

Annual PHA Plan <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

Applicability. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																				
A.1	<p> PHA Name: <u>Housing & Redevelopment Authority of Virginia, MN</u> PHA Code: <u>MN007</u> PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>04/2023</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units <u>275</u> Number of Housing Choice Vouchers (HCVs) <u>587</u> Total Combined Units/Vouchers <u>862</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission </p> <p> Availability of Information. PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. </p> <p> The Housing and Redevelopment Authority of Virginia, MN posts its PHA plan at the following locations: Columbia/Rouchleau Apartments, 600 3rd Avenue North, Virginia, MN Pine Mill Court Administration Office, 442 Pine Mill Court, Virginia, MN Website: www.vhra.org </p> <p> The public may obtain information on Virginia HRA policies by contacting the main office at: Pine Mill Court Administration Office 442 Pine Mill Court Virginia, MN (218)741-2610. </p> <p> <input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below) </p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 25%;">Participating PHAs</th> <th rowspan="2" style="width: 10%;">PHA Code</th> <th rowspan="2" style="width: 25%;">Program(s) in the Consortia</th> <th rowspan="2" style="width: 20%;">Program(s) not in the Consortia</th> <th colspan="2" style="width: 20%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 10%;">PH</th> <th style="width: 10%;">HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td> </td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:											
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B.	Plan Elements
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Grievance Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Community Service and Self-Sufficiency Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Asset Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):</p> <p>The HRA has made numerous changes to the Public Housing Admissions and Continued Occupancy Plan (ACOP) and Housing Choice Voucher Administrative Plan. Please see the following attachments that indicate the changes made throughout FY 2023.</p> <ol style="list-style-type: none"> Attachment A – ACOP changes as presented and approved by the Virginia HRA Board. Attachment B – Administrative Plan changes as presented and approved by the Virginia HRA Board. <p>(c) The PHA must submit its Deconcentration Policy for Field Office review.</p> <p>The deconcentration policy for the Virginia HRA has not changed since it was last submitted to the HUD Field Office.</p>
B.2	<p>New Activities.</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Designated Housing for Elderly and/or Disabled Families.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Occupancy by Over-Income Families.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Occupancy by Police Officers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Non-Smoking Policies.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project-Based Vouchers.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p>Public Housing Repositioning</p> <p>The Virginia HRA currently owns and operates 275 public housing units. The units are located at the following locations:</p> <ol style="list-style-type: none"> 147 one- and two-bedroom units are located in the Columbia/Rouchleau high-rise at 600/602 3rd Avenue North, Virginia, MN 110 one-, two- and three-bedroom units are located in Pine Mill Court, Virginia, MN. These units are in townhouse style buildings. 18 two-, three- and four-bedroom units are located in scattered site duplexes and single-family homes in the City of Virginia, MN. <p>Due to the backlog of repairs needed in the public housing program across the nation, HUD has encouraged agencies operating public housing to consider the current repositioning options available to them. The Virginia HRA has capital needs that cannot be addressed with its current operating and capital funds. In order to determine if repositioning could benefit HRA projects and its residents, the Virginia HRA previously contracted with a consultant to work with the HRA to assess the feasibility of all available options including: demolition, disposition, voluntary conversion, declaration of trust release, conversion of public housing to tenant based assistance, conversion of public housing to project-based assistance under RAD and any other options made available by HUD. This process will involve the HRA board, its tenants and a hired consultant. If any repositioning option is determined to be beneficial, the HRA will proceed with the most advantageous option that will result in increased</p>

	<p>stability for our projects and residents. This approach is consistent with the PHA Plan as we are working to preserve affordable housing units and improve our resident’s quality of life through improvements to the condition, attractiveness, and image of HRA-owned housing and grounds, which is an agency strategic plan goal.</p> <p><u>Project Based Vouchers</u> The Virginia HRA will continue to examine its utilization and the need for additional PBV in 2024-2025. There is a very large need for new or rehabilitated affordable housing units across the Virginia HRA service area. If a proposed project meets the mission of the Virginia HRA, budget allows and PBV will assist in the development of new or rehabilitated units to the areas for low-income households, the HRA may issue a RFP to base more units in accordance with the current Administrative Plan.</p> <p>In addition, if the Virginia HRA, through its evaluation of repositioning options, comes to the conclusion that conversion involving project based vouchers best serves the HRA and its public housing residents, the HRA will project base vouchers at any or all of its current public housing units.</p> <p><u>Units with Approved Vacancies for Modernization</u> Depending on future capital funding, the Virginia HRA may need to request approval for additional vacancies for modernization. This will depend on whether there is sufficient Capital funding and the availability of funding from the Minnesota legislature to move forward with capital projects. The HRA also requests modernization vacancy approvals on an as needed basis for unit turnover that require modernization due to damages beyond a normal turnover.</p> <p><u>Other Capital Grant Programs</u> The HRA will continue to explore and utilize, when appropriate, all capital grant programs available to improve the public housing units and the backlog of capital improvements needed. In addition to HUD resources, the HRA will also pursue state or local programs that can be utilized on PHA projects, when available.</p>
<p>B.3</p>	<p>Progress Report.</p> <p>Provide a description of the PHA’s progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.</p> <p>See Attachment “C” – Progress Report</p>
<p>B.4</p>	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>The 2022-2026 plan was approved by the Virginia HRA board on 1/18/2022 and by the local field office on 5/10/2022.</p>
<p>B.5</p>	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe: The Virginia HRA recorded an accounts receivable for Public Housing Operating Subsidy at FYE 2023 based on what was available in eLOCCS instead of the HUD issued funding notification. The Virginia HRA changed its procedure immediately to record accounts receivable based on the HUD notification letter.</p>
<p>C. Other Document and/or Certification Requirements.</p>	
<p>C.1</p>	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>The Virginia HRA published a notice in the local paper indicating the plan was available for review and comment. The Virginia HRA sent a notice to all tenants stating the plan was available for their review and comment along with instructions on how to access a paper or electronic copy of the plan. No comments on the plan were received.</p>
<p>C.2</p>	<p>Certification by State or Local Officials.</p> <p>Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>

C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>
C.5	<p>Troubled PHA.</p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y N N/A <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>



Housing & Redevelopment Authority
of Virginia, Minnesota

ACOP Changes Approved March 8, 2023 Board Meeting

<p>3-III.B. REQUIRED DENIAL OF ADMISSION</p>	<p>Page 3-22 PHA Policy In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. <u>A conviction will be given more weight than an arrest.</u></p>
<p>3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION</p>	<p>Page 3-24 Evidence of such criminal activity includes, but is not limited to: <u>Any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years.</u> <u>A conviction for such activity will be given more weight than an arrest or an eviction</u></p>
<p>3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION</p>	<p>Page 3-25 <u>Owes rent or other amounts to any PHA in connection with Section 8, public housing, or other public housing assistance under the 1937 Act, unless the family repays the full amount of the debt prior to being selected from the waiting list.</u> <u>When denying admission due to family debts as shown in HUD's EIV system, the PHA will provide the family with a copy of the EIV Debt Owed to PHA and Termination report.</u> <u>If the family wishes to dispute the information in the report, the family must contact the PHA that entered the information in EIV in writing, explaining why EIV information is disputed. The family must also provide a copy of the letter and all applicable verification to the PHA to support the family's claim. The PHA will consider the information provided by the family prior to issuing a notice of denial.</u></p>
<p>3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION</p>	<p>Page 3-34 While a record or records of arrest will not be used as the sole basis for denial, an arrest may however, trigger an investigation to determine whether the applicant actually engaged in disqualifying criminal activity.</p>
<p>3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING</p>	<p>Page 3-37 The signer must attest under penalty of perjury to his or her<u>their</u> belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.</p> <p>Page 3-39 Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her<u>their</u> ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.</p>

<p>4-II.F. UPDATING THE WAITING LIST</p>	<p>Page 4-11</p> <p>If a family is removed from the waiting list for failure to respond, the PHA may reinstate the family if the lack of response was due to PHA error, or to circumstances beyond the family’s control, as a result of a family member’s disability, or as a direct result of status as a victim of domestic violence, dating violence, sexual assault, or stalking, including an adverse factor resulting from such abuse.</p>
<p>6-I.H. PERIODIC PAYMENTS</p>	<p>Page 6-25</p> <p>The PHA must make a special calculation of annual income when the Social Security Administration (SSA) overpays an individual, resulting in a withholding or deduction from his or hertheir benefit amount until the overpayment is paid in full.</p> <p>Applying SSA COLA to Current Annual and Interim Reexaminations</p> <p>Effective the day after SSA has announced the COLA, PHAs are required to factor in the COLA when determining Social Security and SSI annual income for all annual reexaminations and interim reexaminations of family income that have not yet been completed and will be effective January 1st or later of the upcoming year [Notice PIH 2018-24].</p>
<p>6-II.A. INTRODUCTION</p>	<p>Page 6-36 (4) Any reasonable childcare expenses necessary to enable a member of the family to be employed or to further his or hertheir education.</p> <p>Page 6-40 HUD defines <i>child care expenses</i> at 24 CFR 5.603(b) as “amounts anticipated to be paid by the family for the care of children under 13 years of age during the period for which annual income is computed, but only where such care is necessary to enable a family member to actively seek employment, be gainfully employed, or to further his or hertheir education and only to the extent such amounts are not reimbursed.</p> <p>Page 6-44 If the childcare expense being claimed is to enable a family member to further his or hertheir education, the member must be enrolled in school (academic or vocational) or participating in a formal training program. The family member is not required to be a full-time student, but the time spent in educational activities must be commensurate with the childcare claimed.</p> <p>Page 6-45 Earned Income Limit on Child Care Expense Deduction When a family member looks for work or furthers his or hertheir education, there is no cap on the amount that may be deducted for childcare – although the care must still be necessary and reasonable.</p> <p>Page 6-46 Necessary and Reasonable Costs: Child care expenses will be considered necessary if: (1) a family adequately explains how the care enables a family member to work, actively seek employment, or further his or hertheir education, and (2) the family certifies, and the child care provider verifies, that the expenses are not paid or reimbursed by any other source.</p> <p>To establish the reasonableness of child care costs, the PHA will use the schedule of child care costs from the local welfare agencya qualified local entity that either subsidizes child care costs or licenses child care providers.</p>

Page 6-53 Utility Allowance Revisions [24 CFR 965.507] ~~The PHA must review at least annually the basis on which utility allowances have been established and, if reasonably required in order to continue adherence to standards described in 24 CFR 965.505, must establish revised allowances. The PHA must review its schedule of utility allowances each year. Between annual reviews,~~ the PHA must revise the utility allowance schedule if there is a rate change that by itself or together with prior rate changes not adjusted for, results in a change of 10 percent or more from the rates on which such allowances were based. Adjustments to resident payments as a result of such changes must be retroactive to the first day of the month following the month in which the last rate change taken into account in such revision became effective. ~~Such rate changes are not subject to the 60-day notice [PHOGB, p. 171-24 CFR 965.507(b)].~~

Page 7-2 Requirements for Acceptable Documents The PHA staff member who views the original document must make a photocopy, ~~annotate the copy with the name of the person who provided the document and the date the original was viewed, and sign the copy.~~ Any family self-certifications must be made in a format acceptable to the PHA and must be signed ~~by the family member whose information or status is being verified in the presence of a PHA representative or PHA notary public.~~

Page 7-7 Written Third-Party Verification [Notice PIH 2018-18] As verification of earned income, the PHA will require the family to provide the two most current, consecutive pay stubs. ~~At the PHA's discretion, if additional paystubs are needed due to the family's circumstances (e.g., sporadic income, fluctuating schedule, etc.), the PHA may request additional paystubs or a payroll record.~~

Page 7-10 7-I.E. Self Certification The self-certification must be made in a format acceptable to the PHA and must be signed by the family member whose information or status is being verified. ~~All self-certifications must be signed in the presence of a PHA representative or PHA notary public.~~

Page 7-11 Verification of Legal Identity for Adults:

Add : Current government employer identification card with picture. If none of these documents can be provided and at the PHA's discretion, a third party who knows the person may attest to the person's identity. The certification must be provided in a format acceptable to the PHA and be signed ~~in the presence of a PHA representative or PHA notary public.~~ by the family member whose information or status is being verified. Legal identity will be verified for all applicants at the time of eligibility determination and in cases where the PHA has reason to doubt the identity of a person representing ~~him or herself~~ themselves to be a tenant or a member of a tenant family.

Page 7-13 7-II.B. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and Notice PIH 2018-24] Once an individual's status is classified as "verified" in HUD's EIV system, the PHA will not remove and destroy copies of documentation accepted as evidence of social security numbers.

Page 7-15 Absence of Adult Member If an adult member who was formerly a member of the household is reported to be permanently absent, the family must provide evidence to support that the person is no longer a member of the family (e.g., documentation of another address at which the person resides such as a lease or utility bill), [if the PHA so requests.](#)

Page 7-15 7-II.E. VERIFICATION OF STUDENT STATUS The family claims a child care deduction to enable a family member to further ~~his or her~~[their](#) education.

Page 7-16 7-II.F. Family Members Receiving SSA Disability Benefits Once the family receives the benefit verification letter, ~~it~~[they](#) will be required to provide the letter to the PHA.

Page 7-18 7-II.H. VERIFICATION OF PREFERENCE STATUS

The PHA must verify any preferences claimed by an applicant that determined ~~his or her~~[their](#) placement on the waiting list.

Page 7-20 7-III.C. PERIODIC PAYMENTS AND PAYMENTS IN LIEU OF EARNINGS

Social Security/SSI Benefits [Verification requirements for Social Security \(SS\) and Supplemental Security Income \(SSI\) benefits differ for applicants and participants. For applicants, since EIV does not contain SS or SSI benefit information, the PHA must ask applicants to provide a copy of their current SS and/or SSI benefit letter \(dated within the last 60 calendar days\) for each family member that receives SS and/or SSI benefits. If the family is unable to provide the document or documents, the PHA should help the applicant request a benefit verification letter from SSA's website at \[www.ssa.gov\]\(http://www.ssa.gov\) or ask the family to request one by calling SSA at 1-800-772-1213. The PHA must obtain the original benefit letter from the applicant, make a photocopy of the document for the file, and return the original to the family.](#)

[For participants, the PHA must obtain information through the HUD EIV system and confirm with the participants that the current listed benefit amount is correct. If the participant agrees with the amount reported in EIV, the PHA must use the EIV reported gross benefit amount to calculate annual income from Social Security. PHAs are required to use the EIV-reported SS and SSI benefit amounts when calculating income unless the tenant disputes the EIV-reported amount. For example, an SSA benefit letter may list the monthly benefit amount as \\$450.80 and EIV displays the amount as \\$450.00. The PHA must use the EIV-reported amount unless the participant disputes the amount.](#)

[If the participant disputes the EIV-reported benefit amount, or if benefit information is not available in EIV, the PHA must request a current SSA benefit verification letter \(dated within the last 60 calendar days\) from each family member that receives SS and/or SSI benefits. If the family is unable to provide the document or documents, the PHA should help the participant request a benefit verification letter from SSA's website at \[www.ssa.gov\]\(http://www.ssa.gov\) or ask the family to request one by calling SSA at 1-800-772-1213. The PHA must obtain the original benefit letter from the participant, make a photocopy of the document for the file, and return the original to the family. Photocopies of social security checks or bank statements are not acceptable forms of verification for SS/SSI benefits.](#)

[PHA Policy](#)

[To verify the SS/SSI benefits of applicants, the PHA will request a current \(dated within the last 60 days\) SSA benefit verification letter from each family member who receives social security benefits. If a family member is unable to provide the document, the PHA will help the applicant request a benefit verification letter from](#)

SSA's Web site at www.socialsecurity.gov or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the original benefit verification letter, it will be required to provide the letter to the PHA. To verify the SS/SSI benefits of residents, the PHA will obtain information about social security/SSI benefits through HUD's EIV system, and confirm with the resident(s) that the current listed benefit amount is correct. If the resident disputes the EIV reported benefit amount, or if benefit information is not available in HUD systems, the PHA will request a current SSA benefit verification letter from each family member that receives social security benefits. If a family member is unable to provide the document, the PHA will help the resident request a benefit verification letter from SSA's Web site at www.socialsecurity.gov or ask the family to request one by calling SSA at 1-800-772-1213. Once the family has received the benefit verification letter, it will be required to provide the letter to the PHA.

Page 8-16 Emergency Repairs [24 CFR 966.4(h)] Add: In situations where the unit or building has a fuel burning appliance or an attached garage, missing or inoperable carbon monoxide detectors.

Page 9-7 9-I.D. CONDUCTING ANNUAL REEXAMINATIONS Any required documents or information that the family is unable to provide at the time of the interview or any stated deadline must be provided within 10 business days of the interview.

Page 10-8 10-II.C. STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)] Add: Cat declawing is not a requirement or condition of pet ownership in public housing and HUD encourages PHAs to refrain from engaging in this practice [New PH OCC GB, *Pet Ownership*, p. 9].

Page 13-8 Over-Income Families [24 CFR 960.261; FR Notice 7/26/18; Notice PIH 2019-11] Until such time as the final rule related to alternative rent amounts becomes legally effective, the PHA will not terminate the assistance of over-income families or charge such families an alternative rent. The PHA will continue to offer such families the choice between income-based or flat rent at each annual reexamination.

Once alternative rent requirements for over-income families become legally effective, the PHA will charge any family whose income has exceeded the over-income limit for at least two years. If two years after the applicable annual or interim reexamination the family's income continues to exceed the applicable over-income limit, the PHA will charge the family a rent that is the higher of the applicable fair market rent (FMR) or the amount of monthly subsidy for the unit.

Page 16-4 Utility Allowance Revisions [24 CFR 965.507] The review must include all changes in circumstances (including completion of modernization and/or other energy conservation measures implemented by the PHA) indicating probability of a significant change in reasonable requirements and changes in utility rates [24 CFR 965.507(a)]. The PHA ~~may~~ must revise its allowances for resident-purchased utilities ~~between annual reviews~~ if there is a rate change, and is required to do so if such change, by itself or together with prior rate changes not adjusted for, results in a change of 10 percent or more from the rate on which the allowance was based. Such rate changes are not subject to the 60-day notice [24 CFR 965.507(b)].



ACOP Changes Approved May 10, 2023 Board Meeting

<p>Page 2-6 Language Addition</p>	<p>VAWA Complaint Processing [Notice FHEO 2023-01]</p> <p>A complainant may, not later than one year after an alleged VAWA violation has occurred or terminated, file a complaint with FHEO alleging such violation. If there is a violation that began prior to a year before the complaint is filed, but it continues into the one-year time period, HUD will accept the complaint. FHEO will investigate the complaint if it is timely and FHEO otherwise has jurisdiction. If a complaint is filed more than one year after the alleged violation occurred or terminated, FHEO may, but is not required to, investigate the allegations under the additional authority and procedures described in FHEO 2023-01.</p> <p>Complaints do not need to allege a violation of the Fair Housing Act for FHEO to accept and investigate the complaint.</p> <p>PHA Policy</p> <p>Applicants or tenant families who wish to file a VAWA complaint against the PHA may notify the PHA either orally or in writing.</p> <p>The PHA will advise the family of their right to file a VAWA complaint with HUD’s Office of Fair Housing and Equal Opportunity (FHEO). The PHA will inform the family that not later than one year after an alleged VAWA violation has occurred or terminated, applicants and tenants who believe they have been injured by a VAWA violation or will be injured by such a violation that is about to occur may file a VAWA complaint using FHEO’s online complaint form via mail, email, or telephone.</p> <p>The PHA will attempt to remedy complaints made against the PHA and will conduct an investigation into all allegations of discrimination.</p> <p>The PHA will keep a record of all complaints, investigations, notices, and corrective actions. (See Chapter 16.)</p>
<p>Chapter 3-I.C.& A, E, F, G Chapter 4-III.B Chapter 5.II.D Chapter 7.II.H Chapter 12.I.B,C Chapter 12.III.C,F Chapter 12.IV.D Chapter 13.III.B,C,D,F Chapter 16.VC Language Addition</p>	<p>“Human trafficking” included in addition to domestic violence, dating violence, sexual assault, and stalking anywhere such a list appears in the list of victims protected under VAWA as seen in Notices PIH 2022-06, PIH 2022-22, and PIH 2022-24.</p>





<p>Chapter 6.III.A 6.III.E Language Addition</p>	<p>Under TTP Formula</p> <p>The alternative non-public housing rent, as determined in accordance with 24 CFR 960.102</p> <p>Family Choice in Rents [24 CFR 960.253(a) and (e)] With the exception of non-public housing over income families, oOnce each year, the PHA must offer families the choice between a flat rent and an income-based rent.</p> <p>Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)] With the exception of non-public housing over-income families, aA family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship.</p>
<p>Chapter 8.I.A</p>	<p>The lease must be renewed automatically for another 12-month term, except that the PHA may not renew the lease if the family is determined to be over income for 24 consecutive months.</p>
<p>Chapter 9 Language Addition</p>	<p>With the exception of non-public housing over income families, tThe PHA is required to reexamine each family's income and composition periodically, and to adjust the family's rent accordingly.</p>
<p>Chapter 11.B 11.E Language Addition</p>	<p>Each adult resident of the PHA, who is not exempt, must [24 CFR 960.603(a)]:</p> <p>Is a member of a non-public housing over-income family.</p> <p>Non-Compliant Residents:</p> <p>Families determined to be over-income for 24 consecutive months.</p>
<p>Chapter 13.II.J Language Addition</p>	<p>13-II.J. OVER_INCOME FAMILIES [24 CFR 960.507; FR Notice 7/26/18; Notice PIH 2019-11; FR Notice 2/14/23]</p> <p>In the public housing program, an over-income family is defined as a family whose income exceeds the over-income limit for 24 consecutive months. When this occurs, the PHA must either:</p> <ul style="list-style-type: none"> • Terminate the family's tenancy within six months of the PHA's final notification of the end of the 24-month grace period; or • Within 60 days of the PHA's final notification of the end of the 24-month grace period or the next lease renewal (whichever is sooner), have the family execute a new lease that is consistent with 24 CFR 960.509 and charge the family a monthly rent that is the higher of the applicable fair market rent (FMR) or the





amount of monthly subsidy for the unit, including amounts from the operating and capital funds.

The PHA must establish a continued occupancy policy for over-income families in the ACOP indicating which of the above will occur.

PHA Policy

For families whose income exceeds the over-income limit for 24 consecutive months, the PHA will not terminate the family's tenancy and will charge the family the alternative non-public housing rent, as well as require the family to sign a new non-public housing lease in accordance with the continued occupancy policies below.

Over-Income Limit [Notice PIH 2019-11]

The PHA must publish over-income limits in their ACOP and update them no later than 60 days after HUD publishes new income limits each year. The over-income limit is calculated by multiplying the very low-income limit (VLI) by 2.4, as adjusted for family size.

PHA Policy

The PHA will rely on the following over-income limits. These numbers will be updated within 60 days of HUD publishing new income limits each year and will be effective for all annual and interim reexaminations once these policies have been adopted.

Family Size	1	2	3	4	5	6	7	8
Over-Income Limit								

For families larger than eight persons, the over-income limit will be calculated by multiplying the applicable very low-income limit by 2.4.

Decreases in Income [24 CFR 960.507(c)(4)]

If, at any time during the consecutive 24-month period following the initial over-income determination, the PHA determines that the family's income is below the over-income limit, the PHA's over-income policies no longer apply to the family. If the PHA later determines that the family's income exceeds the over-income limit at a subsequent annual or interim reexamination, the family is entitled to a new 24 consecutive month period and new notices under this section.

PHA Policy

If, at any time during the 24-month period following the initial over-income determination, an over-income family experiences a decrease in income, the family





may request an interim redetermination of rent in accordance with PHA policy in Chapter 9.

If, as a result, the previously over-income family is now below the over-income limit, the family is no longer subject to over-income provisions as of the effective date of the recertification. The PHA will notify the family in writing within 10 business days of the determination that over-income policies no longer apply to them.

Initial Notice of Over-Income Status [24 CFR 960.507(c)(1)]

If the PHA determines the family has exceeded the over-income limit during an annual or interim reexamination, the PHA must provide written notice to the family of the over-income determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit and continuing to do so for a total of 24 consecutive months will result in the PHA following its continued occupancy policy for over-income families. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit.

PHA Policy

At annual or interim reexamination, if a family's income exceeds the applicable over-income limit, within 10 business days the PHA will notify the family in writing of the determination and that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14.

Second Notice of Over-Income Status [24 CFR 960.507(c)(2)]

The PHA must conduct an income examination 12 months after the initial over-income determination, unless the PHA determined the family's income fell below the over-income limit since the initial over-income determination. If the PHA determines the family continues to exceed the over-income limit for 12 consecutive months, the PHA must provide written notification of this 12-month over-income determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit for 12 consecutive months and continuing to do so for a total of 24 consecutive months will result in the PHA following its continued occupancy policy for over-income families. Additionally, if applicable under PHA policy, the notice must include an estimate (based on current data) of the alternative non-public housing rent for the family's unit. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit.

PHA Policy



If a family's income exceeds the applicable over-income limit after 12 consecutive months, within 10 business days, the PHA will notify the family in writing of the determination and that if the family continues to be over-income for 24 consecutive months, the family will be subject to the PHA's over-income policies. The notice will provide an estimate of the alternative non-public housing rent applicable to the family at the close of the 24 consecutive month period. The notice will also state that the family may request a hearing if the family disputes the PHA's determination in accordance with PHA policies in Chapter 14.

Final Notice of Over-Income Status [24 CFR 960.507(c)(3) and 960.509]

Unless the PHA determined the family's income fell below the over-income limit since the second over-income determination, the PHA must conduct an income examination 24 months after the initial over income determination. If the family continues to be over-income based on this determination, the PHA must provide written notification of this determination no later than 30 days after the income examination. The notice must state that the family has exceeded the over-income limit for 24 consecutive months and that the PHA will follow its continued occupancy policies for over-income families. The PHA must afford the family an opportunity for a hearing if the family disputes within a reasonable time the PHA's determination that the family has exceeded the over-income limit.

PHA Policy

If a family's income exceeds the applicable over-income limit for 24 consecutive months, the PHA will notify the family in writing of the determination within 10 business days of the date of the determination. The notice will state that the family will be charged the alternative non-public housing rent in accordance with PHA continued occupancy policies and HUD regulations and provide the family's new rent amount.

The notice will also include a new non-public housing lease and inform the family that the lease must be executed by the family and the PHA no later than 60 days from the date of the notice or at the next lease renewal, whichever is sooner. The family will continue to be a public housing program participant until the family executes the new non-public housing lease. The notice will also state that failure to execute the lease within this time period stated in the notice will result in termination of tenancy no more than six months after the date of the notice. The PHA will permit an over-income family to execute a lease beyond this time period, but before termination of tenancy, if the over-income family pays the PHA the total difference between the alternative non-public housing rent and their public housing rent dating back to the point in time that the over-income family was required to execute the new lease.

Once the family signs the new non-public housing lease, the family will no longer be a public housing participant family. The family will no longer be subject to income



	<p>examinations, are precluded from participating in the resident council, and cannot participate in any programs that are only for public housing or low-income families. The non-public housing over-income lease will contain all required provisions listed at 24 CFR 960.509. The initial term of the lease will be for one year. Upon expiration of the initial lease term, the lease will not renew automatically, and subsequent leases will state renewal terms. At any time, the PHA may terminate tenancy in accordance with 24 CFR 960.509(b)(11) and in accordance with <u>state and local law.</u></p> <p>Upon execution of the lease, the tenant will be required pay the amount of monthly tenant rent (known as the alternative non-public housing rent) determined by the PHA in accordance with HUD regulations. The PHA will comply with <u>state and local law</u> in giving the tenant written notice stating any changes in the amount of tenant rent. Charges assessed under the lease will be due in accordance with <u>state and local law.</u></p>
	<p>16-II.B. FLAT RENTS [24 CFR 960.253(b) and Notice PIH 2017-23<u>2022-33</u>]</p> <p>Establishing Flat Rents</p> <p>The 2015 Appropriations Act requires that flat rents must be set at no less than 80 percent of the applicable fair market rent (FMR). Alternatively, the PHA may set flat rents at no less than 80 percent of the applicable small area FMR(SAFMR) for metropolitan areas, or 80 percent of the applicable unadjusted rents for nonmetropolitan areas.</p> <p>For areas where HUD has not determined a SAFMR or an unadjusted rent, PHAs must set flat rents at no less than 80 percent of the FMR or apply for an exception flat rent.</p> <p>The 2015 Appropriations Act permits PHAs to request apply for an exception flat rent that is lower than either 80 percent of the FMR or SAFMR/unadjusted rent if the PHA can demonstrate, through the submission of a market analysis, that these FMRs do not reflect the market value of a particular property or unit and HUD agrees with the PHA’s analysis.</p> <p>The market analysis must be submitted using form HUD-5880, “Flat Rent Market Analysis Summary.”</p> <p>PHAs must receive written HUD approval before implementing exception flat rents. PHAs with a previously approved flat rent exception request may submit a written request to extend the approved flat rents for up to two additional years, provided local market conditions remain unchanged. Detailed information on how to request exception flat rents can be found in Notice PIH <u>2022-33</u>.</p> <p>PHAs are now required to apply a utility allowance to flat rents as necessary. Flat rents set at 80 percent of the FMR must be reduced by the amount of the unit’s utility allowance, if any.</p>





Housing & Redevelopment Authority
of Virginia, Minnesota

Smaller Geographic Area FMRs

If a PHA does not believe the 80 percent FMR is reflective of its local market conditions (flat rent setting Option 1), it may use a HUD-established FMR that is based on an area geographically smaller than the effective FMR published to determine the minimum flat rent amount (flat rent setting Option 2).

To satisfy Option 2, PHAs may use the applicable Small Area Fair Market Rent (SAFMR), which HUD will publish annually on its website, available at: <http://www.huduser.org/portal/datasets/fmr/smallarea/index.html>.

For some areas for which HUD does not publish a SAFMR, HUD will permit PHAs to use 80 percent of the unadjusted rent to satisfy Option 2, which HUD will publish annually on its website.

While 80 percent of the unadjusted rent will always be lower than 100 percent of the FMR, it may or may not be lower than 80 percent of the FMR. Therefore, PHAs should assess all available options when setting its flat rent rates: • 80 percent of the FMR; or • 80 percent of the SAFMR (or if a SAFMR is not available, 80 percent of the unadjusted rent). PHAs must choose from these two options and are not permitted to establish any other smaller geographical FMRs. For areas where HUD has not determined a SAFMR or an unadjusted rent, PHAs must set rents at no less than 80 percent of the FMR or apply for an exception flat rent pursuant to the requirements of Section 5 of PIH 2022-33.



ACOP Changes Approved November 8, 2023 Board Meeting

<p>Chapter 4.III.B Page 4-15 Language Addition</p>	<p>Per PIH 2013-13 For all new admissions, PHAs must determine whether an individual or family was homeless at admission, and this information must be reported on line 4c on Form HUD 50058. Currently, our ACOP plan includes "homeless" categories 1 and 4. However, we need to incorporate "homeless" categories 2 and 3 into our policy, as follows:</p> <p>Category 2: Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> i. Residence will be lost within 14 days of the date of application for homeless assistance; ii. No subsequent residence has been identified; and iii. The individual or family lacks the resources or support networks needed to obtain other permanent housing. <p>Category 3: Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> i. Are defined as homeless under the other listed federal statutes; ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and iv. Can be expected to continue in such status for an extended period of time due to certain special needs or barriers.
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To: VHRA Board of Commissioners
From: Gigi Grahek, Assistant Executive Director
Item: ACOP Updates
Request Type: Approval Motion
 No Action Needed Discussion/Information

HUD released the "Implementation of National Standards for the Physical Inspection of Real Estate (NSPIRE) Administrative Procedures" (PIH Notice 2023-16/H 2023-07) and modifications related to Earned Income Disallowance, necessitating an update to our Admissions and Continued Occupancy Policy (ACOP). The revisions to our policy manual are outlined below:

6-I.E. EARNED INCOME DISALLOWANCE [24 CFR 960.255; Streamlining Final Rule (SFR) Federal Register 3/8/16; Notice PIH 2023-27]

HOTMA removed the statutory authority for the EID. The EID is available only to families that are eligible for and participating on the program as of December 31, 2023, or before; no new families may be added on or after January 1, 2024. If a family is receiving the EID prior to or on the effective date of December 31, 2023, they are entitled to the full amount of the benefit for a full 24-month period. The policies below are applicable only to such families. No family will still be receiving the EID after December 31, 2025. The EID will sunset on January 1, 2026, and the PHA policies below will no longer be applicable as of that date or when the last qualifying family exhausts their exclusion period, whichever is sooner.

~~The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.~~

~~Eligibility~~

~~This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:~~

- ~~1. Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. Previously unemployed includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.~~
- ~~2. Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].~~
- ~~3. New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.~~

~~Lifetime Limitation~~

~~The EID has a two-year (24-month) lifetime maximum. The two-year eligibility period begins at the same time that the initial exclusion period begins and ends 24 months later. During the 24-month period, an individual remains eligible for EID even if they begin to receive assistance from a different housing agency, move between public housing and Section 8 assistance, or~~

have breaks in assistance. The EID will sunset on January 1, 2026. In no circumstances will a family member's exclusion period continue past January 1, 2026.

1-I.D. THE PHA'S COMMITMENT TO ETHICS AND SERVICE

- Provide housing that is safe, habitable, functionally adequate, operable, and free of health and safety hazards—in compliance with the National Standards for the Physical Inspection of Real Estate: Inspection Standards (NSPIRE)—~~decent, safe, and sanitary housing in good repair—in compliance with program uniform physical condition standards~~—for very low- and low-income families.

1-II.B. PUBLIC HOUSING PROGRAM BASICS

The job of the PHA pursuant to HUD regulations is to provide ~~decent, safe, and sanitary housing, in good repair~~ safe, habitable dwelling units, to low-income families at an affordable rent.

1-II.C. PUBLIC HOUSING PARTNERSHIPS

- Maintain properties to the standard of ~~decent, safe, sanitary, and in good repair~~ safe, habitable dwelling units (including assuring compliance with ~~uniform physical conditions standards~~ National Standards for the Physical Inspection of Real Estate (NSPIRE))
- Comply with all fair housing and equal opportunity requirements, HUD regulations and requirements, the ~~Annual Contributions Contract~~ ACC, HUD-approved applications for funding, the PHA's ACOP, and other applicable federal, state and local laws.
- Take responsibility for care of the housing unit, including any violations of ~~uniform physical condition standards~~ NSPIRE caused by the family
Chapter 8- Leasing and Inspections
- Part II: Inspections. This part describes the PHA's policies for inspecting dwelling units and notifying families of HUD REAC NSPIRE inspections.

8-II.A. OVERVIEW

The PHA is obligated to maintain safe and habitable dwelling units and to make necessary repairs to dwelling units [24 CFR 966.4(e)]. The National Standards for the Inspection Physical Inspection of Real Estate (NSPIRE) are the standard under which HUD housing units, including those under the public housing program, are inspected. NSPIRE ensures that residents of public housing live in safe, habitable dwellings, and the items and components located inside, outside, and within the units are functionally adequate, operable, and free of health and safety hazards [24 CFR 5.703(a)]. Further, units must comply with state and local code requirements (such as fire, mechanical, plumbing, carbon monoxide, property maintenance, and residential code) [24 CFR 5.703(f)] as well as with all requirements related to the evaluation and control of lead-based paint hazards [24 CFR 5.703(e)(2)].

Under NSPIRE, public housing units are subject to three types of inspections: annual self-inspections, NSPIRE Inspections (which are used to assess and score the PHA under the Public Housing Assessment System (PHAS)), and NSPIRE Plus Inspections (which are triggered by poor property conditions). HUD regulations also require the PHA to inspect each public housing ~~dwelling unit prior to move-in, and at move-out, and annually during occupancy.~~ In addition, ~~T~~the PHA may require additional inspections, in accordance with PHA pPolicy. This part contains the PHA's policies governing inspections by the PHA and HUD, notification of unit entry, and inspection ~~results~~ repair timelines. This section discusses inspections conducted by the PHA (including annual self-inspections) and inspections conducted by HUD REAC.

8-II.B. TYPES OF PHA-CONDUCTED INSPECTIONS

The PHA is obligated to maintain dwelling units and the project in safe and habitable condition and to make necessary repairs to dwelling units [24 CFR 966.4(e)].

Types of PHA-Conducted Inspections

Self-Inspections [24 CFR 5.707]

Annually all PHAs are required to self-inspect their properties, including all units, to ensure units are maintained in accordance with NSPIRE standards in 24 CFR 5.703. As part of the self-inspection process, PHAs must ensure that deficiencies previously cited and repaired as a result of an NSPIRE inspection have not subsequently failed.

The PHA must maintain the results of self-inspections for three years and must provide the results to HUD upon request.

Annual Inspections [24 CFR 5.705]

Section 6(f)(3) of the United States Housing Act of 1937 requires that PHAs inspect each public housing project annually to ensure that the project's units are maintained in decent, safe, and sanitary condition. The PHA shall continue using the Uniform Physical Condition Standards (UPCS) in 24 CFR 5, Subpart G, Physical Condition Standards and Inspection Requirements, to conduct annual project inspections. These standards address the inspection of the site area, building systems and components, and dwelling units.

PHA Policy

The PHA will inspect all occupied units annually using HUD's Uniform Physical Condition Standards (UPCS).

Attendance at Inspections

In compliance with 24 CFR § 966.4 the PHA and the tenant or representative shall be obligated to inspect the dwelling unit prior to commencement of occupancy by the tenant.

PHA Policy

In compliance with 24 CFR § 966.4 the PHA and the tenant or representative shall be obligated to inspect the dwelling unit prior to commencement of occupancy by the tenant.

The PHA will comply with state statute 504B.182 Section 1 and 2 for initial and move out inspections.

The resident may attend any other inspections (housekeeping, annual, NSPIRE inspections etc) if they wish.

If no one is at home, the representatives of PHA and the inspector will enter the unit, conduct the inspection.

8-II.D. INSPECTION RESULTS

Repairs

The PHA is obligated to maintain dwelling units and the project in decent, safe and sanitary condition and to make necessary repairs to dwelling units [24 CFR 966.4(e)]. Correction timeframes differ depending on whether repairs are considered emergency or non-emergency repairs.

Emergency Repairs [24 CFR 966.4(h)]

Under NSPIRE, the PHA must correct all Life-Threatening and Severe deficiencies within 24 hours.

PHA Policy

When conditions in the unit are hazardous to life, health, or safety, the PHA will make repairs or otherwise abate the situation within 24 hours.

Defects hazardous to life, health, or safety include, but are not limited to, the following:

Any condition that jeopardizes the security of the unit

Major plumbing leaks or flooding, waterlogged ceiling or floor in imminent danger of falling

Natural or LP gas or fuel oil leaks

Any electrical problem or condition that could result in shock or fire

Absence of a working heating system when outside temperature is below 60 degrees Fahrenheit

Utilities not in service, including no running hot water

Conditions that present the imminent possibility of injury

Obstacles that prevent safe entrance or exit from the unit

Absence of a functioning toilet in the unit

Inoperable smoke detectors

In situations where the unit or building has a fuel burning appliance or an attached garage, missing or inoperable carbon monoxide detectors

8-II.C. NSPIRE INSPECTIONS [24 CFR 5.705(c); Notice PIH 2023-16]

During an NSPIRE inspection, REAC inspectors will inspect areas and associated items or components that are listed in the regulations as affirmative requirements and those included within the NSPIRE standards. For most properties, the frequency of NSPIRE inspections is determined by the date of the prior inspection and the score received.

Notice to Residents [Notice PIH 2023-16]

The PHA must provide notice to all residents as described in 24 CFR 5.711(h) and the lease.

PHA Policy

The PHA will provide all residents with at least seven days' notice of an NSPIRE inspection. Notice will be provided in writing, delivered to the Resident or to any adult member of the household residing in the dwelling unit, or sent by first class mail addressed to the Resident. In addition to written notification, PHA may use other communication methods, through paper or electronic means, including email, text messaging, or through notices posted on the bulletin boards, halls, or on each resident's door. All materials, notices, and communications to families regarding the inspection will be clearly communicated and provided in a manner that is effective for persons with hearing, visual,

and other communication-related disabilities consistent with Section 504 of the Rehabilitation Act (Section 504) and HUD's Section 504 regulation, and Titles II or III of the Americans with Disabilities Act (ADA) and implementing regulations.

24-Hour Corrections [24 CFR 5.711(c); Notice PIH 2023-16]

At the conclusion of the NSPIRE inspection, or at the end of the day on multi-day inspections, HUD provides the PHA with a list of Life-Threatening and Severe deficiencies. The PHA must correct all Life-Threatening and Severe deficiencies within 24 hours, with certification of correction submitted to HUD within two business days of receipt of notification of the deficiency. If permanent repair will take longer than the allowable time in the relevant standard for the deficiency, the PHA must provide HUD with a timeframe for completing permanent repairs and submit evidence that the repair is in progress. Any extension to the allowable time for rectifying the deficiency is allowed only upon HUD approval for good cause.

PHA Policy

The PHA will correct all Life-Threatening and Severe deficiencies within 24 hours. Correcting the deficiency means the PHA will resolve or sufficiently address the deficiency in a manner that it no longer poses a severe health or safety risk to residents, or the hazard is blocked until permanent repairs can be completed in accordance with PIH 2023-16. The family must allow the PHA access to the unit to make repairs.

Non-emergency Repairs

Under NSPIRE, the PHA must correct Moderate deficiencies within 30 days and Low deficiencies within 60 days, or as otherwise provided in the NSPIRE standards. Repairs should be permanent fixes, unless otherwise approved by HUD in writing. HUD may also prescribe timelines in Corrective Action Plans as defined in 24 CFR 902.3 or Corrective Action Agreements as described in 24 CFR 902.105.

PHA Policy

If the PHA is unable to make repairs within the periods identified in the NSPIRE standards due to circumstances beyond the PHA's control (e.g., required parts or services are not available, weather conditions, etc.), the PHA will provide HUD with a timeframe for completing permanent repairs in accordance with PIH 2023-16. The family must allow the PHA access to the unit to make repairs.



Administrative Plan Changes Approved by Board March 2, 2023

Chapter 4-III.C

~~1. The PHA will offer a preference to any family that has been terminated from its HCV program due to insufficient program funding.~~

1. The PHA will offer a preference to any family that has been or will be terminated from the HCV program or any other rental assistance program administered by the Virginia HRA due to insufficient program funding.



Administrative Plan Changes Approved by Board November 8, 2023

<p>Chapter 4.III.B Page 4-15 Language Addition</p>	<p>Per PIH 2013-13 For all new admissions, PHAs must determine whether an individual or family was homeless at admission, and this information must be reported on line 4c on Form HUD 50058. For this reason, the HCV program must include the following categories in its Administrative Plan for defining homelessness.</p> <p>Category 1: Individual or family who lacks a fixed, regular, and adequate nighttime residence, meaning:</p> <ul style="list-style-type: none"> i. Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; ii. Is living in a publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or iii. Is exiting an institution where the individual or family resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution. <p>Category 2: Individual or family who will imminently lose their primary nighttime residence, provided that:</p> <ul style="list-style-type: none"> i. Residence will be lost within 14 days of the date of application for homeless assistance; ii. No subsequent residence has been identified; and iii. The individual or family lacks the resources or support networks needed to obtain other permanent housing. <p>Category 3: Unaccompanied youth under 25 years of age, or families with children and youth, who do not otherwise qualify as homeless under this definition, but who:</p> <ul style="list-style-type: none"> i. Are defined as homeless under the other listed federal statutes; ii. Have not had a lease, ownership interest, or occupancy agreement in permanent housing during the 60 days prior to the homeless assistance application; iii. Have experienced persistent instability as measured by two moves or more during the 60-day period immediately preceding the date of applying for homeless assistance; and iv. Can be expected to continue in such status for an extended period of time due to certain special needs or barriers.
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Category 4: Any individual or family who:

- i. Is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence;
- ii. Has no other residence; and
- iii. Lacks the resources or support networks to obtain other permanent housing.



To: VHRA Board of Commissioners
From: Greg Lee, HCV Program Manager
Item: Admin Plan Updates
Request Type: Approval Motion
 No Action Needed Discussion/Information

6-I.E. EARNED INCOME DISALLOWANCE [24 CFR 960.255; Streamlining Final Rule (SFR) Federal Register 3/8/16; Notice PIH 2023-27]

HOTMA removed the statutory authority for the EID. The EID is available only to families that are eligible for and participating on the program as of [December 31, 2023](#), or before; no new families may be added on or after [January 1, 2024](#). If a family is receiving the EID prior to or on the effective date of [December 31, 2023](#), they are entitled to the full amount of the benefit for a full 24-month period. The policies below are applicable only to such families. [No family will still be receiving the EID after December 31, 2025](#). The EID will sunset on [January 1, 2026](#), and the PHA policies below will no longer be applicable as of that date or when the last qualifying family exhausts their exclusion period, whichever is sooner.

~~The earned income disallowance (EID) encourages people with disabilities to enter the work force by not including the full value of increases in earned income for a period of time. The full text of 24 CFR 5.617 is included as Exhibit 6-4 at the end of this chapter. Eligibility criteria and limitations on the disallowance are summarized below.~~

Eligibility

~~This disallowance applies only to individuals in families already participating in the HCV program (not at initial examination). To qualify, the family must experience an increase in annual income that is the result of one of the following events:~~

- ~~• Employment of a family member who is a person with disabilities and who was previously unemployed for one or more years prior to employment. Previously unemployed includes a person who annually has earned not more than the minimum wage applicable to the community multiplied by 500 hours. The applicable minimum wage is the federal minimum wage unless there is a higher state or local minimum wage.~~
- ~~• Increased earnings by a family member who is a person with disabilities and whose earnings increase during participation in an economic self-sufficiency or job-training program. A self-sufficiency program includes a program designed to encourage, assist, train, or facilitate the economic independence of HUD-assisted families or to provide work to such families [24 CFR 5.603(b)].~~
- ~~• New employment or increased earnings by a family member who is a person with disabilities and who has received benefits or services under Temporary Assistance for Needy Families (TANF) or any other state program funded under Part A of Title IV of the Social Security Act within the past six months. If the benefits are received in the form of monthly maintenance, there is no minimum amount. If the benefits or services are received in a form other than monthly maintenance, such as one-time payments, wage subsidies, or transportation assistance, the total amount received over the six-month period must be at least \$500.~~

Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.

Goal #1: Residents will experience a higher quality of life through improvements to the condition, attractiveness, and image of existing HRA-owned housing and grounds.

Action Items Completed during 5-year Agency Plan (4/1/2020 to Current):

Columbia/Rouchleau Apartments:

1. Two elevators in the Columbia Apartment building were upgraded.
2. Installed valve system so plumbing does not have to be shut off to entire building for repairs.
3. Installed new A/C unit and ceiling fans in Columbia community room.
4. Updated Rouchleau community room with new seating, bookshelves, paint and décor/art.
5. Added new seating in all common areas and outdoors.
6. Added new tables in the game room.
7. Added new monitors with webcams in the computer room.
8. Updated puzzle room with new chairs, paint, window treatments and ceiling fans.
9. Added new high-efficiency Speed Queen washers and dryers in laundry rooms.
10. Replaced rooftop ventilation units to improve efficiency of building ventilation system in the Columbia.
11. Fire safety upgrades were completed in all common areas and apartments.
12. A new security camera system was installed.
13. Completed boiler upgrades to increase the efficiency of the boilers at the Columbia/Rouchleau location.
14. Installed additional vestibule heaters and air curtains at Columbia/Rouchleau entrances.
15. Replaced ceiling tiles in the first-floor common areas and painted entrances.
16. Replaced computers in computer lab with new computers for residents.
17. Painted hallways on the main floor and laundry areas and re-decorated to be more inviting.
18. Replaced roof on Columbia building. Rouchleau roof in progress.
19. Created a game room for tenants in the Columbia.
20. Residents participated in a clean-up day at the Columbia/Rouchleau. This event has been established as an annual event.

Attachment C – Progress Report
Housing & Redevelopment Authority of Virginia, MN

Goal #1: Residents will experience a higher quality of life through improvements to the condition, attractiveness, and image of existing HRA-owned housing and grounds. (cont'd)

Pine Mill Court Apartments:

1. Minnesota Housing Finance Agency awarded the Virginia HRA funding and approved an expanded scope of work for exterior improvements and lead based pain abatement. Work has reached substantial completion on all 10 buildings.
2. The City of Virginia has completed road, sidewalk and lighting improvements.
3. Pine Mill Court residents participated in a clean-up day at the Pine Mill Court. This event has been established as an annual event.
4. Installed a new security camera system at the Pine Mill Court location.
5. Painted porches, railings and posts.

Goal #2: Prospective and current residents and landlords will receive tailored and timely communication and education from the HRA team that facilitates greater mutual understanding.

Action Items Completed during 5-year Agency Plan (4/1/2020 to Current):

1. Communication with tenants increased at Pine Mill Court with a new bi-annual newsletter that is hand delivered to residents.
2. Communication with tenants at Columbia/Rouchleau increased with information being submitted by the HRA to the resident originated newsletter.
3. Information on the agency strategic plan was shared with all residents.
4. All new tenants, landlords and Section 8 participants receive the Attorney Generals handbook.
5. Converted from paper to online application process for Public Housing and HCV.
6. Developed informational webinar for new public housing tenants to view at lease-up.
7. Provided financial literacy skills workshop for tenants and Section 8 participants.
8. Held training for area Landlords on the Section 8 process and the legislative changes that are going into effect in 2024.