the family, the HA will require the family make any repair(s) or corrections within 30 days. If the repair(s) or correction(s) are not made in this time period, the HA will terminate assistance to the family, after providing an opportunity for an informal hearing. Extensions in these cases must be approved by Leased Property Negotiator. The owner's rent will not be abated for items which are the family's responsibility.

Comment:

Under the Administrative Plan, families should have the right to request hardship extensions on their time to make HQS repairs. A family may, of course, request an extension based on the disability of one or more family members (request for reasonable accommodation of disability). However, families should also be able to request extensions for non-disability related hardships. For example, the family was unable to make the repairs because of a personal or family emergency, inadequate finances, owner interference, difficulty in finding the appropriate tools, parts, or repair services, or other circumstances that may be beyond the family's ability to control. Additionally, VHA should refrain from formally or informally invoking a strict policy limiting the number of extensions. Such policies help protect vulnerable families from termination when they have legitimate reasons for not completing repairs in time. The Section 8 program is designed to assist vulnerable families. Having a clear hardship extension policy is in keeping with the spirit and goal of the Section 8 program.

### **X. Implementation of the Violence Against Women Act**

We commend VHA for incorporating the provisions of the Violence Against Women Act (VAWA) into its Administrative Plan. We are pleased that VHA notifies Section 8 participants of their rights under VAWA at the time of admission and at annual recertification. We are also pleased that VHA includes a statement regarding VAWA in its denial of assistance letters. We do have a few areas of concern regarding VHA's implementation of VAWA, particularly VHA's certification policies and its handling of



cases where a victim may pose an actual and imminent threat to other tenants. These concerns are discussed in detail below.

## **Annual Plan**

VHA's draft annual plan does not describe the activities, services, or programs that VHA has implemented to help victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing. VAWA requires a PHA to describe in its annual plan any activities, services, or programs that help victims of domestic violence, dating violence, sexual assault, or stalking to obtain or maintain housing. *See* 42 U.S.C. § 1437c-1(d)(13). HUD has directed that "PHAs must include the statement required by VAWA 2005 in their next regularly scheduled plan submission." 72 Fed. Reg. 12,696, 12,697 (Mar. 16, 2007). We therefore encourage VHA to describe any activities it has undertaken to implement VAWA. It is our understanding that VHA has instituted efforts to inform tenants, owners, and managers of VAWA, and we suggest that VHA detail these efforts in its annual plan. Additionally, if VHA has trained its staff on VAWA's provisions, designated staff members to handle VAWA cases, or made arrangements to refer tenants or applicants to a particular victim service provider, VHA should describe these activities and indicate the steps it has taken to make victims of domestic violence, dating violence, and stalking aware of the services.

## **Administrative Plan**

### Definitions of Domestic Violence, Dating Violence, and Stalking

The Administrative Plan does not contain definitions of "domestic violence," "dating violence," or "stalking." Program staff and participants often have questions as to whom can be considered a victim of dating violence, domestic violence, or stalking. We therefore encourage VHA to include VAWA's definitions of dating violence, domestic violence, and stalking in the Administrative Plan. Additionally, VAWA's definition of "domestic violence" also incorporates state law definitions of the term. As a result, VHA should include California's definition of domestic violence in the Administrative Plan. We have included the definitions of these terms as they appear in VAWA and the California Family Code. *See* 42 U.S.C. § 13925(a)(6), (8); 42 U.S.C. § 1437f(f)(10); Cal. Family Code § 6211.

VAWA defines "domestic violence" as felony or misdemeanor crimes of violence committed by:

- (1) a current or former spouse of the victim;
- (2) a person with whom the victim shares a child in common;
- (3) a person who is cohabitating with or has cohabitated with the victim as a spouse;
- (4) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies;
- (5) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction [i.e., California].

California law defines “domestic violence” as abuse perpetrated against the victim by:

- (1) The victim’s spouse or former spouse.
- (2) Someone the victim lives with or lived with in the past.
- (3) Someone the victim is dating or has dated.
- (4) Someone the victim has a child with.
- (5) Someone to whom the victim is related by blood, marriage, or adoption (including the victim’s parent, grandparent, child, grandchild, brother, or sister)

VAWA defines “dating violence” as violence committed by a person--

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

VAWA defines “stalking” as:

- (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; OR
- (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person;

AND

(B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to--

- (i) that person;
- (ii) a member of the immediate family of that person; OR
- (iii) the spouse or intimate partner of that person

#### Screening for Suitability, Page 3-18, Page 9-1

The Administrative Plan states that VHA will provide prospective Section 8 landlords with the names and addresses of the landlords at the applicant’s current and former address. A policy requiring tenants to disclose prior landlords’ contact information or mandating that the information be shared if available may cause serious problems for victims of domestic violence. If the prospective owner contacts a victim’s current or former landlord, the abuser may be able to track the victim’s location.

We suggest that VHA tell applicants which parties will be contacted so that safety risks can be identified. As noted by HUD, “PHAs should also be cognizant of a victim’s need to feel safe and as a result, she/he may be apprehensive about providing certain requested information such as current and previous address. In such cases, PHA staff should consider alternatives to verifying suitability.” HUD, Public Housing Occupancy Guidebook Ch. 19, p. 218 (June 2003). We encourage VHA to work with victims of domestic violence to identify alternative means of verification for critically needed information where primary means may place the applicant’s safety at risk.

#### Absence of Entire Family, Page 6-8

The Administrative Plan states that if the entire family is absent from the assisted unit for more than 30 consecutive days, without the knowledge and permission of VHA, the unit will be considered vacated and the family's assistance will be terminated. VHA provides an exception to this policy if the family's absence was due to disability.

We encourage VHA to create an exception for families who flee their assisted units due to domestic violence. As you may be aware, incidents of violence often increase once the domestic violence survivor takes steps to leave the batterer. As a result, a domestic violence survivor may be forced to enter a shelter or other safe location while she develops a safety plan and/or obtains a protective order. The survivor may fear disclosing her location to any outside entity, such as housing authority staff, due to concerns that the batterer will be able to track her location. In these circumstances, VHA should permit reinstatement of the voucher if the survivor provides verification of the domestic violence.

#### Allowable Moves Under Portability, Page 13-6

The Administrative Plan provides that if the applicant family did not reside in the housing authority's jurisdiction at the time the family submitted its application for assistance, the family must live in the housing authority's jurisdiction for at least twelve months before requesting portability. We encourage the housing authority to create an exception to this policy for victims of domestic violence who must flee their abusers due to the risk of continued violence. VAWA provides that even if moving out of an assisted unit would otherwise constitute a violation of the lease, a PHA may permit a voucher family to move to another jurisdiction if the family is moving to protect the safety of an individual who is the victim of domestic violence. *See* 42 U.S.C. § 1437f(r)(5).

#### Victim Documentation, Page 15-9

The Administrative Plan states that Section 8 participants who seek to assert VAWA's protections must provide two documents. First, the individual must provide a signed statement that includes the name of the perpetrator and certifies that the incidents in question are bona fide incidents of actual or threatened domestic violence, dating violence, or stalking. Second, the individual must provide either (a) a police or court record; or (b) a signed statement from a victim service provider, an attorney, a medical professional, or another knowledgeable professional from whom the victim has sought assistance in addressing the abuse.

VHA's policy for verifying domestic violence is inconsistent with VAWA's provisions. VAWA clearly states that a victim may satisfy the certification requirement by providing only *one* of three documents: (1) HUD-approved certification form; OR (2) signed statement from a professional; OR (3) police or court record. *See* 42 U.S.C. § 1437f(ee)(1)(A), (C). Further, HUD has made clear that a signed statement from a professional or a police or court record may be provided "[i]n lieu of a certification form." *See* Notice PIH 2006-42. It is therefore contrary to the intent of the statute to require the victim to provide both a signed certification and another type of documentation. It is also unduly burdensome for the victim, who in some cases may be in

the process of fleeing from the perpetrator. VHA should therefore modify its current certification policy to reflect VAWA's language and to require that a victim need only supply *one* of the three types of documentation listed in the statute (again, certification form, third party statement, or police or court record).

This approach is consistent with the policies that other housing authorities in the Bay Area have implemented. As the chart below shows, only one other housing authority (San Mateo County) requires victims to provide two forms of documentation:

<b>Housing Authority</b>	<b>Certification Required to Assert VAWA's Protections</b>
Alameda County	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
Berkeley	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
Contra Costa County	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
Fairfield	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
San Francisco	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
City of Alameda (revised 3/08)	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; OR</li> <li>2. Signed statement from service provider; OR</li> <li>3. Police or court record</li> </ol>
Sonoma County	<ol style="list-style-type: none"> <li>1. HUD-approved certification form and/or housing authority's certification form</li> </ol>
San Mateo County	<ol style="list-style-type: none"> <li>1. HUD-approved certification form; AND EITHER:               <ol style="list-style-type: none"> <li>a. Signed statement from service provider; OR</li> <li>b. Police or court record</li> </ol> </li> </ol>

Additionally, the Administrative Plan makes no mention of the availability of the HUD-approved certification form. Many victims may have little to no experience in documenting the acts of violence committed against them, and may have never drafted a declaration or an affidavit outlining the incidents of abuse. The HUD-approved form is a helpful way to assist these victims in providing the information that is needed to verify incidents of violence, and should therefore be expressly noted in the Administrative Plan and included in the briefing packets for new Section 8 families.

On any occasion in which VHA is requesting verification of domestic violence, VHA must give the individual a copy of the HUD certification form, a list of other acceptable means of verification, and a list of agencies that can assist the individual in completing

any verification requirements. Limited English Proficient individuals must be provided materials in their native language or be provided with a VHA-supplied interpreter.

Actual and Imminent Threat Exception, page 15-10

The Administrative Plan states that “If the VHA can demonstrate an actual and imminent threat to other participants or those employed at or providing service to the property if the participant’s tenancy is not terminated, the VHA will bypass the standard process and proceed with the immediate termination of the family’s assistance.”

We are concerned that this policy could result in unnecessary terminations of assistance for domestic violence survivors. We are unsure what VHA means by stating that it will “bypass the standard process and proceed with the immediate termination of the family’s assistance.” Because neither VAWA nor HUD has defined the meaning of the term “actual or imminent threat,” and this term is highly subjective, it is unacceptable for VHA to deny an informal hearing or other “standard process” to domestic violence victims who are believed to pose an actual and imminent threat to others.

If the domestic violence victim does in fact pose an actual and imminent threat, termination of assistance alone would not ensure the victim’s removal from the premises. Nor would it ensure the safety of other tenants. In fact, until the Section 8 landlord commences an eviction action against the victim, the victim is free to remain in the unit regardless of whether the Section 8 assistance is terminated. Therefore, VHA’s current policy of proceeding with the immediate termination of a domestic violence survivor who poses an “actual and imminent threat” does nothing to preserve the safety of other tenants in the building. Instead, the immediate termination policy serves only to harm the interests of domestic violence survivors who are most at risk of experiencing violence, and limits their ability to flee from their batterers.

A constructive and logical approach would be to assist the survivor in using the voucher to rent another unit in a confidential location. This way, VHA could protect both the domestic violence survivor and the other tenants in the building. In any event, because it is highly likely that an individual would dispute whether he or she poses an actual or imminent threat to other tenants, the individual must be afforded an informal hearing before rental assistance is terminated for this reason.

**XI. Reasonable Accommodations**

An important facet of reasonable accommodations is ensuring a staff that is well-versed in disability-awareness. Because too few people are aware of the issues affecting people with disabilities, HACA should, in its duty to affirmatively further fair housing, provide annual disability awareness trainings. These trainings should include information on Fair Housing law, cultural competency, and how to be inclusive of people with disabilities. We will gladly provide assistance in implementing such trainings.

## **Administrative Plan**

### Approval/Denial of a Requested Accommodation, Page 2-8

The plan states, “before making a determination whether to approve a request, the VHA may enter into discussion and negotiation with the family, request more information from the family, or may require the family to sign a consent form so that the VHA may verify the need for the requested accommodation.”

### Page 2-9

VHA states that it will verify the need for the requested accommodation through a third party. We suggest that this language be made more precise, so that people are aware of the different kinds of third parties that may verify the requested accommodation. The HUD/DOJ Joint Statement on reasonable accommodations states that “a doctor or other medical professional, a peer support group, a non-medical service agency, or a reliable third party who is in a position to know about the individual’s disability” may provide verification. The HUD/DOJ Joint Statement on “Reasonable Accommodations under the Fair Housing Act,” May 17, 2004

### Page 2-9

The plan states that VHA will relay its decision regarding a reasonable accommodation within “a timely manner.” Because reasonable accommodations can make an enormous impact on a participant’s day-to-day living, we suggest that “timely manner” be changed to “within ten days.” It is important to have a specific timeline set out so that participants can know exactly what to expect.

### Page 2-9

The housing authority states, “The need for reasonable accommodation will be reviewed annually at the family’s annual recertification appointment.”

While we understand the need to assess whether or not a person still needs a continuing reasonable accommodation, this blanket policy is impractical and overly burdensome. Often, low-income families, especially those with disabilities, may not have a regular or doctor, or access to social services. We recommend that anyone who has verified that they have a permanent disability requiring a reasonable accommodation need not recertify each year. If VHA is going to required recertification, then it should only be done for participants who have a temporary disability.

Additionally, this section should specifically note that HUD guidance and federal law admonishes that a housing authority may only ask for the level of detail that is required to show that the accommodation is necessary to accommodate the disability. This does not, and in many cases, must not be extremely detailed.

### Voucher Term, Extensions, and Suspensions Page 5-11

This section only allows a voucher extension of up to 180 days as a reasonable accommodation. We support the housing authority’s recognition that a person with disabilities may need an extension of their initial voucher search time in order to find a suitable unit. However, given the individualized nature of reasonable accommodation, it

is also important not to limit the search time to 180 days. There are a number of unique circumstances that may warrant a longer search time. We urge that the authority change this language to simply state that VHA will approve an additional extension if it is necessary as a reasonable accommodation for a person with disabilities, without the limitation that currently follows it.

## **XII. Limited English Proficiency**

### **Administrative Plan**

#### **Overview, Page 2-11**

##### *HUD Guidance*

We applaud VHA for its effort to increase access for persons with limited English proficiency. VHA should note that HUD has come out with its final notice regarding LEP. "Final Guidance to Federal Financial Assistance Recipient Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (HUD Final LEP Guidance). 72 F.R. 2732 (Jan. 22, 2007).

#### **Oral Interpretation, Page 2-13**

While it is important to allow a participant to use a family/friend as an interpreter if necessary, the HUD Final LEP Guidance strongly discourages use of friends/family members. The Guidance notes that there may be conflicts of interest such as a perpetrator of DV translating for a partner, or the person may simply be less comfortable sharing information with the friend/family member. This is specifically addressed both on page 2743 of the F.R., Appendix B., Question VIII, as well as in the Comments, of HUD's Final LEP Guidance.

#### **Written Translation, Page 2-13**

We are pleased that VHA has said that it will translate vital documents. The plan should include the documents that will be or have already been translated. On March 1, 2007, HUD held a public meeting to discuss the Guidance and identify documents it considered to be vital.<sup>1</sup> The Office of Public and Indian Housing has identified the following documents as "vital": the tenancy addendum for the Section 9 voucher program, Housing Assistance Payment contract, Request for Tenancy Approval, Authorization for Release of Information, Family Self Sufficiency (FSS) Escrow Account worksheet, Voucher, Statement of Homeownership Obligations, FSS contract of participation and the document entitled "A Good Place to Live."<sup>2</sup> HUD has already translated the "How Your Rent is Determined" fact sheet. This is not an exhaustive list, but rather a guide and HACSM should assess which documents are vital and list them here.

#### **Implementation Plan, Page 2-13**

Does VHA have a timeline of when it will complete its four-factor analysis? After completing the four-factor analysis and deciding what language assistance services are appropriate, VHA should develop an implementation plan to address the identified needs. A Language Assistance Plan ("LAP") that is developed and periodically updated

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<sup>1</sup> Video available at <<http://www.hud.gov/webcasts/schedule/index.cfm>>.

<sup>2</sup> Available at <<http://www.hud.gov/office/pih/programs/ph/rhiip/factsheet/cfm>>.

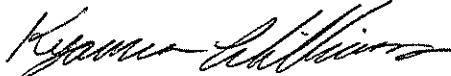
will be the most cost-effective means of documenting compliance. It establishes a framework for the provision of timely and reasonable language assistance. The HUD Final LEP Guidance recommends that the LAP contain certain topics including: (1) the manner in which the recipient will identify LEP individuals who need language assistance; (2) information about the ways in which language assistance will be provided; (3) staff training; (4) identification of vital documents; and (5) providing notice to LEP individuals. In many ways, a LAP is no different in purpose or scope than a reasonable accommodation policy.

An 18-page "Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance" developed under the auspices of the DOJ and an Interagency Task Force is currently available at <http://www.lep.gov/selfassesstool.pdf>. This fill-in-the-blank and check-off format tool walks federal funding recipients through a series of self-assessment questions and planning considerations, and includes a section that provides a framework for a LAP that is responsive to general Title VI requirements.

Thank you for your time and consideration of the above issues. Again, we welcome meeting with VHA to further discuss any of these issues.

Sincerely,

LEGAL SERVICE OF NORTHERN CALIFORNIA



Kyanna Williams

NATIONAL HOUSING LAW PROJECT

Catherine Bishop

Navneet Grewal

Meliah Schultzman



# ATTACHMENT “C”

## Chapter 3

(Revised and Approved by Housing Authority Resolution # \_\_\_\_\_, on \_\_\_\_\_)

### ELIGIBILITY

#### INTRODUCTION

The Housing Authority of the City of Vallejo (HA) is responsible for ensuring that every individual and family admitted to the HCV program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by the HA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the HCV program:

- The applicant family must:
  - Qualify as a family as defined by HUD and the HA.
  - Have income at or below HUD-specified income limits.
  - Qualify on the basis of citizenship or the eligible immigrant status of family members.
  - Provide social security number information for family members as required.
  - Consent to the HA's collection and use of family information as provided for in HA-provided consent forms.
- The HA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or the HA.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and HA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Assistance. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause the HA to deny assistance.

## **PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS**

### **3-I.A. OVERVIEW**

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the assisted unit. This part provides information that is needed to correctly identify family and household members, and to apply HUD's eligibility rules.

### **3-I.B. FAMILY AND HOUSEHOLD [24 CFR 982.201(c), HUD-50058 IB, p. 13]**

The terms *family* and *household* have different meanings in the HCV program.

#### **Family**

To be eligible for assistance, an applicant must qualify as a family. *Family* is defined by HUD as a single person or a group of persons, a family with a child or children, two or more elderly or disabled persons living together, and one or more elderly or disabled persons, with one or more live-in aides. The HA has the discretion to determine if any other group of persons qualifies as a family.

#### HA Policy

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

To qualify as a family when proposed family members are not related by blood, marriage, adoption, or other operation of law, the HA will require applicants to demonstrate that the individuals have lived together previously, or certify that each individual's income and other resources will be available to meet the needs of the family.

#### **Household**

*Household* is a broader term that includes additional people who, with the HA's permission, live in an assisted unit, such as live-in aides, foster children, and foster adults.

### **3-I.C. FAMILY BREAK-UP AND REMAINING MEMBER OF TENANT FAMILY**

#### **Family Break-up [24 CFR 982.315]**

The HA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up. However, if a court determines the disposition of property between members of the assisted family in a divorce or separation decree, the HA is bound by the court's determination of which family members continue to receive assistance.

#### HA Policy

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.

If a family breaks up into two otherwise eligible families while receiving assistance, only one of the new families will continue to be assisted.

In the absence of a judicial decision, or an agreement among the original family members, the HA will determine which family retains their placement on the waiting list, or will continue to receive assistance taking 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) any possible risks to family members as a result of domestic violence or criminal activity, and (4) the recommendations of social service professionals.

In the case of a family break up where both parties include a responsible adult and minor children, and/or a person or persons with disabilities, the Housing and Community Development Manager may decide to allow both parties to remain on the list or retain the voucher. In order for the Housing and Community Development Manager to consider this arrangement, the family must request the exception in writing, and all family members must have been listed on the initial application. In the case of program participants, all members of the family must have been authorized family members for at least three years prior to the break up.

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### **Remaining Member of a Tenant Family [24 CFR 5.403]**

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of an assisted family who remains in the unit when other members of the family have left the unit. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

If dependents are the only “remaining members of a tenant family” and there is no family member able to assume the responsibilities of the head of household, see Chapter 6 for the policy on “Caretakers for a Child.”

### **3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]**

*Head of household* means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a co head or spouse.

#### HA Policy

The family may designate any qualified family member as the head of household.

The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

### **3-I.E. SPOUSE, COHEAD, AND OTHER ADULT**

A family may have a spouse or co head, but not both [HUD-50058 IB, p. 13].

*Spouse* means the marriage partner of the head of household.

#### HA Policy

*A marriage partner* includes the partner in a "common law" marriage as defined in state law. The term "spouse" does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *co head* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one co head.

#### HA Policy

Minors who are emancipated under state law may be designated as a co head.

*Other adult* means a family member, other than the head, spouse, or co head, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults.

#### **3-I.F. DEPENDENT [24 CFR 5.603]**

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, except that the following persons can never be dependents: the head of household, spouse, co head, foster children/adults and live-in aides. Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

#### **Joint Custody of Dependents**

##### HA Policy

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 51 percent or more of the time.

When more than one applicant or participant family is claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, the HA will make the determination based on available documents such as court orders, or an IRS return showing which family has claimed the child for income tax purposes.

#### **3-I.G. FULL-TIME STUDENT [24 CFR 5.603, HVC GB p. 5-29]**

A full-time student (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to be full-time is defined by the educational institution.

Identifying each FTS is important because (1) each family member that is an FTS, other than the head, spouse, or co head, qualifies the family for a dependent deduction and (2) the income of such an FTS is treated differently from the income of other family members.

### **3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY [24 CFR 5.100 and 5.403]**

#### **Elderly Persons**

An *elderly person* is a person who is at least 62 years of age.

#### **Near-Elderly Persons**

A *near-elderly person* is a person who is at least 50 years of age but below the age of 62.

#### **Elderly Family**

An *elderly family* is one in which the head, spouse, co head, or sole member is an elderly person. Identifying elderly families is important because these families qualify for special deductions from income as described in Chapter 6.

### **3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403]**

#### **Persons with Disabilities**

Under the HCV program, special rules apply to persons with disabilities and to any family whose head, spouse, or co head is a person with disabilities. The technical definitions of individual with handicaps and persons with disabilities are provided in Exhibit 3-1 at the end of this chapter. These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, the HA must make all aspects of the HCV program accessible to persons with disabilities and consider reasonable accommodations requested based upon a person's disability.

#### **Disabled Family**

A *disabled family* is one in which the head, spouse, or co head is a person with disabilities. Identifying disabled families is important because these families qualify for special deductions from income as described in Chapter 6.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent the HA from denying assistance for reasons related to alcohol and drug abuse following policies found in Part III of this chapter, or from terminating assistance following the policies in this Plan.

### **3-I.J. GUESTS [24 CFR 5.100]**

A *guest* is a person temporarily staying in the unit with the consent of a member of the household who has express or implied authority to so consent.

#### HA Policy

A guest can remain in the assisted unit no longer than 30 consecutive days or a total of 90 cumulative calendar days during any 12 month period.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the assisted household more than 51 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, requiring landlord/owner approval, will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

### **3.I.K. FOSTER CHILDREN AND FOSTER ADULTS**

*Foster adults* are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or assisted family are considered household members but not family members. The income of foster children/adults is not counted in family annual income and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, p. 13].

#### HA Policy

A *foster child* is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency. Written documentation of the foster care relationship must be provided to the HA.

Foster children or foster adults will be included in determining unit size only if the family has been continuously providing foster care for at least the previous 120 days. Only one extra bedroom may be provided, regardless of the number of foster children or adults. The family must also provide the VHA with a copy of its current foster care license. A foster child or foster adult may be allowed to reside in the unit, with the prior approval of the VHA and the landlord/owner, only if their presence would not result in a violation of HQS space standards according to 24 CFR 982.401.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

### **3-I.L. ABSENT FAMILY MEMBERS**

Individuals may be absent from the family, either temporarily or permanently, for a variety of reasons including educational activities, placement in foster care, employment, illness, incarceration, and court order.

#### **Definitions of Temporarily and Permanently Absent**

##### HA Policy

Generally, an individual who is or is expected to be absent from the assisted unit for more than 30 consecutive days will be considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

### **Absent Students**

### HA Policy

HUD regulations treat the income of adult full-time students other than the head, spouse, or co-head differently from the income of other adult family members. If a full-time student other than the head, spouse or co-head receives any income from employment, only \$480 is counted toward the family income. Student financial assistance in excess of amounts received for tuition are also included in the family income.

For the purposes of this chapter, students who attend school and live away from home, but return home on all regular school holidays, will continue to be considered family members if they were previously approved family members prior to attending school. Full time students must provide documentation of full time status from their educational institution.

Adult students who live away from home must attend the family's regularly scheduled recertification appointment. If they are not able to attend the appointment, it will be incumbent upon the Head of Household to mail the recertification documents to the student for signature, and return them to the VHA within the specified timeframe. The Head of Household must be prepared to show verification that the documents were mailed to the student. Failure to obtain student's signatures timely may jeopardize the family's continued participation in the HCV program.

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### **Absences Due to Placement in Foster Care [24 CFR 5.403]**

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

#### HA Policy

If a child has been placed in foster care, the HA will verify with the appropriate agency whether and when the child is expected to be returned to the home. If the time period is to be greater than 3 months from the date of removal of the child/ren, the voucher size will be reduced. If all children are removed from the home permanently, the voucher size will be reduced in accordance with the HA's subsidy standards.

### **Absent Head, Spouse, or Co head**

#### HA Policy

An employed head, spouse, or co head absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member, if documentation of employment is provided, and the HA is using the income to determine the families portion of the rent.

### **Family Members Permanently Confined for Medical Reasons [HCV GB, p. 5-22]**

If a family member is confined to a nursing home or hospital on a permanent basis, that person is no longer considered a family member and the income of that person is not counted [HCV GB, p. 5-22].

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Students who attend school and live away from the home full-time (more than six months total from the date of the school term's start until school year end) will be considered permanently absent from the unit. Families failing to report a student's absence from the unit in a timely manner (within 10 days), will be charged for any rent overpayment, retroactively to the date of the school term's start. ¶ Students who were approved family members prior to attending school, may be added back into the household until the age of 23. The family must complete an interim Adding Family Member's form and follow all VHA procedures. ¶ Income from students must be used while they are members of the household. Full time students, (taking 12 or more units per semester), must provide documentation of their full time status. The full gross income of non-full time students who are household members, must be used to calculate the family's portion of rent. ¶



### HA Policy

If any family member leaves the household to enter a facility such as hospital, nursing home, or rehabilitation center, the HA will seek advice from a reliable qualified source as to the likelihood and timing of their return. If the verification indicates that the family member will be permanently confined to a nursing home, the family member will be considered permanently absent. If the verification indicates that the family member will return in less than 90 consecutive days, the family member will not be considered permanently absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

### **Return of Permanently Absent Family Members**

#### HA Policy

The family must request HA approval for the return of any adult family members that the HA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter. If the returning family member is deemed eligible according to program guidelines, the voucher size will be increased at the families first regularly scheduled annual recertification, or when the family moves to a new unit, whichever comes first.

**Deleted:** The family must request HA approval for the return of any adult family members that the HA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed elsewhere in this chapter. The voucher size will not be increased, other than through family composition changes based on birth, marriage, adoption or court awarded custody.¶

### **3-I.M. LIVE-IN AIDE**

*Live-in aide* means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the persons, (2) is not obligated for the support of the persons, and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

The HA must approve a live-in aide if needed as a reasonable accommodation in accordance with 24 CFR 8, to make the program accessible to and usable by the family member with disabilities.

A live-in aide is a member of the household, not the family, and the income of the aide is not considered in income calculations [24 CFR 5.609(b)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

#### HA Policy

A family's request for a live-in aide must be made in writing. Written verification will be required from a reliable, knowledgeable professional, such as a doctor, social worker, or case worker, that the live-in aide is essential for the care and well-being of the elderly, near-elderly, or disabled family member.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care,

and (2) would not be living in the unit except to provide the necessary supportive services.

The HA will not approve a particular person as a live-in aide, and may withdraw such approval if [24 CFR 982.316(b)]:

The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

The person commits drug-related criminal activity or violent criminal activity; or

The person currently owes rent or other amounts to the HA or to another HA in connection with Section 8 or public housing assistance under the 1937 Act.

The HA will notify the family of its decision in writing, within a reasonable time of receiving a request for a live-in aide, including all required documentation related to the request.

## PART II: BASIC ELIGIBILITY CRITERIA

### 3-II.A. INCOME ELIGIBILITY AND TARGETING

#### Income Limits

HUD is required by law to set income limits that determine the eligibility of applicants for HUD's assisted housing programs, including the housing choice voucher program. The income limits are published annually and are based on HUD estimates of median family income in a particular area or county, with adjustments for family size.

#### Types of Low-Income Families

*Low-income family.* A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

*Very low-income family.* A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

*Extremely low-income family.* A family whose annual income does not exceed 30 percent of the median income for the area, adjusted for family size.

HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

#### Using Income Limits for Eligibility [24 CFR 982.201]

Income limits are used for eligibility only at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be one of the following:

- A *very low-income* family
- A *low-income* family that has been "continuously assisted" under the 1937 Housing Act. A family is considered to be continuously assisted if the family is already receiving assistance under any 1937 Housing Act program at the time the family is admitted to the HCV program [24 CFR 982.4]

#### HA Policy

The HA will consider a family to be continuously assisted if the family was leasing a unit under any 1937 Housing Act program at the time they were issued a voucher by the HA.

- A low-income family that qualifies for voucher assistance as a non-purchasing household living in HOPE 1 (public housing homeownership), HOPE 2 (multifamily housing homeownership) developments, or other HUD-assisted multifamily homeownership programs covered by 24 CFR 248.173
- A low-income or moderate-income family that is displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract on eligible low-income housing as defined in 24 CFR 248.101

HUD permits the HA to establish additional categories of low-income families that may be determined eligible. The additional categories must be consistent with the HA plan and the consolidated plans for local governments within the HA's jurisdiction.

#### HA Policy

The HA has not established any additional categories of eligible low-income families.

#### **Using Income Limits for Targeting [24 CFR 982.201]**

At least 75 percent of the families admitted to the HA's program during a HA fiscal year must be extremely low-income families. HUD may approve exceptions to this requirement if the HA demonstrates that it has made all required efforts, but has been unable to attract an adequate number of qualified extremely low-income families.

Families continuously assisted under the 1937 Housing Act and families living in eligible low-income housing that are displaced as a result of prepayment of a mortgage or voluntary termination of a mortgage insurance contract are not subject to the 75 percent restriction.

#### **3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]**

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with the HA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

#### **Declaration [24 CFR 5.508]**

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, co head, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

#### ***U.S. Citizens and Nationals***

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit the HA to request additional documentation of their status, such as a passport.

#### HA Policy

Family members who declare citizenship or national status will not be required to provide additional documentation unless the HA receives information indicating that an individual's declaration may not be accurate.

### ***Eligible Noncitizens***

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with HA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

### ***Ineligible Noncitizens***

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse, or co head (regardless of citizenship status), indicating their ineligible immigration status. The HA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

### **Mixed Families**

A family is eligible for assistance as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 16 for a discussion of informal hearing procedures.

### **Ineligible Families [24 CFR 5.514(d), (e), and (f)]**

A HA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by the HA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

#### HA Policy

The HA will not provide assistance to a family before the verification of at least one family member.

When a HA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance, that the family may be eligible for proration of assistance, and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request an informal hearing with the HA. The informal hearing with the HA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the informal hearing process.

Informal hearing procedures are contained in Chapter 19 of this Administrative Plan.

#### **Timeframe for Determination of Citizenship Status [24 CFR 5.508(g)]**

For new occupants joining the assisted family the HA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, the HA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

#### HA Policy

The HA will verify the status of applicants at the time other eligibility factors are determined.

#### **3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218]**

For every family member age 6 or older the family must provide documentation of a valid Social Security Number (SSN) or a certification stating that no SSN has been issued. If a family member who is required to execute a certification is less than 18 years old, the certification must be executed by the individual's parent or guardian [24 CFR 5.216(j)]. Assistance cannot be provided to a family until all SSN documentation requirements are met. A detailed discussion of acceptable documentation is provided in Chapter 7.

If a new member who is at least six years of age is added to the family, the new member's SSN documentation must be submitted at the family's next interim or regular reexamination, whichever comes first. If any member of the family who is at least six years of age obtains a previously undisclosed SSN, or has been assigned a new SSN, the documentation must be submitted at the family's next regularly scheduled reexamination.

The HA must deny assistance to an applicant family if they do not meet the SSN disclosure, documentation and verification, and certification requirements contained in 24 CFR 5.216.

#### **3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230, HCV GB, p. 5-13]**

HUD requires each adult family member, and the head of household, spouse, or co head, regardless of age, to sign form HUD-9886, Authorization for the Release of Information/

Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

The HA must deny admission to the program if any member of the applicant family fails to sign and submit the consent forms for obtaining information in accordance with 24 CFR 5, Subparts B and F [24 CFR 982.552(b)(3)].

## PART III: DENIAL OF ASSISTANCE

### 3-III.A. OVERVIEW

A family that does not meet the following eligibility criteria discussed in Parts I and II, must be denied assistance.

In addition, HUD requires or permits the HA to deny assistance based on certain types of current or past behaviors of family members.

#### Forms of Denial [24 CFR 982.552(a)(2); HCV GB, p. 5-35]

Denial of assistance includes any of the following:

- Not placing the family's name on the waiting list,
- Denying or withdrawing a voucher,
- Not approving a request for tenancy or refusing to enter into a HAP contract, or
- Refusing to process a request for or to provide assistance under portability procedures.
- Removal of the family's name from the waiting list, or
- Refusal to schedule an eligibility interview once a family's name has been selected from the waiting list

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#### Prohibited Reasons for Denial of Assistance [24 CFR 982.202(b)]

HUD rules prohibit denial of assistance to the program based on any of the following criteria:

- Age, disability, race, color, religion, sex, or national origin. (See Chapter 2 for additional information about fair housing and equal opportunity requirements.)
- Where a family lives prior to admission to the program
- Where the family will live with assistance under the program. Although eligibility is not affected by where the family will live, there may be restrictions on the family's ability to move outside the HA's jurisdiction (See Chapter 13, for portability requirements.)
- Whether members of the family are unwed parents, recipients of public assistance, or children born out of wedlock
- Whether the family includes children
- Whether a family decides to participate in a family self-sufficiency program

### 3-III.B. MANDATORY DENIAL OF ASSISTANCE [24 CFR 982.553(a)]

HUD requires the HA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. HUD permits but does not require the HA to admit an otherwise-eligible family if the household member has completed a HA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g. the person involved in the criminal activity no longer lives in the household).



#### HA Policy

The HA 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 HA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the HA, or the person who committed the crime, is no longer living in the household.

- The HA determines that any household member is currently engaged in the use of illegal drugs.

#### HA Policy

*Currently engaged in* is defined as any use of illegal drugs during the previous twelve months, or pattern of drug use over the last five years.

- The HA 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.

#### HA Policy

In determining reasonable cause, the HA 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.

- 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
- Any household member is subject to a lifetime registration requirement under a state sex offender registration program

### **3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ASSISTANCE**

HUD permits, but does not require the HA to deny assistance for the reasons discussed in this section.

#### **Criminal Activity [24 CFR 982.553]**

HUD permits, but does not require, the HA to deny assistance if the HA determines that any household member is currently engaged in, or has engaged in during a reasonable time before the family would receive assistance, certain types of criminal activity.

#### HA Policy

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied assistance.

*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].

*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].

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

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 HA (including a HA employee or a HA contractor, subcontractor, or agent).

*Immediate vicinity* means within a three-block radius of the premises.

Evidence of such criminal activity includes, but is not limited to:

Conviction for drug-related or violent criminal activity within the past 5 years.

Any arrests for drug-related or violent criminal activity within the past 5 years.

Any record of eviction from public or privately-owned housing as a result of criminal activity within the past 5 years.

In making its decision to deny assistance, the HA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, the HA may, on a case-by-case basis, and upon receipt of verifiable documentation, decide not to deny assistance.

#### **Previous Behavior in Assisted Housing [24 CFR 982.552(c)]**

HUD authorizes the HA to deny assistance based on the family's previous behavior in assisted housing:

##### HA Policy

The HA **will not** deny assistance to an otherwise eligible family because the family previously failed to meet its obligations under the Family Self-Sufficiency (FSS) program or the Welfare to Work voucher program.

The HA **will** deny assistance to an applicant family if:

The family does not provide information that the HA or HUD determines is necessary in the administration of the program.

The family does not provide complete and true information to the HA.

Any family member has been evicted from federally-assisted housing in the last five years.

Any HA has ever terminated assistance under the program for any member of the family.

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

The family owes rent or other amounts to any HA in connection with the HCV, Certificate, Moderate Rehabilitation or public housing programs, unless the family repays the full amount of the debt prior to being selected from the waiting list.

If the family has not reimbursed any HA for amounts the HA paid to an owner under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease, unless the family repays the full amount of the debt prior to being selected from the waiting list.\*

The family has breached the terms of a repayment agreement entered into with the HA, unless the family repays the full amount of the debt covered in the repayment agreement prior to being selected from the waiting list.\*

\*The family will be exempted from repaying any debt whose statute of limitations has passed.

A family member has engaged in or threatened violent or abusive behavior toward HA personnel.

*Abusive or violent behavior towards HA 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.

Prior to denial of assistance, the family will receive notice describing the VHA proposed action, and will be entitled to an Informal Review in order to submit evidence rebutting the allegation. In making its decision to deny assistance, the HA will consider the factors discussed in Section 3-III.E. Upon consideration of such factors, the HA may, on a case-by-case basis, decide not to deny assistance.

### **3-III.D. SCREENING**

#### **Screening for Eligibility**

HA's are authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the HCV program. This authority assists the HA in complying with HUD requirements and HA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records the HA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

HA's are required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 982.553(a)(2)(i)].

If the HA proposes to deny assistance based on a criminal record or on lifetime sex offender registration information, the HA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission. [24 CFR 5.903(f) and 5.905(d)].

### **Screening for Suitability as a Tenant [24 CFR 982.307]**

The HA has no liability or responsibility to the owner for the family's behavior or suitability for tenancy. The HA may opt to conduct additional screening to determine whether an applicant is likely to be a suitable tenant.

#### HA Policy

The HA will always conduct a criminal background check and registered sex offender check for all adult applicants. The HA will not conduct additional screening to determine an applicant family's suitability for tenancy.

The owner is responsible for screening and selection of the family to occupy the owner's unit. The HA must inform the owner that screening and selection for tenancy is the responsibility of the owner. An owner may consider a family's history with respect to factors such as: payment of rent and utilities, caring for a unit and premises, respecting the rights of other residents to the peaceful enjoyment of their housing, criminal activity that is a threat to the health, safety or property of others, and compliance with other essential conditions of tenancy.

HUD requires the HA to provide prospective owners with the family's current and prior address (as shown in HA records) and the name and address (if known) of the owner at the family's current and prior addresses. HUD permits the HA to provide owners with additional information, as long as families are notified that the information will be provided, and the same type of information is provided to all owners.

#### HA Policy

The HA will inform owners of their responsibility to screen prospective tenants, and will provide owners with the required known name and address information of previous owners, at the prospective owners request. Any HA staff member may provide any additional information to the owner, such as tenancy history, criminal history, inspection history, etc., after reviewing the tenant's file. The HA will not provide information to owners which is prohibited under the Privacy Act (5 U.S.C. 552a).

### **3-III.E. CRITERIA FOR DECIDING TO DENY ASSISTANCE**

#### **Evidence [24 CFR 982.553(c)]**

##### HA Policy

The HA will use the concept of the preponderance of the evidence as the standard for making all admission 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.

#### **Consideration of Circumstances [24 CFR 982.552(c)(2)]**

HUD authorizes the HA to consider all relevant circumstances when deciding whether to deny assistance based on a family's past history except in the situations for which denial of assistance is mandated (see Section 3-III.B).

#### HA Policy

The HA will consider the following factors when making its decision:

The seriousness of the case, especially with respect to how it would affect other residents

The effects that denial of assistance may have on other members of the family who were not involved in the action or failure

The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities

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 HA will require the applicant 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.

#### **Removal of a Family Member's Name from the Application [24 CFR 982.552(c)(2)(ii)]**

HUD permits HAs to impose as a condition of admission, a requirement that family members who participated in or were culpable for an action or failure to act which results in the denial of assistance, to not reside in the unit.

#### HA Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the assisted unit.

After admission to the program, the family must present evidence of the former family member's current address upon HA request.

#### **Reasonable Accommodation [24 CFR 982.552(c)(2)(iv)]**

If the family includes a person with disabilities, the HA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

#### HA Policy

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of assistance, the HA will determine whether the behavior is related to the disability. If so, upon the family's written request, the HA will determine

whether alternative measures are appropriate as a reasonable accommodation. The HA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of assistance. See Chapter 2 for a discussion of reasonable accommodation.

### **3-III.F. NOTICE OF ELIGIBILITY OR DENIAL**

#### **Eligible for Assistance**

If the family is eligible for assistance, the HA will notify the family when it extends the invitation to attend the voucher briefing appointment.

If the HA determines that a family is not eligible for the program for any reason, the family must be notified promptly. The notice must describe (1) the reasons for which assistance has been denied (2) the family's right to an informal review, and (3) the process for obtaining the informal review [24 CFR 982.554 (a)]. See Chapter 15, for informal review policies and procedures.

If a criminal record is the basis of the denial, a copy of the record must accompany the notice. In addition, a copy of the criminal record must be provided to the subject of the record [24 CFR 982.553(d)].

Notice requirements related to denying assistance to noncitizens are contained in Section 3-II.B.

#### HA Policy

The family will be notified of a decision to deny assistance in writing within 10 business days of the determination. The family will have 10 business days from the notice to deny assistance to request and informal review.

## EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

### Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions:

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months; *or*

In the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act [42 U.S.C.6001(8)], which defines developmental disability in functional terms as:

A severe, chronic disability of a person 5 years of age or older which:

  - Is attributable to a mental or physical impairment or combination of mental and physical impairments;
  - Is manifested before the person attains age twenty-two;
  - Is likely to continue indefinitely;
  - Results in substantial functional limitations in three or more of the following areas of major life activity: (i) self-care, (ii) receptive and responsive language, (iii) learning, (iv) mobility, (v) self-direction, (vi) capacity for independent living, and (vii) economic self-sufficiency; *and*
  - Reflects the person’s need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated; except that such term, when applied to infants and young children, means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.”
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

**Individual with Handicaps [24 CFR 8.3]**

*Individual with handicaps* means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

- (1) Physical or mental impairment includes:
  - (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
  - (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.
- (2) *Major life activities* means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (4) *Is regarded as having an impairment* means:
  - (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation;
  - (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
  - (c) Has none of the impairments defined in paragraph (1) of this section but is treated by a recipient as having such an impairment.



# ATTACHMENT “D”

## Chapter 4

(Revised and Approved by Housing Authority Resolution #\_\_\_\_\_, on \_\_\_\_\_)

### APPLICATIONS, WAITING LIST AND TENANT SELECTION

#### INTRODUCTION

When a family wishes to receive Section 8 Housing Choice Voucher (HCV) assistance, the family must submit an application that provides the Vallejo Housing Authority (VHA) with the information needed to determine the family's eligibility. HUD requires the VHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, the VHA must select families from the waiting list in accordance with HUD requirements and VHA policies as stated in the administrative plan and the annual plan.

The VHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or the VHA to receive preferential treatment. Funding earmarked exclusively for families with particular characteristics may also alter the order in which families are served.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that the VHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that the VHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and VHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how the VHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how the VHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process the VHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide the VHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that the VHA has the information needed to make a final eligibility determination.

## **PART I: THE APPLICATION PROCESS**

### **4-I.A. OVERVIEW**

This part describes the policies that guide the VHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes the VHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

### **4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16]**

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits the VHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by the VHA.

#### VHA Policy

A two-step process will be used to select families from the waiting list. Under the two-step application process, the VHA 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.

Families may obtain application forms from the VHA's office during normal business hours, when the waiting list is open. Applications will also be available on the VHA's website, at [www.ci.vallejo.ca.us](http://www.ci.vallejo.ca.us), when the waiting list is open. Families may also request – by telephone or by e mail – that a form be sent to the family via first class mail to accommodate persons with disabilities.

The VHA may elect to use a third party consultant to open the waiting list and accept applications. In such cases, all relevant information, including the consultants contact information, will be provided by public notice, and published in the Vallejo Times Herald. A toll free number will be established to field applicant questions.

Completed applications must be returned to the VHA, or a designated post office box, by mail. Applications must be complete in order to be accepted by the VHA for processing. If an application is incomplete, or illegible, the application will not be included on the waiting list.

### **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

#### **Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]**

The VHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard VHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with

limited English proficiency (LEP). The VHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or the VHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of the VHA's policies related to providing reasonable accommodations for people with disabilities.

#### **Limited English Proficiency**

PHAs are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on the VHA's policies related to ensuring access to people with limited English proficiency (LEP).

#### **4-I.D. PLACEMENT ON THE WAITING LIST**

The VHA must review each complete application received and make a preliminary assessment of the family's eligibility. The VHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, the VHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

#### **Ineligible for Placement on the Waiting List**

##### VHA Policy

If the VHA 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 VHA will send written notification of the ineligibility determination within 60 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 (see Chapter 16).

#### **Eligible for Placement on the Waiting List**

##### VHA Policy

The VHA will send written notification of the preliminary eligibility determination within 60 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 any preference(s) for which they qualify, and the date and time their complete application is received by the VHA.

## PART II: MANAGING THE WAITING LIST

### 4-II.A. OVERVIEW

The VHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how a VHA may structure its waiting list and how families must be treated if they apply for assistance from a VHA that administers more than one assisted housing program.

### 4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]

The VHA's HCV waiting list must be organized in such a manner to allow the VHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

HUD requires the VHA to maintain a single waiting list for the HCV program unless it serves more than one county or municipality. Such PHAs are permitted, but not required, to maintain a separate waiting list for each county or municipality served.

#### VHA Policy

The VHA will maintain a single waiting list for the HCV program, and a separate waiting list for the Project Based Voucher program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program the VHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

HUD permits, but does not require, that PHAs maintain a single merged waiting list for their public housing, Section 8, and other subsidized housing programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

#### VHA Policy

The VHA will not merge the HCV waiting list with the waiting list for any other program the VHA operates.

#### **4-IL.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]**

##### **Closing the Waiting List**

A VHA is permitted to close the waiting list if it has an adequate pool of families to use its available HCV assistance. Alternatively, the VHA may elect to continue to accept applications only from certain categories of families that meet particular preferences or funding criteria.

##### VHA Policy

Following the initial application intake in January 2007, the VHA will keep the waiting list open indefinitely. Applications will be accepted once per week. The day and times of application intake will be announced by public notice in the Vallejo Times Herald. Applications will be accepted in person only, after the initial application intake period in January 2007.

##### **Reopening the Waiting List**

If the waiting list has been closed, it cannot be reopened until the VHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

##### VHA Policy

The VHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

The VHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to: The Vallejo Times Herald, and the City of Vallejo website at [www.ci.vallejo.ca.us](http://www.ci.vallejo.ca.us).

#### **4-IL.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]**

The VHA must conduct outreach as necessary to ensure that the VHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires the VHA to serve a specified percentage of extremely low income families (see Chapter 4, Part III), the VHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

VHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

VHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

VHA Policy

The VHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in the VHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

**4-III.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

VHA Policy

While the family is on the waiting list, the family must immediately inform the VHA of changes in contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing.

**4-III.F. UPDATING THE WAITING LIST [24 CFR 982.204]**

HUD requires the VHA to establish policies to use when removing applicant names from the waiting list.

**Purging the Waiting List**

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a VHA request for information or updates because of the family member's disability, the VHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

VHA Policy

The waiting list will be updated annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, the VHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that the VHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond may result in the applicant's name being removed from the waiting list.

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The family's response must be in writing and may be delivered in person, by mail, or by fax, and must be legible. Responses should be postmarked or received by the VHA not later than 15 business days from the date of the VHA letter.

If the family fails to respond within 15 business days, the family will remain on the waiting list under the next update occurs. A family failing to respond to two consecutive updates will be removed from the waiting list. A notice will be mailed to the last known address on file with the VHA, providing the applicant with an opportunity for an Informal Review. The Informal Review must be scheduled within 10 days of the date of the notice.

**Deleted:** will be removed from the waiting list without further notice.

If the notice is returned by the post office with no forwarding address, the applicant will be mailed a notice, to the last known add address on file with the VHA, providing the applicant with an opportunity for an Informal Review. The Informal Review must be scheduled within 10 days of the date of the notice.

**Deleted:** removed from the waiting list without further notice

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 business days to respond from the date the letter was re-sent.

If a family is removed from the waiting list for failure to respond, the Executive Director, or his/her designee, may reinstate the family if s/he determines the lack of response was due to VHA error, or to circumstances beyond the family's control.

### **Removal from the Waiting List**

#### VHA Policy

If at any time an applicant family is on the waiting list, the VHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because the VHA has determined the family is not eligible for assistance, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding the VHA's decision (see Chapter 16) [24 CFR 982.201(f)].



## **PART III: SELECTION FOR HCV ASSISTANCE**

### **4-III.A. OVERVIEW**

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families receive assistance from the waiting list depends on the selection method chosen by the VHA and is impacted in part by any selection preferences that the family qualifies for. The source of HCV funding also may affect the order in which families are selected from the waiting list.

The VHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to the VHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

### **4-III.B. SELECTION AND HCV FUNDING SOURCES**

#### **Special Admissions [24 CFR 982.203]**

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the VHA may admit families that are not on the waiting list, or without considering the family's position on the waiting list. The VHA must maintain records showing that such families were admitted with special program funding.

#### **Targeted Funding [24 CFR 982.204(e)]**

HUD may award a VHA funding for a specified category of families on the waiting list. The VHA must use this funding only to assist the families within the specified category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

#### VHA Policy

The VHA does not administer targeted funding at this time.

#### **Regular HCV Funding**

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

### **4-III.C. SELECTION METHOD**

PHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the VHA will use [24 CFR 982.202(d)].

#### **Local Preferences [24 CFR 982.207; HCV p. 4-16]**

PHAs are permitted to establish local preferences, and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the VHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the VHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

VHA Policy

Emergency Assistance –

**Definition of Disaster**

A calamitous event, esp. one occurring suddenly and causing great loss of life, damage, or hardship, as a flood, airplane crash, or business failure.<sup>1</sup>

**Definition of Great**

Unusually or comparatively large in size or dimensions, large in number; numerous.<sup>2</sup>

“The highest priority on the VHA waiting list will be reserved for emergency assistance for families or individuals who reside in dwelling units within the City of Vallejo, which have been rendered uninhabitable by natural or fire related disasters. In order to avoid negatively impacting the current applicants on the VHA waiting list, the disaster must be of significant magnitude to invoke emergency assistance. Any multifamily building in which four or more units have been deemed uninhabitable, or any four single family homes which have been impacted by a single disaster and made uninhabitable, would trigger the implementation of this emergency assistance. The affected families or individuals must be able to verify the uninhabitable condition of their immediate residence through official documentation, such as a report from the Vallejo Fire Department; documentation that the building is uninhabitable by the Vallejo Building Official, Solano County Health Department, or other local, state or federal branch of government; and they must qualify for assistance through the Federal Emergency Management Agency (FEMA) and/or the American Red Cross. This preference category will be considered “targeted assistance”, and will only be utilized in the case of an emergency situation meeting the criteria described above. Due to the emergency nature of this preference category, families and individuals meeting the criteria may apply regardless of whether the VHA waiting list is open. Families or individuals requesting emergency assistance will be required to verify their authorized “head of household” residence in the impacted building.

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Families and individuals meeting the criteria for emergency disaster assistance must meet all eligibility guidelines required by the Housing Authority, including income

<sup>1</sup> <http://dictionary.reference.com/browse/disaster>. Dictionary.com. 2008

<sup>2</sup> <http://dictionary.reference.com/browse/great>. Dictionary .com 2008

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eligibility, and must pass a criminal background check. Applicants meeting all requirements described above will receive first preference for a voucher as soon as one becomes available. ”

**For non-emergency vouchers**, the VHA applies the following weighted preferences, in the order listed below:

- 1) Lives or works in the City of Vallejo
- 2) Disabled
- 3) Veteran
- 4) Homeless families who have school-aged children attending schools in Vallejo
- 5) Single persons who are elderly; displaced by government action or natural disaster; homeless; or disabled

All applications will be date and time stamped upon acceptance by the VHA, or an approved independent contractor. Local preferences claimed on the initial pre-application will be verified when the family reaches the top of the waiting list. The date and time stamp will be the tie-breaker for all applicants with identical preferences.

#### **Income Targeting Requirement [24 CFR 982.201(b) (2)]**

HUD requires that extremely low-income (ELI) families make up at least 75% of the families admitted to the HCV program during the VHA’s fiscal year. ELI families are those with annual incomes at or below 30% of the area median income. To ensure this requirement is met, a VHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are “continuously assisted” under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

#### VHA Policy

The VHA will monitor progress in meeting the ELI 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.

#### **Order of Selection**

The VHA system of preferences may select families either according to the date and time of application, or by a random selection process [24 CFR 982.207(c)]. When selecting families from the waiting list Public Housing Authorities (PHAs) are required to use targeted funding to assist only those families who meet the specified criteria, and PHAs are not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

#### VHA Policy

Families will be selected from the waiting list based on the selection preference(s) for which they qualify, and in accordance with the VHA's hierarchy of preferences, if applicable. Within each preference category, families will be selected on a first-come, first-served basis according to the date and time their preliminary application is logged into the computer database. When a family reaches the top of the waiting list, they will be required to complete a full application. Their claimed preferences, income, assets, allowances, and any need for reasonable accommodation will be verified at that time.

#### **4-III.D. NOTIFICATION OF SELECTION**

When a family has been selected from the waiting list, the VHA must notify the family.

##### VHA Policy

The VHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

- Who is required to attend the interview

- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation

- Other documents and information that should be brought to the interview

If a notification letter is returned to the VHA with no forwarding address, the family will be removed from the waiting list. A notice of denial (see Chapter 3) will be sent to the family's address of record, as well as to any known alternate address.

#### **4-III.E. THE APPLICATION INTERVIEW**

HUD recommends that the VHA obtain the information and documentation needed to make an eligibility determination through a private interview [HCV GB, pg. 4-16]. Being invited to attend an interview does not constitute admission to the program.

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

##### VHA Policy

Families selected from the waiting list are required to participate in an eligibility interview.

The head of household and the spouse/co-head, and all family members aged 18 or over must attend the interview together.

The interview will be conducted only if the head of household, spouse/co-head, and all family members aged 18 or over, provide appropriate documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family

representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, the VHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension, in writing. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, the VHA will provide translation services in accordance with the VHA's LEP plan.

If the family is unable to attend a scheduled interview, the family should contact the VHA, in writing, in advance of the interview to schedule a new appointment. Applicants who fail to attend two scheduled interviews without VHA approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

#### **4-III.F. COMPLETING THE APPLICATION PROCESS**

The VHA must verify all information provided by the family (see Chapter 7). Based on verified information, the VHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

##### VHA Policy

If the VHA determines that the family is ineligible, the VHA will send written notification of the ineligibility determination within 60 days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16).

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. live or work in the City of Vallejo; disabled; veteran), the family will be returned to its original position on the waiting list. The VHA will notify

the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If the VHA determines that the family is eligible to receive assistance, the VHA will invite the family to attend a briefing in accordance with the policies in this Plan.

# ATTACHMENT “E”

## Chapter 22

(Revised and Approved by Housing Authority Board Resolution # \_\_\_\_\_, on \_\_\_\_\_)

Vallejo Housing Authority  
Family Self-Sufficiency  
Administrative Plan (draft 9.26.08)

### **A. PURPOSE**

The purpose of the Family Self-Sufficiency (FSS) Program is to provide opportunities to Housing Choice Voucher (HCV) families to move toward economic independence and self-sufficiency. The FSS Program will assist very low income families receiving assistance through the HCV Program to receive comprehensive supportive services that will enable them to achieve economic independence and self-sufficiency by reducing dependency on welfare assistance, housing assistance, and other Federal, State and local subsidies.

A successful FSS Program will enhance the standard of living of the participant. It is possible for a motivated client to achieve suitable employment within the term of the five-year contract. However, the likelihood of success is significantly higher when self-sufficiency is pursued within a system of supportive services.

### **B. OBJECTIVES**

To meet the goals of the FSS Program, the Vallejo Housing Authority's (VHA) objectives are:

1. To create partnerships with public and private agencies to provide quality supportive services. The expectation from these partnerships is the ability to provide referrals for supportive services including, but not limited to, childcare, employment, education, life skills, and homeownership.

The combined support of housing assistance and supportive services will enable the FSS participants to meet the goals defined in their FSS contract and to move toward achieving financial independence and self-sufficiency.

2. To provide families with stable rental assistance support while in FSS, allowing them to participate in employment education and job training programs without undue concern for the welfare and safety of their families.
3. To provide participating families with an opportunity to save for the future through the establishment of an interest-bearing escrow account.

### **C. PROGRAM SUMMARY**

When funding is available, VHA will enroll existing HCV participants whose eligibility has been determined. HUD regulations reduce the required number of participants by one for every successful participant graduating on or after October 21, 1998, thereby reducing the overall number of mandatory VHA participants. However, the VHA is committed to maintaining a minimum program size of twenty-five (25) participants. The VHA will consider as large an FSS program as staffing permits.



### 1. Measuring Program Success

FSS Program success is determined by:

- The number of families enrolled
- The number of families with increased earnings which result in escrow balances
- The number of families that graduate successfully from the FSS program
- The number of family members who, as a result of participation in the FSS program, completed their goals in the FSS contract, such as:
  - Achieve their first job
  - Obtain higher paying employment
  - No longer receive welfare benefits (cash assistance payments)
  - Gain a GED or High School Diploma
  - Complete job training or education program
  - Repair credit history
  - Gain money management skills
  - Learn to read
  - No longer need housing assistance
  - Purchase a home

### 2. Rights of Non-Participating Families

Tenant participation in the FSS program is strictly voluntary. Therefore, HCV participants will receive notice from literature related to the FSS program that should they decide not to participate in the FSS program, it will not affect their HCV housing subsidy. The family will retain their right to occupancy according to their lease.

### 3. Certification of Non-Discrimination

The VHA assures that selection of participating families will be made in a nondiscriminatory manner with-out regard to race, color, religion, sex, family status, national origin, sexual orientation, disability, or political affiliation in compliance with Title VI of the Civil Rights Act of 1964 as amended, Title VII of the Civil Rights Act of 1968 as amended, and Executive Order 11063.

### 4. Compliance with MTCS Filing

The VHA uses HAPPY Software to electronically file HUD Form 50058 submissions as required by HUD. This proprietary software is adequate to provide HUD the required data on a timely basis.

## **D. OUTREACH EFFORTS**

The VHA will market the FSS program using a variety of methods to ensure that all HCV participants are aware of the opportunities available to them through FSS, and will allow interested families to make an informed decision concerning participation in the program. Outreach activities will primarily target eligible families on the HCV Program. Recruitment activities will include, but are not limited to:

- Direct mailing to all VHA Housing Choice Voucher participants at the time of open enrollment

- Interest Forms made available through VHA staff, from VHA lobby or requested through mail
- FSS segment included in the briefing of all clients new to the Housing Choice Voucher Program
- Posting of FSS information in interview rooms and in VHA lobby
- Providing FSS brochures at the VHA office
- Ongoing recruitment through contact with VHA staff
- Proactively informing other social service agencies and community groups
- Presentations at community meetings
- Information through VHA website/local media

Outreach materials will provide information on the benefits of the FSS Program, the process to enroll and a contact person for more information. Outreach methods and materials will comply with all applicable Fair Housing and Equal Opportunity requirements. If these measures do not result in sufficient enrollment in the FSS program according to HUD requirements, VHA will implement additional outreach activities.

#### 1. Incentives to Encourage Participation

The HA has established incentives to encourage participation in the FSS program. The inducements being offered to the FSS participating families are listed below:

- Opportunity  
The primary incentive given to FSS participants is the opportunity to change the household's social and economic status from one of dependence upon subsidies to one of self-sufficiency and self-reliance.
- Community Resources  
A host of community resource agencies is at the disposal of each program participant to use on an as-need basis for training, education and life skills purposes. Efforts will be made so that each participant will be linked with job training, educational, and supportive service agencies to provide the services necessary to develop self-sufficiency. Participants will be encouraged to attend the Homebuyer's Club at Vallejo Neighborhood Housing Services (VNHS) for homeownership education, budgeting, and credit repair.
- Financial Reward  
An escrow account is initiated for each participant who signs the FSS contract. Funds are deposited in the escrow account as the participant reports an increase in earned income. The HA will deposit the FSS account funds of all participating families into a single depository account.

#### 2. Selection Procedures

Families selected for participation in the FSS program will be current recipients of the HCV Program. Selections are made without regard to race, color, religion, sex, disability, familial status, or national origin.

The VHA will not discriminate against otherwise qualified persons because of their disabilities and will make reasonable accommodations to the person's disability to allow participation in the program. The HA may decide that an accommodation is not reasonable if it causes undue financial and/or administrative burdens.

The VHA may, at its discretion, screen new FSS participants for interest and motivation factors that solely measure the family's interest to participate in the FSS program. The HA gives an FSS selection preference in the following order:

- Incoming portable transfers (with active FSS contracts and in good standing with their current HA) on a case by case basis
- Assisted HCV participants
- A family who previously participated in the FSS program and voluntarily withdrew for good cause, in good standing, will be reconsidered on a case by case basis

Re-entry into the FSS program is at the sole discretion of the HA.

### 3. Program Eligibility

The VHA will not deny any family the opportunity to apply or participate in the FSS program on the basis of race, color, national origin, religion, sex, familial status or handicap (disability). The VHA will not discriminate against other qualified persons because of their disabilities and, upon request, will make reasonable accommodation to allow participation in the FSS program. The VHA may decide that an accommodation is not reasonable if it causes undue financial and/or administrative burdens.

A family is eligible for participation when the following conditions are met:

- Attend a mandatory FSS orientation meeting
- Complete and submit the FSS application and FSS assessment in a timely manner
- Attend pre-selection interview and complete assessments or assignments to develop the Individual Training and Service Plan
- Does not owe money to the VHA or any other Housing Authority
- No violations of any HCV family obligations/regulations, including Housing Quality Standards
- Willing to pursue the goals of the FSS program
- Willing to enter into a contractual agreement with the VHA

### 4. Enrollment Procedures

Current HCV participants interested in participating in the FSS Program will complete the FSS Interest Form. When a sufficient number of interested participants exists, the family will be invited to attend a FSS orientation. Applicants must attend the mandatory orientation meeting to receive further consideration for the program.

The orientation is an informational briefing that will explain the benefits and requirements of the FSS program. The orientation will include, but is not limited to:

- The needs assessment process;

- Explanation of the program requirement that the Head of Household must seek and maintain employment;
- Explanation of suitable employment;
- HUD welfare requirements;
- How support services will be accessed;
- Reporting responsibilities of the participating family;
- The Contract of Participation and what it means
- HCV program requirements and family obligations
- Homeownership program
- The 5 to 7 year length of participation;
- Escrow account (including possible forfeiture)
- Possible termination of support services and the FSS program

Families who attend the orientation will receive a FSS application and assessment form to be completed if they are still interested in the program. A completed application and assessment constitutes notification to the HA of the applicant's interest to enroll in the FSS Program. Forms returned by applicants will be date and time stamped and the applicant will be placed on the FSS Waiting List in the order of receipt. Applicants will be notified in writing of their waiting list status.

As FSS participation turnover occurs, applicants will be pulled from the waiting list and scheduled for an intake interview with the FSS Coordinator. The FSS Coordinator will conduct a needs assessment and work with the applicant on identifying goals and developing an Individual Training and Service Plan (ITSP). This process may require the applicant to attend more than one meeting with the FSS Coordinator.

Based upon the intake interview, application and needs assessment process, the FSS Coordinator will determine whether the family is eligible and sufficiently motivated to participate in the FSS Program. Admission into the program is at the discretion of the HA staff. Applicants who are admitted to the Program will complete the ITSP and sign a Contract of Participation (COP) with the HA.

#### **E. DENIAL OF PARTICIPATION IN FSS**

VHA may deny participation in the FSS program for one or more of the following reasons:

- Families screened for motivational factors and were determined to not have sufficient interest in FSS
- Families who previously participated in FSS and successfully completed the program
- Families terminated from a previous FSS contract with cause
- Families that previously participated in FSS and were terminated for non-compliance and/or failure to meet their FSS obligations
- Families that previously participated in FSS but did not meet their goals before expiration of the COP
- Families that owe money to VHA or any other Housing Authority

- Families who are not currently in good standing with the VHA (in violation of the Family Obligations) including Housing Quality Standards (HQS)
- Portable families who are in non-compliance with the FSS obligations of the initial HA
- Portable families who fail to follow through by contacting VHA to transfer their FSS contract within the required period of time

Families denied participation in the FSS program may request an Informal Hearing (See Chapter 18 of this Administrative Plan) to determine whether the decision was made in accordance with HUD regulations and the guidelines in this plan. The request for an Informal Hearing must be made, in writing, within ten (10) business days of the date of notification of the decision to deny participation.

#### **F. INDIVIDUAL TRAINING AND SERVICES PLAN (ITSP)**

The HA will assist FSS families to develop Individual Training and Services Plans (ITSP) to help participants determine the actions necessary to become self-sufficient. All ITSP's will include the following interim goals:

- All family members will be free from welfare assistance (cash assistance) twelve (12) consecutive months prior to the expiration of the FSS COP.
- Head of Household must be suitably employed at the time of graduation.
- Head of household is to obtain a GED or High School Diploma to graduate from the FSS program. The GED or High School Diploma may be substituted by certified completion of a vocational or training program specifically identified on the ITSP.

#### Waiver of GED or High School Diploma

VHA holds that high school graduation, or completion of a GED is an integral component to self-sufficiency. However, if the participant requests consideration of a waiver, they must submit a written request, along with supporting documentation to the FSS Coordinator. The waiver must include an explanation and supporting documentation as to why the participant was unable to obtain the GED or High School Diploma within the term of the COP. The FSS Coordinator may recommend that this requirement be waived based on the individual circumstances of each participant, and only if all other goals of the COP have been completed. The final decision to waive completion of the high school diploma or GED requirement is at the discretion of the Executive Director of designee.

Examples of conditions which may warrant consideration of a waiver are:

- Serious illness of participant or dependent
- Medical emergencies
- Multiple failed attempts to pass the GED exam
- Documented learning disabilities
- Failed support system

The ITSP for participants with homeownership as a final goal may also include, but is not limited to:

- Credit repair
- Homeownership education. Must receive certification in the VNHA First Time Homebuyers Club for consideration of the HUD Homeownership program

- Must be employed full time for a minimum of one year (with the exception of disabled families)

Interim goals on the ITSP for the initial Welfare to Work FSS program participants will be amended by the HA to include only those goals consistent with the Administrative Plan.

### 1. Method of Identification of Supportive Services

The type of supportive services and resources for eligible participating families is based on individual needs. The Housing Authority anticipates that the major needs for services and resources will be in the following categories: Education, Job Training, Child-care and Transportation. The FSS Coordinator will work with the participant to develop an ITSP tailored specifically for that participant based on information provided in the FSS application and assessments forms. The FSS Coordinator may conduct an extensive interview with each program participant to determine his/her specific needs, short and long-term goals.

### 2. FSS Participant Referral for Services

The HA may provide FSS participants with referral forms. The referral form may be completed by the agency providing the service to ensure that the participant did meet with the agency, and that the participant did follow through with any scheduled appointments or classes.

It is the responsibility of the participant to notify the FSS Coordinator of the outcome of the referral. Follow up may be confirmed by phone or written communication.

### 3. Service Provider Review

The HA may monitor the quality of service provided to FSS families. The monitoring will consist of all FSS participants referred to another agency for services to complete a verbal or written review of the quality of service provided.

The HA may also periodically contact agencies and/or FSS participants regarding supportive services to:

- Assess a participant's progress
- Determine if a participant's needs are being met by the supportive service provider
- Develop effective services with community agencies
- Improve existing available services

## **G. CONTRACT OF PARTICIPATION (COP)**

All applicants selected for participation in the FSS program will be required to sign a five-year Contract of Participation (COP). The HA will use a contract format approved by HUD. The contract will also include an Individual Training and Services Plan (ITSP) which specifies the contract goals and timetables for completion of goals.

To compute the monthly contribution to the escrow account the HA must have the Total Tenant Payment (TTP) and the amount of earned income included in the annual income at the time the

contract is signed. The income numbers and TTP must be taken from the last annual or interim reexamination before the family's initial participation in the FSS program, unless more than 120 days will pass between the effective date of the reexamination and the effective date of the COP. If it has been more than 120 days, the HA must conduct a new reexamination or interim re-determination. Failure to provide current income may cause a delay or denial of completion of the FSS contract.

Income verifications used to determine annual and earned income on the COP must be maintained in the FSS file for the life of the FSS contract.

The contract is executed on the first day of the month following the date the contract is signed by the participant and HA representative.

### 1. Family Requirements

Family responsibilities under the COP include, but are not limited to:

#### a. Head of Household must:

- Seek and maintain suitable employment throughout the term of the contract. (The head of household may attend school only as a pre-condition to seeking employment. After completion of the contracted course of study the head of household must seek and maintain a suitable job. School may not be substituted for employment.
- Participants who have elected homeownership as a final goal must be employed full time for one year.
- Self-employment (defined by VHA for the purpose of defining suitable employment) will be determined by a minimum gross income of the state minimum wage times a minimum of 30 hours per week.
- Complete activities in the ITSP within the specified dates.
- Provide the HA with information about the family's progress in the FSS program upon request, including information regarding employment, job interviews, training, education, attendance, and other FSS services, referrals and activities.

#### b) All Family Members Must:

- Comply with the terms of the HCV program and the lease agreement
- Comply with the family obligations under the HCV program, including HQS
- Live in the jurisdiction of the FSS program at least twelve (12) consecutive months from the effective date of the contract, unless waived by the HA.

### 2. Contract Terms and Extensions

The initial term of the COP is five (5) years. A participant may request an extension of the contract for good cause, if the family is unable to complete its goals within the five year period. HUD defines good cause as "circumstances beyond the control of the family as determined by the PHA". [24 CFR 984.303(d)].

The HA may extend the term of the COP for a period not to exceed two years; however, the participant must submit the request for contract extension, in writing, prior to the expiration of the contract, and must provide a detailed account and verification/documentation of the circumstances. Failure to provide supporting documentation within the required time period will be cause for denial of the contract extension and the contract will be terminated. Examples of good cause are as follows:

- Serious illness that prevents the FSS head of household from completing his/her goals.
- Incomplete job training or education goal(s) in which the family is currently enrolled.
- Involuntary loss of employment by FSS head of household.
- To allow families to meet the interim goal of independence from welfare (cash assistance) for twelve consecutive months before expiration of the COP.

The determination of whether an extension will be granted will be made at the sole discretion of the HA.

Families denied a contract extension may request an Informal Hearing to determine whether the decision was made in accordance with HUD regulations and the guidelines of this plan. The request for an Informal Hearing must be made, in writing, within ten (10) business days of the date of notification of the decision to deny the extension.

### 3. Remaining Family Members

If the designated head of the family becomes medically ill or ceases to reside with other members of the participating family who continue to receive assistance under the FSS program, the remaining family members shall have the right to request another family member as head of household for FSS purposes. The HA must approve the family's request and the COP must be revised to designate the new head of household who must be 18 years of age and seek and maintain employment.

### 4. Completion of the Contract of Participation (COP)

The HA has sole discretion to determine whether the family has successfully completed its COP. The contract will be successfully completed when:

- The HA determines that the family has fulfilled all of its responsibilities under the contract, or,
- Thirty percent (30%) of the family's monthly-adjusted income (AMI) equals or exceeds the Fair Market Rent (FMR) for the unit size for which the family qualifies under the HA's Occupancy Standards, and no family member is receiving welfare (cash aid) assistance at the time.

### 5. Graduation Procedures

#### a. Family Responsibilities:

To successfully graduate from the program, the family must submit a request for consideration for graduation in writing to the VHA; and



- Demonstrate that the family has fulfilled all obligations under the COP on or before the expiration date(s) on the ITSP (including any extensions); and
- Certify that all household members are independent of welfare assistance (as defined by HUD); and
- Submit verification that the head of household is suitably employed.

b. VHA Responsibilities:

- Review the request for graduation and determine if the family has met all of the above requirements.
- A determination of suitable employment shall be made by the HA based on the skills, education, and job training of the head of household, and based on job opportunities within reasonable commuting distance of the VHA's jurisdiction. In most instances suitable employment is defined as consistent full time employment (30 hours per week) for a minimum of one year.

Self employment (defined by VHA for the purpose of defining suitable employment) will be determined by a minimum gross income of the state minimum wage times a minimum of 30 hours per week).

- FSS Coordinator will submit the request for graduation and all supporting documentation to the VHA Management for final approval and request for payment of escrow funds.
- Disburse any accumulated escrow funds if it is determined that the family met the requirements for graduation.

## **H. TERMINATION OF THE CONTRACT OF PARTICIPATION (COP)**

### 1. Program Terminations

The COP may be terminated before the expiration of the contract term for any of the following reasons:

- Mutual consent of both the participant and the FSS Coordinator
- Participant fails to meet its obligations outlined in the COP
- Participant voluntarily withdraws from the FSS program
- Participant commits any act deemed inconsistent with the purpose of the FSS program. Examples include failure to comply with reporting requirements, providing fraudulent information, violation of HCV family obligations, including HQS
- By operation of law

### 2. Withholding Services

The HA may withhold services for the following reasons:

- The FSS family fails to comply with the terms of the COP. Failure to meet the terms of the COP may include:
  - Unexcused absences from mandatory scheduled meetings or appointments.
  - Refusal to seek or maintain suitable employment.
  - Refusal to comply with obligations under the COP.

- Failure to complete the requirements of the ITSP.
- Moving from the jurisdiction and failure to notify the FSS Coordinator of continued interest/participation in the FSS program within thirty (30) days of the effective date of the new lease with the receiving HA.
- The HA is not able to obtain the necessary supportive services that the FSS family needs.
- Failure to remain in VHA for 12 months after initiation of the COP (unless waived by the HA).

Good cause for failing or refusing to comply with the contract may include:

- An assignment or job referral that is not included in the COP
- Temporary illness or incapacitation
- Requirement to appear in court
- Family crisis, such as illness or death of a family member

### 3. Informal Hearing Process

If the HA staff determines the need to terminate or withhold the FSS participant's supportive services under the COP for failure to comply with the terms of the contract, the participant will be afforded an opportunity for an informal hearing before termination of housing assistance payments and other program benefits. (See Chapter 18 of this Administrative Plan).

Termination notices to the FSS participants must be in writing. The notice must include the reason for termination and the right to request an informal hearing. Participants shall have the right to be represented, at their own expense, by a person(s) of their choosing, at all levels of the complaint process.

The Housing Manager or designee will review all requests for hearings filed by participants of the FSS program. The Housing Manager or designee may reinstate the program participant to the FSS program, if extenuating circumstances offered by the participant warrant the reinstatement.

### 4. FSS Termination Procedure

#### a. Warning Letter

Initially, the FSS Coordinator will send a warning letter to the participant, if he/she is not abiding by the terms of the COP. This letter will give the participant an opportunity to discuss the issue(s) in an attempt to resolve the matter before termination is necessary.

#### b. Termination Notice

If the participant continues to fail to comply with the terms of the COP, then the FSS Coordinator will issue a 30-day notice of intent to terminate from the FSS program. The letter will state the program violations. The program participant will be offered the opportunity for an informal hearing to discuss the program violations.

The participant has ten (10) business days from the date of the termination notice in which to request a hearing. The request for hearing must include the following information:

- Full name, telephone number (if any) and the mailing address of the participant;
- Written request for a hearing based upon the actions taken by the Housing Authority; and
- Summary statement of the reason(s) the participant feels the termination is not justified.

Hearing requests received after the ten day deadline will not be considered and the termination will stand. The HA will not grant any extension of time in which to file except for the purpose of reasonable accommodations, which must be made in writing, to the Housing Manager or designee.

c. Termination Confirmation

A termination confirmation letter will be sent including the date and reason for termination:

- If a participant fails to comply with the terms of the COP and does not respond to the Warning Letter or Termination Letter
- If the termination is upheld by a decision from the Informal Hearing Officer

**I. ESCROW ACCOUNT MAINTENANCE**

The HA will compute the family's monthly escrow credit through annual reexaminations or interim recertification as per HUD regulations.

1. Participant Reporting Requirements

The family must report:

- Total family income at the annual recertification appointment
- Changes in household income within ten (10) business days

2. Housing Authority Responsibilities

a) The HA will provide the FSS participants an annual statement on the status of their FSS escrow account. The statement will include:

- Balance at the beginning of the reporting period
- Amount of the family's rent payment that was credited to the FSS account during the reporting period
- Deductions made from the account for amounts due to the HA and/or amounts deducted for disbursement to families for the purpose of completing specific interim goals
- Interest earned on the account during the year
- Account balance at the end of the reporting period

b) Escrow funds will be computed and deposited monthly for participants who earn escrow due to an increase in earned income.

c) Interest will be computed on the participants escrow balance at least once quarterly based on an interest rate determined by the City of Vallejo Finance Department.

d) Escrow will not be deposited for any family with zero housing assistance payment (HAP) due to annual or interim recertification that determines the family is over income for housing assistance.

e) Escrow will not be deposited if the family is not housed and no housing assistance payment is made for a specific month.

### 3. Escrow Withdrawal at Conclusion of FSS Contract

The amount accrued in the escrow account must be paid to the Head of Household of the participating family:

- When, at contract completion, the Head of Household certifies that, to the best of his/her knowledge and belief, no family member has received Federal or State welfare assistance for consecutive twelve(12) months before the end of the contract. The HA will verify that the family is no longer receiving welfare (cash aid) assistance before escrow monies are released to the family.
- HA has determined that the participating family has completed the goals outline in the COP.
- When thirty percent (30%) of the family's monthly-adjusted income equals or exceeds the existing housing FMR for the voucher size issued in the HCV housing assistance program; and the family is not receiving welfare (cash aid) assistance at the time.

### 4. Interim Disbursements during the Contract Term

The determination to disburse these funds will be at the sole discretion of the FSS Coordinator and the Housing Manager or designee.

Escrow funds may be disbursed before completion of the contract if the family has completed specific interim goals designated by the HA, and need some of the FSS escrow account funds to complete specific goals.

Interim disbursements may be approved for not more than fifty percent (50%) of the family's escrow balance at the time of the request. The HA will not grant more than two (2) interim disbursements per Family.

Interim disbursements may be considered under the following conditions:

- Request is made in writing and include verification that the funds are required for the completion of a goal under the family's COP (example: to pay for school tuition, job training expenses, business start-up expenses);
- The family can demonstrate completion of specific interim goals from its COP

Interim escrow disbursements must be paid by check directly to the agency or business providing the required items or services.

- A copy of the invoice, VHA check, and payment receipt from the agency or business will be retained in the participant's file
- The amount disbursed will be a debit to the FSS escrow account at the time the payment claim is processed.

#### 5. Forfeiture of Escrow Account

If any FSS participant's Contract of Participation is terminated, or declared null and void, the family has no right to receive funds from the FSS escrow account. The HA will close the family's escrow account and may use the forfeited funds in accordance with HUD regulations.

Funds in the FSS escrow account will be forfeited:

- If the Housing Authority terminates the COP;
- If the COP is completed but the family is receiving welfare (cash aid) assistance when the contract expires, including any extension;
- If the family is in violation of family obligations under the HCV program (including HQS);
- If the family is terminated from the HCV program for violation of family obligations

FSS account funds forfeited by the family will be treated as program receipts for payment of program expenses under the HA HCV program budget.

### **J. PORTABILITY PROCEDURES**

#### 1. Incoming Portability

The VHA is not obligated to accept incoming portable FSS participants in the VHA program. The HA may accept incoming transfers into the FSS program if they have an active contract and are in compliance with the FSS program requirements of the initial housing authority. Acceptance of incoming portable clients is at the discretion of the VHA based on funding and space availability.

#### Family Responsibilities

Families must lease an assisted unit, for a minimum period of 12 months after the effective date of the COP in the jurisdiction of the PHA that selected the family for the FSS program.

It is the responsibility of all FSS families exercising portability into VHA's jurisdiction to notify the HA of their FSS status. Families, with active FSS contracts and in good standing with the initial HA, who contact the FSS Coordinator within thirty (30) days of the effective date of their lease may be accepted into the FSS program on a case by case basis.

#### Procedures

- a. The family must notify the VHA of an active FSS contract at the initial HA within 30 days of the effective date of their lease. Notification must be in writing. The VHA will give

preference to absorb any incoming portable transfers with an existing FSS COP in good standing.

b. After notification by the family, the HA will determine if the family will be accepted in the FSS program by contacting the initial HA to verify the family's compliance in their program.

- If the VHA can accept the family in the FSS program, the VHA will notify the family and contact the initial HA to request a copy of the current COP, and to request transfer of any escrow funds.
- If accepted into the VHA FSS program, the family must complete the FSS application and assessment forms before signing a new COP and ITSP.
- Incoming portable families whose vouchers are not absorbed by VHA may continue in the FSS program of the initial HA if the initial HA is willing to maintain the COP and the escrow account. If the voucher is absorbed at a later date, the initial HA can no longer administer the FSS contract and the family must execute a new COP with VHA or be terminated from the FSS program. If a new COP is executed with VHA, the initial HA will forward the family's escrow account balance to VHA.
- If the VHA cannot accept the family in the FSS program, the family will be notified, in writing, of the denial of participation.
- An incoming portable transfer with a current FSS COP from its initial HA that is denied acceptance into the FSS program may request an Informal Hearing to determine whether the decision to deny acceptance was made in accordance with HUD regulations and the guidelines in this plan. A request for an Informal Hearing must be made in writing within ten (10) business days of the date of notification of the decision to deny acceptance.

## 2. Outgoing Portability

For the purposes of this section, the term "relocating family" refers to an FSS family that moves from the jurisdiction of a PHA at least 12 months after signing its COP.

### Initial Occupancy

First 12 months: A family participating in the HCV FSS program must lease an assisted unit for a minimum of 12 months after the effective date of the COP, in the jurisdiction of the PHA that selected the family for the FSS program. However, the PHA may approve a family's request to move outside the initial PHA jurisdiction under portability (in accordance with 24 CFR 982.353 of the HUD regulations) during this period.

After 12 months: After the first 12 months of the FSS COP, the FSS family may move outside the initial PHA jurisdiction under portability procedures (in accordance with 24 CFR Section 982.353).

It is the responsibility of the participant to notify the receiving HA of their status as an FSS participant. However, VHA will make every effort to ensure the receiving agency is aware of the FSS

status of the participant when the paperwork is transferred to the receiving agency. The participant must abide by the rules and regulations for FSS portability at the receiving agency.

#### Procedures

- The HA will send a copy of the COP and ITSP with the HCV portability packet to the receiving HA.
- The family must contact the FSS Coordinator at the receiving HA regarding transfer into their FSS program within thirty (30) days of the effective date of the new lease.
- If the family's voucher is absorbed by the receiving HA and the family is accepted in their FSS program, the contract and any escrow funds will be transferred to the receiving HA upon request. If a request for transfer of the COP and escrow funds is not received within 60 days of the new lease in the receiving jurisdiction, any balance in the escrow account is forfeited and the COP is terminated.
- If the family's voucher is not absorbed by the receiving HA, and if the family can demonstrate that it can fulfill its responsibilities under the FSS contract in the new location, the family may be allowed to continue in VHA's FSS program if the family demonstrates to the satisfaction of the initial PHA that, notwithstanding the move, the relocating FSS family will be able to fulfill its responsibilities under the initial or modified COP at its new place of residence.
  - For example, the FSS family may be able to commute to the supportive services specified in the COP, or the family may move to obtain employment as specified in the contract. This is applicable only if the family has relocated to a jurisdiction within reasonable commuting distance of VHA services.
  - If the relocating family remains in the VHA FSS program, there will only be one COP, which shall be the contract, executed by the VHA.
  - Regardless of whether the FSS family remains in the VHA program or enrolls in the program of the receiving PHA, there will be a single FSS account, which will be maintained by the initial PHA.
  - When the receiving HA will absorb an FSS family, VHA will transfer the family's FSS escrow account to the receiving HA.
- At its discretion, VHA may terminate the family's COP if the family exercises portability to a jurisdiction that does not have an FSS program, if the family is not accepted into the new HA's FSS program, or if the family is absorbed by the receiving HA.

#### **K. COMMUNITY PARTNERSHIPS**

The VHA has an established record of accomplishment with helping HCV families end their dependence on welfare. The FSS program has a part time FSS Coordinator who provides case management, information, and referral assistance to families. The FSS Coordinator works closely with participating families to ensure compliance with HCV requirements and meeting the goals identified in the FSS COP.

A variety of services (childcare, after school care, education transportation, etc.) are needed so that families can function in ways which allow each member to maintain self-esteem, to pursue meaningful life options and to make lasting changes. Families will require jobs that provide them with the chance to advance, earn a living wage, and acquire comprehensive health benefits.

Through FSS, the VHA has become an active participant in the various welfare-to-work and welfare reform programs in Solano County, including but not limited to, Solano County Health and Social Services, the Solano County Office of Education, the Private Industry Council of Solano County (PIC), Solano Employment Connection (SEC), the Vallejo and Fairfield Adult Schools, faith based organizations, and other local housing authorities, along with numerous other agencies that service low income clients. Through these relationships, VHA continues to develop ways to fortify its efforts to promote self-sufficiency, as well as contributing new ways to enhance the systems already in place.

#### 1. Program Coordinating Committee

In association with other Housing Authorities in Solano county, a Program Coordinating Committee (PCC) has been established to serve the Solano County FSS participation. The purpose of this committee is to assist the Housing Authorities in Solano County in securing commitments of public and private resources for the operation of the FSS program within our jurisdiction.

The HA will continue to maintain a PCC to assist the FSS program identify public and private resources for the operation of the FSS program.

##### a) The role of the PCC is to:

- Serve as an advisory body to the FSS Program
- Review the progress of the FSS programs
- Facilitate coordination of services
- Share program information
- Exchange outreach and program implementation strategies
- Expedite and coordinate agreement with potential service providers

##### b) Meetings

The PCC will meet at least four (4) times annually.

##### c) Membership

The PCC Membership may include a representative from the following agencies:

- Vallejo Housing Authority – FSS Coordinator, Homeownership Coordinator and an FSS participant
- Benicia Housing Authority
- Fairfield Housing Authority
- Vacaville Housing Authority (representing Vacaville and Solano County Housing Authorities)
- Solano County Health & Social Services
- Fairfield – Suisun Adult School
- Vallejo Unified School District



- Private Industry Council (PIC)
- Solano Community College
- Solano Family and Children's Services
- City of Vallejo Fighting Back Partnership
- Faith Based community leaders
- Local business owners
- Vallejo Neighborhood Housing Services
- Real estate community
- Financial (banking) industry

## 2. Activities and Supportive Services

The HA certifies that Memorandums of Understanding (MOU's) to secure commitments of resources have been signed between Vallejo, Solano County, Benicia, Fairfield, and Vacaville Housing Authorities and the following agencies serving low-income persons in Solano County:

- City of Vallejo Fighting Back Partnership
- Private Industry Council (PIC) of Solano County
- Solano Community College
- Solano Family and Children's Council
- Vallejo Unified School District
- Solano Family and Children's Services
- Vacaville Unified School District

Participation with community-based organizations promotes coordination of services and strives to eliminate duplication of effort between agencies serving the low-income population of Solano County. The HA participates on the following boards and committees:

- Solano County Workforce Investment Board
- Solano County Community Employment Taskforce
- Bay Area FSS/Homeownership Coordinator's Committee
- Solano County Program Coordinating Committee
- Solano Transportation Authority

# ATTACHMENT “F”

**Proposed Revisions 2008  
Chapter 24**

**(Revised and Approved by Housing Authority Board Resolution No. \_\_\_\_\_, on \_\_\_\_\_)**

**Housing Choice Voucher Homeownership  
Action Plan**

[24 CFR Part 982, Subpart M]

**INTRODUCTION**

The Housing Choice Voucher (HCV) Homeownership Program (HOP) allows qualified participants of the HCV Family Self-Sufficiency (FSS) Program and qualified Elderly or Disabled participants of the HCV Program the option to purchase a home and use the HCV Housing Assistance Payment (HAP) towards mortgage payments and other allowable housing costs. The total number of HCV Homeownership Vouchers issued will be limited to no more than ten percent (10%) of the total number of Housing Choice Vouchers administered by the Vallejo Housing Authority (VHA).

Applicants for the HCV HOP must meet all HUD requirements for HCV Homeownership, in addition to, eligibility criteria established by the VHA. Admission of applicants to the HCV HOP is at the discretion of the VHA.

Down payment assistance programs are not available.

**A. PREFERENCE FOR ADMISSION TO HOP**

The HCV HOP is available to qualified participants of the HCV Family Self-Sufficiency (FSS) Program, and qualified Elderly or Disabled participants of the HCV Program.

Qualified participants are defined as participants who meet all VHA and HUD requirements for the HCV HOP program and have acceptable credit determined by a participating lender, no outstanding collections, or bankruptcies with a discharged date of at least 3 years prior to applying for HOP, and demonstrates the ability to secure a mortgage for the purchase of an eligible unit under the HCV HOP.

**1. First Preference**

First preference will be given to qualified applicants who are successful graduates or participants of the FSS Program. Elderly or disabled FSS families that otherwise qualify for HOP will receive first preference.

**2. Second Preference**

Second preference will be given to qualified elderly and disabled families with consistent income and demonstrate the ability to secure a mortgage. Elderly and disabled families are not required to meet employment, minimum income and minimum downpayment requirements.

## **B. ELIGIBILITY REQUIREMENTS**

The VHA HCV HOP applicants must meet the following criteria to be considered for the VHA HOP:

### **1. Applicant must be a first time homebuyer.**

- a) No member of the household may have any interest or ownership in a residence during the three years before applying for homeownership assistance or at the commencement of participation in HOP.
- b) Single parents or displaced homemakers (as those terms are defined in 12 U.S.C. 12713) who owned a home while married or resided in a home owned by a spouse also qualify as first time homebuyers.
- c) Families with a disabled family member may request approval for a waiver of the first time homebuyer requirement if required as a reasonable accommodation for a disability.

### **2. Minimum income requirements.**

Calculation of income-eligibility for the HCV Homeownership Program for the purpose of determining income-eligibility for admission to the program will be conducted under the guidelines for HCV rental assistance as noted in this Administrative Plan.

- a) The head of household, spouse or other adult member(s) of the household that will hold title to the home must have a combined annual gross income of not less than the very-low income limit adjusted for the family size (30% of Median Family Income) as determined by HUD.
- b) A family that does not meet this requirement, but does meet all other HOP requirements, may request a waiver provided the family can demonstrate that:
  - Head of household, spouse or other adult member(s) of the household that will hold title to the home have a combined annual gross income of not less than the Federal minimum wage multiplied by 2,000 hours and;
  - Family is able to secure a mortgage and that the total housing cost to the family will not exceed fifty five percent (55%) of the family's total gross monthly income.
- c) Welfare assistance may not be included in the minimum gross annual income above, except for elderly or disabled families. Welfare assistance includes payments from Temporary Assistance for Needy Families (TANF), Supplementary Security Income (SSI) that is subject to an income eligibility test, food stamps, general assistance (GA); or other welfare assistance as specified by HUD.

### **3. Minimum employment requirements.**

- a) One or more adult members of the household that will hold title to the home must be currently employed and working not less than an average of 30 hours per week and has been continuously employed for one year prior to application to HOP.
- b) Employment requirements do not apply to elderly or disabled families that otherwise qualify for HOP.
- c) A family with a member with disabilities may request an exemption from the work requirements if needed as a reasonable accommodation for the disabled family member.

**4. Minimum downpayment requirements.**

- a) The family must demonstrate the ability to provide a minimum of three percent (3%) downpayment on the home.
- b) At least one percent (1%) of this downpayment must come from the family's personal resources.
- c) FSS graduates may use FSS escrow towards this requirement. Families with an Individual Development Account (IDA) or an Individual Development Empowerment Account (IDEA) through the VHA or another agency may count these funds towards the minimum downpayment.
- d) The minimum down payment requirement may be waived for families with a disabled family member, if they qualify for special loan products offered by the lender.

**6. Other requirements.**

- a) The family must have completed an initial HCV lease term and completed the family's first annual recertification in the HCV Program.
- b) The family must verify that no family member has previously defaulted on a mortgage assisted under the HCV HOP.
- c) The head of household and any other adult members that will hold title to the home must successfully complete a HUD approved homeownership and housing counseling program approved in advance by the VHA.
- d) Family members may not owe any debt to the VHA or another housing authority.
- e) The family must maintain a good tenant standing with its landlord and the VHA. This includes, but is not limited to:
  - In compliance with HUD Family Obligations under the HCV Program,
  - Adhering to the requirements of the lease agreement;
  - No outstanding debts to the landlord or to any utility company;

- Report all Household income;
- Passing the most recent Housing Quality Standards (HQS) inspection with no significant tenant-caused failure items.

### **C. ELIGIBLE UNITS**

HCV Homeownership assistance may be used to purchase units within the jurisdiction of the VHA that are under construction or already existing at the time the VHA issues a Homeownership Voucher to the eligible family.

#### **1. Unit types.**

The following unit types may be purchased using the HCV HOP:

- One unit property (single-family residence)
- A single dwelling unit in a cooperative, condominium or planned use development
- A manufactured home with a permanent foundation, if the family has the right to occupy the home site for a period of at least forty (40) years
- Unit not yet under construction, provided an environmental review has been performed and the site has received environmental approval prior to commencement of construction.

#### **2. HCV Housing Quality Standards.**

The unit must be inspected by the VHA and satisfy the Housing Quality Standards (HQS) for the HCV Program before HOP assistance can begin. The HQS inspection will be completed prior to the independent inspection to prevent the family from the added expense of an inspection in the event the home has major damage or necessary repairs that the Seller will not agree to repair and/or the buyer, made aware of the repairs, no longer wishes to purchase the home.

Annual HQS inspections are not a requirement for the HOP. However, VHA reserves the right to inspect the property due to a violation in accordance with the 24 CFR 982.551 Family Obligations, complaints from Code or Law Enforcement, or possible mortgage default.

#### **3. Independent inspection.**

The unit must be inspected by a certified independent inspector designated and paid by the family, and pre-approved by the VHA. This inspection must cover, at a minimum, all major building systems and components including:

- Foundation and structure
- Housing interior and exterior
- Roofing

- Plumbing
- Electrical systems
- Heating systems

The VHA must receive and approve a copy of the inspection report before HOP assistance will commence. The VHA may disapprove a unit for assistance under HOP because of information obtained through the inspection report, even if the unit passes the HQS inspection.

**4. Other requirements for eligible units.**

The seller of the home may not be on the HUD list of debarred and suspended contractors, or subject to a limited denial of participation under 24 CFR Part 24.

**D. ISSUANCE OF VOUCHER**

Once approved for participation in the HCV HOP, the family will be issued a HOP Voucher subject to the following requirements.

- The family must execute a statement in which the family agrees to comply with all family obligations under the Homeownership Option.
- The VHA will issue the family a Homeownership Voucher for a period of 180 days.
- It is the family's responsibility to find a home that meets the criteria for voucher homeownership assistance
- The VHA may require families unable to locate a suitable unit during the term of the Voucher to wait for a period of one year to re-apply for HOP.
- The VHA may grant an extension due to extenuating circumstances. Extensions will be granted at the discretion of the HA.
- The family must employ a licensed State of California, Department of Real Estate agent to assist with the search and purchase of a home on their behalf. VHA will certify agent is in good standing with the State of California.
- The family must report its progress towards locating and purchasing a unit if requested by the VHA.
- If the family is unable to locate an acceptable unit for purchase during the term of the HOP Voucher, the VHA may, at its discretion, issue the family a Voucher for rental assistance.
- If the family submits a contract of sale to the VHA that is not approved due to reasons other than the family's lack of compliance, the VHA will add back the number of days to the Voucher that it took to review the contract (known as "tolling" days).

#### **E. CONTRACT OF SALE (SALES AGREEMENT)**

The family must submit a copy of the sales agreement to the VHA. The family must enter into a sales agreement before HOP assistance may commence. The sales agreement must include the following:

- Specify the price and other terms of sale by the seller to the purchaser.
- Provide that the purchaser will arrange for a pre-purchase inspection of the unit by an independent inspector selected by the purchaser.
- Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser.
- Contracts entered into for units not yet under construction must provide that the purchaser is not obligated to purchase the unit unless an environmental review has been performed and the site has received environmental approval prior to commencement of construction and the unit passes HQS and independent inspection.
- Provide that the purchaser is not obligated to pay for any necessary repairs.
- Contain a certification from the VHA that the seller has not been debarred, suspended or subject to a limited denial of participation under 24 CFR Part 24.
- Escrow must close within a reasonable amount of time after submission of the sales agreement.
- The sale price of the home must be affordable to the family, as determined by the VHA and the Lender. The price shall be considered affordable if the monthly homeownership expenses payable by the family, as defined in Section F(2) of this action plan, do not exceed fifty five percent (55%) of the family's total monthly gross income.

#### **F. FINANCING OF PURCHASE AND AFFORDABILITY REQUIREMENTS**

The family must allow the VHA to review the terms of the mortgage secured to purchase the property before close of escrow. The VHA may disapprove proposed financing, refinancing or other debt if the VHA determines that the debt is unaffordable to the family or if the VHA determines that the lender or the loan terms do not meet VHA or HUD qualifications. The family must locate and qualify for a mortgage that meets the following requirements:

- The mortgage must be determined to be affordable by the VHA. The VHA may take into account child care, unreimbursed medical expenses, homeownership expenses, and other family expenses as determined by the VHA to determine affordability of the family's share of the housing costs. Homeownership expenses will be calculated as indicated in section G.1(g) of this action plan. The family's portion of the monthly



homeownership expenses may not exceed fifty five percent (55%) of the family's total monthly gross income.

- Short-term first mortgages with a large final “balloon payment” will not be allowed.
- Adjustable mortgages with an interest rate that adjusts more than five percent (5%) over the life of the loan, more than one percent (1%) in any one year, or adjusts more often than once per year will not be allowed.
- Interest only mortgages will not be allowed.
- The VHA will consider seller financed mortgages on a case-by-case basis.
- The family may not obtain private first mortgage financing from a family member or any other private source.
- The mortgage must be provided, insured, or guaranteed by the state or Federal government and comply with secondary mortgage market underwriting standards; or the mortgage must comply with generally accepted private sector underwriting standards.

#### **G. CALCULATION OF HOMEOWNERSHIP ASSISTANCE PAYMENT**

Calculation of income-eligibility for the HCV Homeownership Program for the purpose of determining income-eligibility for admission to the program, for determination of the family's total tenant payment, or for determining the amount of the Homeownership Assistance Payment (HAP); will be conducted under the guidelines for HCV rental assistance as noted in this Administrative Plan, except as noted otherwise in this paragraph.

##### **1. Occupancy of home.**

The HAP will only be paid while the family resides in the home. If the family moves out of the home, the VHA will discontinue payment of the HAP commencing with the month after the family moves out, unless there is a written agreement between Lender and VHA specifying a specific time period of notification prior to discontinuing the HAP.

- a) Amount of monthly homeownership assistance payment. While the family is residing in the home, the VHA shall pay a monthly homeownership assistance payment on behalf of the family that is equal to the lower of the payment standard minus the total tenant payment; or the family's monthly homeownership expenses minus the total tenant payment.
- b) Initial Payment Standard. The initial payment standard for a family is the lower of the payment standard for the family unit size (Voucher size); or the payment standard for the size of the home.

- c) Payment Standard for subsequent reexaminations. Reexaminations (interims and annual reexaminations) will use a Payment Standard that is the greater of the payment standard (as determined in accordance with the initial payment standard at the commencement of homeownership assistance; or the Payment Standard in effect at the time of the reexamination as determined using the requirements of Section G(1)(b) of this action plan. At no time will the VHA use a Payment Standard less than the initial Payment Standard at the close of escrow.
- d) The VHA will use the same Payment Standard schedule, Payment Standard amounts, and Subsidy Standards for the HOP as for the rental voucher program.
- e) Exception rent areas. If the home is located in an exception payment standard area, the VHA must use the appropriate payment standard for the exception payment standard area.
- f) Affordability of housing costs. Total monthly homeownership expenses payable by the family, as defined in G.1(g) below, must be less than fifty five percent (55%) of the family's total gross monthly income.
- g) Homeownership expenses. The VHA will use the following expenses to determine the total homeownership expense for calculation of the HAP:
- Principal and interest on initial mortgage debt, any refinancing of such debt, and any mortgage insurance premium incurred to finance purchase of the home.
  - Real estate taxes and public assessments on the home.
  - Homeowner's insurance.
  - Life insurance to the amount of the mortgage.
  - Allowance for maintenance expenses as determined by the VHA.
  - Allowance for costs of major repairs and replacements as determined by the VHA.
  - Utility allowance for the home as determined by the VHA.
- h) Principal and interest on mortgage debt incurred to finance costs for major repairs, replacements or improvements for the home. If a member of the family is a person with disabilities, such debt may include debt incurred by the family to finance costs needed to make the home accessible for such person, if the VHA has determined that allowance of such costs as homeownership expenses is needed as a reasonable accommodation for the disabled family member.

## 2. Cooperative and Condominiums

For cooperative members only (owners of condos) the following cooperative charges will also be used towards the homeownership expense:

- a) Charges included in the cooperative occupancy agreement including payment for real estate taxes and public assessments on the home;
- b) Principal and interest on initial debt incurred to finance purchase of cooperative membership shares and any refinancing of such;
- c) Cooperative or condominium operating charges or maintenance fees assessed by the condominium or cooperative homeowner association.

**3. HAP payment to lender.**

- a) The VHA will pay the HAP according to the terms established in the agreement the VHA and Lender have entered into. If the assistance payment exceeds the amount due to the lender, the excess will be paid directly to the family.
- b) The VHA will provide the lender with notice of the amount of the HAP and amount of the family's portion of the total homeownership expenses prior to close of escrow.
- c) Procedure for termination of homeownership assistance.  
The family shall be entitled to the same termination notice and informal hearing procedures set forth in this Administrative Plan for participants in the HCV rental assistance program.
- d) Automatic termination of HAP.  
Homeownership assistance for a family terminates automatically 180 calendar days after the last HAP paid on behalf of the family. The VHA has the discretion to grant relief from this requirement in those cases where automatic termination would result in extreme hardship for the family.

**G. CONTINUED ASSISTANCE – COMPLIANCE OF FAMILY OBLIGATIONS**

The family must execute a statement of family obligations prior to the issuance of the homeownership voucher and at the annual exam, agreeing to comply with all HCV family obligations and HOP family obligation, which includes but is not limited to:

- a) occupying the home.
- b) completing any post-purchase counseling required by the Housing Authority.
- c) maintaining a saving account and/or home warranty for unexpected and necessary repairs or maintenance.
- d) not obtain ownership interest in another residence while receiving HCV HOP assistance.

- e) supplying any information as required by the Housing Authority or HUD concerning: (1) any mortgage or other debt incurred to purchase the home, any refinancing of such debt (including information needed to determine whether the family has defaulted on the debt, and the nature of any such default), and information on any satisfaction or payment of the mortgage debt; (2) any sale or transfer of any interest in the home; or (3) the family's homeownership expenses.
- f) complying with all terms of the mortgage.
- g) not lease, let, transfer or convey the home.
- h) refinancing or other debt secured by the home must not be obtain without prior approval of VHA.

#### **H. MAXIMUM TERM OF HOMEOWNERSHIP ASSISTANCE**

The time limits below apply to all family members having an ownership interest in the unit during the time that homeownership payments are made; and, the spouse of any member of the household who has an ownership interest in the unit during the time that homeownership payments are made.

All families, including families that become elderly during the term of the homeownership assistance are subject to the following maximum terms:

- Initial mortgage term of twenty (20) years or longer. The maximum term of homeownership assistance will be fifteen (15) years.
- Initial mortgage term of less than twenty (20) years. The maximum term of homeownership assistance will be ten (10) years.

Elderly and disabled families are assisted for as long as they remain in the HCV HOP. If, during the course of homeownership assistance, the family ceases to qualify as elderly or disabled, the maximum term as defined in Section H.2 will become applicable from the date homeownership assistance commenced. The VHA will provide a family at least six (6) months of homeownership assistance after the maximum term becomes applicable provided the family is otherwise eligible to receive homeownership assistance.

If a family becomes over-income prior to the maximum term of homeownership the family has 360 days to return to the HCV HOP in the case of an extreme hardship. Involuntary loss of employment, illness, or death of a family member, which prevents adult members of the household to remain employed are examples of an extreme hardship. The VHA, at its discretion, will determine length of assistance based on the family's circumstances.

The initial maximum term limit applies if the family receives assistance for more than one home purchase, even if received from another housing authority.

#### **I. POST-PURCHASE COUNSELING**

The VHA may require the family to attend post-purchase counseling one year after the close of escrow and at any time during the term of the homeownership assistance. Counseling topics may include:

- Financial Planning
- Housing Keeping
- Property Maintenance
- Budgeting

#### **J. RIGHT OF FIRST REFUSAL**

The family must execute documentation giving the VHA, or its designee, the right of \_\_\_first refusal in the event the family decided to sell the home. This document shall be in effect during the term of the HAP

#### **K. INSURANCE REQUIREMENTS**

The VHA may require the head of household to purchase and maintain a life insurance policy that will cover the amount of the mortgage.

The VHA may require the family to include the VHA as additional insured on the homeowner's insurance policy, such as a home warranty policy.

#### **L. SAVINGS ACCOUNT**

The VHA may require the head of household to maintain a saving account to create a reserve for unexpected and necessary repairs or maintenance.

#### **M. PORTABILITY**

Families issued a homeownership voucher may exercise portability to purchase a unit in the jurisdiction of another housing authority.

##### **1. Incoming portable families:**

- a) may purchase a unit within the jurisdiction of the VHA, provided the VHA is accepting new homeownership families at the time of the purchase.
- b) must be under rental assistance in Solano County for 12 months prior to application for HCV Homeownership. Families with a disabled family member may request approval for a waiver of the 12 month Solano County rental assistance requirement if required as a reasonable accommodation for a disability.
- c) must meet the education, counseling, and all other HOP requirements of the VHA.
- d) must be certified by initiating HA that the family is in good standing with VHA and Landlord.

The VHA must promptly notify the initial HA if the family has purchased an eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by the VHA.

**2. Outgoing portable families:**

- a) may purchase a unit within the receiving jurisdiction, provided they are accepting new homeownership families at the time of the purchase.
- b) must meet the education, counseling, and all other HOP requirements of the receiving Housing Authority.
- c) must be certified by initiating VHA that the family is in good standing with Housing Authority and Landlord.
- d) the initiating VHA must promptly notify the HA, if the family has purchased an eligible unit under the program, or if the family is unable to purchase a home within the maximum time established by the HA.

**N. MOVES WITH CONTINUED TENANT-BASED ASSISTANCE**

A family receiving VHA homeownership assistance may purchase and move to a new unit with continued assistance.

**1. Purchase of a new unit.**

A family receiving homeownership assistance may purchase and move to a new unit with continued assistance, provided the family fulfills all requirements of the HOP at the time of the purchase of the new unit. The following applies to a family purchasing a new unit under the HOP:

- a) The family will not be eligible to move with continued assistance for a period of one year after the initial purchase.
- b) The VHA may, at its discretion, require the family to complete a new housing counseling program or receive additional counseling prior to close of escrow.
- c) The requirement that the family must be a first time homebuyer is not applicable.
- d) The VHA may deny permission to move with continued assistance in the case of lack of funding or if the VHA has denied or terminated assistance to the family under section N below.
- e) If the unit is not yet under construction an environmental review must be performed and the site has received environmental approval prior to entering into a contract of sale.

**2. Sale of original HOP unit and return to tenant-based rental assistance.**

The VHA may, at its discretion, allow a family to return to tenant-based rental assistance. The following applies to a family returning to tenant-based rental assistance:

- a) The VHA may deny permission to move with continued assistance in the case of lack of funding or if the VHA has denied or terminated assistance to the family as defined under Section P of this action plan.
- b) The VHA will not commence continued tenant-based assistance for occupancy of a rental unit so long as any family member owns any title or other interest in the home previously assisted through the HOP.
- c) If the family has defaulted on a FHA insured mortgage, the family must demonstrate that it has conveyed title to the home to HUD or its designee, as required by HUD; and that the family moved from the home within the period established or approved by HUD.
- d) If the family has defaulted on a mortgage that is not FHA-insured, the family must demonstrate that it has conveyed title to the home to the lender, to the VHA or its designee, as may be permitted or required by the lender; and that the family moved from the home within the period established or approved by the lender and the VHA.

#### **O. DENIAL OR TERMINATION OF ASSISTANCE**

The VHA shall deny or terminate homeownership assistance for the family in accordance with the requirements of this section. The VHA, at its discretion, may allow the family to return to tenant-based rental assistance under conditions in Section N(2).

- Failure to report all household income.
- Failure to comply with Vallejo Housing Authority HCV Homeownership Program requirements.
- Failure to comply with any HUD Family Obligations.
- The family defaults on the mortgage.

#### **P. WAIVER OR MODIFICATION OF HOMEOWNERSHIP POLICIES**

The Housing Manager shall have the discretion to waive or modify any provision of the HCV Homeownership Program policy not governed by statute or regulation for good cause or to comply with changes in HUD regulations or directives.

13.b. Administrative Items  
- Buchongo Settlement  
Agreement Annual  
Report 2007

13.b. Administrative Items  
Buchongo Settlement Agreement Annual  
Report 2007





CITY OF VALLEJO

Agenda Item No.

## HOUSING AND REDEVELOPMENT COMMISSION

Date: October 8, 2008

TO: Chair and Commissioners

FROM: Melinda Nestlerode, Acting Housing and Community Development  
Manager

Guy L. Ricca, Senior Community Development Analyst *Guy L. Ricca*

SUBJECT: BUCHONGO SETTLEMENT AGREEMENT ANNUAL REPORT FOR  
CALENDAR YEAR 2007

### BACKGROUND AND DISCUSSION

In 1999, the Vallejo Redevelopment Agency entered into an affordable housing agreement with Legal Services of Northern California known as the "Buchongo Settlement Agreement." In this Agreement, the Agency agreed to provide 425 units of affordable housing to low- and moderate-income Vallejo residents within eight years, (or by August 2007).

Low- and moderate-income, in this case, is defined as up to 120 percent of the median family income for the area. However, of the 425 units to be produced, 300 of them must be for very low-income persons (0 to 50 percent of the area median income). One hundred twenty-five (125) of these 300 units must be multi-family units, of two bedrooms or more.

Since 1999, the Agency has made significant progress toward its goal of creating 425 affordable units, and has substantially met its obligations under the Buchongo Agreement. However, the Agency must still produce eight more units or two bedrooms or more, affordable to very low-income families. In April 2007, the Agency reached agreement on a two-year extension of time to satisfy the Buchongo requirements, as allowed in the Agreement, or until August 12, 2009.

The production of (and credit for) housing units under this Agreement may be accomplished by either new housing construction, or the substantial rehabilitation of housing. Substantial rehabilitation is defined in the Agreement as an amount of rehabilitation of at least \$40,000, (increased for inflation during the term of the Agreement, now at \$53,000 per unit), or 25 percent of the after-rehabilitation value of the unit.

In addition, covenants of affordability of at least 45 years for owner-occupied properties, and at least 55 years for rental properties, must be signed and recorded for properties under this Agreement, pursuant to State law.

### Accomplishments and Reporting Requirements

As noted above, the Agency and the City of Vallejo have taken several actions toward reaching the goals of the Buchongo Agreement. To accomplish these goals, the City and Redevelopment Agency entered into Participation Agreements with affordable housing developers to produce affordable units. The Redevelopment Agency receives "credit" for these units toward meeting the terms of the Buchongo Agreement.

These "credits" have been earned through the new construction and substantial rehabilitation of multi-family and senior housing. Nearly \$10 million has been loaned to developers by the Redevelopment Agency or the City of Vallejo to assist in the completion of these "Buchongo-eligible" projects.

The Buchongo Settlement Agreement Annual Report for Calendar Year 2007 is enclosed as Attachment "A". This report provides the information pursuant to the terms of the Agreement, and also in the format required.

### Completed Projects

As of December 31, 2007, four developers have completed construction projects: (1) Citizens Housing, for Sereno Village Apartments; (2) BRIDGE Housing, for Marina Tower Annex, and Marina Tower; (3) Simpson Housing, for Bay View Vista Senior Apartments, and (4) Affirmed Housing Group, for Avian Glen Apartments. These developers obtained low-income housing tax credits.

The construction of Sereno Village (125 rental units for families) by Citizens Housing, Bay View Vista (192 rental units for seniors) by Simpson Housing, and Avian Glen Apartments (87 rental units for families) by Affirmed Housing, has been completed. BRIDGE Housing has also completed the substantial rehabilitation of Marina Tower Annex, (45 rental units for very low-income seniors), and Marina Tower, (155 units for very low-income seniors).

### Graham Gardens Project

Vallejo Neighborhood Housing Services, Inc. (VNHS) planned to construct 22 for-ownership duet homes, known as Graham Gardens, at the corner of Mini and Stanford Drives, beginning in 2007. The City has loaned HOME Program funds toward the

project. It was anticipated that the completion of this development would enable the Redevelopment Agency to meet its requirement under the terms of the Settlement Agreement in full. In October 2007, an updated appraisal required by the proposed construction lender indicated this project is not financially feasible.

Additional Buchongo-Eligible Options

Since August of 2007, staff has pursued other avenues for completing the final eight housing units required under the Settlement Agreement, e. g., the acquisition and rehabilitation of existing affordable housing units, either rental or ownership. Eden Housing, Inc., a preferred non-profit housing developer of the City, completed a site feasibility analysis in 2008. A viable project was not identified.

In addition, VNHS may use a portion of its Federal HOME Program funds allocated by the City to pursue the acquisition/rehabilitation of one or more foreclosed properties, which can be purchased and occupied by very low-income families.

Conclusion

Based on the housing units produced to date, and because the Graham Gardens Project is not able to proceed, the Redevelopment Agency may not fully comply with the terms of the Settlement Agreement by August 12, 2009.

Fiscal Impact

None at this time.

RECOMMENDATION

This is an informational item only. No action will be taken.

ALTERNATIVES CONSIDERED

A calendar year report on the Redevelopment Agency's performance under the terms of the Settlement Agreement is required. Therefore, no other alternatives were considered.

ENVIRONMENTAL REVIEW

An environmental review is not required.

**PROPOSED ACTION**

Informational item only. No action will be taken.

**DOCUMENTS AVAILABLE FOR REVIEW**

Attachment "A" - Buchongo Settlement Agreement Annual Report for Calendar Year 2007

**PREPARED BY/CONTACT:**

Melinda Nestlerode, Acting Housing and Community Development Manager, (707) 648-4408, or [mnestlerode@ci.vallejo.ca.us](mailto:mnestlerode@ci.vallejo.ca.us).

Guy L. Ricca, Senior Community Development Analyst, (707) 648-4395, or [gricca@ci.vallejo.ca.us](mailto:gricca@ci.vallejo.ca.us).

**ATTACHMENT "A" – Buchongo Settlement Agreement  
Annual Report for Calendar  
Year 2007**

**CHART 1**  
**ANNUAL SECTION 33418 UPDATE (SUMMARY OF ALL ANNUAL REPORTS RECEIVED THIS YEAR -**  
**OR ATTACH THIS FORM FROM EACH PROJECT AS COMPLETED BY MANAGER/OWNER)**  
 (Income Information to be Supplied by Tenant to Owner in Certified Statement on Form Provided by Agency)

1. Name of Owner and Address/Unit # (For Owner Occupied Units) or Name and Address of Owner or Manager and Address/Unit # of Tenant (For Rental Units)	2. # BR	3. L, VL, M, or AM	4. Name of New Owner (For Owner Occupied Units Only, If Ownership Has Changed)	5. Date of Any Ownership Change (For Owner- Occupied Units Only)	6. Current Rent (For Rental Units Only)	7. Current Monthly Household Income	8. Current # Persons in House- hold	9. Date Each Year Annual Monitoring Report Due	10. Date Annual Monitoring Report Submitted to Agency
See attached reports.									

Chart 1, Page 1 of 1, Period beginning January 1, 2007 and ending December 31, 2007

"VL" refers to housing units available at affordable housing cost or affordable rent to and occupied by very low income households, as defined in Part II of the Settlement Agreement; "L" refers to housing units available at affordable housing cost or affordable rent to and occupied by low income households, as defined in Part II of the Settlement Agreement; "M" refers to housing units available at affordable housing cost or affordable rent to and occupied by moderate income households, as defined in Part II of the Settlement Agreement; "AM" refers to housing units which are not affordable to low, very low or moderate income households, and are included here for clarification purposes.

**Rent Roll**  
**Avian Glen Apartments**  
**December 2007**

Unit	Unit Type	Resident Code	Resident Name	Unit Sqft	Market Rent	Actual Rent	Deposit	Move In	Move Out
A-11	avn2-25	10005588	[REDACTED]	918.0	371.00	371.00	371.00	05/31/07	
A-12	avn3-60	10006892	[REDACTED]	1,240.0	1,107.00	1,107.00	0.00	12/12/07	
A-21	avn2-50	10005165	[REDACTED]	918.0	779.00	779.00	779.00	04/03/07	
A-22	avn3-60	10005648	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
A-31	avn3-60	10005372	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
A-32	avn2-25	10005589	[REDACTED]	918.0	371.00	371.00	600.00	05/31/07	
B-01	avn2-25	10005590	[REDACTED]	918.0	965.00	371.00	371.00	05/31/07	
B-02	avn3-25	10005689	[REDACTED]	1,240.0	1,107.00	421.00	421.00	06/20/07	
B-11	avn2-50	10005198	[REDACTED]	918.0	779.00	779.00	755.00	04/13/07	
B-12	avn3-60	10005201	[REDACTED]	1,240.0	1,107.00	1,107.00	1,081.00	04/05/07	
B-21	avn2-60	10005204	[REDACTED]	918.0	965.00	965.00	941.00	04/04/07	
B-22	avn3-60	10005346	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/28/07	
B-31	avn3-50	10005206	[REDACTED]	1,240.0	892.00	892.00	866.00	04/01/07	
B-32	avn2-50	10005207	[REDACTED]	918.0	779.00	779.00	755.00	03/31/07	
C-01	avn2-35	10005652	[REDACTED]	918.0	541.00	541.00	541.00	06/01/07	
C-02	avn3-60	10005653	[REDACTED]	1,240.0	1,095.00	1,095.00	1,107.00	06/01/07	
C-03	avn1-25	10005686	[REDACTED]	600.0	444.00	312.00	312.00	06/29/07	
C-11	avn2-60	10005685	[REDACTED]	918.0	965.00	965.00	965.00	06/30/07	
C-12	avn3-60	10005654	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	06/01/07	
C-13	avn1-25	10005683	[REDACTED]	600.0	425.00	312.00	312.00	06/25/07	
C-21	avn2-60	10005208	[REDACTED]	918.0	965.00	965.00	941.00	04/02/07	
C-22	avn3-50	10005209	[REDACTED]	1,240.0	892.00	892.00	866.00	04/01/07	
C-23	avn1-35	10005333	[REDACTED]	600.0	444.00	444.00	425.00	04/30/07	
C-24	avn1-35	10005383	[REDACTED]	600.0	444.00	444.00	444.00	04/30/07	
C-31	emp2unit	10005397	[REDACTED]	1,240.0	1,176.00	1,176.00	0.00	04/30/07	
C-32	avn2-60	10005347	[REDACTED]	918.0	965.00	965.00	1,065.00	04/23/07	
D-01	avn2-35	10005688	[REDACTED]	918.0	965.00	541.00	541.00	06/30/07	
D-02	avn3-25	10005655	[REDACTED]	1,240.0	1,107.00	421.00	842.00	06/26/07	
D-11	avn2-50	10005210	[REDACTED]	918.0	779.00	779.00	755.00	03/30/07	
D-12	avn3-60	10005336	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
D-21	avn2-50	10005681	[REDACTED]	918.0	779.00	779.00	755.00	04/01/07	
D-22	avn3-60	10005211	[REDACTED]	1,240.0	1,107.00	1,107.00	1,081.00	04/06/07	
D-31	avn3-60	10005348	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/26/07	
D-32	avn2-60	10005338	[REDACTED]	918.0	965.00	965.00	941.00	04/30/07	
E-01	avn2-35	10005656	[REDACTED]	918.0	965.00	541.00	541.00	06/01/07	
E-02	avn3-35	10005657	[REDACTED]	1,240.0	1,107.00	617.00	1,107.00	06/01/07	
E-11	avn2-60	10005682	[REDACTED]	918.0	965.00	965.00	966.00	06/25/07	
E-12	avn3-60	10005684	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	06/13/07	
E-21	avn2-50	10005213	[REDACTED]	918.0	779.00	779.00	755.00	03/31/07	
E-22	avn3-60	10005340	[REDACTED]	1,240.0	1,085.00	1,085.00	1,085.00	04/17/07	
E-23	avn1-35	10005341	[REDACTED]	600.0	425.00	425.00	425.00	04/17/07	
E-31	avn3-60	10005339	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/25/07	
E-32	avn2-60	10005342	[REDACTED]	918.0	965.00	965.00	941.00	04/03/07	
F-11	avn2-35	10005659	[REDACTED]	918.0	965.00	541.00	167.00	06/01/07	
F-12	avn3-35	10005658	[REDACTED]	1,240.0	1,107.00	617.00	617.00	06/01/07	
F-21	avn2-60	10006852	[REDACTED]	918.0	965.00	965.00	965.00	11/21/07	
F-22	avn3-60	10005684	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	06/30/07	
F-31	avn3-60	10005368	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
F-32	avn2-50	10005349	[REDACTED]	918.0	779.00	779.00	755.00	03/31/07	
G-11	avn2-35	10005690	[REDACTED]	918.0	965.00	541.00	541.00	06/30/07	
G-12	avn3-60	10005363	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
G-21	avn2-50	10005343	[REDACTED]	918.0	779.00	779.00	755.00	03/30/07	
G-22	avn3-60	10005377	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
G-31	avn3-60	10005366	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	
G-32	avn2-60	10005392	[REDACTED]	918.0	922.00	922.00	941.00	04/30/07	
H-11	avn2-35	10005649	[REDACTED]	918.0	965.00	541.00	541.00	06/01/07	
H-12	avn3-35	10005650	[REDACTED]	1,240.0	1,107.00	617.00	617.00	06/01/07	
H-21	avn2-60	10005350	[REDACTED]	918.0	965.00	965.00	941.00	04/18/07	
H-22	avn3-50	10005351	[REDACTED]	1,240.0	892.00	892.00	866.00	04/01/07	
H-23	avn1-35	10005318	[REDACTED]	600.0	444.00	444.00	444.00	03/15/07	
H-31	avn3-60	10005352	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/22/07	
H-32	avn2-60	10005353	[REDACTED]	918.0	941.00	941.00	941.00	04/20/07	
J-01	avn2-60	10005354	[REDACTED]	918.0	965.00	965.00	941.00	04/27/07	
J-11	avn2-35	10005651	[REDACTED]	918.0	965.00	541.00	541.00	06/01/07	
J-12	avn3-60	10005369	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	12/31/07
J-21	avn2-50	10006467	[REDACTED]	918.0	965.00	965.00	965.00	09/05/07	
J-22	avn3-60	10005334	[REDACTED]	1,240.0	1,059.00	1,059.00	1,107.00	04/04/07	
J-23	avn1-25	10005660	[REDACTED]	600.0	444.00	312.00	425.00	06/21/07	
J-24	avn1-35	10005361	[REDACTED]	600.0	444.00	444.00	425.00	04/04/07	
J-31	avn3-60	10005374	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07	

**Rent Roll**  
**Avian Glen Apartments**  
**December 2007**

Unit	Unit Type	Resident Code	Resident Name	Unit Sqft	Market Rent	Actual Rent	Deposit	Move In	Move Out		
J-32	emp2unit	10005398	[REDACTED]	918.0	1,018.00	1,018.00	0.00	04/30/07			
K-01	avn2-60	10005087	[REDACTED]	918.0	965.00	965.00	941.00	04/24/07			
K-02	avn3-60	10005388	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/30/07			
K-11	avn2-60	10005357	[REDACTED]	918.0	941.00	941.00	941.00	04/17/07			
K-12	avn3-60	10006850	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	11/29/07			
K-21	avn2-60	10006948	[REDACTED]	918.0	965.00	965.00	0.00	12/21/07			
K-22	avn3-60	10006466	[REDACTED]	1,240.0	1,070.00	1,070.00	1,107.00	08/29/07			
K-23	av81-35	10005692	[REDACTED]	600.0	453.00	453.00	453.00	06/29/07			
K-31	avn3-60	10005359	[REDACTED]	1,240.0	1,107.00	1,107.00	1,107.00	04/20/07			
K-32	avn2-50	10005360	[REDACTED]	918.0	779.00	779.00	755.00	04/02/07			
L-11	avn2-60	10005661	[REDACTED]	918.0	965.00	965.00	965.00	05/25/07			
L-12	avn3-60	10005378	[REDACTED]	1,240.0	1,080.00	1,080.00	1,107.00	04/30/07			
L-21	avn2-60	10005379	[REDACTED]	918.0	965.00	965.00	965.00	04/28/07			
L-22	av83-35	10005687	[REDACTED]	1,240.0	1,107.00	617.00	617.00	06/01/07			
L-23	av81-35	10005662	[REDACTED]	600.0	444.00	453.00	453.00	06/01/07			
L-31	avn3-60	10006751	[REDACTED]	1,240.0	892.00	1,107.00	1,107.00	11/07/07			
L-32	avn2-60	10005370	[REDACTED]	918.0	965.00	965.00	965.00	04/30/07			
<hr/>											
87			Total - Less Excluded Units	88,922.0	79,851.00	73,228.00	69,557.00				
87			Total Occupied	88,922	79,851.00	73,228.00					
100.00			% Occupied	100.00	100.00	91.71					
0			Total Vacant	0	0.00						
0.00			% Vacant	0.00	0.00						





# Original LIHTC Residents Tracking Form

This form is to be completed for every Low Income Housing Tax Credit Community to show the original qualifying residents in each building. Be sure to include market rate units (if not 100% LIHTC). Please use a separate form for each building (BIN number) in the Community. If the unit did not originally qualify, list as "Empty".

*No qualifying dates should exist that are prior to the "placed in service date."*

					<i>Date</i>	
Community Name Avian Glen Apartments			BIN #		CA2004-864-02	
Address 301 Avian Dr.			Placed In Service Date			
City & Zip Vallejo, CA 94590						
County Solano County			Total Units		8	
			LIHTC Units		8	
					(choose one)	
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit
B-01	2	<del>XXXXXXXXXX</del>	05/31/2007	7,008.00	25%	
B-02	3	<del>XXXXXXXXXX</del>	06/20/2007	10,784.00	25%	
B-11	2	<del>XXXXXXXXXX</del>	04/13/2007	20,160.00	50%	
B-12	3	<del>XXXXXXXXXX</del>	04/05/2007	26,155.00	60%	
B-21	2	<del>XXXXXXXXXX</del>	04/04/2007	40,577.00	60%	
B-22	3	<del>XXXXXXXXXX</del>	04/28/2007	44,408.00	60%	
B-31	3	<del>XXXXXXXXXX</del>	04/01/2007	30,864.00	50%	
B-32	2	<del>XXXXXXXXXX</del>	03/31/2007	25,836.00	50%	

# Original LIHTC Residents Tracking Form

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*No qualifying dates should exist that are prior to the "placed in service date."*

		<i>Date</i>	
Community Name	Avian Glen Apartments	BIN #	CA2004-864-03
Address		Placed In Service Date	
301 Avian Dr.			
City & Zip	Vallejo, CA 94590		
County	Solano County	Total Units	12
		LIHTC Units	11

					(choose one)	
Unit #	# of Bdrms	Household Name	Qlify Date	Annual Income	LIHTC Set Aside %	Market Unit
C-01	2	<del>XXXXXXXXXX</del>	06/01/2007	11,700.00	35%	
C-02	3	<del>XXXXXXXXXX</del>	06/01/2007	28,340.00	60%	
C-03	1	<del>XXXXXXXXXX</del>	06/29/2007	11,069.00	25%	
C-11	2	<del>XXXXXXXXXX</del>	06/30/2007	38,220.00	60%	
C-12	3	<del>XXXXXXXXXX</del>	06/01/2007	36,793.00	60%	
C-13	1	<del>XXXXXXXXXX</del>	06/25/2007	9,000.00	25%	
C-21	2	<del>XXXXXXXXXX</del>	04/02/2007	34,660.00	60%	
C-22	3	<del>XXXXXXXXXX</del>	04/01/2007	10,273.00	50%	
C-23	1	<del>XXXXXXXXXX</del>	04/30/2007	9,432.00	35%	
C-24	1	<del>XXXXXXXXXX</del>	04/30/2007	14,114.00	35%	
C-31	0	<del>XXXXXXXXXX</del>	04/30/2007	0.00		Exempt
C-32	2	<del>XXXXXXXXXX</del>	04/23/2007	23,671.00	60%	

# Original LIHTC Residents Tracking Form

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*No qualifying dates should exist that are prior to the "placed in service date."*

				<b>Date</b>			
Community Name		Avian Glen Apartments	BIN #		CA2004-864-04		
Address		301 Avian Dr.	Placed In Service Date				
City & Zip		Vallejo, CA 94590					
County		Solano County	Total Units		8		
					LIHTC Units		8
						(choose one)	
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit	
D-01	2	<del>XXXXXXXXXX</del>	06/30/2007	13,908.00	35%		
D-02	3	<del>XXXXXXXXXX</del>	06/26/2007	14,483.00	25%		
D-11	2	<del>XXXXXXXXXX</del>	03/30/2007	26,400.00	50%		
D-12	3	<del>XXXXXXXXXX</del>	04/30/2007	58,769.00	60%		
D-21	2	<del>XXXXXXXXXX</del>	06/01/2007	18,673.00	50%		
D-22	3	<del>XXXXXXXXXX</del>	04/06/2007	38,000.00	60%		
D-31	3	<del>XXXXXXXXXX</del>	04/26/2007	32,116.00	60%		
D-32	2	<del>XXXXXXXXXX</del>	04/30/2007	21,129.00	60%		

# Original LIHTC Residents Tracking Form

This form is to be completed for every Low Income Housing Tax Credit Community to show the original qualifying residents in each building. Be sure to include market rate units (if not 100% LIHTC). Please use a separate form for each building (BIN number) in the Community. If the unit did not originally qualify, list as "Empty".

*No qualifying dates should exist that are prior to the "placed in service date."*

				<b>Date</b>		
Community Name		Avian Glen Apartments	BIN #	CA2004-864-05		
Address		301 Avian Dr.	Placed In Service Date			
City & Zip		Vallejo, CA 94590				
County		Solano County	Total Units	9		
			LIHTC Units	9		
						(choose one)
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit
E-01	2	<del>XXXXXXXXXX</del>	06/01/2007	14,369.00	35%	
E-02	3	<del>XXXXXXXXXX</del>	06/01/2007	25,544.00	35%	
E-11	2	<del>XXXXXXXXXX</del>	06/25/2007	27,648.00	50%	
E-12	3	<del>XXXXXXXXXX</del>	06/13/2007	40,559.79	60%	
E-21	2	<del>XXXXXXXXXX</del>	03/31/2007	19,929.00	50%	
E-22	3	<del>XXXXXXXXXX</del>	04/17/2007	13,691.00	60%	
E-23	1	<del>XXXXXXXXXX</del>	04/17/2007	14,760.00	35%	
E-31	3	<del>XXXXXXXXXX</del>	04/25/2007	31,981.00	60%	
E-32	2	<del>XXXXXXXXXX</del>	04/03/2007	35,560.00	60%	

# Original LIHTC Residents Tracking Form

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***No qualifying dates should exist that are prior to the "placed in service date."***

		<b>Date</b>				
Community Name	Avian Glen Apartments	BIN #	CA2004-864-06			
Address	301 Avian Dr.	Placed In Service Date				
City & Zip	Vallejo, CA 94590					
County	Solano County	Total Units	6			
		LIHTC Units	6			
						<b>(choose one)</b>
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit
F-11	2	XXXXXXXXXX	06/01/2007	14,088.00	35%	
F-12	3	XXXXXXXXXX	06/01/2007	20,717.00	35%	
F-21	2	XXXXXXXXXX	04/15/2007	33,927.00	60%	
F-22	3	XXXXXXXXXX	06/30/2007	33,113.26	60%	
F-31	3	XXXXXXXXXX	04/30/2007	33,048.00	60%	
F-32	2	XXXXXXXXXX	03/31/2007	19,200.00	50%	

# Original LIHTC Residents Tracking Form

This form is to be completed for every Low Income Housing Tax Credit Community to show the original qualifying residents in each building. Be sure to include market rate units (if not 100% LIHTC). Please use a separate form for each building (BIN number) in the Community. If the unit did not originally qualify, list as "Empty".

*No qualifying dates should exist that are prior to the "placed in service date."*

		Date	
Community Name	Avian Glen Apartments	BIN #	CA2004-864-07
Address	301 Avian Dr.	Placed In Service Date	
City & Zip	Vallejo, CA 94590		
County	Solano County	Total Units	6
		LIHTC Units	6

					(choose one)	
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit
G-11	2	<del>XXXXXXXXXX</del>	06/30/2007	15,076.00	35%	
G-12	3	<del>XXXXXXXXXX</del>	04/30/2007	43,098.00	60%	
G-21	2	<del>XXXXXXXXXX</del>	03/30/2007	16,476.00	50%	
G-22	3	<del>XXXXXXXXXX</del>	04/30/2007	39,744.00	60%	
G-31	3	<del>XXXXXXXXXX</del>	04/30/2007	45,765.00	60%	
G-32	2	<del>XXXXXXXXXX</del>	04/30/2007	24,158.00	60%	



# Original LIHTC Residents Tracking Form

This form is to be completed for every Low Income Housing Tax Credit Community to show the original qualifying residents in each building. Be sure to include market rate units (if not 100% LIHTC). Please use a separate form for each building (BIN number) in the Community. If the unit did not originally qualify, list as "Empty".

*No qualifying dates should exist that are prior to the "placed in service date."*

					Date	
Community Name			Avian Glen Apartments		BIN # CA2004-864-08	
Address			301 Avian Dr.		Placed In Service Date	
City & Zip			Vallejo, CA 94590			
County			Solano County		Total Units	7
					LIHTC Units	7
						(choose one)
Unit #	# of Bdrms	Household Name	Qify Date	Annual Income	LIHTC Set Aside %	Market Unit
H-11	2	XXXXXXXXXX	06/01/2007	16,260.00	35%	
H-12	3	XXXXXXXXXX	06/01/2007	23,151.00	35%	
H-21	2	XXXXXXXXXX	04/18/2007	28,410.00	60%	
H-22	3	XXXXXXXXXX	04/01/2007	29,742.00	50%	
H-23	1	XXXXXXXXXX	03/15/2007	11,808.00	35%	
H-31	3	XXXXXXXXXX	04/22/2007	36,000.00	60%	
H-32	2	XXXXXXXXXX	04/20/2007	17,123.00	60%	



# Original LIHTC Residents Tracking Form

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*No qualifying dates should exist that are prior to the "placed in service date."*

					<i>Date</i>	
Community Name Avian Glen Apartments			BIN #		CA2004-864-09	
Address 301 Avian Dr.			Placed In Service Date			
City & Zip Vallejo, CA 94590						
County Solano County			Total Units		9	
			LIHTC Units		8	
					(choose one)	
Unit #	# of Bdrms	Household Name	Qlfy Date	Annual Income	LIHTC Set Aside %	Market Unit
J-01	2	<del>XXXXXXXXXX</del>	04/27/2007	35,675.00	60%	
J-11	2	<del>XXXXXXXXXX</del>	06/01/2007	21,008.00	35%	
J-12	3	<del>XXXXXXXXXX</del>	04/30/2007	37,112.00	60%	
J-21	2	<del>XXXXXXXXXX</del>	03/30/2007	23,214.00	50%	
J-22	3	<del>XXXXXXXXXX</del>	04/04/2007	28,070.00	60%	
J-23	1	<del>XXXXXXXXXX</del>	06/21/2007	14,943.00	25%	
J-24	1	<del>XXXXXXXXXX</del>	04/04/2007	14,280.00	35%	
J-31	3	<del>XXXXXXXXXX</del>	04/30/2007	16,200.00	60%	
J-32	0	<del>XXXXXXXXXX</del>	04/30/2007	0.00		Exempt





Bay View Vista

City Of Vallejo- Income Information 12/31/07

Unit Number	Bdrm Size	Resident Name	Household Size	Tenant Paid Rent	Utility Allowa	Gross Rent	Move In Date	Move In Income	Current Income
101	1	[REDACTED]	1	\$666.00	\$40.00	\$706.00	1/15/2004	\$17,700.00	\$15,196.00
102	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	1/9/2004	\$23,205.00	\$26,342.00
103	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	5/1/2007	\$23,968.00	\$23,968.00
104	1	[REDACTED]	1	\$233.00	\$40.00	\$273.00	8/6/2005	\$9,984.00	\$12,912.00
105	1	[REDACTED]	1	\$316.00	\$40.00	\$356.00	4/27/2004	\$13,151.00	\$14,521.00
106	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	9/24/2005	\$29,719.00	\$34,320.00
107	1	[REDACTED]	2	\$790.00	\$40.00	\$830.00	4/1/2005	\$27,477.00	\$27,486.00
108	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	7/1/2007	\$22,637.00	\$22,637.00
109	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	8/24/2007	\$25,578.00	\$25,578.00
110	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	6/10/2004	\$23,663.00	\$24,350.00
111	2	[REDACTED]	1	\$293.00	\$40.00	\$333.00	3/6/2004	\$9,720.00	\$10,517.00
112	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	10/17/2005	\$24,087.00	\$22,667.00
113	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	4/1/2004	\$25,189.00	\$27,580.00
114	1	[REDACTED]							
115	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	5/1/2004	\$28,980.00	\$23,778.00
116	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	4/9/2004	\$19,474.00	\$21,085.00
117	1	[REDACTED]							
118	1	[REDACTED]	1	\$233.00	\$40.00	\$273.00	10/17/2005	\$9,984.00	\$10,475.00
119	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	3/8/2004	\$29,566.00	\$21,611.00
120	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	3/22/2004	\$24,108.00	\$27,376.00
121	1	[REDACTED]	1	\$267.00	\$40.00	\$307.00	4/21/2004	\$12,107.00	\$12,740.00
122	1	[REDACTED]							
123	1	[REDACTED]	1	\$235.00	\$40.00	\$275.00	2/21/2004	\$13,229.00	\$14,434.00
124	2	[REDACTED]	2	\$492.00	\$51.00	\$543.00	12/12/2003	\$21,662.00	\$23,309.00
125	1	[REDACTED]	1	\$666.00	\$40.00	\$706.00	7/1/2005	\$15,859.00	\$16,533.00
130	1	[REDACTED]							
131	1	[REDACTED]							
132	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	7/1/2005	\$18,000.00	\$16,140.00
133	1	[REDACTED]	1	\$227.00	\$40.00	\$267.00	6/1/2007	\$10,272.00	\$10,272.00
134	1	[REDACTED]	1	\$790.00	\$40.00	\$830.00	3/1/2005	\$21,307.00	\$9,517.00
135	1	[REDACTED]	2	\$790.00	\$40.00	\$830.00	2/1/2004	\$20,800.00	\$29,736.00

Bay View Vista

City Of Vallejo- Income Information 12/31/07

136	1	<del>1</del>	2	\$790.00	\$40.00	\$830.00	11/28/2007	\$29,197.00	\$29,197.00
137	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	4/19/2004	\$16,832.00	\$20,405.00
138	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	5/5/2007	\$29,778.00	\$29,778.00
139	2	<del>1</del>	2	\$915.00	\$51.00	\$966.00	10/15/2005	\$31,852.00	\$44,364.00
140	1	<del>1</del>	1	\$191.00	\$40.00	\$231.00	1/1/2004	\$16,099.00	\$10,032.00
141	1	<del>1</del>	1	\$393.00	\$40.00	\$433.00	11/17/2004	\$16,813.00	\$18,236.00
142	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	3/15/2005	\$16,204.00	\$17,414.00
143	1	<del>1</del>	2	\$666.00	\$40.00	\$706.00	10/30/2007	\$21,673.00	\$21,673.00
144	1	<del>1</del>							
145	1	<del>1</del>							
146	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	4/1/2005	\$22,464.00	\$24,330.00
147	2	<del>1</del>	1	\$915.00	\$51.00	\$866.00	2/19/2005	\$30,945.00	\$13,632.00
148	1	<del>1</del>	1	\$194.00	\$40.00	\$234.00	12/13/2007	\$10,601.00	\$10,601.00
149	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/1/2005	\$9,648.00	\$10,379.00
150	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	8/31/2004	\$32,702.00	\$34,902.00
151	2	<del>1</del>							
152	1	<del>1</del>							
153	1	<del>1</del>							
154	1	<del>1</del>	1	\$221.00	\$40.00	\$261.00	7/1/2006	\$10,032.00	\$10,363.00
155	1	<del>1</del>	2	\$790.00	\$40.00	\$830.00	5/1/2007	\$33,347.00	\$33,347.00
156	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	5/2/2005	\$26,785.00	\$27,547.00
157	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	8/1/2004	\$20,034.00	\$22,129.00
158	1	<del>1</del>							
159	1	<del>1</del>	2	\$790.00	\$40.00	\$830.00	10/1/2005	\$30,276.00	\$45,594.00
160	2	<del>1</del>	2	\$915.00	\$51.00	\$966.00	10/14/2006	\$23,374.00	\$24,112.00
161	1	<del>1</del>							
162	2	<del>1</del>	2	\$636.00	\$51.00	\$687.00	3/3/2004	\$21,853.00	\$23,820.00
163	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	10/8/2005	\$17,125.00	\$17,820.00
164	2	<del>1</del>	1	\$279.00	\$51.00	\$330.00	1/22/2004	\$11,300.00	\$12,732.00
165	1	<del>1</del>	1	\$666.00	\$40.00	\$706.00	6/1/2007	\$17,843.00	\$17,843.00
166	2	<del>1</del>	1	\$915.00	\$51.00	\$966.00	5/1/2006	\$28,485.00	\$28,941.00
167	1	<del>1</del>	2	\$790.00	\$40.00	\$830.00	7/1/2004	\$20,850.00	\$22,698.00

Bay View Vista  
City Of Vallejo- Income Information 12/31/07

201	1	<del>1</del>	1	\$656.00	\$40.00	\$706.00	2/15/2007	\$24,171.00	\$24,171.00
202	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	11/30/2007	\$28,732.00	\$28,732.00
203	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	10/1/2006	\$18,612.00	\$18,612.00
204	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	8/29/2005	\$18,336.00	\$20,746.00
205	1	<del>1</del>	1	\$252.00	\$40.00	\$292.00	8/11/2004	\$26,088.00	\$11,292.00
206	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	9/12/2005	\$23,936.00	\$28,819.00
207	1	<del>1</del>	1	\$464.00	\$40.00	\$504.00	9/1/2005	\$19,587.00	\$24,149.00
208	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/25/2005	\$22,896.00	\$24,987.00
209	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/2/2007	\$30,819.00	\$30,819.00
210	1	<del>1</del>	1	\$227.00	\$40.00	\$267.00	9/1/2005	\$9,745.00	\$9,327.00
211	2	<del>1</del>							
212	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	6/1/2006	\$26,692.00	\$28,455.00
213	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	8/10/2004	\$12,116.00	\$9,617.00
214	1	<del>1</del>	1	\$666.00	\$40.00	\$706.00	2/16/2004	\$16,494.00	\$17,630.00
215	1	<del>1</del>	2	\$790.00	\$40.00	\$830.00	5/1/2007	\$36,132.00	\$36,132.00
216	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	6/1/2005	\$26,000.00	\$19,400.00
217	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	9/1/2006	\$19,138.00	\$14,650.00
218	2	<del>1</del>	1	\$359.00	\$51.00	\$410.00	12/12/2003	\$9,580.00	\$12,648.00
219	1	<del>1</del>	1	\$331.00	\$40.00	\$371.00	10/29/2005	\$27,342.00	\$25,793.00
220	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	4/21/2004	\$15,014.00	\$10,272.00
221	1	<del>1</del>	1	\$218.00	\$40.00	\$28.00	3/1/2006	\$9,385.00	\$10,320.00
222	1	<del>1</del>							
223	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/28/2004	\$19,065.00	\$26,352.00
224	2	<del>1</del>	2	\$442.00	\$51.00	\$493.00	12/12/2003	\$15,181.00	\$16,734.00
225	2	<del>1</del>	1	\$797.00	\$51.00	\$848.00	4/1/2007	\$19,382.00	\$19,382.00
226	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	4/14/2004	\$28,260.00	\$33,450.00
229	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/27/2004	\$27,000.00	\$13,116.00
230	2	<del>1</del>	2	\$915.00	\$51.00	\$966.00	1/1/2004	\$30,604.00	\$33,344.00
231	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	2/13/2004	\$21,720.00	\$22,512.00
232	1	<del>1</del>	1	\$188.00	\$40.00	\$228.00	3/19/2004	\$9,481.00	\$10,272.00
233	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	1/24/2004	\$17,503.00	\$18,432.00
234	1	<del>1</del>	1	\$790.00	\$40.00	\$830.00	8/2/2004	\$9,480.00	\$16,434.00

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235	1		\$790.00	\$40.00	\$830.00	8/1/2004	\$24,799.00	\$20,150.00
236	1		\$227.00	\$40.00	\$267.00	12/20/2003	\$8,532.00	\$10,272.00
237	1		\$790.00	\$40.00	\$830.00	11/1/2006	\$20,784.00	\$36,170.00
238	1		\$790.00	\$40.00	\$830.00	6/10/2004	\$24,043.00	\$44,356.00
239	2		\$915.00	\$51.00	\$966.00	1/31/2004	\$25,662.00	\$23,144.00
240	1							
241	2							
242	1		\$790.00	\$40.00	\$830.00	5/13/2006	\$18,616.00	\$19,144.00
243	1		\$666.00	\$40.00	\$706.00	12/20/2003	\$17,576.00	\$24,514.00
244	1		\$305.00	\$40.00	\$345.00	1/1/2007	\$13,824.00	\$13,824.00
245	1		\$790.00	\$40.00	\$830.00	8/31/2004	\$23,615.00	\$9,995.00
246	2		\$243.00	\$51.00	\$294.00	12/10/2003	\$7,271.00	\$11,396.00
247	2		\$271.00	\$51.00	\$322.00	2/1/2004	\$9,480.00	\$10,032.00
248	1		\$790.00	\$40.00	\$830.00	6/1/2005	\$19,736.00	\$21,014.00
249	1		\$790.00	\$40.00	\$830.00	5/27/2006	\$25,572.00	\$15,816.00
250	1		\$511.00	\$40.00	\$551.00	1/1/2007	\$21,424.00	\$21,424.00
251	2							
252	1		\$790.00	\$40.00	\$830.00	8/9/2004	\$22,689.00	\$34,566.00
253	1							
254	1		\$790.00	\$40.00	\$830.00	8/31/2004	\$19,880.00	\$19,864.00
255	1		\$790.00	\$40.00	\$830.00	8/20/2004	\$12,000.00	\$24,632.00
256	1							
257	1		\$790.00	\$40.00	\$830.00	9/1/2005	\$21,760.00	\$42,107.00
258	1		\$652.00	\$40.00	\$692.00	11/19/2003	\$18,012.00	\$32,121.00
259	1		\$227.00	\$40.00	\$267.00	3/24/2006	\$9,744.00	\$10,272.00
260	2		\$502.00	\$51.00	\$553.00	12/24/2003	\$19,828.00	\$18,430.00
261	1		\$790.00	\$40.00	\$830.00	9/3/2004	\$28,392.00	\$31,320.00
262	2		\$283.00	\$51.00	\$334.00	5/28/2006	\$9,912.00	\$4,550.00
263	1		\$790.00	\$40.00	\$830.00	10/15/2004	\$15,120.00	\$11,664.00
264	2		\$507.00	\$51.00	\$558.00	3/2/2004	\$17,305.00	\$18,264.00
265	1		\$233.00	\$40.00	\$273.00	8/17/2005	\$9,973.00	\$10,500.00
266	2		\$797.00	\$51.00	\$848.00	2/18/2005	\$24,466.00	\$24,792.00



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267	1		\$187.00	\$40.00	\$227.00	12/1/2007	\$11,014.00	\$11,014.00
301	1	2	\$666.00	\$40.00	\$706.00	1/24/2004	\$26,866.00	\$30,137.00
302	1	1	\$790.00	\$40.00	\$830.00	10/9/2006	\$30,336.00	\$30,910.00
303	1	1	\$790.00	\$40.00	\$830.00	7/16/2004	\$20,943.00	\$22,349.00
304	1	1	\$790.00	\$40.00	\$830.00	10/2/2004	\$28,939.00	\$27,252.00
305	1	1	\$437.00	\$40.00	\$477.00	9/1/2006	\$17,236.00	\$17,804.00
306	1	1	\$45.00	\$40.00	\$85.00	10/15/2004	\$3,708.00	\$3,828.00
307	1							
308	1	1	\$790.00	\$40.00	\$830.00	1/14/2004	\$2,242.00	\$35,732.00
309	1	1	\$227.00	\$40.00	\$267.00	5/15/2004	\$9,480.00	\$10,272.00
310	1	1	\$790.00	\$40.00	\$830.00	10/4/2004	\$16,678.00	\$18,419.00
311	2	1	\$915.00	\$51.00	\$966.00	4/16/2005	\$23,566.00	\$13,607.00
312	1	1	\$790.00	\$40.00	\$830.00	8/31/2004	\$20,182.00	\$19,083.00
313	1	1	\$225.00	\$40.00	\$265.00	8/31/2004	\$9,480.00	\$10,188.00
314	1	1	\$666.00	\$40.00	\$706.00	8/15/2006	\$21,861.00	\$22,245.00
315	1	1	\$790.00	\$40.00	\$830.00	1/1/2006	\$22,460.00	\$19,301.00
316	1	1	\$790.00	\$40.00	\$830.00	7/1/2004	\$27,234.00	\$32,915.00
317	1	1	\$213.00	\$40.00	\$253.00	4/16/2005	\$9,906.00	\$10,512.00
318	2	2	\$915.00	\$51.00	\$966.00	5/1/2006	\$35,049.00	\$36,209.00
319	1	1	\$790.00	\$40.00	\$830.00	10/2/2006	\$19,124.00	\$18,308.00
320	1	1	\$790.00	\$40.00	\$830.00	5/23/2004	\$20,497.00	\$23,666.00
321	1	1	\$790.00	\$40.00	\$830.00	4/12/2007	\$22,180.00	\$22,180.00
322	1	1	\$790.00	\$40.00	\$830.00	2/1/2004	\$25,480.00	\$32,425.00
323	1	2	\$790.00	\$40.00	\$830.00	7/8/2005	\$28,160.00	\$33,486.00
324	2	1	\$173.00	\$51.00	\$224.00	8/1/2007	\$10,272.00	\$10,272.00
325	2	1	\$322.00	\$51.00	\$373.00	8/1/2006	\$17,995.00	\$19,087.00
326	1	1	\$790.00	\$40.00	\$830.00	9/15/2007	\$23,923.00	\$23,923.00
327	2		\$0.00			10/12/2007		
329	1	2	\$790.00	\$40.00	\$830.00	9/22/2004	\$34,243.00	\$39,075.00
330	2		\$0.00			2/26/2007		
331	1	2	\$790.00	\$40.00	\$830.00	5/6/2006	\$27,036.00	\$27,105.00
332	1	1	\$790.00	\$40.00	\$830.00	3/9/2005	\$16,524.00	\$9,600.00



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333	1		1	\$790.00	\$40.00	\$830.00	12/13/2006	\$21,282.00	\$13,416.00
334	1		1	\$790.00	\$40.00	\$830.00	2/7/2004	\$26,349.00	\$28,546.00
335	1								
336	1		1	\$207.00	\$40.00	\$247.00	2/6/2007	\$1,027.00	\$102,725.00
337	1		1	\$198.00	\$40.00	\$238.00	8/28/2006	\$8,731.00	\$9,019.00
338	1		2	\$790.00	\$40.00	\$830.00	7/6/2007	\$34,032.00	\$34,032.00
339	2		2	\$915.00	\$51.00	\$966.00	12/22/2003	\$26,050.00	\$29,225.00
340	1		1	\$790.00	\$40.00	\$830.00	5/1/2005	\$27,999.00	\$28,990.00
341	2		2	\$294.00	\$51.00	\$345.00	12/10/2003	\$18,623.00	\$9,761.00
342	1		1	\$30.00	\$40.00	\$70.00	12/11/2005	\$6,000.00	\$2,400.00
343	1		1	\$368.00	\$40.00	\$408.00	4/1/2007	\$13,691.00	\$13,691.00
344	1								
345	1		1	\$227.00	\$40.00	\$267.00	3/5/2006	\$8,770.00	\$10,272.00
346	2		1	\$278.00	\$51.00	\$329.00	12/15/2003	\$9,702.00	\$10,523.00
347	2		1	\$915.00	\$51.00	\$966.00	6/1/2007	\$31,571.00	\$31,571.00
348	1								
349	1								
350	1		1	\$327.00	\$40.00	\$367.00	3/1/2007	\$14,276.00	\$14,276.00
351	2								
352	1		1	\$201.00	\$40.00	\$241.00	4/1/2005	\$9,540.00	\$10,536.00
353	1								
354	1		1	\$790.00	\$40.00	\$830.00	9/12/2005	\$28,699.00	\$22,800.00
355	1		2	\$790.00	\$40.00	\$830.00	8/29/2004	\$16,448.00	\$18,247.00
356	1		2	\$790.00	\$40.00	\$830.00	8/15/2004	\$16,651.00	\$49,705.00
357	1		1	\$790.00	\$40.00	\$830.00	7/1/2004	\$30,043.00	\$14,872.00
358	1		1	\$666.00	\$40.00	\$706.00	7/22/2005	\$15,238.00	\$40,024.00
359	1		1	\$272.00	\$40.00	\$312.00	4/5/2007	\$12,060.00	\$12,060.00
360	2		1	\$418.00	\$51.00	\$469.00	12/12/2003	\$12,569.00	\$16,512.00
361	1		1	\$227.00	\$40.00	\$267.00	9/21/2004	\$9,480.00	\$10,032.00
362	2		2	\$501.00	\$51.00	\$552.00	3/30/2004	\$16,790.00	\$18,024.00
363	1		1	\$790.00	\$40.00	\$830.00	8/20/2004	\$26,284.00	\$22,724.00
364	2		2	\$559.00	\$51.00	\$610.00	4/1/2005	\$28,567.00	\$20,374.00

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365	1	<del>Administrative</del>	2	\$666.00	\$40.00	\$706.00	12/18/2003	\$16,616.00	\$31,882.00
366	2	<del>Administrative</del>	1	\$235.00	\$51.00	\$286.00	12/10/2003	\$8,725.00	\$9,835.00
367	1	<del>Administrative</del>							

Project Name: Mantra Amirex Apartments  
 Property Address: 575 Sacramento Street, Vallejo, CA 94590  
 Sponsor Name: BRIDGE Housing Ventures, Inc.

PROJECT RENT ROLL  
 AS OF: December 31, 2007

NUMBER OF UNITS OCCUPIED: 56  
 NUMBER OF UNITS VACANT: 1  
 TOTAL UNITS IN PROJECT: 57

GENERAL INFORMATION										RENTAL INFORMATION										HOUSEHOLD INFORMATION										LEASE INFORMATION									
Unit #	Name of Tenant (s)	# Bed-rooms	Floor Plan	Sq. Ft.	Unit Type	Income Level	Sec. 8 Subsidy	Other Subsidy	Tenant's Share of Rent	Monthly Rent	Acquisition Annual Income	I/H Size	% of AMI	HH Size	HH Annual Income	HH Annual Income (Relative)	Lease Beginning Date	Lease Expiration Date	Security Deposit	Other Deposit	Total Deposits Held	Current % of AMI	2007 Median Income Level																
101	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$701	0	0	\$211	\$9,206	2	23.02%	1	\$10,512	0.80/0.97	01/31/02	month to month	\$178	0	\$178	19.91%	52,800																
102	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$211	\$9,206	2	21.44%	1	\$10,504	0.80/1.07	01/31/02	month to month	\$138	0	\$138	19.89%	52,800																
103	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$205	\$9,206	1	22.50%	1	\$10,272	0.80/1.07	01/31/02	month to month	\$315	0	\$315	19.45%	52,800																
104	[REDACTED]	1	A1	580	TCAC/HUD	49%	\$620	0	0	\$292	\$9,475	1	23.69%	1	\$13,756	0.90/1.07	09/02/03	month to month	\$189	0	\$189	26.05%	52,800																
105	[REDACTED]	1	A	555	TCAC/HUD	44%	\$701	0	0	\$211	\$9,206	1	24.31%	1	\$10,579	0.80/1.07	10/27/04	month to month	\$233	0	\$233	20.03%	52,800																
106	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$194	\$9,612	1	24.03%	1	\$9,853	0.80/1.07	07/05/06	month to month	\$230	0	\$230	18.66%	52,800																
107	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$205	\$9,120	1	22.98%	1	\$10,272	0.80/1.07	11/03/04	month to month	\$220	0	\$220	19.45%	52,800																
108	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$701	0	0	\$209	\$9,120	1	21.36%	1	\$10,272	0.80/1.07	01/31/02	month to month	\$149	0	\$149	19.45%	52,800																
109	[REDACTED]	1	B1	635	TCAC/HUD	49%	\$601	0	0	\$411	\$15,493	2	26.19%	2	\$18,024	0.80/1.07	01/31/02	month to month	\$301	0	\$301	29.89%	60,300																
110	[REDACTED]	1	A	605	TCAC/HUD	49%	\$513	0	0	\$399	\$11,988	2	26.19%	2	\$10,510	0.80/1.07	08/28/06	month to month	\$198	0	\$198	19.91%	52,800																
111	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$211	\$9,206	1	24.32%	1	\$10,512	0.80/1.07	10/19/04	month to month	\$333	0	\$333	19.23%	52,800																
112	[REDACTED]	1	A	555	TC/HUD/CHFA	44%	\$701	0	0	\$202	\$9,729	1	18.60%	1	\$10,152	0.80/1.07	04/11/03	month to month	\$316	0	\$316	19.45%	52,800																
113	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$205	\$9,120	1	18.60%	1	\$10,152	0.80/1.07	08/17/05	month to month	\$316	0	\$316	19.45%	52,800																
114	[REDACTED]	1	A	555	TCAC/HUD	49%	\$613	0	0	\$299	\$9,120	1	33.96%	1	\$14,711	0.80/1.07	07/07/03	month to month	\$221	0	\$221	19.45%	52,800																
115	[REDACTED]	1	A1	580	TCAC/HUD	49%	\$701	0	0	\$205	\$9,216	1	23.04%	1	\$10,272	0.80/1.07	04/09/04	month to month	\$182	0	\$182	28.84%	60,300																
116	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$629	0	0	\$383	\$12,331	2	26.92%	2	\$17,393	0.80/1.07	01/31/02	month to month	\$244	0	\$244	19.11%	52,800																
117	[REDACTED]	1	A	555	TCAC/HUD	49%	\$712	0	0	\$200	\$9,120	1	25.42%	1	\$10,092	0.80/1.07	03/31/06	month to month	\$244	0	\$244	19.11%	52,800																
118	[REDACTED]	1	A	555	TCAC/HUD	49%	\$513	0	0	\$399	\$15,520	2	33.89%	2	\$18,024	0.80/1.07	01/31/02	month to month	\$340	0	\$340	29.69%	60,300																
119	[REDACTED]	1	A	555	TCAC/HUD	44%	\$701	0	0	\$205	\$9,120	1	24.36%	1	\$10,272	0.80/1.07	05/16/05	month to month	\$235	0	\$235	19.45%	52,800																
201	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$601	0	0	\$322	\$14,959	2	37.40%	2	\$14,959	N/A	10/19/07	10/31/08	\$354	0	\$354	24.81%	60,300																
202	[REDACTED]	1	A	555	TCAC/HUD	49%	\$658	0	0	\$274	\$11,417	1	28.54%	1	\$13,044	0.80/1.07	01/31/02	month to month	\$244	0	\$244	24.70%	60,300																
203	[REDACTED]	1	A	555	TCAC/HUD	49%	\$658	0	0	\$274	\$10,276	1	25.69%	1	\$10,512	0.80/1.07	07/27/06	month to month	\$247	0	\$247	19.91%	52,800																
204	[REDACTED]	1	A1	580	TCAC/HUD	49%	\$701	0	0	\$211	\$10,276	1	21.91%	1	\$10,332	0.80/1.07	01/31/02	month to month	\$178	0	\$178	19.57%	52,800																
205	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$706	0	0	\$206	\$9,745	1	17.9%	1	\$10,512	0.80/1.07	12/23/02	month to month	\$190	0	\$190	19.91%	52,800																
206	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$211	\$7,189	1	34.01%	1	\$10,512	0.80/1.07	07/03/02	month to month	\$158	0	\$158	19.11%	52,800																
207	[REDACTED]	1	A	555	TCAC/HUD	49%	\$712	0	0	\$200	\$9,708	1	16.77%	1	\$10,092	0.80/1.07	01/31/02	month to month	\$337	0	\$337	29.89%	60,300																
208	[REDACTED]	1	A	555	TC/HUD/CHFA	44%	\$513	0	0	\$399	\$15,180	2	33.14%	2	\$18,024	0.80/1.07	08/05/04	month to month	\$326	0	\$326	9.26%	60,300																
209	[REDACTED]	1	B	605	TCAC/HUD	49%	\$824	0	0	\$68	\$13,452	2	29.37%	2	\$9,582	0.80/1.07	08/05/04	month to month	\$243	0	\$243	24.70%	60,300																
210	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$211	\$6,106	1	15.27%	1	\$10,512	0.80/1.07	05/05/06	month to month	\$213	0	\$213	19.91%	52,800																
211	[REDACTED]	1	A	555	TCAC/HUD	49%	\$718	0	0	\$194	\$8,926	1	22.32%	1	\$9,852	0.80/1.07	10/23/03	month to month	\$143	0	\$143	18.68%	52,800																
212	[REDACTED]	1	A	555	TCAC/HUD	49%	\$418	0	0	\$494	\$19,644	1	49.11%	1	\$21,824	0.80/1.07	08/26/05	month to month	\$481	0	\$481	41.33%	52,800																
213	[REDACTED]	1	A	555	TCAC/HUD	49%	\$708	0	0	\$204	\$9,530	1	23.83%	1	\$10,246	0.80/1.07	12/22/05	month to month	\$228	0	\$228	19.41%	52,800																
214	[REDACTED]	1	A	555	TCAC/HUD	49%	\$713	0	0	\$199	\$8,776	1	21.94%	1	\$10,048	0.80/1.07	01/31/02	month to month	\$172	0	\$172	19.03%	52,800																
215	[REDACTED]	1	A1	580	TCAC/HUD	49%	\$513	0	0	\$389	\$12,151	2	30.39%	2	\$18,389	0.80/1.07	12/02/05	month to month	\$294	0	\$294	30.50%	60,300																
216	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$504	0	0	\$408	\$12,151	2	26.11%	2	\$18,389	0.80/1.07	12/02/05	month to month	\$172	0	\$172	30.63%	60,300																
217	[REDACTED]	1	A	555	TCAC/HUD	49%	\$502	0	0	\$410	\$16,313	2	35.62%	2	\$18,467	0.80/1.07	01/31/02	month to month	\$69	0	\$69	19.91%	52,800																
218	[REDACTED]	1	A	555	TCAC/HUD	49%	\$701	0	0	\$211	\$9,206	1	23.01%	1	\$10,512	0.80/1.07	01/31/02	month to month	\$347	0	\$347	19.00%	52,800																
301	[REDACTED]	1	A	555	TCAC/HUD	49%	\$573	0	0	\$199	\$9,108	1	20.27%	1	\$10,032	0.80/1.07	01/31/02	month to month	\$357	0	\$357	29.06%	52,800																
302	[REDACTED]	1	A	555	TCAC/HUD	49%	\$573	0	0	\$315	\$15,357	1	38.39%	1	\$15,342	0.80/1.07	01/11/07	01/31/08	\$247	0	\$247	19.45%	52,800																
303	[REDACTED]	1	A	555	TC/HUD/CHFA	44%	\$701	0	0	\$205	\$10,272	1	25.69%	1	\$10,272	0.80/1.07	04/19/07	04/30/08	\$129	0	\$129	11.79%	52,800																
304	[REDACTED]	1	A1	580	TCAC/HUD	49%	\$701	0	0	\$211	\$5,556	1	13.89%	1	\$10,512	0.80/1.07	11/23/04	month to month	\$230	0	\$230	17.91%	52,800																
305	[REDACTED]	1	A	555	TCAC/HUD	49%	\$694	0	0	\$218	\$9,600	2	20.96%	2	\$10,800	0.80/1.07	09/05/05	month to month	\$340	0	\$340	16.94%	52,800																
306	[REDACTED]	1	A	555	TCAC/HUD	49%	\$740	0	0	\$172	\$7,387	1	18.47%	1	\$8,942	0.80/1.07	01/31/02	month to month	\$156	0	\$156	18.3%	52,800																
307	[REDACTED]	1	A	555	TCAC/HUD	49%	\$722	0	0	\$143	\$6,624	1	16.56%	1	\$9,672	0.80/1.07	03/31/04	month to month	\$185	0	\$185	14.77%	52,800																
308	[REDACTED]	1	A	555	TC/HUD/CHFA	34%	\$731	0	0	\$205	\$7,800	1	18.50%	1	\$7,800	N/A	10/31/08	month to month	\$180	0	\$180	11.86%	52,800																
309	[REDACTED]	1	B1	635	TCAC/HUD	49%	\$701	0	0	\$211	\$9,000	1	23.98%	1	\$6,272	0.80/1.07	01/31/02	month to month	\$230	0	\$230	12.39%	52,800																
310	[REDACTED]	1	B	505	TCAC/HUD	49%	\$701	0	0	\$205	\$9,583	1	23.98%	1	\$6,512	0.80/1.07	11/25/03	month to month	\$178	0	\$178	19.45%	52,800																
311	[REDACTED]	1	A	555	TCAC/HUD	49%	\$707	0	0	\$244	\$8,544	2	31.24%	2	\$14,621	0.80/1.07	01/31/02	month to month	\$350	0	\$350	24.25%	60,300																
312	[REDACTED]	1	A	555	TCAC/HUD	49%	\$538	0	0	\$280	\$14,308	2	31.24%	2	\$14,621	0.80/1.07	09/22/06	month to month	\$170	0	\$170	22.01%	60,300																
313	[REDACTED]	1	A	555	TCAC/HUD	49%	\$652	0	0	\$205	\$9,800	2	30.52%	2	\$13,272	0.80/1.07	03/17/06	month to month	\$295	0	\$295	19.45%	52,800																
314	[REDACTED]	1	A	555	TCAC/HUD	49%	\$707	0	0	\$205	\$12,207	1	30.28%	1	\$18,485	0.80/1.07	01/31/02	month to month	\$179	0																			

Project Name: Marina Tower Apartments		AS OF: December 31, 2007		PROJECT RENT ROLL		NUMBER OF UNITS OCCUPIED:		NUMBER OF UNITS VACANT:															
Property Address: 601 Sacramento Street						TOTAL UNITS IN PROJECT:		TOTAL UNITS IN PROJECT:															
Sponsor Name: Marina Tower Associates						149		155															
GENERAL INFORMATION																							
UNIT	NO. OF BED-Rooms	FLOOR PLAN	SQ. FT.	UNIT TYPE	INCOME LEVEL	INCOME %	SEC. 8 SUBSIDY	TENANT'S SHARE OF RENT	MONTHLY RENT	INITIAL ANNUAL INCOME	HH SIZE	% OF AMI	HOUSEHOLD INFORMATION	CURRENT INCOME (RECEIVED)	DATE CERTIFIED	LEASE BEGINNING DATE	LEASE EXPIRATION DATE	SECURITY DEPOSIT	OTHER DEPOSIT	TOTAL DEPOSITS HELD	CURRENT INCOME % OF AMI	2007 MEDIAN INCOME LEVEL	
101	1		595	TCAC/HUD	50%	50%	667	0	253	920	7,869	0	0.00%	0	10,523	06/01/07	01/01/06	Month to Month	178	0	178	19.93%	52,800
102	1		595	TCAC/HUD	50%	50%	667	0	253	920	7,869	0	0.00%	0	10,523	06/01/07	01/01/06	Month to Month	178	0	178	19.93%	52,800
103	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,744	1	0.00%	1	20,574	06/01/07	01/01/06	Month to Month	420	0	420	19.45%	52,800
104	1		595	TCAC/HUD	50%	50%	667	0	253	920	19,938	1	0.00%	1	20,574	06/01/07	01/01/06	Month to Month	446	0	446	38.97%	52,800
105	1		515	TCAC/HUD	50%	50%	667	0	253	920	23,868	1	0.00%	1	30,322	06/01/07	01/01/06	Month to Month	371	0	371	57.43%	52,800
106	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,726	1	0.00%	1	10,726	06/01/07	02/14/07	02/28/08	258	0	258	20.31%	52,800
107	1		515	TCAC/HUD	50%	50%	667	0	253	920	18,514	2	0.00%	2	16,877	06/01/07	01/01/06	Month to Month	380	0	380	27.99%	60,300
108	1		595	TCAC/HUD	50%	50%	667	0	253	920	15,912	2	0.00%	2	18,281	06/01/07	01/01/06	Month to Month	270	0	270	30.32%	60,300
109	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,744	1	0.00%	1	10,272	06/01/07	01/01/06	Month to Month	174	0	174	19.45%	52,800
110	1		595	TCAC/HUD	50%	50%	667	0	253	920	5,669	1	0.00%	1	6,084	06/01/07	01/01/06	Month to Month	120	0	120	11.52%	52,800
111	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,366	1	0.00%	1	10,716	06/01/07	01/01/06	Month to Month	218	0	218	20.30%	52,800
201	1		595	TCAC/HUD	50%	50%	667	0	253	920	11,985	1	0.00%	1	10,512	06/01/07	01/01/06	Month to Month	92	0	92	19.91%	52,800
202	1		595	TCAC/HUD	50%	50%	667	0	253	920	17,827	1	0.00%	1	18,363	06/01/07	01/01/06	Month to Month	384	0	384	34.78%	52,800
203	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,986	1	0.00%	1	10,515	06/01/07	01/01/06	Month to Month	240	0	240	19.91%	52,800
204	1		595	TCAC/HUD	50%	50%	667	0	253	920	18,940	2	0.00%	2	19,504	06/01/07	01/01/06	Month to Month	382	0	382	32.51%	60,300
205	1		515	TCAC/HUD	50%	50%	667	0	253	920	7,075	1	0.00%	1	7,075	N/A	12/31/08		148	0	148	13.40%	52,800
206	1		595	TCAC/HUD	50%	50%	667	0	253	920	17,826	2	0.00%	2	18,508	06/01/07	01/01/06	Month to Month	334	0	334	30.89%	60,300
207	1		515	TCAC/HUD	50%	50%	667	0	253	920	9,991	1	0.00%	1	10,517	06/01/07	01/01/06	Month to Month	54	0	54	19.92%	52,800
208	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,713	1	0.00%	1	9,713	06/01/07	01/31/08		347	0	347	18.40%	52,800
209	1		595	TCAC/HUD	50%	50%	667	0	253	920	33,462	2	0.00%	2	6,703	06/01/07	01/01/06	Month to Month	641	0	641	12.70%	52,800
210	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,272	1	0.00%	1	10,272	06/01/07	01/01/07	01/31/08	247	0	247	19.45%	52,800
211	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,387	1	0.00%	1	10,936	06/01/07	01/01/06	Month to Month	158	0	158	20.71%	52,800
212	1		595	TCAC/HUD	50%	50%	667	0	253	920	17,980	1	0.00%	1	18,488	06/01/07	01/01/06	Month to Month	411	0	411	35.02%	52,800
301	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,958	1	0.00%	1	10,598	06/01/07	01/01/06	Month to Month	280	0	280	20.07%	52,800
302	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,745	1	0.00%	1	10,276	06/01/07	01/01/06	Month to Month	304	0	304	19.46%	52,800
303	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,278	1	0.00%	1	9,484	06/01/07	06/09/06	Month to Month	227	0	227	17.95%	52,800
304	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,222	1	0.00%	1	10,522	N/A	06/11/07	06/30/08	253	0	253	19.93%	52,800
305	1		515	TCAC/HUD	50%	50%	667	0	253	920	8,340	1	0.00%	1	8,916	06/01/07	01/01/06	Month to Month	170	0	170	16.89%	52,800
306	1		595	TCAC/HUD	50%	50%	667	0	253	920	17,330	1	0.00%	1	13,051	06/01/07	01/01/06	Month to Month	128	0	128	24.72%	52,800
307	1		515	TCAC/HUD	50%	50%	667	0	253	920	10,734	1	0.00%	1	11,292	06/01/07	01/01/06	Month to Month	188	0	188	21.39%	52,800
308	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,530	1	0.00%	1	9,656	06/01/07	01/01/06	Month to Month	159	0	159	18.29%	52,800
309	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,212	1	0.00%	1	10,516	06/01/07	05/01/06	Month to Month	247	0	247	19.92%	52,800
310	1		595	TCAC/HUD	50%	50%	667	0	253	920	16,429	2	0.00%	2	18,623	06/01/07	01/01/06	Month to Month	290	0	290	30.88%	60,300
311	1		595	TCAC/HUD	50%	50%	667	0	253	920	27,208	2	0.00%	2	28,096	06/01/07	01/01/06	Month to Month	563	0	563	46.59%	60,300
312	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,272	1	0.00%	1	10,523	06/01/07	10/19/06	Month to Month	247	0	247	19.93%	52,800
401	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,770	1	0.00%	1	10,272	06/01/07	01/01/06	Month to Month	163	0	163	19.45%	52,800
402	1		595	TCAC/HUD	50%	50%	667	0	253	920	18,525	1	0.00%	1	13,091	06/01/07	01/01/06	Month to Month	120	0	120	24.62%	52,800
403	1		595	TCAC/HUD	50%	50%	667	0	253	920	15,910	1	0.00%	1	18,186	06/01/07	01/01/06	Month to Month	302	0	302	34.44%	52,800
404	1		515	TCAC/HUD	50%	50%	667	0	253	920	7,174	1	0.00%	1	10,272	06/01/07	06/28/06	Month to Month	169	0	169	19.45%	52,800
405	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,010	1	0.00%	1	10,522	06/01/07	01/01/06	Month to Month	249	0	249	19.93%	52,800
406	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,404	1	0.00%	1	11,184	06/01/07	01/01/06	Month to Month	250	0	250	21.18%	52,800
407	1		595	TCAC/HUD	50%	50%	667	0	253	920	10,272	1	0.00%	1	10,272	N/A	09/13/07	09/30/08	247	0	247	19.45%	52,800
408	1		595	TCAC/HUD	50%	50%	667	0	253	920	12,408	1	0.00%	1	12,408	06/01/07	01/31/07	01/31/08	250	0	250	23.50%	52,800
409	1		595	TCAC/HUD	50%	50%	667	0	253	920	9,896	1	0.00%	1	10,413	06/01/07	01/01/06	Month to Month	230	0	230	19.72%	52,800
410	1		595	TCAC/HUD	50%	50%	667	0	253	920	27,040	1	0.00%	1	26,654	06/01/07	01/01/06	Month to Month	273	0	273	50.48%	52,800
411	1		595	TCAC/HUD	50%	50%	667	0	253	920	7,008	1	0.00%	1	7,008	N/A	08/24/07	08/31/08	165	0	165	13.27%	52,800
412	1		595	TCAC/HUD	50%	50%	667	0	253	920	11,647	1	0.00%	1	12,332	06/01/07	01/01/06	Month to Month	205	0	205	23.36%	52,800
501	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,686	1	0.00%	1	8,991	06/01/07	11/28/06	Month to Month	187	0	187	17.03%	52,800
502	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,891	1	0.00%	1	9,637	06/01/07	01/01/06	Month to Month	151	0	151	18.25%	52,800
503	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,891	1	0.00%	1	9,637	06/01/07	01/01/06	Month to Month	151	0	151	18.25%	52,800
504	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,891	1	0.00%	1	9,637	06/01/07	01/01/06	Month to Month	151	0	151	18.25%	52,800
505	1		595	TCAC/HUD	50%	50%	667	0	253	920	8,891	1	0.00%	1	9,637	06/01/07	01/01/06	Month to Month	151	0	151	18.25%	52,800
506	1		595	TCAC/HUD	50%	50%	667	0	253	920	17,124	2	0.00%	2	17,904	06/01/07	01/01/06	Month to Month	365	0	365	29.69%	60,300





Project Name: Marina Tower Apartments Property Address: 601 Sacramento Street Sponsor Name: Marina Tower Associates			PROJECT RENT ROLL AS OF: December 31, 2007			HOUSEHOLD INFORMATION			RENTAL INFORMATION			GENERAL INFORMATION			PROPERTY INFORMATION			LEASE INFORMATION			LEASING INFORMATION			TOTAL			
UNIT	NAME OF TENANT(S)	NO OF BED-ROOMS	FLOOR PLAN	SQ. FT.	UNIT TYPE	INCOME LEVEL	SEC 8 SUBSIDY	OTHER SUBSIDY	TENANT'S SHARE OF RENT	MONTHLY RENT	INITIAL ANNUAL INCOME	HH SIZE	MOVE-IN DATE	% OF AMI	HH INCOME (RE/CERTIFIED)	DATE	LEASE BEGINNING DATE	LEASE EXPIRATION DATE	SECURITY DEPOSIT	OTHER DEPOSIT	DEPOSIT HELD	CURRENT INCOME % OF AMI	2007 MEDIAN INCOME LEVEL				
912	[REDACTED]	1		595	TCACHUD	57%	664	0	286	920	9,408	1	09/01/07	0.00%	10,643	09/01/07	01/01/06	Month to Month	140		140	20.16%	52,800				
1001	[REDACTED]	1		595	TCACHUD	50%	485	0	435	920	17,004	2	09/01/07	0.00%	17,784	09/01/07	01/01/06	Month to Month	394		394	29.49%	60,300				
1002	[REDACTED]	1		595	TCACHUD	50%	665	0	253	920	10,025	1	09/01/07	0.00%	10,605	09/01/07	01/01/06	Month to Month	139		139	20.09%	52,800				
1003	[REDACTED]	1		595	TCACHUD	50%	667	0	263	920	9,884	1	09/01/07	0.00%	10,512	09/01/07	01/01/06	Month to Month	204		204	19.91%	52,800				
1004	[REDACTED]	1		515	TCACHUD	57%	738	0	182	920	10,272	1	09/01/07	0.00%	10,272	09/01/07	05/31/08	Month to Month	181		181	14.51%	52,800				
1005	[REDACTED]	1		595	TCACHUD	50%	673	0	247	920	10,372	1	09/01/07	0.00%	10,372	09/01/07	05/24/07	Month to Month	247		247	19.45%	52,800				
1006	[REDACTED]	1		515	TCACHUD	50%	667	0	253	920	14,560	2	09/01/07	0.00%	10,514	09/01/07	09/01/06	Month to Month	550		550	17.44%	60,300				
1007	[REDACTED]	1		595	TCACHUD	57%	687	0	420	920	25,381	1	09/01/07	0.00%	21,798	09/01/07	01/01/06	Month to Month	420		420	41.21%	52,800				
1008	[REDACTED]	1		595	TCACHUD	57%	667	0	283	920	9,984	1	09/01/07	0.00%	10,512	09/01/07	01/01/06	Month to Month	171		171	19.91%	52,800				
1010	[REDACTED]	1		595	TCACHUD	50%	673	0	247	920	9,744	1	09/01/07	0.00%	10,272	09/01/07	01/01/06	Month to Month	204		204	19.45%	52,800				
1011	[REDACTED]	1		595	TCACHUD	57%	663	0	257	920	10,685	1	09/01/07	0.00%	10,685	09/01/07	08/31/08	Month to Month	257		257	20.24%	52,800				
1012	[REDACTED]	1		595	TCACHUD	50%	676	0	244	920	9,744	1	09/01/07	0.00%	10,152	09/01/07	01/01/06	Month to Month	253		253	19.23%	52,800				
1101	[REDACTED]	1		595	TCACHUD	50%	667	0	263	920	9,884	1	09/01/07	0.00%	10,512	09/01/07	01/01/06	Month to Month	425		425	19.91%	52,800				
1102	[REDACTED]	1		595	TCACHUD	57%	673	0	247	920	9,744	1	09/01/07	0.00%	10,272	09/01/07	01/01/06	Month to Month	173		173	19.45%	52,800				
1103	[REDACTED]	1		595	TCACHUD	50%	684	0	268	920	9,672	1	09/01/07	0.00%	9,330	09/01/07	01/01/06	Month to Month	247		247	18.62%	52,800				
1104	[REDACTED]	1		595	TCACHUD	50%	473	0	447	920	12,379	2	09/01/07	0.00%	18,284	09/01/07	01/01/06	Month to Month	313		313	30.29%	60,300				
1105	[REDACTED]	1		515	TCACHUD	57%	673	0	247	920	9,744	1	09/01/07	0.00%	10,272	09/01/07	01/01/06	Month to Month	214		214	19.45%	52,800				
1106	[REDACTED]	1		595	TCACHUD	50%	533	0	387	920	15,371	1	09/01/07	0.00%	15,864	09/01/07	01/01/06	Month to Month	384		384	30.06%	52,800				
1107	[REDACTED]	1		515	TCACHUD	50%	610	0	310	920	9,980	1	09/01/07	0.00%	12,816	09/01/07	09/30/08	Month to Month	190		190	24.27%	52,800				
1108	[REDACTED]	1		595	TCACHUD	57%	730	0	190	920	8,850	1	09/01/07	0.00%	8,850	09/01/07	09/30/08	Month to Month	190		190	16.76%	52,800				
1109	[REDACTED]	1		595	TCACHUD	50%	663	0	257	920	9,980	1	09/01/07	0.00%	10,692	09/01/07	01/01/06	Month to Month	228		228	20.25%	52,800				
1110	[REDACTED]	1		595	TCACHUD	57%	328	0	592	920	22,013	1	09/01/07	0.00%	23,691	09/01/07	01/01/06	Month to Month	582		582	44.87%	52,800				
1111	[REDACTED]	1		595	TCACHUD	50%	716	0	204	920	11,457	1	09/01/07	0.00%	9,404	09/01/07	01/01/06	Month to Month	268		268	17.81%	52,800				
1112	[REDACTED]	1		595	TCACHUD	57%	712	0	208	920	9,067	1	09/01/07	0.00%	9,542	09/01/07	01/05/06	Month to Month	215		215	18.07%	52,800				
1201	[REDACTED]	1		595	TCACHUD	50%	587	0	363	920	13,968	1	09/01/07	0.00%	15,012	09/01/07	01/01/06	Month to Month	185		185	28.43%	52,800				
1202	[REDACTED]	1		595	TCACHUD	57%	665	0	255	920	10,285	1	09/01/07	0.00%	10,611	09/01/07	02/28/06	Month to Month	228		228	20.10%	52,800				
1203	[REDACTED]	1		595	TCACHUD	50%	615	0	305	920	11,726	1	09/01/07	0.00%	12,800	09/01/07	01/01/06	Month to Month	270		270	23.66%	52,800				
1204	[REDACTED]	1		595	TCACHUD	57%	673	0	247	920	7,440	1	09/01/07	0.00%	10,272	09/01/07	01/01/06	Month to Month	176		176	19.45%	52,800				
1205	[REDACTED]	1		595	TCACHUD	50%	699	0	423	920	16,775	1	09/01/07	0.00%	17,328	09/01/07	01/01/06	Month to Month	440		440	32.82%	52,800				
1206	[REDACTED]	1		595	TCACHUD	57%	699	0	221	920	8,770	1	09/01/07	0.00%	9,244	09/01/07	01/01/06	Month to Month	227		227	17.51%	52,800				
1207	[REDACTED]	1		595	TCACHUD	50%	538	0	382	920	15,883	1	09/01/07	0.00%	16,789	09/01/07	01/01/06	Month to Month	360		360	31.82%	52,800				
1208	[REDACTED]	1		595	TCACHUD	50%	636	0	284	920	10,898	2	09/01/07	0.00%	11,772	09/01/07	01/01/06	Month to Month	203		203	19.52%	60,300				
1209	[REDACTED]	1		595	TCACHUD	50%	689	0	221	920	8,963	1	09/01/07	0.00%	9,252	09/01/07	06/09/06	Month to Month	194		194	17.52%	52,800				
1210	[REDACTED]	1		595	TCACHUD	57%	706	0	543	920	23,547	1	09/01/07	0.00%	24,387	09/01/07	01/01/06	Month to Month	496		496	46.21%	52,800				
1211	[REDACTED]	1		595	TCACHUD	50%	667	0	214	920	8,931	1	09/01/07	0.00%	9,789	09/01/07	01/01/06	Month to Month	183		183	18.54%	52,800				
1212	[REDACTED]	1		595	TCACHUD	50%	667	0	253	920	10,512	1	09/01/07	0.00%	10,512	09/01/07	01/01/06	Month to Month	332		332	31.74%	52,800				
1301	[REDACTED]	1		595	TCACHUD	50%	583	0	337	920	16,235	1	09/01/07	0.00%	16,758	09/01/07	01/01/06	Month to Month	165		165	19.91%	52,800				
1302	[REDACTED]	1		595	TCACHUD	50%	687	0	253	920	10,274	1	09/01/07	0.00%	10,513	09/01/07	01/01/06	Month to Month	298		298	26.30%	52,800				
1303	[REDACTED]	1		595	TCACHUD	57%	583	0	337	920	13,441	1	09/01/07	0.00%	13,885	09/01/07	01/01/06	Month to Month	246		246	19.42%	52,800				
1304	[REDACTED]	1		595	TCACHUD	57%	674	0	246	920	10,254	1	09/01/07	0.00%	10,284	09/01/07	04/17/07	Month to Month	74		74	19.91%	52,800				
1305	[REDACTED]	1		515	TCACHUD	57%	667	0	253	920	9,987	1	09/01/07	0.00%	10,513	09/01/07	01/01/06	Month to Month	221		221	19.91%	52,800				
1306	[REDACTED]	1		515	TCACHUD	50%	667	0	253	920	9,986	1	09/01/07	0.00%	10,512	09/01/07	01/01/06	Month to Month	164		164	18.36%	52,800				
1307	[REDACTED]	1		595	TCACHUD	57%	688	0	232	920	9,974	1	09/01/07	0.00%	9,692	09/01/07	01/01/06	Month to Month	225		225	37.94%	52,800				
1308	[REDACTED]	1		595	TCACHUD	50%	679	0	241	920	9,751	1	09/01/07	0.00%	10,512	09/01/07	03/02/07	Month to Month	253		253	19.91%	52,800				
1309	[REDACTED]	1		595	TCACHUD	50%	667	0	253	920	10,523	1	09/01/07	0.00%	10,512	09/01/07	03/02/07	Month to Month	0		0	0.00%	0				
1310	[REDACTED]	1		595	TCACHUD	50%	667	0	253	920	10,523	1	09/01/07	0.00%	10,512	09/01/07	03/02/07	Month to Month	0		0	0.00%	0				
1311	[REDACTED]	1		595	TCACHUD	50%	667	0	253	920	10,523	1	09/01/07	0.00%	10,512	09/01/07	03/02/07	Month to Month	0		0	0.00%	0				
1312	[REDACTED]	1		595	TCACHUD	57%	84,691	0	45,910	130,475	164	163	0	0.00%	163	09/01/07	03/02/07	Month to Month	38,058		38,058	0.00%	0				
TOTALS/AVERAGES FOR Building 1:																							0	38,058	0	38,058	
Certificate of Occupancy Date: August 31, 2005																											
Acquisition Date: August 31, 2005																											



BUILDING NUMBER	UNIT NUMBER	AMI % (CURRENT)	NUMBER OF BEDROOMS	NUMBER IN HOUSEHOLD (CURRENT)	Reported Income (CURRENT)	TENANT PAID RENT	UTILITY ALLOWANCE	GROSS RENT	TENANT NAME	NUMBER IN HOUSEHOLD (MOVE-IN)	MOVE-IN DATE	MOVE-IN ANNUAL INCOME
ca-2001-10901	2109		1	1	\$9,914	296	\$76	\$ 372	[REDACTED]	1	10/10/03	\$12,854
ca-2001-10901	2201		2	2	\$20,408	390	\$76	\$ 466	[REDACTED]	2	09/24/04	\$20,408
ca-2001-10901	2202		3	5	\$35,816	756	\$135	\$ 891	[REDACTED]	5	09/01/06	\$23,326
ca-2001-10901	2203		1	2	\$15,504	561	\$76	\$ 637	[REDACTED]	2	11/01/07	\$27,480
ca-2001-10901	2204		2						[REDACTED]			
ca-2001-10901	2205		1	1	\$20,066	393	\$76	\$ 469	[REDACTED]	1	04/21/04	\$19,540
ca-2001-10901	2206		3	4	\$24,000	666	\$107	\$ 773	[REDACTED]	2	09/12/07	\$24,000
ca-2001-10901	2207		2	2	\$20,784	351	\$107	\$ 458	[REDACTED]	2	06/14/04	\$26,146
ca-2001-10901	2208		3	5	\$29,246	666	\$135	\$ 801	[REDACTED]	5	07/06/07	\$33,503
ca-2001-10901	2209		3	4	\$22,801	666	\$135	\$ 801	[REDACTED]	4	06/01/05	\$21,346
ca-2001-10901	2301		2	3	\$7,008	665	\$107	\$ 772	[REDACTED]	3	06/15/07	\$24,900
ca-2001-10901	2302		3	3	\$30,896	666	\$135	\$ 801	[REDACTED]	3	09/30/03	\$23,568
ca-2001-10901	2303		1	1	\$10,937	161	\$76	\$ 237	[REDACTED]	1	06/04/04	\$10,231
ca-2001-10901	2304		2	3	\$30,940	587	\$107	\$ 694	[REDACTED]	3	06/01/07	\$30,940
ca-2001-10901	2305		1	1	\$24,715	561	\$76	\$ 637	[REDACTED]	1	11/18/05	\$24,715
ca-2001-10901	2306		3	3	\$22,801	666	\$135	\$ 801	[REDACTED]	3	06/01/07	\$22,801
ca-2001-10901	2307		2	2	\$7,008	93	\$107	\$ 200	[REDACTED]	2	09/19/03	\$12,204
ca-2001-10901	3101		2	2	\$19,482	384	\$107	\$ 491	[REDACTED]	2	09/23/03	\$17,160
ca-2001-10901	3102		1	1	\$15,540	243	\$76	\$ 319	[REDACTED]	1	11/03/05	\$9,774
ca-2001-10901	3103		4	4	\$32,222	816	\$179	\$ 995	[REDACTED]	4	09/29/03	\$29,681
ca-2001-10901	3104		1	2	\$14,119	561	\$76	\$ 637	[REDACTED]	2	04/19/07	\$14,191
ca-2001-10901	3105		1	2	\$23,974	561	\$76	\$ 637	[REDACTED]	2	08/10/06	\$23,974
ca-2001-10901	3106		1	1	\$15,000	561	\$76	\$ 637	[REDACTED]	1	12/13/07	\$15,000
ca-2001-10901	3107		4	6	\$42,095	864	\$179	\$ 1,043	[REDACTED]	6	10/25/05	\$42,095
ca-2001-10901	3108		1	2	\$23,857	561	\$107	\$ 668	[REDACTED]	2	09/06/07	\$23,858
ca-2001-10901	3109		2	3	\$24,572	665	\$107	\$ 772	[REDACTED]	3	11/19/07	\$24,572
ca-2001-10901	3110		1	1	\$45,995	486	\$76	\$ 562	[REDACTED]	1	05/30/03	\$19,891
ca-2001-10901	3111		1		\$10,680				[REDACTED]			
ca-2001-10901	3201		2	5	\$17,448	587	\$107	\$ 694	[REDACTED]	5	07/05/07	\$30,644
ca-2001-10901	3202		1		\$17,847	816	\$179	\$ 995	[REDACTED]	4	10/15/06	\$33,168
ca-2001-10901	3203		4	4	\$23,296	568	\$76	\$ 644	[REDACTED]	1	01/11/07	\$23,296
ca-2001-10901	3204		1	1	\$21,021	587	\$107	\$ 694	[REDACTED]	2	09/26/03	\$19,641
ca-2001-10901	3205		2	2	\$21,021	607	\$76	\$ 683	[REDACTED]	1	12/11/04	\$23,146
ca-2001-10901	3206		1	1	\$56,817	717	\$179	\$ 896	[REDACTED]	4	08/20/03	\$25,220
ca-2001-10901	3207		4	4	\$20,670	495	\$76	\$ 571	[REDACTED]	1	08/04/07	\$24,590
ca-2001-10901	3208		1	1	\$41,038	640	\$107	\$ 747	[REDACTED]	4	04/08/05	\$26,718
ca-2001-10901	3209		2	4					[REDACTED]			
ca-2001-10901	3210		3						[REDACTED]			
ca-2001-10901	3211		3						[REDACTED]			
ca-2001-10901	3301		2	2		587	\$107	\$ 694	[REDACTED]	2	09/30/03	\$17,901
ca-2001-10901	3302		1						[REDACTED]			
ca-2001-10901	3303		4	5	\$35,326	717	\$179	\$ 896	[REDACTED]	5	06/04/07	\$35,325
ca-2001-10901	3304		1	1		496	\$76	\$ 572	[REDACTED]	1	08/28/03	\$11,788
ca-2001-10901	3305		1	2		561	\$76	\$ 637	[REDACTED]	2	05/01/06	\$13,412
ca-2001-10901	3306		4	4		549	\$179	\$ 728	[REDACTED]	4	09/26/03	\$24,860
ca-2001-10901	3307		1	1		496	\$76	\$ 572	[REDACTED]	1	11/27/07	\$15,322
ca-2001-10901	3308		2	2		665	\$107	\$ 772	[REDACTED]	2	09/26/03	\$22,880
ca-2001-10901	3309		2	2		587	\$107	\$ 694	[REDACTED]	2	09/30/03	\$18,530
ca-2001-10901	4101		2	3		665	\$107	\$ 772	[REDACTED]	3	07/01/05	\$31,128
ca-2001-10901	4102		1	1		496	\$76	\$ 572	[REDACTED]	1	12/19/06	\$13,495
ca-2001-10901	4103		1	1					[REDACTED]			



BUILDING NUMBER	UNIT NUMBER	AMI % (CURRENT)	NUMBER OF BEDROOMS	NUMBER IN HOUSEHOLD (CURRENT)	Reported Income (CURRENT)	TENANT PAID RENT	UTILITY ALLOWANCE	GROSS RENT	TENANT NAME	NUMBER IN HOUSEHOLD (MOVE-IN)	MOVE-IN DATE	MOVE-IN ANNUAL INCOME
ca-2001-10901	4104		2	2		587	\$107	\$ 694	[REDACTED]	2	07/06/07	\$23,000
ca-2001-10901	4105		1	1		389	\$76	\$ 465	[REDACTED]	1	10/08/03	\$18,217
ca-2001-10901	4106		3	6		484	\$135	\$ 619	[REDACTED]	6	02/01/06	\$33,796
ca-2001-10901	4107		2	2		665	\$107	\$ 772	[REDACTED]	2	02/01/07	\$22,286
ca-2001-10901	4108		1	1		189	\$76	\$ 265	[REDACTED]	1	08/03/05	\$8,774
ca-2001-10901	4109		1	1		283	\$76	\$ 359	[REDACTED]	1	10/09/03	\$11,136
ca-2001-10901	4201		2	2		665	\$107	\$ 772	[REDACTED]	2	10/09/03	\$23,175
ca-2001-10901	4202		3	4		756	\$135	\$ 891	[REDACTED]	4	08/16/06	\$20,109
ca-2001-10901	4203								[REDACTED]			
ca-2001-10901	4204		2	2		665	\$107	\$ 772	[REDACTED]	2	01/06/06	\$21,120
ca-2001-10901	4205		1	1		226	\$76	\$ 302	[REDACTED]	1	10/01/05	\$9,576
ca-2001-10901	4206		3	3		756	\$135	\$ 891	[REDACTED]	3	10/27/03	\$20,902
ca-2001-10901	4207		2	2		665	\$107	\$ 772	[REDACTED]	2	12/12/05	\$18,408
ca-2001-10901	4208		3	3		81	\$135	\$ 216	[REDACTED]	3	10/24/03	\$10,524
ca-2001-10901	4209		3	3		756	\$135	\$ 891	[REDACTED]	3	10/23/03	\$29,120
ca-2001-10901	4301		1	2		561	\$76	\$ 637	[REDACTED]	2	05/01/07	\$23,300
ca-2001-10901	4302		3	3		756	\$135	\$ 891	[REDACTED]	3	10/29/03	\$25,027
ca-2001-10901	4303		1	1		496	\$76	\$ 572	[REDACTED]	1	09/01/07	\$20,372
ca-2001-10901	4304		2	3		665	\$107	\$ 772	[REDACTED]	3	09/09/05	\$15,040
ca-2001-10901	4305		1	1		59	\$76	\$ 135	[REDACTED]	1	12/20/05	\$3,984
ca-2001-10901	4306		3	4		756	\$135	\$ 891	[REDACTED]	4	09/29/03	\$24,963
ca-2001-10901	4307		2	2		665	\$107	\$ 772	[REDACTED]	2	09/30/03	\$25,480
ca-2001-10901	5101		2	2		587	\$107	\$ 694	[REDACTED]	2	06/24/03	\$18,180
ca-2001-10901	5102		1	1		561	\$76	\$ 637	[REDACTED]	1	12/07/07	\$12,588
ca-2001-10901	5103		3	5		825	\$135	\$ 960	[REDACTED]	5	04/08/05	\$38,311
ca-2001-10901	5104		3	4		756	\$135	\$ 891	[REDACTED]	4	09/30/03	\$25,105
ca-2001-10901	5105		3	5		666	\$135	\$ 801	[REDACTED]	5	10/24/03	\$23,088
ca-2001-10901	5106		2	2		224	\$107	\$ 331	[REDACTED]	2	10/27/03	\$9,336
ca-2001-10901	5201		2	2		665	\$107	\$ 772	[REDACTED]	3	07/05/07	\$19,578
ca-2001-10901	5202		1	1		496	\$76	\$ 496	[REDACTED]	1	04/10/07	\$18,592
ca-2001-10901	5203		3	3		714	\$135	\$ 849	[REDACTED]	3	10/24/03	\$25,000
ca-2001-10901	5204		3	3		666	\$135	\$ 801	[REDACTED]	3	10/23/03	\$21,760
ca-2001-10901	5205		3	3		621	\$135	\$ 756	[REDACTED]	3	07/01/07	\$31,785
ca-2001-10901	5206		2	2		665	\$107	\$ 772	[REDACTED]	2	10/22/03	\$18,750
ca-2001-10901	5301		2	2		587	\$107	\$ 694	[REDACTED]	2	10/18/06	\$25,529
ca-2001-10901	5302		1	2		496	\$76	\$ 572	[REDACTED]	2	12/23/05	\$26,515
ca-2001-10901	5303		3	3		756	\$135	\$ 891	[REDACTED]	3	10/23/03	\$18,227
ca-2001-10901	5304		3	3		439	\$135	\$ 574	[REDACTED]	3	10/22/03	\$24,218

**CHART 2  
NUMBERS AND TYPES OF UNITS  
NEWLY CONSTRUCTED AND SUBSTANTIALLY REHABILITATED UNITS COMPLETED IN THE PERIOD BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007**

1. Name of Project & Address/Zip Code	2. Name/Address of Owner/Manager	3. New or Sub. Rehab.	4. Total # Units	5. Own or Rent	6. # Fam Units	7. # Senior Units	8. # 1-BR Units	9. # 2-BR Units	10. # 3-BR Units	11. # 4+-BR Units	12. Bldg. Permit # & Date	13. Com- pletion Date <sup>1</sup>	14. Nature & Amount of Subst. Rehab. or Const.	15. Date & Amount of Appraisal (if Required)	16. Name of Redevelop. Project Area (If applicable)	
Avian Glen Apartments, 301 Avian Drive, Vallejo, CA 94591	Vallejo Family Housing Partners, L. P., 13520 Evening Creek Drive North, Suite 360, San Diego, CA 92128	New	87	Rent	87	0	10	38	39	0	MR04-007 06/04/07	06/04/07	\$26,867,887	N/A	N/A	

Chart 2, Page 1 of 1, Period beginning January 1, 2007 and ending December 31, 2007

<sup>1</sup> Date Final Inspection Report Completed for Substantial Rehabilitation or Date Certificate of Occupancy Issued for New Construction.

**CHART 3**  
**LONG TERM AFFORDABILITY INFORMATION**  
**NEWLY CONSTRUCTED AND SUBSTANTIALLY REHABILITATED UNITS COMPLETED IN THE PERIOD BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007**

1. Name of Project & Address/Zip Code	2. # of VL Units	3. # of L Units	4. # of M Units	5. # of AM Units	6. Date Covenant Recorded and Title(s) of Recorded Document	7. Length of Coven. (Yrs)	8. Date Coven. Expires	9. Date Each Year Monitoring Report Due	10. Amounts & Sources of City or Agency Funding	11. Amounts & Sources of Other Funding
Avian Glen Apartments, 301 Avian Drive, Vallejo, CA 94591	87	0	0	0	3/12/01, Affordable Housing Covenant	55	07/62	02/15	\$900,000, City HOME Funds; \$3,093,750,000, Agency Funds	Tax Exempt Bonds: \$6,148,512 Tax Credit Equity: \$10,296,625 State Multi-Family Housing Program: \$4,110,751 Affordable Housing Program: \$348,000 Deferred Developer Fee: \$1,970,249

Chart 3, Page 1 of 1, Period beginning January 1, 2007 and ending December 31, 2007

“VL” refers to housing units available at affordable housing cost or affordable rent to and occupied by very low income households, as defined in Part II of the Settlement Agreement; “L” refers to housing units available at affordable housing cost or affordable rent to and occupied by low income households, as defined in Part II of the Settlement Agreement; “M” refers to housing units available at affordable housing cost or affordable rent to and occupied by moderate income households, as defined in Part II of the Settlement Agreement; “AM” refers to housing units which are not affordable to low, very low or moderate income households, and are included here for clarification purposes.

**CHART 4**  
**INITIAL UNIT AFFORDABILITY REPORT**  
**NEWLY CONSTRUCTED AND SUBSTANTIALLY REHABILITATED UNITS COMPLETED IN THE PERIOD BEGINNING JANUARY 1, 2007 AND ENDING DECEMBER 31, 2007**  
**(To Be Completed Upon Initial Completion of Rent-up, Sale or Rehabilitation)**

**4A. RENTAL UNITS**

1. Name of Project & Address/Unit #	2. Name & Address - Project Owner or Manager	3. # BR	4. L, VL, M, or AM	5. Family, Senior or Other	6. Initial Rehab Cost (If applicable)	7. Initial Monthly Rent Amount	8. # Persons in Household	9. Initial Monthly Household Income	10. Date Each Year Annual Monitoring Report Due
Avian Glen Apartments, 301 Avian Drive, Vallejo, CA 94591	Vallejo Family Housing Partners, L. P., 13520 Evening Creek Drive North, Suite 360, San Diego, CA 92128	10 1's, 38 2's, 39 3's	VL	Family	N/A	\$371 - \$1,107	1 - 5	\$596 - \$3,701	2/15

**4B. OWNER-OCCUPIED UNITS**

1. Name of Owner and Address/Unit #	2. # BR	3. L, VL, M, or AM	4. Initial Sales Price or Rehab Cost	5. Initial Total Affordable Housing Cost, As Defined in Part II of Settlement	6. Initial Monthly Household Income	7. # Persons in Household	8. Date Each Year Annual Monitoring Report Due
<b>None completed.</b>							

Chart 4, Page 2 of 2, Period beginning January 1, 2007 and ending December 31, 2007

“VL” refers to housing units available at affordable housing cost or affordable rent to and occupied by very low income households, as defined in Part II of the Settlement Agreement; “L” refers to housing units available at affordable housing cost or affordable rent to and occupied by low income households, as defined in Part II of the Settlement Agreement; “M” refers to housing units available at affordable housing cost or affordable rent to and occupied by moderate income households, as defined in Part II of the Settlement Agreement; “AM” refers to housing units which are not affordable to low, very low or moderate income households, and are included here for clarification purposes.



**CHART 6**  
**LONG TERM AFFORDABILITY INFORMATION**  
**NEWLY CONSTRUCTED AND SUBSTANTIALLY REHABILITATED UNITS PROPOSED FOR COMPLETION IN THE PERIOD BEGINNING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008**

1. Name of Project & Address/Zip Code	2. # of VL Units	3. # of L Units	4. # of M Units	5. # of AM Units	6. Proposed Length of Coven. (Yrs)	10. Amounts & Sources of City or Agency Funding	11. Amounts & Sources of Other Funding
See Chart 5.							

Chart 6, Page 1 of 1, Period beginning January 1, 2008 and ending December 31, 2008

“VL” refers to housing units available at affordable housing cost or affordable rent to and occupied by very low income households, as defined in Part II of the Settlement Agreement; “L” refers to housing units available at affordable housing cost or affordable rent to and occupied by low income households, as defined in Part II of the Settlement Agreement; “M” refers to housing units available at affordable housing cost or affordable rent to and occupied by moderate income households, as defined in Part II of the Settlement Agreement; “AM” refers to housing units which are not affordable to low, very low or moderate income households, and are included here for clarification purposes.

**CHART 7**  
**PROPOSED INITIAL UNIT AFFORDABILITY REPORT**  
**NEWLY CONSTRUCTED AND SUBSTANTIALLY REHABILITATED UNITS PROPOSED TO BE COMPLETED IN THE YEAR PERIOD BEGINNING JANUARY 1, 2008 AND ENDING**  
**DECEMBER 31, 2008**

**7A. RENTAL UNITS**

1. Name of Project & Address/Unit #	2. Name & Address - Project Owner or Manager	3. # BR	4. L, VL, M, or AM	5. Family, Senior or Other	6. Proposed Initial Monthly Rent Amount	7. Anticipated # Persons in Household (Range)	8. Proposed Initial Monthly Household Income (Range)
See Chart 5.							

Chart 7, Page 1 of 2, Period beginning January 1, 2008 and ending December 31, 2008



**7B. OWNER-OCCUPIED UNITS**

1. Name of Owner and Address/Unit #	2. # BR	3. L, VL, M, or AM	4. Proposed Initial Sales Price or Rehab Cost	5. Proposed Initial Total Affordable Housing Cost, As Defined in Part II of Settlement	6. Proposed Initial Monthly Household Income (Range)	7. Proposed # Persons in Household
See Chart 5.						

Chart 7, Page 2 of 2, Period beginning January 1, 2008 and ending December 31, 2008

“VL” refers to housing units available at affordable housing cost or affordable rent to and occupied by very low income households, as defined in Part II of the Settlement Agreement; “L” refers to housing units available at affordable housing cost or affordable rent to and occupied by low income households, as defined in Part II of the Settlement Agreement; “M” refers to housing units available at affordable housing cost or affordable rent to and occupied by moderate income households, as defined in Part II of the Settlement Agreement; “AM” refers to housing units which are not affordable to low, very low or moderate income households, and are included here for clarification purposes.