

**FY2026
MOVING TO WORK
ANNUAL PLAN**

Orlando Housing Authority Executive Office
April 1, 2025 through March 31, 2026

THE ORLANDO HOUSING AUTHORITY

2026 Moving to Work (MTW) Annual Plan

April 1, 2025 – March 31, 2026

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SECTION I

INTRODUCTION

SECTION I – INTRODUCTION

An Overview of the Orlando Housing Authority's (OHA) Short-Term and Long-Term Goals and Objectives

MTW Activities

As an MTW agency, the OHA may modify certain requirements to achieve one or more of the following MTW statutory objectives:

1. Reduce cost and achieve greater cost-effectiveness in federal expenditures.
2. Give incentives to families with children where the head of household is working, is seeking work, or is preparing for work by participating in job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient; and
3. Increase housing choices for low-income families.

In general, the OHA's short-term and long-term goals are to continue implementing the current MTW activities and uses of funds. One goal of the OHA is to reposition the OHA housing stock by demolishing the Lake Mann, Griffin Park, Ivey Lane, Reeves Terrace, Murchison Terrace, and Lorna Doone developments. The OHA has submitted applications to the Special Applications Center (SAC) with the intention of revitalizing those neighborhoods with innovative housing. The OHA is also investigating alternative repositioning options, including RAD and RAD/Section 18 Blend. OHA is exploring the development of vacant land on or near the following properties: Villas at Hampton Park, Antioch Manor, and Marden Meadows Apartments. The plan details all activities and uses of funds. In FY2026, the OHA is seeking the U.S. Department of Housing and Urban Development's (HUD) approval for two proposed initiatives: Proposed Initiative: Activity 15: Orlando Housing Authority and Orange County Public Schools Pilot Program. Proposed Initiative: Activity 16: Modified Project-Based Voucher (PBV) Program.

The following MTW activities are implemented:

Activity 1: \$225 Minimum Rent for Non-Elderly and Non-Disabled Households. The OHA modified this activity in FY2021 from a \$225 rent floor to a \$225 minimum rent and added a minimum work requirement. Additional rent reform measures were proposed to simplify rent calculations, increase revenue for the OHA, and encourage self-sufficiency amongst the residents and participants. These new measures were implemented in the fall of 2019.

Activity 2: Streamline the Recertification Process in the Public Housing and Housing Choice Voucher Programs, which has been fully implemented. One-third of the OHA's population takes part each year in a full recertification, while the remaining two-thirds complete an annual update.

Activity 6: Provide up to 50 One and Two-Bedroom Units and Supportive Services at West Oaks Apartments for up to 24 Months for Homeless Individuals without a competitive process. The transitional housing will be available to agencies that commit to providing supportive services.

Activity 8: Project-Based Vouchers in OHA-Owned Properties has been implemented and units are in the ongoing process of placement.

Activity 9: Establishment of an Agency-Wide \$100 Minimum Rent. This activity is applicable to all households except non-elderly & non-disabled residents & participants, VASH, Tenant Based Rental Assistance participants (non-MTW), Tenant Based Rental Assistance participants (Activity 10), and Antioch residents (non-MTW). Other rent reform measures were proposed in FY2021 to simplify rent calculations and increase revenue for the OHA. These new measures were implemented in the fall of 2019.

Activity 10: Tenant-Based Voucher Homelessness Prevention Program has been implemented, and progress is being made. The City of Orlando no longer provided the case management that was initially agreed upon. OHA will continue to help 42 families under this activity.

Non-MTW Activities

The OHA administers a number of non-MTW programs. Such programs include, but are not limited to, the following:

- (1) vouchers for non-elderly persons with disabilities (NED),
- (2) HUD Veteran Affairs Supportive Housing (VASH) vouchers,
- (3) vouchers for single-room occupancy (SRO),
- (4) family unification vouchers (FUP),
- (5) resident opportunities and supportive services (ROSS),
- (6) family self-sufficiency program (FSS),
- (7) non-public housing or Housing Choice Voucher (HCV) units,
- (8) administration of the Sanford Housing Authority (SHA) by way of an interlocal agreement
- (9) administration of OHA vouchers in the Sanford jurisdiction
- (10) Mainstream (NED), and
- (11) Emergency Housing Voucher Program (EHV) for the Homeless

These programs are essential in supporting and assisting residents and participants who are not involved in MTW activities. For uniformity, the OHA received HUD approval to extend the MTW flexibilities to the Orlando Housing Authority Special Purpose Vouchers in the Sanford jurisdiction. The OHA is now able to apply these flexibilities to its Single Room Occupancy (SRO) program, as well.

The OHA's non-public housing complexes are located at West Oaks Apartments (180 one- and two-bedroom units) and Antioch Manor (a project-based section 202 property consisting of 101 units for the elderly). The OHA's other non-public housing unit is the 75-unit Jackson Court/Division Oaks Development, which is owned by Orlando Properties Inc. Jackson Court is a 58-unit, 3-story senior housing apartment complex with one-bedroom units only. Division Oaks is a two-story, 17-unit family apartment complex.

In addition, the OHA maintains oversight of the Carver Park HOPE VI development, which includes The Landings at Carver Park and The Villas at Carver Park. The Landings at Carver Park offers 56 units of affordable housing for families (26 tax credit units and 30 tax credit/public housing units), and The Villas at Carver Park is a 64-unit tax credit/public housing apartment complex for the elderly.

The OHA will continue to implement the PBV activity at OHA-owned sites. The OHA will also continue to manage its non-public housing properties [is this accurate?] and seek opportunities to increase its housing portfolio so that additional affordable housing options are available to the community. In addition, the OHA is committed to improving the quality of housing for its residents as funding permits.

The OHA collaborated with local non-profit Lift Orlando, Inc. to provide Project-Based Vouchers (PBVs) at two new rental developments to improve housing affordability for low-income households: Pendana I (family, 20 PBVs) and Pendana II (senior, 24 PBVs). Lift Orlando is spearheading the comprehensive redevelopment of an area west of downtown Orlando, now titled West Lakes/Lake Mann.

In September 2023, the U.S. Department of Housing and Urban Development (HUD) awarded the OHA and Lift Orlando, Inc. (co-applicants) a 2023 Choice Neighborhoods Planning Grant for the West Lakes/Lake Mann neighborhood that includes the Lorna Doone Apartments and Lake Mann Homes public housing sites. The OHA, Lift Orlando, the City of Orlando, community residents, stakeholders, and partners are developing a comprehensive Transformation Plan for the targeted community. The Plan will focus on improving outcomes in three (3) core areas: Housing, People, and Neighborhood.

Project-Based VASH

The OHA will project-base forty-five (45) Veterans Affairs Supportive Housing (VASH) vouchers at select locations within Orange and Seminole Counties. The OHA will collaborate with viable partners in the community to execute this initiative with the purpose of housing difficult-to-place homeless veterans.

Rental Assistance Demonstration Program

The OHA received HUD approval for a Rental Assistance Demonstration (RAD) Portfolio Award for the Citrus Square public housing site in March 2015; Citrus Square Apartments is the only OHA RAD property. Although the OHA applied for and was awarded HUD RAD applications at other OHA properties, the OHA decided not to pursue RAD conversions at any of its approved properties.

Citrus Square Apartments

Citrus Square Apartments, built in 1982, is an 87-unit, multi-family property comprising 45 buildings situated on 10 acres in east Orlando. The OHA submitted an RAD application in December 2013 to convert units at Citrus Square to Project Based Vouchers (PBV) under the RAD program. The Citrus Square RAD Conversion closed on December 28, 2017. Ovation Housing LLLP owns Citrus Square, and Stephenson and Moore, Inc. manage the property.

Other Public Housing Sites

OHA seeks to reposition six (6) public housing sites: Lake Mann, Griffin Park, Ivey Lane, Reeves Terrace, Murchison Terrace, and Lorna Doone developments. The OHA submitted Section 18 Inventory Removal Applications (demolition) to the Special Applications Center (SAC) with the intention of revitalizing those neighborhoods with innovative housing. OHA is also evaluating alternative repositioning options, including RAD, RAD/Section 18 Blend, and the Choice Neighborhoods Program.

One of the six public housing sites, Griffin Park, had exigent conditions. The severity of the exigent conditions required a change in the normal process and an enormous effort. Normally, the Special Applications Center (SAC) will approve the demolition application, and then the housing authority will implement the following activities: request tenant protection vouchers (TPV), issue TPVs, relocate households, provide for their reasonable accommodation needs, etc. Because of the exigent conditions, the process was not the usual process. The COVID-19 pandemic exacerbated the pace of the Griffin Park demolition application and activities. Offices that normally respond quickly had delayed processing. The SAC approved the Section 18 Demolition application for Griffin Park in February 2023. OHA relocated Griffin Park residents into vacant public units at other OHA sites prior to HUD demolition approval. The OHA applied for and received HUD tenant protection vouchers to allow eligible relocated residents to lease affordable housing units in the private market. The OHA will reposition Griffin Park with new transformative housing that commemorates the rich history of the site and former residents.

OHA intends to apply for a HUD Choice Neighborhood Implementation Grant to include Lorna Doone Apartments, Lake Mann Homes, and Murchison Terrace. In addition, the OHA will submit a HUD CNI Application for Murchison Terrace Apartments and the surrounding neighborhood.

The OHA may apply to HUD for a Rental Assistance Demonstration (RAD)/Section 18 Construction Blend for Ivey Lane Homes, Reeves Terrace Apartments, and possibly Murchison Terrace Apartments.

Sanford Housing Authority (SHA)

The OHA continues to manage the Sanford Housing Authority (SHA). The goal and objective of the SHA is to redevelop its former public housing sites. In FY2019, The OHA and SHA broke ground on the new Georgetown Square in Sanford. Construction was completed in January 2021. The SHA also broke ground on Monroe Landings, which was completed in February 2022. SHA broke ground on Somerset Landings that should be completed in the first quarter of 2024. OHA plans to include 63 Project Based Vouchers in Somerset Landings. The Housing Authority of the City of Sanford, Florida (SHA) obtained an MTW designation as part of Cohort #5, Asset Building Initiatives.

SECTION II

GENERAL HOUSING AUTHORITY

OPERATING INFORMATION

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SECTION II - GENERAL HOUSING AUTHORITY OPERATING INFORMATION

A. HOUSING STOCK INFORMATION

i. Planned New Public Housing Units

ASSET MANAGEMENT PROJECT (AMP) FILL IN NAME AND NUMBER	0/1 Bdm	2 Bdm	3 Bdm	4 Bdm	5 Bdm	6+ Bdm	TOTAL UNITS	POPULATION TYPE**	Section 504 Accessible Units* (Mobility)	Section 504 Units* (Hearing / Vision)
PIC Dev. #/AMP PIC Dev. Name	0	0	0	0	0	0	0	N/A	N/A	N/A

Total Public Housing Units to be Added in the Plan Year:	0
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ii. Planned Public Housing Units to be Removed

AMP NAME AND NUMBER	NUMBER OF UNITS TO BE REMOVED	EXPLANATION FOR REMOVAL
N/A		
TOTAL: Public Housing Units to be Removed in the Plan Year	0	

iii. Planned New Project Based Vouchers

PROPERTY NAME	NUMBER OF VOUCHERS TO BE PROJECT-BASED	RAD?	DESCRIPTION OF PROJECT
Somerset Landings	63	No	Somerset Landings is an 84-unit development family that is under construction in the City of Sanford, FL. The OHA will use 63 PBV vouchers to support the units that are 30% AMI. Somerset Landings is currently leasing up at the property.
TOTAL: Planned new Project Based Units in Plan Year	63		

iv. Existing Project Based Vouchers

PROPERTY NAME	NUMBER OF PROJECT-BASED VOUCHERS	PLANNED STATUS AT END OF PLAN YEAR*	RAD?	DESCRIPTION OF PROJECT
Citrus Square	87	Leased	Yes	Citrus Square Apartments is located at 5625 Hickey Avenue. The property consists of 45 buildings and includes: (9) 1-bedroom units, (56) 2-bedroom units, (18) 3- 3-bedroom units, and (4) 4-bedroom units. The RAD Conversion of Citrus Square allows for the proper maintenance of the complex necessary repairs/upgrades and the improvement of accessible units. The RAD conversion closed in December 2017.
West Oaks	10	Committed	No	Activity 6: Transitional Housing The OHA is project-basing up to fifty units to provide transitional housing to homeless individuals (up to twenty-four months) at West Oaks Apartments, a three-story 280-unit affordable market-rate rental property. The OHA is working with the Salvation Army, the Orlando Union Rescue Mission, and other service providers to provide case management as a preventative measure against homelessness. A total of ten (10) vouchers/units are to be committed for Activity 6 by the end of FY2024. The ten (10) units are committed by an executed HAP already in place.
Jackson Court/Division Oaks /West Oaks	75	Committed and Leased	No	Activity 8: PBVs in OHA-Owned Units The OHA is project basing up to 20% or 538 of its available tenant-based HCVs at OHA-owned units. Jackson Court, Division Oaks, and West Oaks (in addition to the vouchers to be used in connection with Activity 6) are sites for the project-based voucher program.
Pendana at WestLake (Phase I)	20	Committed and Leased	No	Lift Orlando has embarked on the redevelopment of a significant area of blighted housing west of downtown Orlando in the Washington Shores Community, now known as West Lakes. Lift Orlando collaborated with the OHA to help make the new housing more affordable. Orlando's Washington Shores community, formerly The Villages of West Lakes, Pendana Phase I, is complete. OHA provided 20 project-based vouchers for the chronic and low-income homeless.

PROPERTY NAME	NUMBER OF PROJECT-BASED VOUCHERS	PLANNED STATUS AT END OF PLAN YEAR*	RAD?	DESCRIPTION OF PROJECT
Pendana at WestLake (Phase II)	24	Committed and Leased	No	Lift Orlando has embarked on the redevelopment of a significant area of blighted housing west of downtown Orlando in the Washington Shores Community, now known as West Lakes. Lift Orlando collaborated with the OHA to help make the new housing more affordable. Orlando's Washington Shores community, formerly The Villages of West Lakes, Pendana Phase II, is complete. OHA provided 24 project-based vouchers to improve affordability for low income seniors.
Redding Gardens / Georgetown Square	28	Committed	No	The OHA manages the Sanford Housing Authority's (SHA) day-to-day operations and redevelopment. The SHA received a tax credit award to redevelop 90 units at the former Redding Gardens site. The tax credit market saw a sharp drop in equity, causing a gap in funding. The developer, Gardner Capital, requested PBVs to be placed in the project so that additional debt could be used along with a Florida Housing Finance Corporation loan to cover the gap financing. The 28 PBVs are in place with an executed HAP.
Monroe Landing	20	Committed	No	Monroe Landings is a 60-unit new development family property in the City of Sanford, FL. The OHA uses 20 PBV vouchers to support the units that are 30% AMI. OHA is considering converting seven (7) Public Housing units into rental assistance programs as Project Based Section 8.
Total: Planned Existing Project-Based Vouchers	264			

PLANNED OTHER CHANGES TO MTW HOUSING STOCK ANTICIPATED IN THE PLAN YEAR

The OHA executed a Voluntary Compliance Agreement (VCA) with HUD in March 2015 to achieve full compliance with the Americans with Disabilities Act (ADA), the Architectural Barriers Act of 1968 (ABA), the Fair Housing Act (FHA), and the Uniform Federal Accessibility Standards (UFAS). The VCA was amended for the first time in November 2017 and for the second time in August 2023. A third amendment of the VCA is currently being negotiated with HUD, with the most recent meeting being held on April 19, 2024. The VCA will terminate upon OHA's full completion of its terms and conditions, including but not limited to the completion of modifications to its public housing sites to achieve UFAS compliance. The VCA includes but is not limited to the following highlights:

General VCA Highlights

- Hired a VCA Administrator
- Hired a Fair Housing Coordinator
- OHA provides quarterly reports to HUD regarding the status and disposition of all requests processed by OHA's reasonable accommodations department and the progress of OHA's UFAS-compliant construction projects.

Section 504 Highlights

- Hired two 504/ADA/Reasonable Accommodation Coordinators.
- OHA is required to construct or convert a minimum of 5% of its public housing units into UFAS-accessible units and 2% of its public housing units into UFAS-compliant hearing/visual units. This will be done for the public housing properties remaining after the demolition or conversion of six of OHA's public housing sites: Griffin Park (demolition application has already been approved and demolition is currently underway); Lorna Doone, Lake Mann, and Murchison Terrace (to be in OHA's 2025 Choice Neighborhood Initiative (CNI) Implementation Grant application for demolition and redevelopment); and Reeves Terrace and Ivey Lane (possibly to be converted into RAD Blend properties). After removing these six properties from consideration, there are a total of 474 public housing units (87 of which have undergone a RAD conversion at Citrus Square Apartments), meaning 23 (28 are proposed) must be made UFAS-accessible and 10 (12 are proposed) must be made into UFAS-compliant hearing/visual units. Thus far, OHA has completed 10 UFAS-accessible units and 4 UFAS-compliant hearing/visual units.
- OHA is also required to bring its non-housing programs (e.g., common areas, entrances, offices, elevators, corridors, hallways, restrooms, etc.) into compliance with UFAS requirements unless the required changes are structurally impracticable or pose an undue financial or administrative burden.
- The required construction ranges from minor or moderate modifications to major rehabilitation.
- Modification of existing policies and/or procedures, specifically resident transportation, effective communication, transfers, service/emotional support animals, and reasonable accommodations.
- Supplement OHA's existing educational program to improve employees' ability to understand disability-related laws.
- Provide initial and refresher notices to heads of households describing the Agreement. Also, provide copies of the Agreement to each manager and duly elected Resident Council.
- Created Section 504 email addresses for incoming disability-related inquiries and reasonable accommodation and modification requests.
- OHA automated its reasonable accommodation process through the creation of a new website that allows participants and applicants to complete reasonable accommodation forms, submit medical verification documentation, and track the status of their request.
- Developed a reasonable accommodation requestor's guide, a guide for how to use OHA's reasonable accommodation website, and a Frequently Asked Question (FAQ) document regarding reasonable accommodations.

Section 3 Highlights

- Hired a Section 3 Coordinator.
- Supplementation of the already existing Section 3 Plan.
- Supplementation of the staff educational program related to the requirements of Section 3.
- Providing training for all current and new employees who are responsible for any Section 3 activities.

GENERAL DESCRIPTION OF ALL PLANNED CAPITAL EXPENDITURES DURING THE PLAN YEAR

The OHA plans to reposition six of its properties: Griffin Park, Lake Mann, Lorna Doone, Murchison Terrace, Ivey Lane, and Reeves Terrace. This will entail demolition, relocation of the residents, and the redevelopment of the properties. The OHA plans to continue to address its health and safety needs at its public housing sites.

The OHA will continue to use Capital Funds in FY2026 to retrofit units to meet VCA/ADA/UFAS requirements at many of its properties. OHA anticipates using capital funds to modernize and install additional elevators on its senior properties.

As part of its planned capital expenditures during the Plan year, OHA may purchase generators, install new elevators, install security cameras, replace aging roofs, and provide sanitation line overhaul. Other capital expenditures, such as minor repairs, consistent with OHA's established priorities may also occur during the plan year. Listed below are the estimated capital expenditures per site:

- \$1,460,000 Roof Replacement@ Reeves Terrace
- \$ 200,000 Security Lights and Security Cameras@ Ivey Lane
- \$ 200,000 Security Lights and Security Cameras@ Murchison Terrace
- \$ 200,000 Accessibility Units@ Johnson Manor
- \$ 400,000 Accessibility Units@ Omega Apartments
- \$ 200,000 Accessibility Units@ Marden Meadows Apartments
- \$ 200,000 Accessibility Units @The Villas at Hampton Park
- \$2,860,000 Planned Capital Expenditures Total FY2026

B. Leasing Information

i. Planned Number of Households Served

PLANNED NUMBER OF HOUSEHOLDS SERVED THROUGH:	PLANNED NUMBER OF UNIT MONTHS OCCUPIED/LEASED	PLANNED NUMBER OF HOUSEHOLD TO BE SERVED
MTW Public Housing Units Leased	14,460	1,205*
MTW Housing Choice Vouchers (HCV) Utilized	34,680	2,890**
Local, Non-Traditional: Tenant-Based [^]	0	0
Local, Non-Traditional: Property-Based [^]	0	0
Local, Non-Traditional: Homeownership [^]	0	0
Planned Total Households Served:	49,140	4,095

*1458 – 87 – 166 = 1205 (Original baseline minus removed public housing units from Citrus Square Apartments and Griffin Park)

**Sanford Vouchers have been added to MTW.

ii. Discussion of Any Anticipated Issues/Possible Solutions Related to Leasing

HOUSING PROGRAM	DESCRIPTION OF ANTICIPATED LEASING ISSUES AND POSSIBLE SOLUTIONS
MTW Public Housing	The OHA is repositioning a significant portion of its public housing stock. This process will take a number of years. Once the OHA receives SAC approval for demolition, residents will be leased up at sites that are not scheduled for repositioning or issued vouchers if the residents qualify. Public housing units at sites scheduled for demolition may be held as a result. HUD approved the OHA's Section 18 Inventory Removal Application to demolish Griffin Park Apartments in February 2023. OHA has since relocated all Griffin Park residents to other OHA public housing units that were held to accommodate relocation. OHA requested and received 163 tenant protection vouchers. As residents are issued and accept tenant protection vouchers, residents will move out of MTW Public Housing into the HCV Program, and this will create vacancies.
MTW Housing Choice Voucher	Funding is a potential issue for the regular HCV program. Funding levels from HUD have continued to be below the amount needed to fund the program. The OHA may not have enough administrative support to comply with HUD's leasing requirements. The OHA has increased the flexibility of its HCV occupancy standards to be the same as public housing's minimum and maximum number of persons per bedroom for all bedroom sizes as a remedy to some of its leasing challenges. Finding owners willing to rent to HCV participants is another issue. The OHA will offer increased payment standards (up to 120% of the Fair Market Rent) for disabled participants who are having difficulty finding units within the regular payment standard.

PH Site	Date Sec.18 App Submitted	Status	Comments	Proposed Date Demolition
Griffin Park	7/1/2019	Approved	Demolition contract selected April 2024	2024
Lake Mann	7/1/2019	Draft status in PIC	HUD Awarded 2023 Choice Neighborhoods Planning Grant (9/2023)	2027
Lorna Doone	7/1/2019;6/30/2020	Draft status in PIC	HUD Awarded 2023 Choice Neighborhoods Planning Grant (9/2023)	2027
Murchison Terrace	7/1/2019	Draft status in PIC	Future Choice Neighborhoods or RAD /Section 18 Blend	2029
Ivey Lane	7/1/2019	Draft status in PIC	Possible RAD/Section 18 Blend	TBD
Reeves Terrace	7/1/2019	Draft status in PIC	Possible RAD/Section 18 Blend	TBD



C. WAITING LIST INFORMATION

WAITING LIST NAME	DESCRIPTION	NUMBER OF HOUSEHOLDS ON WAITING LIST	WAITING LIST OPEN, PARTIALLY OPEN OR CLOSED	PLANS TO OPEN THE WAITING LIST DURING THE PLAN YEAR
MTW Public Housing Units	Community Wide	19414	Closed	Yes
MTW Housing Choice Voucher	Community Wide	14571	Closed	Yes
MTW Public Housing Units	Site-Based	5730	Closed	Yes

i. Planned Changes to Waiting List in the Plan Year

WAITING LIST NAME	DESCRIPTION OF PLANNED CHANGES TO WAITING LIST
N/A	N/A

SECTION III

PROPOSED MTW ACTIVITIES

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SECTION III – PROPOSED MTW ACTIVITIES

Proposed Initiative: Activity 15: Orlando Housing Authority and Orange County Public Schools Pilot Program

A. Description of MTW Initiative

Orlando Housing Authority (OHA) and the Orange County Public Schools (OCPS) will launch a new pilot program for teachers and support staff once HUD has approved the initiative. OHA is leveraging housing to advance teachers and support staff living in the community where they work and where students are residents.

OHA would collaborate with OCPS to provide housing for employees and support staff, including teachers, food service workers, paraprofessionals, secretaries, bus drivers, custodians, receptionists, clerks, and registrars who have been working for Orange County Public Schools for 0-3 years. OCPS staff would be required to work at one of the following 32805 zip code Title 1 Schools: Rock Lake Elementary Catalina Elementary, Orange Center Elementary, Ivey Lane Elementary, Jones High School, Eccleston Elementary, Washington Shores Elementary, and Carver Middle. Zip code 32805 is the location for the OHA's Choice Neighborhoods Initiatives Planning Grant. Title I funds are targeted to high-poverty schools and districts and used to provide educational services to students who are educationally disadvantaged or at risk of failing to meet state standards.

OHA's initiative would offer Section 8 project-based vouchers to OCPS teachers and support staff who live and work in the 32805 community. Household incomes could be up to 80% of the area's median income. OHA may impose additional requirements or restrictions, including limiting the number of participants.

OHA is interested in building relational pathways from the classroom to the community. Teachers and Support Staff in the pilot program, as part of an agreement between OCPS, OHA, and each teacher/support staff, will be required to live within 2 miles of the Title 1 School stated above and meet the specified qualifications for OCPS employees. OHA will accept applicants on the order in which applications were submitted, subject to compliance with all OHA requirements.

B. MTW Statutory Objective

This activity will increase housing choices for low-income families.

C. Anticipated Impact

OHA anticipates that this activity will increase housing choices for program participants by increasing the number of units that are affordable to school employees who will live close to the school where they work in this relatively low-poverty area (17.8% of families living in poverty in 2022). OHA and OCPS also expect the activity to promote OCPS employees' commitment to the schools in the Choice Neighborhoods neighborhood.

D. Anticipated Time Line

OHA plans to implement this activity once HUD has approved it.

E. Metrics

The following proposed standard HUD MTW Metrics are applicable to this activity. Outcomes will be reported in the MTW Annual Report.

HC #1: Additional Units of Housing Made Available

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of new project-based voucher (PBV) units made available for households at or below 80% AMI as a result of the activity (increase), for OCPS employees in ZIP Code 32805.	Housing units of this type prior to implementation of the activity: 0	Expected housing units of this type after implementation of the activity: (fill in number) additional units for each of the first three years	Actual housing units of this type after implementation of the activity: to be determined	Whether the outcome meets or exceeds the benchmark: to be determined

E. Authorizations

MTW Agreement Attachment C, D.3., Eligibility of Participants: **b.** The Agency is authorized to adopt and implement any reasonable policy for verifying family income and for determining resident eligibility that differs from currently mandated program requirements in the 1937 Act and its implementing regulations. *This authorization waives certain provisions of 24 C.F.R. 982.516 and 982 Subpart , as necessary to implement the Agency’s Annual MTW Plan.*

MTW Agreement Attachment C, D.4., Waiting List Policies: The Agency is authorized to determine waiting list procedures, tenant selection procedures and criteria and preferences, including authorizing vouchers for relocation of witnesses and victims of crime that differ from the currently mandated program requirements in the 1937 Act and its implementing regulations. *This authorization waives certain provisions of Sections 8(o)(6), 8(o)(13)(J) and 8(o)(16) of the 1937 Act 982 Subpart E, 982 ,305 and 983 Subpart F as necessary to implement the Agency’s Annual MTW Plan.*

MTW Agreement Attachment C, D.7., Establishment of an Agency MTW Section 8 Project-Based Program: The Agency is authorized to develop and adopt a reasonable policy and process for project-basing Section 8 tenant-based housing assistance, which includes the components set forth below:

b. The Agency is authorized to establish a reasonable competitive process or utilize an existing local competitive process for [project-basing leased housing assistance at units that meet Housing Quality Standards, or any standards developed by the Agency pursuant to this MTW Agreement and approved by the Secretary, and that are owned by non-profit, or for-profit housing entities. *This authorization waives certain provisions of 24 C.F.R. 983.51 as necessary to implement the Agency’s Annual MTW Plan.*

Proposed Initiative: Activity 16: Modified Project-Based Voucher (PBV) Program

A. Description of MTW Initiative

OHA may take any of the following steps to expand the supply of affordable housing available and affordable to low-income families:

1. OHA may elect to unit-base 100 percent (100%) of the dwelling units in any PBV development located in an area that would support Choice Neighborhoods or public housing improvement or revitalization initiatives. OHA may specify eligible Zip Codes or other areas.
2. OHA will not permit the addition of a family member to a PBV household if the new member would result in the family being under-housed.
3. OHA will allow the addition of units to a PBV HAP Contract at any time during the term of the HAP Contract if OHA determines that such addition will support the goals of promoting public housing improvement or revitalization, neighborhood revitalization, avoiding tenant displacement, and/or ensuring long-term affordability. OHA intends to apply this flexibility infrequently and only as necessary to support the above-listed goals.
4. OHA may project-based assistance at properties other than public housing properties owned directly or indirectly by OHA through a streamlined competitive process.

B. Statutory Objective

This initiative will support the MTW statutory objective to increase housing choices for low-income families by preserving or making additional units available and affordable to low-income households.

C. Anticipated Impact

OHA anticipates this initiative will preserve and/or increase the range and quality of units available and affordable to low-income families in locations that support neighborhood and public housing revitalization. In turn, housing stabilization can serve as the foundation for economic self-sufficiency for extremely and very low-income households.

D. Anticipated Timeline

OHA intends to implement this activity immediately upon approval from HUD.

E. Metrics

OHA will use the HUD standard metrics found below to quantify this activity's anticipated impact.

HC #1: Additional Units of Housing Made Available

Unit of Measurement	Baseline	Benchmark	Outcome	Benchmark Achieved?
Number of new project-based voucher (PBV) units made available for households at or below 80% AMI as a result of the activity (increase) in specified locations.	Housing units of this type prior to implementation of the activity: 0	Expected housing units of this type after implementation of the activity: (fill in this number) additional units for each of the first three years	Actual housing units of this type after implementation of the activity: to be determined	Whether the outcome meets or exceeds the benchmark: to be determined

F. Authorizations

MTW Agreement Attachment C, D.3., Eligibility of Participants:

b. The Agency is authorized to adopt and implement any reasonable policy for verifying family income and for determining resident eligibility that differ from currently mandated program requirements in the 1937 Act and its implementing regulations. *This authorization waives certain provisions of 24 C.F.R. 982.516 and 982 Subpart E, as necessary to implement the Agency’s Annual MTW Plan*

MTW Agreement Attachment C, D.7., Establishment of an Agency MTW Section 8 Project-Based Program: The Agency is authorized to develop and adopt a reasonable policy and process for project-basing Section 8 tenant-based housing assistance, which includes the components set forth below:

b. The Agency is authorized to establish a reasonable competitive process or utilize an existing local competitive process for [project-basing leased housing assistance at units that meet Housing Quality Standards, or any standards developed by the Agency pursuant to this MTW Agreement and approved by the Secretary, and that are owned by non-profit, or for-profit housing entities. *This authorization waives certain provisions of 24 C.F.R. 983.51 as necessary to implement the Agency’s Annual MTW Plan.*

SECTION IV

APPROVED MTW ACTIVITIES: HUD APPROVAL PREVIOUSLY GRANTED

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SECTION IV - APPROVED MTW ACTIVITIES: HUD APPROVAL PREVIOUSLY GRANTED

A. Implemented Activities

Activity 1: \$225 Minimum Rent for Non-Elderly and Non-Disabled Households

Approval & Implementation Year: Activity 1 was first approved in FY2012. The phased-in implementation began in the Initial Demonstration Period. Activity 1 was reformed, re-proposed, and approved in FY2020. The phased-in implementation began in FY2020.

Description: The OHA implemented a self-sufficiency rent floor of \$225 for public housing and HCV households that are workable households and not elderly and not disabled. A referral to the MTW Resource Center for these households not paying the minimum \$225 rent floor was also implemented. The implementation of the \$225 rent floor provides hardship exceptions linked to self-sufficiency activities. The \$225 self-sufficiency rent floor will also be applicable to all OHA vouchers including special purpose vouchers as well as port-ins vouchers. The only exceptions will be for Veteran Affairs Supportive Housing and Emergency Housing Vouchers. The MTW Resource Center provides self-sufficiency services including, but not limited to, case management, needs assessments, employability counseling, and job referral/placement assistance services for a maximum of two years for each adult referred. Use of a computer lab, transportation (bus passes), and childcare assistance is provided to help participants secure and maintain employment. The OHA monitors the progress of households subject to the rent floor relative to accomplishing the goals identified in their self-sufficiency plan until sufficiency is reached. The OHA defines self-sufficiency as “Heads and/or co-heads of households that are employed at least 28 hours a week or 20 hours a week if a full-time student.” Both the Head of Household and Co-Head/Spouse must work 28 hours a week. Residents and participants who are unable to pay the rent floor or attend the Resource Center may seek hardship relief.

The household member is referred to the MTW Resource Center. A 7-day curable notice is provided if there is no response, requiring that the resident respond and participate. The MTW Resource Center provides self-sufficiency services including, but not limited to, case management, needs assessments, employability counseling, and job referral/placement assistance services for a maximum of two years. The OHA will not terminate a resident/participant if he or she does not obtain employment after two years of services at the MTW Resource Center; the OHA will extend the time needed to obtain employment. A resident/participant will only be terminated from the public housing or HCV programs if he or she does not follow the action plan as agreed. The resident/ and or participant will be referred to the Hardship Committee if they meet the hardship requirements.

In FY2020, the OHA re-proposed Activity 1. The OHA modified the activity from a \$225 rent floor to a \$225 minimum rent and added a minimum work requirement. Additional rent reform measures, such as the elimination of all household deductions and a standard utility allowance based on bedroom size, were also added to simplify rent calculations, increase revenue for the OHA, and encourage self-sufficiency amongst the residents and participants.

Section 102 of the Housing Opportunity Through Modernization Act of 2016 contains changes to public housing and voucher income calculations and reviews that HUD is requiring to be implemented. The OHA will continue to implement Activity 1 as previously, notwithstanding those changes.

Status: Implemented. This new rent policy has been fully implemented.

Planned Non-Significant Changes: None.

Planned Changes to Metrics/Data Collection: OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: None.

Activity 2: Streamline the Recertification Process in the Public Housing and Housing Choice Voucher Programs

Approval & Implementation Year: Activity 2, in its current form, was approved in FY2015 (November 2014). The phased-in implementation began in FY2015.

Description: The OHA is streamlining the recertification process in the public housing and HCV programs by conducting recertification of all residents and participants every three years (triennial). This means that every three years, residents and participants will come into the office to conduct the traditional recertification with the exception of a modified 3rd party verification and \$25,000 asset disregard.

The streamlined recertification began in 2015. The OHA recertified one-third of all residents and participants in FY2015, one-third in FY2016, and the last one-third in 2017. In 2018, the OHA recertified another one-third of its residents and participants. Thereafter, the OHA will continue implementing this activity by recertifying one-third (1/3) of its full population each year.

In its FY2016 MTW Plan, the OHA received HUD approval to apply all aspects of this activity to NED, FUP, VASH, and OHA Special Purpose vouchers. In FY2017, the OHA sought to modify this activity to add its Single Room Occupancy (SRO) voucher program, which was approved. The OHA applied this change in FY2018. Due to the extended recertification period, the OHA has created a local form 9886, Authorization for Release of Information. The local form captures the same information as the HUD form 9886 except that the resident/participant's consent for the release of information will be extended from 15 months to 36 months as needed to update the resident/participant's data between each triennial recertification.

OHA Annual Online Updates

In the years when residents and participants do not have their scheduled recertification, they will have an annual online update. The OHA will use this as an opportunity to conduct an audit to review the household composition, tax return, and criminal background check. During the annual online update, the OHA will recalculate rent in the following circumstances:

1. If the total tenant payment (TTP) increases or decreases by \$100 or more
2. If the family size/household composition changes in such that a person with new income is added to the household
3. Hardships
4. Criminal background checks leading to termination
5. Reasonable Accommodations

OHA Elimination of Interim Recertifications

The OHA will continue to streamline the recertification process by eliminating interim recertification completely except for hardships, audits (including criminal background checks, changes in family size/household composition¹), and reasonable accommodations for all residents and participants.

Flat Rent

The OHA public housing residents are granted the ability to choose the Flat Rent Option twice per year rather than annually. Elderly and disabled residents/participants with fixed incomes and flat rents will have a triennial reexamination only. They will not be subject to the annual online update.

Status: Implemented. Triennial recertifications are underway for both HCV and public housing. The HCV program now offers participants the option to go online or call to schedule an appointment with an eligibility specialist. Public Housing plans to offer residents the option to schedule appointments online or by phone but currently utilizes the traditional method of issuing appointment dates and times by mail. The OHA has added its Single Room Occupancy (SRO) voucher program to this activity. The triennial schedule remains the same.

The OHA has implemented annual online updates, which allow residents and participants to verify household composition, income, and assets online. The updates include resident/participant submission of a personal declaration form, verification of IRS tax filing, and other documents. In FY 2024, OHA will have Kiosks available for residents to submit their documentation for recertifications.

Section 102 of the Housing Opportunity Through Modernization Act of 2016 contains changes to public housing and voucher income calculations and reviews that HUD is requiring to be implemented. The OHA will continue to implement Activity 2 as previously, notwithstanding these changes.

Planned Non-Significant Changes: None.

Planned Changes to Metrics/Data Collection: The OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: None.

Activity 6: Provide up to 50 One and Two-Bedroom Units and Supportive Services at West Oaks Apartments for up to 24 Months for Homeless Individuals

Approval & Implementation Year: Activity 6 was first approved in FY2012. The phased-in implementation began in September 2013.

Description: The OHA is providing up to 50 project-based vouchers for one- and two-bedroom units at West Oaks Apartments without a competitive process. This transitional housing will be available to agencies that commit to providing supportive services to homeless individuals for up to 24 months.

Status: Implemented. HUD has approved all 50 project-based vouchers to be used in coordination with homeless service providers. At the end of FY2021, 20 vouchers have been or were in use on a rotating basis, and the OHA has committed 10 project-based vouchers for this program for 2024. In FY2022 and FY2023, there are no vacancies as West Oaks remains between 98 and 99 percent occupied. There is not a waiting list for MTW units at West Oaks. The referrals are generated from our partners. When our partners refer someone, and the person qualifies, we may or may not have a unit available, and they must wait until we do. With the rent increases in Orlando, we have very few unit vacancies per month. Our unit turns have dropped dramatically. We consider walk-ins, Orange County Tenant-Based Section 8, VASH Tenant-Based Section 8, VASH PBV (5) and MTW when there are just a few units available each month. MTW and VASH PBV are a priority. We have many people in need of housing with very few vacancies. We do not receive as many referrals from the housing partner, partly due to their own internal turnover of counselors. There is a lack of affordable housing in Orlando, which has caused a slowdown in month-to-month unit turns. We have noticed that people have not moved, and there is not an abundance of vacant units.

Planned Non-Significant Changes: There are none.

Planned Changes to Metrics/Data Collection: OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: There are none.

Activity 8: Project-Based Vouchers in OHA Owned Units

Approval & Implementation Year: Activity 8 was first approved, and the phased-in implementation began in FY2016.

Description: The OHA will project-base up to 20% of its available tenant-based section 8 vouchers at OHA-owned units. HUD approved MTW flexibilities to allow the OHA to implement this activity without engaging in a competitive process. The OHA was also granted approval to conduct its own inspections and rent reasonableness functions.

The OHA is implementing its project-based voucher program at Jackson Court, Division Oaks, and West Oaks, which are approved sites for the project-based voucher program. The vouchers at West Oaks will be in addition to the PBV vouchers discussed in Activity 6 (transitional housing for the homeless). Additionally, the OHA will build 41 (forty-one) homes on the undeveloped lots west of Westmoreland Drive at Carver Park. Five (5) of those homes will be sold at market rate, and the remaining 36 (thirty-six) homes will be PBV rentals.

Status: Implemented. At the end of FY2021, 95 PBVs have been or were in use on a rotating basis at Jackson Court and Division Oaks. The OHA has yet to start development at Carver Park for the 36 PBVs. Although this activity contemplates that the OHA will develop new properties and/or acquire existing properties in which certain units will qualify for PBV, no additional properties are anticipated for this activity in FY2026.

Planned Non-Significant Changes: None.

Planned Changes to Metrics/Data Collection: The OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: None.

Activity 9: Establishment of Agency-Wide \$100 Minimum Rent

Approval and Implementation Year: Activity 9 was first approved and implemented in FY2016. Activity 9 was reformed, re-proposed, and approved in FY2020. The phased-in implementation began in FY2020 and has been fully implemented.

Description: The OHA utilized its MTW flexibilities to establish a minimum rent that exceeds \$50 for both the public housing and HCV programs. We established rent of \$100, which is applicable to all public housing and all vouchers except as noted. HCV, TBRA, PBV, OHA Special Purpose vouchers, FUP, NED, Port-ins, and SRO. Each elderly and disabled household shall pay rent of at least \$100 after the provision of utility allowances.

To simplify rent calculations and increase revenue for the OHA, all household deductions were eliminated, and each household was given a standard utility allowance based on bedroom size.

Section 102 of the Housing Opportunity Through Modernization Act of 2016 contains changes to public housing and voucher income calculations and reviews that HUD is requiring to be implemented. The OHA will continue to implement Activity 9 as previously, notwithstanding these changes.

Status: Fully implemented. This new rent policy will be fully implemented over a period of three (3) years. New rents are calculated at the full triennial recertification of each resident and participant.

Planned Non-Significant Changes: None.

Planned Changes to Metrics/Data Collection: The OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: None.

Activity 10: Tenant-Based Voucher Homelessness Prevention Program

Approval & Implementation Year: Activity 10 was first approved in FY2016. The phase in implementation began in FY2016, with the City of Orlando and the OHA executing a memorandum of understanding.

Description: The OHA and the City of Orlando are collaborating to administer a voucher program to address chronic homelessness as a part of the 25 Cities Initiatives. The Orlando Veteran's Affairs Medical Center is also a participant. Chronic homelessness is defined as adults with a disabling condition who have been continuously homeless for at least one year or have had four episodes of homelessness in the past three years. The disabling condition(s) limits an individual's ability to work or perform one or more activities of daily living and is defined as a diagnosable substance use disorder, serious mental illness, developmental disability, or chronic physical illness.

In this activity, the City of Orlando refers chronically homeless persons under case management to the OHA as an applicant. Once the applicant is confirmed eligible, the OHA then provides a tenant-based voucher, and the City of Orlando provides services. These vouchers were turnover vouchers, not a new increment from HUD-awarded vouchers. These referrals bypass the HCV waitlist and other eligibility criteria. Approximately 150 vouchers were pledged to help chronically homeless persons identified by the City of Orlando through this activity. The City of Orlando no longer provided the case management agreed upon in the MOU. Therefore, OHA discontinued the City of Orlando Homeless Program in June 2021. However, OHA will continue to help 42 families under this activity.

Emergency Housing Vouchers: OHA implemented the Emergency Housing Voucher Program with the Central Florida Homeless Services Network. HUD awarded 154 Emergency Housing Vouchers to OHA in May 2021.

Stability Vouchers: OHA received 47 Stability vouchers in October 2022. Stability Vouchers (SVs) may assist households who are homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act, at-risk of homelessness, those fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and veterans and families that include a veteran family member that meet one of the proceeding criteria.

Status: Implemented.

Planned Non-Significant Changes: Using the Emergency Housing Vouchers to replace the vouchers with the City of Orlando.

Planned Changes to Metrics/Data Collection: OHA does not anticipate changes to the metrics, baselines, or benchmarks during the Plan year.

Planned Significant Changes: None.

B. Not Yet Implemented
No activities.

C. On Hold

Activity 11: Project-Based Homeownership Program

Approval & Implementation Year: Activity 11 was first approved in FY2018. The phased-in implementation has yet to begin as planning is still underway.

Description: The Orlando Housing Authority is implementing a Housing Choice Voucher Project Based Voucher Homeownership Program at Carver Park over a ten (10) year period. This program will feature up to 47 homeownership units. The OHA will develop up to 46 for-sale units, and one model home (built in 2009) will be made available for sale. Up to 24 of the 47 homeownership units may be affordable with project-based vouchers.

Carver Park is classified into two segments: east of Westmoreland Dr. and west of Westmoreland Dr.

East of Westmoreland Drive: Up to 19 Project Based Homeownership Units. The OHA is collaborating with the City of Orlando Community Reinvestment Agency (CRA) to construct up to 41 homeownership or rental units at Carver Park, east of Westmoreland Drive. The existing model home (built in 2009) will be sold to an eligible homebuyer for up to 42 for sale units. The site will be mixed-income with a combination of affordable and market-rate units. OHA seeks to provide monthly Section 8 homeownership assistance to up to 19 affordable homebuyers.

West of Westmoreland Drive: Up to 5 Project-Based Homeownership Units and 36 Project-Based Rentals. The OHA will build 41 units on the undeveloped lots west of Westmoreland Dr. at Carver Park. Five (5) units will be homeownership (affordable and market rate). The remaining thirty-six homes will be project-based voucher rentals. To enhance affordability, **OHA may make up to 41(rental and homeownership) project-based units.**

Total Projected Project-Based Homeownership Units at Carver Park: 24
 East of Westmoreland Dr. 19
 West of Westmoreland Dr. 5

Total New Section 8 Rental Units at Carver Park 36
TOTAL 60

The chart below details the proposed Carver Park plan:

CARVER PARK PROPOSED UNIT MIX				
Residential Type	Total # of Units	East of Westmoreland (42 lots)		West of Westmoreland (41 lots)
		Homeownership (H/O)	H/O	Rental
Single Family	3	0	0	0
Single Family*	8	6*	5	0
Townhome	38	26	0	12
Duplex (2 units/bldg)	14	10	0	4
Rowhome	<u>20</u>	<u>0</u>	<u>0</u>	<u>20</u>
Total	83	42**	5	36

* Includes 1 model home ** Up to 41 homes to be built +1 model home for sale = 42 units

A preference for Carver Park homeownership opportunities will be offered to the following eligible households:

1. Households that relocated from Carver Court under the Uniform Relocation Act
2. Current OHA public housing/Section 8 participants
3. Applicants on the OHA public housing and Section 8 waiting lists
4. Households currently living in the Parramore area (timeframe TBD)

While the abovementioned households will be given preference for homeownership opportunities, the OHA will consider other low-income households ready and eligible for homeownership to fulfill its commitment to the Carver Park community.

Status: Not yet implemented.

Timeline: None as of yet. OHA anticipates the construction of up to 82 units at Carver Park (41 west of Westmoreland Dr. and 41 east of Westmoreland Dr., including the model home in 2027. This activity will be implemented upon completion of homes for affordable purchasers.

Planned Non-Significant Changes: None.

Planned Significant Changes: None.

D. Closed Out Activities

Activity 3: Streamline the Rent Calculation Process in the Public Housing & Housing Choice Voucher Programs

Approval and Implementation Year: Activity 3 was first approved in FY2012. Implementation of Activity 3 began in FY 2013.

Reason for Closing Out Activity: OHA combined activities 2 and 3. See section IV: Approved Activities.

Year Activity was Closed Out: FY 2015.

There are no HUD Metrics for this activity because this activity did not reach the data collection phase.

Activity 4: Consolidation of Inspection and Recertification Requirements to Establish an Inspection Process Based on Geographic Location

Approval and Implementation Year: Activity 4 was first approved in FY2012. Implementation of Activity 4 began in FY2013 with the inspection process based on geographic location.

Reason for Closing Out Activity: A key part of Activity 4 was to have a unified public housing and voucher inspection mechanism based on HQS standards. Activity 4 was closed out because HUD would continue to undertake UPCS public housing REAC inspections, thereby effectively causing the OHA also to use UPCS inspections for public housing. The OHA's basing of the inspection process on geographic location has been discontinued because inspection by geographic location would no longer be efficient when the HQS standards could not be used for both public housing and section 8.

Year Activity was Closed Out: FY2014.

See FY2013 Report for the last activity 3 metrics.

Activity 5: Supporting up to 50 Homeowners for Six (6) Months Each by Providing Interim Financial Assistance (vouchers) and Counseling to Prevent Foreclosures

Approval & Implementation Year: Activity 5 was first approved in FY2012. The phased-in implementation began in FY2014.

Reason for Closing Out Activity: The climate for homeowners facing foreclosure had changed significantly from 2009, when this activity was first proposed. The OHA had identified a huge challenge in finding homeowners that would be “made whole” by providing six (6) months of financial assistance. Program revisions to provide a lump sum payment to the lender on behalf of an eligible program-approved applicant to bring their mortgage loan current and move forward were not successful. The current households that met the eligibility requirements needed more money than the voucher program could offer.

Year Activity was Closed Out: FY2015.

See the FY2014 Report for the last activity 5 metrics.

Activity 7: Use of Project-Based Vouchers and Other Resources to Develop Low-Income City Donated Property for Low-Income Elderly Housing, in Conjunction with the Redevelopment of Jackson Court/Division Oaks

Approval and Implementation Year: Activity 7 was first approved in FY2012.

Reason for Closing Out Activity: Activity 7 was closed out as it did not move beyond its planning stages. OHA and the City of Orlando unsuccessfully attempted to find land and funding for the redevelopment of Jackson Court/Division Oaks. Although OHA executed a Memorandum of Understanding with the Carver Theatre Developers (CTD), CTD’s inability to procure construction financing prevented the activity from moving forward.

Year Activity was Closed Out: FY2014.

Activity 12: Tenant-Based Rental Assistance Program

Approval and Implementation Year: Activity 12 was first approved and implemented in FY2018.

Reason for Closing Out Activity: This activity was a program in which the OHA would provide funds for the first month’s rent for homeless households and then receive a reimbursement from the City of Orlando. The OHA conducted a cost benefit analysis of this activity and concluded that the administrative burden of continuing this activity far outweighed the benefit to the community. The financial and human resources allocated to this activity could be better utilized elsewhere.

Year Activity was Closed Out: FY2018.

There are no HUD Metrics for this activity.

Activity 13: Streamlined Public Housing Inspections

Approval & Implementation Year: Activity 13 was first approved in FY2019. The phased-in implementation has yet to begin.

Description: The OHA streamlines inspections by conducting public housing unit inspections by tenants every three years (triennial) in tandem with triennial recertifications. Triennial inspections will replace annual inspections, and the OHA will provide strategic preventive maintenance at all properties throughout each year. Randomly selected units will be chosen from the 2/3 of the public housing populace that will not receive the triennial inspection that fiscal year, for inspection. Those inspections will include building exterior/systems and common areas at all public housing properties. When tenants move out, the OHA will continue to conduct inspections of those units.

Status: Not yet implemented. No action was taken due to the pandemic.

Timeline: None as of yet.

Planned Non-Significant Changes: None.

Planned Significant Changes: None.

SECTION V

SOURCES AND USES OF FUNDS

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SECTION V – Sources and Uses of MTW Funds*

A. Sources and Uses of MTW Funds

Estimated Sources of MTW Funding for the Fiscal Year		
Sources		
FDS Line Item	FDS Line Item Name	Dollar Amount
70500 (70300+70400)	Total Tenant Revenue	\$ 5,398,261
70600	HUD PHA Operating Grants	\$ 52,085,820
70610	Capital Grants	\$ 2,316,892
70700 (70710+70720+70730+70740+70750)	Total Fee Revenue	\$ -
71100+72000	Interest Income	\$ 555,480
71600	Gain or Loss on Sale of Capital Assets	
71200+71300+71310+71400+71500	Other Income	\$ 4,429,720
70000	Total Revenue	\$ 64,786,173

Estimated Uses of MTW Funding for the Fiscal Year		
Uses		
FDS Line Item	FDS Line Item Name	Dollar Amount
91000 (91100+91200+91400+91500+91600+91700+91800+91900)	Total Operating – Administrative	\$5,259,064
91300+91310+92000	Management Fee Expense	\$0
91810	Allocated Overhead	\$8,576,931
92500 (92100+92200+92300+92400)	Total Tenant Services	\$482,091
93000 (93100+93600+93200+93300+93400+93800)	Total Utilities	\$1,293,608
93500+93700	Labor	\$0
94000 (94100+94200+94300+94500)	Total Ordinary maintenance	\$5,318,398
95000 (95100+95200+95300+94500)	Total Protective Services	\$1,504,929
96100 (96110+96120+96130+96140)	Total Insurance Premiums	\$1,036,833
96000 (96200+96210+96300+96400+96500+96600+96800)	Total Other General Expense	\$644,737
96700 (96710+96720+96730)	Total Interest Expense and Amortization Cost	\$0
97100+97200	Total Extraordinary Maintenance	\$0
97300+97350	Housing Assistance Payment + HAP Portability-In	\$40,669,582
97400*	Depreciation Expense	\$789,419
97500+97600+97700+97800	All Other Expenses	\$0
90000	Total Expenses	\$65,575,592

*Line 97400 is a non-cash expense. Once removed, OHA's total expenses are \$64,786,173

General

The OHA plans to reposition six of its properties: Griffin Park, Lake Mann, Lorna Doone, Murchison Terrace, Ivey Lane, and Reeves Terrace. HUD approved demolition of Griffin Park in February 2023. This will entail relocation of the residents, demolition, and the redevelopment of the properties. The OHA plans to continue to address its health and safety needs at its public housing sites.

The OHA will continue to use Capital Funds in FY2026 to retrofit units to meet VCA/ADA/UFAS requirements at many of its properties.

ii. Description of Planned Use of MTW Funding Flexibility

Describe the Activities that Will Use Only MTW Single Fund Flexibility

In addition to the activities described above, OHA continues to use the MTW Single Fund Flexibility to support Uses of Funds A.

Use of Funds A: Comprehensive One-Stop Self-Sufficiency Resource Center

Use of Funds Action A is to provide a Comprehensive One-Stop Self-Sufficiency Resource Center. The MTW Resource Center is linked to MTW Activity 1 – Phase in the implementation of a self-sufficiency rent floor of \$225 for households that are not elderly and not disabled. The implementation of the rent floor includes a referral to the MTW Resource Center for non-elderly and non-disabled households not paying \$225 at the time the rent floor is implemented. This activity has been modified from a \$225 rent floor to a \$225 minimum rent for households that are not elderly and not disabled. The implementation of the minimum rent now requires a referral to the MTW Resource Center for non-elderly and non-disabled heads or co-heads of households that are not employed by April 1, 2020, not employed the minimum number of hours (28 hrs/wk. or 20 hrs/wk. if full-time student) or experiencing an employment related hardship.

The MTW Resource Center provides self-sufficiency services, including but not limited to, case management, needs assessments, employability counseling, and job referral/placement assistance services for a maximum of two years for each adult referred. Use of a computer lab, transportation (bus passes), and childcare assistance are provided to help participants secure and maintain employment. The OHA monitors the progress of households subject to the rent floor relative to accomplishing the goals identified in their self-sufficiency plan until self-sufficiency is reached.

In the past, the MTW Resource Center has partnered with a number of agencies to provide services to residents referred to the Resource Center. The Resource Center plans to continue to develop and foster relationships that will help the OHA’s residents and participants become more self-sufficient.

The MTW Resource Center will continue to establish relationships with employers to facilitate job referrals and consequently strengthen and/or build economic self-sufficiency for the OHA participants and residents. In addition, the Resource Center will extend its partnership with CareerSource (formerly Work Force Center Florida) to bring employability workshops to the Ivey Lane Homes site using its mobile unit.

The Orlando Housing Authority (OHA) will have approximately \$10 million in HUD-held HCV reserves. OHA will continue to use about \$1 million per year to fund its MTW Resource Center. OHA also plans to use the remaining HHR funds for redevelopment of six of its properties that are scheduled for Section 18 demolition. Some of the funding will be used for Choice Neighborhood Lake Mann Homes Apartments and Lorna Doone Apartments.

- Griffin Park- \$1.0 million
- Lake Mann Homes- \$1.5 million
- Lorna Doone Apartments- \$1.5 million
- Ivey Lane Apartments- \$2.0 million
- Murchison Terrace Apartments- \$2.0 million
- Reeves Terrace Apartments- \$2.0 million

**(IV.) PLANNED APPLICATION OF PHA
UNSPENT OPERATING FUND AND HCV
FUNDING Original Funding Source**

Original Funding Source	Beginning of FY - Unspent Balances	Planned Application of PHA Unspent Funds during FY
HCV HAP	\$10.0 million	Griffin Park \$500k Lake Mann Homes \$500k Lorna Doone Apartments \$500k Murchison Terrace Apartments \$500k
		\$1.5 million – Other Public Housing activities
		\$1.0 MTW Resource Center
HCV Admin Fee	\$0	\$0
PH Operating Subsidy	\$0	\$0
TOTAL:	\$10.0 million	\$4.5 million

B. Local Asset Management Plan

LOCAL ASSET MANAGEMENT PLAN

Is the PHA allocating costs within statute?	No
Is the PHA implementing a local asset management plan (LAMP)?	Yes
Has the PHA provided a LAMP in the appendix?	Yes
If the MTW PHA has provided a LAMP in the appendix, please describe any proposed changes to the LAMP in the Plan Year or state that the MTW PHA does not plan to make any changes in the Plan Year	OHA does not plan to make any changes in the Plan Year

C. Rental Assistance Demonstration (RAD) Participation

- i. Has the MTW PHA submitted a RAD Significant Amendment in the appendix? A RAD Significant Amendment should only be included if it is a new or amended version that requires HUD approval.

Yes

- ii. If the MTW PHA has provided a RAD Significant Amendment in the appendix, please state whether it is the first RAD Significant Amendment submitted or describe any proposed changes from the prior RAD Significant Amendment.

This is the first RAD Significant Amendment for the referenced properties.

SECTION VI

ADMINISTRATIVE

DRAFT

SECTION VI - ADMINISTRATIVE

A. Resolution signed by the Board of Commissioners adopting the Annual MTW Plan Certification of Compliance (includes Certificates of Consistency)

- 1) Certificates of Consistency – Orange County
- 2) Certificate of Consistency – City of Orlando

To be updated after Board Adoption

B. Information regarding Public Comment Period

The MTW Plan Draft will be made available for public review beginning Tuesday, September 3, 2024, through Thursday, October 17, 2024. The Public Hearing is scheduled and will be held on Thursday, October 17, 2024, at the OHA's Administration Building, 390 N. Bumby Avenue, Orlando, Florida 32803. All persons are welcome to attend the public hearing. Persons interested in participating in the public hearing in person or via Microsoft Teams should call the OHA at (407) 895-3300, ext. 1004, before 4:30 p.m. Wednesday, October 16, 2024. If you are hearing or speech impaired, you may reach this extension by using the Florida Relay Service at 1 (800) 955-8771 (TDY) or 711. Language translation will be provided upon request.

C. Evaluations of Demonstration Period

The OHA would benefit most from an evaluation that covers a larger scope of implemented MTW activities; however, the OHA will need more time to determine whether the metrics that have been chosen are effective in evaluating the activities. Therefore, an evaluation at this time does not seem prudent in FY2026.

D. Lobbying Disclosures

To be updated after board adoption

SECTION VII

APPENDIX

SECTION VII – APPENDIX

Local Asset Management Program

As part of the Orlando Housing Authority's Amended and Restated Moving to Work Agreement, effective January 7, 2011, OHA has designed and implemented its Local Asset Management Program. The OHA is going to continue to implement its local asset management program for its Public Housing Program and describe such a program in its Annual MTW Plan. The term "Public Housing Program" means the operation of properties owned or subsidized by the Agency that are required by the U.S. Housing Act of 1937. The Agency's local asset management program includes a description of how it is implementing project-based property management, budgeting, accounting, and financial management and any deviations from HUD's asset management requirements. The OHA describes its cost accounting plan (cost allocation plan) as part of its local asset management program.

The OHA maintains a project-based management approach, which includes both the OHA-managed properties and its privately managed properties under the Public Housing Program. Project-level budgeting and accounting is maintained for each of these Public Housing properties. In addition, mixed-finance rental communities that contain Agency-assisted units under the Public Housing Program are owned, managed, and operated by third-party partnerships.

The OHA has developed its program to ensure that accounting and financial reporting methods comply with 2 CFR Part 200, Subpart E regarding cost allocations, 2 CFR Part 200, Subpart F regarding audit requirements, and accepted accounting practices (GAAP).

OHA's Public Housing Program's local asset management plan applies the following principles related to program costs:

- Costs incurred are deemed reasonable and consistent with the amended Moving to Work Agreement.
 - Costs shall be accorded consistent treatment.
 - Costs shall be determined in accordance with GAAP.
 - Costs are documented.
 - OHA will report results according to HUD MTW guidelines.
- 1) Budgeting and accounting - Operating budgets are developed and maintained annually at the property level. The groupings of like properties in a geographic location are called Asset Management Properties (AMPs). The related accounting activities are maintained at that level as well.
 - 2) Financial management - Financial reporting and analysis is performed and monitored on a monthly basis, at the property level. Financial reporting requirements are in accordance with the amended Moving to Work Agreement as well as 2 CFR Part 200, Subpart E.
 - 3) Cost Allocation Approach - OHA's Amended and Restated Moving to Work Agreement identifies either a "cost allocation" or "fee-for-service" option. OHA utilizes the cost allocation method. OHA is in keeping with 24 CFR 990 and uses property-level management, accounting, and budgeting and has established a Central Office Cost Center (COCC). The costs of the COCC are allocated not only to Public Housing, but also to the other programs managed by OHA.

All direct and indirect costs are charged to the AMPs in accordance with 2 CFR Part 200, Subpart E. A cost may be direct with respect to some specific service or function but indirect with respect to the final cost objective. Direct costs associated with project activities are allocated to the specific properties receiving the benefit of the expenditure. Direct and indirect costs associated with the COCC are allocated on a reasonable basis and, if

allocated to public housing properties, are substantially done using a project unit distribution basis.

The OHA has developed this program to ensure that accounting and financial reporting methods comply with 2 CFR Part 200, Subpart E regarding cost allocations, 2 CFR Part 200, Subpart F regarding audit requirements, and accepted accounting practices (GAAP).

Cost Allocation Plan

Under the MTW Agreement, the cost accounting options available to the Agency include either a “cost allocation” or “fee-for-service” methodology. The OHA approached its cost allocation plan with consideration to the entire operation of the Agency, including the MTW Program. This cost allocation plan addresses the larger OHA operation as well as the specific information related to the MTW Program.

Difference

The OHA has the ability to define direct costs differently than the standard definitions published in HUD’s Financial Management Guidebook pertaining to the implementation of 24 CFR Part 990.

The OHA is required to describe any differences between the Agency’s Local Asset Management Program and HUD’s asset management requirements in its Annual MTW Plan in order to facilitate the recording of actual property costs and submission of such cost information to HUD.

The OHA determined to implement a cost allocation system that allocates COCC costs to all agency-wide programs. HUD’s Asset Management System focuses primarily on allocating costs to the Asset Management Properties (AMPs) and necessarily to other programs. This Cost Allocation Plan addresses the entire OHA operation.

APPENDIX A: RAD/Section 18 Construction Blend-Ivey Lane Homes

The Orlando Housing Authority (OHA) may submit an application for Rental Assistance Demonstration (RAD)/Section 18 Construction Blend for Ivey Lane Homes. OHA plans to convert 181 public housing units at Ivey Lane Homes to Project Based Vouchers under the guidelines of PIH Notice 2012-32, REV-4, H-2019-09 PIH-2019- 23 (HA) (the RAD Notice) and any successor Notices. Upon conversion to Project Based Vouchers, the Authority will adopt the resident rights, participation, waiting list, and grievance procedures listed in the RAD Notice and any successor notices or included in Notice H-2016-17/PIH 2016-17 (the Fair Housing, Civil Rights and Relocation Notice). These resident rights, participation, waiting list, and grievance procedures are appended to or referenced in this Appendix. Additionally, OHA certifies that it is currently compliant with all fair housing and civil rights requirements, including those imposed by any remedial orders or agreements, namely Section 504/ADA. The agency’s compliance will not be negatively impacted by conversion activities.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing OHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, OHA’s Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration and that OHA may also borrow funds to address their capital needs. Regardless of any funding changes that may occur because of conversion under RAD, OHA certifies that it will maintain its continued service level for the Public Housing and Housing Choice Voucher programs.

Below, please find specific information related to the Public Housing Development(s) selected for RAD/Section 18 Construction Blend:

NAME OF PUBLIC HOUSING DEVELOPMENT	PIC DEVELOPMENT ID	CONVERSION TYPE (I.E. PBV OR PBRA)	TRANSFER OF ASSISTANCE
IVEY LANE HOMES	FL004000009	PBV	No
TOTAL UNITS	PRE-RAD UNIT TYPE (I.E. FAMILY, SENIOR, ETC.)	POST-RAD UNIT TYPE IF DIFFERENT (I.E. FAMILY, SENIOR, ETC)	CAPITAL FUND ALLOCATION OF DEVELOPMENT
181	FAMILY	FAMILY	\$639,912 (uses pro rata method for 2024 Capital Fund award and 1371 total public housing units)
BEDROOM TYPE	NUMBER OF UNITS PRE-CONVERSION	NUMBER OF UNITS POST-CONVERSION	CHANGE IN NUMBER OF UNITS PER BEDROOM TYPE AND WHY (DE Minimis Reduction, Transfer of Assistance, Unit Reconfiguration.)
0-BEDROOM	0	0	(no changes are proposed in the number of units by bedroom size)
1-BEDROOM	17	17	
2-BEDROOM	41	41	
3-BEDROOM	61	61	
4-BEDROOM	36	36	
5-BEDROOM	24	24	
6-BEDROOM	2	2	

1.6 Section C. PBV Resident Rights and Participation

1. No Rescreening of Tenants upon Conversion. Pursuant to the RAD Statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting. With respect to occupancy in the Covered Project, current households in the Converting Project will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion.³⁴ Post-conversion, the tenure of all residents of the Covered Project is protected pursuant to PBV requirements regarding continued occupancy unless explicitly modified in this Notice (e.g., rent phase-in provisions). For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, Section 8(o)(4) of the 1937 Act and 24 CFR § 982.201, concerning eligibility and targeting of tenants for initial occupancy, will not apply for current households. Once the grandfathered household moves out, the unit must be leased to an eligible family. MTW agencies may not alter this requirement. Further, so as to facilitate the right to return to the assisted property, HUD waives Section 8(o)(4) and 24 CFR § 982.201 to the extent necessary for this provision to apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR Part 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA units.

2. Right to Return. See Section 1.4.A.5.b. and the RAD Fair Housing, Civil Rights, and Relocation Notice regarding a resident's right to return. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

3. Phase-in of Tenant Rent Increases. If, purely as a result of conversion, the amount a tenant would pay for rent and utilities under the PBV program (the tenant's TTP) would increase the tenant's TTP by more than the greater of 10 percent or \$25, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase-in period at three years, five years or a combination depending on circumstances and must communicate such policy in writing to affected residents. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

The method described below explains the set percentage-based phase-in a Project Owner must follow according to the phase-in period established. For purposes of this section "Calculated PBV TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1 (the first recertification following conversion), as illustrated below.

³⁴ These protections (as well as all protections in this Notice for current households) also apply when a household is relocated to facilitate new construction or repairs following conversion and subsequently returns to the Covered Project.

Three Year Phase-in:

Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP

Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP

Year 3: Year 3 AR and all subsequent recertifications – Full Calculated PBV TTP ³⁵

Five Year Phase in:

Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP

Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and the Calculated PBV TTP

Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and the Calculated PBV TTP

Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP

Year 5 AR and all subsequent recertifications – Full Calculated PBV TTP

Please Note: In either the three year phase-in or the five-year phase-in, once the Calculated PBV TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. MTW agencies must also implement a three or five-year phase-in for impacted residents, but may alter the terms above as long as it establishes a written policy setting forth the alternative terms. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

³⁵ For example, where a resident's most recently paid TTP is \$100, but the Calculated PBV TTP is \$200 and remains \$200 for the period of the resident's occupancy, (i.e. no changes in income) the resident would continue to pay the same rent and utilities for which it was responsible prior to conversion. At the first recertification following conversion, the resident's contribution would increase by 33% of \$100 to \$133. At the second AR, the resident's contribution would increase by 50% of the \$66 differential to the standard TPP, increasing to \$166. At the third AR, the resident's contribution would increase to \$200 and the resident would continue to pay the Calculated PBV TTP for the duration of their tenancy.

4. **Family Self Sufficiency (FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are currently FSS participants will continue to participate in the PHA's FSS program. The PHA may continue to use any FSS funds already awarded to serve those FSS participants who live in units converted by RAD. At the completion of the FSS grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. If the PHA continues to run an FSS program that serves PH and/or HCV participants, the PHA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the subsequent Appropriation Acts), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that until provisions of the Economic Growth, Regulatory Relief, and Consumer Protection Act are implemented, there are certain FSS requirements (e.g., escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR part 984 (current, or as amended), the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100.³⁶ Further, upon conversion to PBV, if the PHA no longer has a public housing program, funds already escrowed for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.³⁷

For information on FSS PIC reporting requirements for RAD conversions, see Notice PIH 2016-08 at <http://portal.hud.gov/hudportal/documents/huddoc?id=pih2016-08.pdf>.

³⁶ The funding streams for the PH FSS Program and the HCV FSS Program were first merged pursuant to the FY 2014 appropriations act. As a result, PHAs can serve both PH residents and HCV participants, including PBV participants, with FSS funding awarded under the FY 2014 FSS Notice of Funding Availability (FSS NOFA) and any other NOFA under which the combination of funds remains in the applicable appropriations act. For PHAs that had managed both programs separately and now have a merged program, a conversion to PBV should not impact their FSS participants.
³⁷ Where the PHA maintains a public housing program, any forfeited funds that had been escrowed prior to conversion would revert to the PHA's Operating Reserves.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can only serve public housing residents. At the completion of the ROSS-SC grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be a non-profit or local Resident Association and this consequence of a RAD conversion may impact those entities. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

5. Resident Participation and Funding. In accordance with Attachment 1 B, residents of Covered Projects with assistance converted to PBV will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

6. Resident Procedural Rights. The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum (HUD Form 52530-c), as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

a. Termination Notification. HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD and to non-RAD PBV units located at the Covered Project. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter), the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall be :

A reasonable period of time, but not to exceed 30 days:

If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or

In the event of any drug-related or violent criminal activity or any felony conviction;

Not less than 14 days in the case of nonpayment of rent; and

iii. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

b. Grievance Process. Pursuant to requirements in the RAD Statute, HUD is establishing additional resident procedural rights to comply with section 6 of the Act.

For the termination of assistance and several other PHA determinations, PBV program rules require the PHA to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(v),³⁸ an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.

38 § 982.555(a)(1)(iv) is not relevant to RAD as the tenant-based certificate program has been repealed.

For any hearing required under 24 CFR § 982.555(a)(1)(i)-(v), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i). For any additional hearings required under RAD, the Project Owner will perform the hearing.

- ii. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or Contract Administrator.
- iii. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- iv. The Project Owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

7. Earned Income Disregard (EID). Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in 24 CFR § 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants that move into the property following conversion or tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion due to loss of employment) is covered by this waiver. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

8. Jobs Plus. Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project. If the program is continued, the Project Owner must agree to continue to implement the program according to HUD's program requirements. Jobs Plus target public housing projects must enroll public housing residents into the Jobs Plus rent incentive, JPEID, prior to conversion. Any resident of the Covered Project that had not enrolled prior to conversion is not eligible to enroll in JPEID but may utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the Covered Project may voluntarily utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion.

9. Total Tenant Payment Exceeds Gross Rent. Under normal PBV rules, the PHA may select an occupied unit to be included under the PBV HAP Contract only if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(c)). Also, a PHA must remove a unit from the HAP Contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the Gross Rent. (24 CFR § 983.258 and § 983.211).

Pre-Conversion Residents. Since the rent limitation under this Section of the Notice may result in current residents having TTPs that exceed the Gross Rent, 24 CFR §983.53(c) does not apply in order to provide RAD PBV assistance to residents who were living in the Converting Project prior to conversion. As necessary to further implement the alternative requirements described below, HUD is waiving 24 CFR §983.258 and §983.211, as well as the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR § 983.301 as modified by Section 1.6.B.5 of this Notice.

HUD is establishing an alternative requirement that the unit for a family with a TTP that equals or exceeds Gross Rent must be placed on the PBV HAP Contract and the family shall be admitted to the PBV program. In such cases the resident is considered a participant under the PBV program and all the family obligations and protections under RAD and PBV apply to the resident.

During any period when the family's TTP is equal to or above the Gross Rent, the zero-HAP family will pay an alternate rent to owner that is the lower of:

- a. the family's TTP less the Utility Allowance, subject to any required phase-in pursuant to Section 1.6.C.3 of this Notice; or
- b. the Zero-HAP Rent Cap, which is the lower of either:
 - i. 110% of the applicable FMR less the Utility Allowance; or
 - ii. In the event the units are subject to more restrictive rent setting requirements under the LIHTC or HOME programs, or other programs approved by HUD on a project-specific basis, the rent to owner set to comply with such requirements.

During any period that the family's TTP falls below the Gross Rent, the normal PBV requirements apply and the family would pay 30% of adjusted income, less utility allowance.

After a family has paid the Zero-HAP Rent Cap as set by this Section for a period of 180 days, the PHA shall remove the unit from the HAP Contract and the family's participation in the PBV program ends.³⁹ If the Covered Project is fully assisted and the family subsequently leaves the property, the PHA must reinstate the unit back onto the HAP Contract and admit an eligible family. If the Covered Project is partially assisted and the family subsequently leaves the property, the unit must be reinstated back onto the HAP Contract unless the PHA previously substituted a different unit on the HAP Contract in accordance with 24 CFR § 983.207 or, where "floating units" have been permitted, Section 1.6.B.10 of the Notice.

Additionally, if the family continues to reside in the project after the family's unit was removed from the HAP Contract, the family may request to return to the PBV program if the family's income subsequently decreases to the extent that the family's TTP is less than the Zero-HAP Rent Cap set by this section and the family is otherwise eligible for PBV assistance. The PHA shall, at the earliest opportunity^{4B-8}, reinstate the family's unit back onto the HAP Contract to provide rental assistance to the family. All PBV requirements with respect to the unit, such as compliance with HQS, apply while the unit is under the HAP Contract or added back to the HAP Contract.

³⁹ For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance (Gross Rent = \$550). The FMR for the unit size in the area in which the project is located is \$800. Following conversion, the family is responsible for paying \$550 in tenant rent. If the resident's income rises or is subject to a rent increase phase-in and all other conditions remain the same, the family would pay TTP until the tenant rent reached the Zero-HAP Rent Cap of \$830 (\$880, which is 110% of the \$800 FMR, minus the \$50 utility allowance), at which point the family would continue paying \$830, and unless the family's income and TTP subsequently decreases, the unit would be removed from the contract after 180 days. Families paying less than TTP because of the phased in Tenant Rent Increase alternative requirement are not paying the Zero-HAP Rent Cap and are not subject to this 180-day requirement. However, if the family's Calculated PBV TTP under section 1.6.C.3 is more than the Gross Rent, the family is a zero-HAP family and the applicability of the phased in Tenant Rent increase would end when the amount the family would pay under that alternative requirement meets or exceeds the Zero-HAP Rent Cap. At that point in time the family would pay the Zero-HAP Rent Cap and would be subject to all zero-HAP family requirements of this section, including the 180-day requirement.

^{4B-8} If the project was partially assisted and the PHA previously substituted a different unit on the HAP Contract, the PHA shall substitute the family's unit for a vacant unit on the HAP Contract if there is a vacant unit at the time of the request, or by doing so as soon as a unit on the HAP Contract becomes vacant if there are no vacant units on the HAP Contract at the time of the family request.

New Admission Families. Unless a PHA requests and receives the waiver described below, any new admission to the Covered Project must meet the eligibility requirements at 24 CFR § 982.201 and require a subsidy payment at admission to the PBV program, which means the family's TTP may not equal or exceed the Gross Rent for the unit at that time. Furthermore, a PHA must remove a new admission family's unit from the PBV HAP Contract when no assistance has been paid for 180 days because a new admission family's TTP subsequently increased to equal or exceed the Gross Rent. However, HUD is imposing an alternative requirement in such cases. If the project is fully assisted and the family subsequently leaves the property, the PHA must reinstate the unit on the HAP Contract and admit an eligible family. If the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP Contract in accordance with 24 CFR § 983.207 or, where "floating units" have been permitted, Section 1.6.B.10 of the Notice.

In circumstances where low RAD PBV rents may prohibit a significant number of otherwise eligible families on the waiting list from being admitted to the project because they do not require subsidy, and which could consequently create an undue concentration of poverty at the project compared to non-RAD PBV projects, a PHA may request a waiver of 24 CFR §§983.53(c), 983.259, 983.211, and 983.301 from HUD for the Covered Project. The waiver will apply the alternative requirements applicable to the pre-conversion residents in this Section to new admission families.

The PHA may request the waiver during the RAD conversion process or may subsequently request the waiver any time after the effective date of the HAP Contract. In order for the waiver to be approved, the PHA must demonstrate that based on the RAD rent calculated in accordance with Attachment 1C, the monthly two-bedroom RAD Gross Rent is less than: 30% of the monthly income of a family of four at the midpoint between the Very Low Income (VLI) HUD Income Limit and Extremely Low Income (ELI) HUD Income Limit for the area in which the Covered Project is located.

For waivers submitted during the conversion process, the Office of Recapitalization may grant the waiver after review of the Financing Plan and confirmation that the RAD rents meet the waiver rent threshold described above.^{4B-9} The Office of Recapitalization shall document the waiver by adding an additional provision to the RCC before closing. For waivers submitted after the effective date of the HAP Contract, the waiver is submitted through the normal waiver process outlined in Notice PIH 2018-16 (or any successor notice). In both cases, the approved waiver will be for the initial term of the PBV HAP Contract.

If the waiver is approved, the new admission families covered under the waiver are participants under the PBV program, all the family obligations and protections under RAD and PBV apply to the family, the RAD PBV families shall be subject to the same alternative requirements applicable to the pre-conversion residents under this Section, and the unit is subject to all PBV program requirements, as modified by this Notice.

Further, Covered Projects that receive the waiver shall be subject to an alternative income targeting requirement that at least 75% of new admissions to the PBV units (both RAD and non-RAD PBV units) in the Covered Project in any PHA fiscal year are ELI families.^{4B-10} If there are less than four new admissions to the Covered Project in a PHA fiscal year, the income targeting is determined by combining the new admissions for that fiscal year with the new admissions for the subsequent fiscal year (or years) until the combined total of new admissions equals or exceeds four for those consecutive fiscal years.^{4B-11}

4B-9 An example of the waiver rent threshold calculation is as follows. Assume the applicable VLI limit is \$46,850 and the ELI limit is \$28,100. The midpoint income is \$37,475 ($\$46,850 + \$28,100 = \$74,950$; $\$74,950/2 = \$37,475$). To calculate the affordable monthly rent, the midpoint income is divided by 12 and multiplied by 0.30 ($\$37,475/12 = \$3,123$; $\$3,123*0.30 = \937). If the RAD Rent is less than \$937, the Covered Project is eligible for the waiver.

4B-10 This alternative requirement for the Covered Project is in addition to the PHA's HCV/PBV program income targeting requirements at 24 CFR 982.201(b)(2). Admissions to the Covered Project continue to be taken into account when determining income targeting in accordance with 24 CFR 982.201(b)(2).

4B-11 For example, assume in fiscal year in which the waiver was granted the Covered Project had one new admission and in following fiscal year had three new admissions. Compliance with the Covered Project income targeting requirement would be determined based on the combined total of the 4 new admissions over the two fiscal years (3 of the 4 new admissions to PBV units the Covered Project must have been ELI families).

10. Under-Occupied Unit. If a family is in an under-occupied unit under 24 CFR § 983.260 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR § 983.260 is waived for current residents remaining or returning to the Covered Project. MTW agencies may not modify this requirement. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

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1.6-D. PBV: Other Miscellaneous Provisions

1. Access to Records, Including Requests for Information Related to Evaluation of Demonstration. PHAs and the Project Owner must cooperate with any reasonable HUD request for data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility utilization, and rehabilitation work. Please see Appendix IV for reporting units in Form HUD-50058.
2. Ongoing PHA Board Review of Operating Budget. The Owner must submit to the administering PHA's Board the operating budget for the Covered Project annually. The PHA's Board must confirm that the Project Owner is making deposits into the Reserve for Replacement account in accordance with the RCC as well as assess the financial health of the Covered Project.⁴⁰
3. Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3). These sections have been moved to 1.4.A.13 and 1.4.A.14.
4. Establishment of Waiting List. 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions shall apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:
 - a. Transferring an existing site-based waiting list to a new site-based waiting list.
 - b. Transferring an existing site-based waiting list to a PBV program-wide or HCV program-wide waiting list.
 - c. Transferring an existing community-wide public housing waiting list to a PBV program-wide or HCV program-wide waiting list, an option particularly relevant for PHAs converting their entire portfolio under RAD.
 - d. Informing applicants on a community-wide public housing waiting list how to transfer their application to one or more newly created site-based waiting lists.

For any applicants on the public housing waiting list that are likely to be ineligible for admission to a Covered Project converting to PBV because the household's TTP is likely to exceed the RAD gross rent, the PHA shall consider transferring such household, consistent with program requirements for administration of waiting lists, to the PHA's remaining public housing waiting list(s) or to another voucher waiting list, in addition to transferring such household to the waiting list for the Covered Project.

⁴⁰ For PBV conversions that are not FHA-insured, a future HUD notice will describe project financial data that may be required to be submitted by a PBV owner for purposes of monitoring and evaluation, given that PBV projects do not submit annual financial statements to HUD/REAC.

To the extent any wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the waiting list of the transfer of assistance, and on how they can apply for residency at other sites.

If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the Covered Project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).⁴¹

When using a site-based waiting list, PHAs should consider waiting list and transfer policies that expand opportunities for tenants seeking an emergency transfer under, or consistent with, the PHA's Emergency Transfer Plan. This includes allowing for easier moves between assisted properties.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the Covered Project in accordance with 24 CFR § 983.251(c). To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

5. Mandatory Insurance Coverage. The Covered Project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed project property.

6. Future Refinancing. Project Owners must receive HUD approval for any refinancing or restructuring of secured debt during the HAP Contract term to ensure the financing is consistent with long-term preservation of the Covered Project. With respect to any financing contemplated at the time of conversion (including any permanent financing which is a conversion or take-out of construction financing), such consent may be evidenced through the RCC but HUD review of liens must be performed prior to execution.

7. Administrative Fees for Public Housing Conversions During the Year of Conversion. For the remainder of the Calendar Year in which the HAP Contract becomes effective (i.e., the "year of conversion"), RAD PBV projects will be funded with public housing funds. For example, if the project's assistance converts effective July 1, 2015, the public housing ACC between the PHA and HUD will be amended to reflect the number of units under HAP Contract, but will be for zero dollars, and the RAD PBV HAP Contract will be funded with public housing money for July through December 2015. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time.

⁴¹ For more information on serving persons with LEP, please see HUD's Final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published on January 22, 2007.

PHAs operating an HCV program typically receive administrative fees for units under a HAP Contract, consistent with recent appropriation act references to “section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Work Responsibility Act of 1998” and 24 CFR § 982.152(b). During the year of conversion mentioned in the preceding paragraph, these provisions are waived. PHAs will not receive Section 8 administrative fees for PBV RAD units during the year of conversion.

After the year of conversion, the Section 8 ACC will be amended to include Section 8 funding that corresponds to the units covered by the Section 8 ACC. At that time, the regular Section 8 administrative fee funding provisions will apply.

8. Choice-Mobility. One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of the PHA’s HCV program becomes PBV assistance, it is possible for most or all of a PHA’s turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing the following alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP Contract administered by the PHA exceeds 20 percent of the PHA’s authorized units under its HCV ACC with HUD: The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA’s administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) of the Act and 24 CFR § 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD. MTW agencies may not alter this requirement.

9. Reserve for Replacement. The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines.

10. Initial Certifications and Tenant Rent Calculations. The Contract Administrator uses the family’s public housing tenant rent (reflected on line 10f of the family’s most recent HUD Form 50058) at the date of the conversion to calculate the PBV HAP and tenant rent until the effective date of the earlier of the family’s first regular or interim recertification following the date of conversion. At the earlier of the family’s first regular or interim recertification, the Contract Administrator will use the family’s TTP based on the recertification and the HCV utility allowance (or the PBV site-specific utility allowance, if applicable) to determine the PBV HAP and tenant rent. This means that the family pays the same tenant rent as the family was paying under the public housing program until the earlier of first regular or interim reexamination following conversion, at which point the normally applicable PBV calculation for the tenant rent becomes effective. (Under the PBV program, the monthly HAP is the rent to owner minus the tenant rent, and the tenant rent is the family TTP minus the utility allowance.) To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same property as the Covered Project shall be subject to the terms of this provision. To effectuate this provision, HUD is waiving 24 CFR 5.601 and 983.3(c)(6)(iii).

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SECTION 6. RELOCATION REQUIREMENTS

In some cases, as explained in this Section, the activities associated with the RAD transaction may require the relocation of residents. In the event of acquisition, demolition, construction or rehabilitation activities performed in connection with a RAD conversion, the PHA and/or Project Owner⁶⁶ should plan such activities to reasonably minimize any disruption to residents' lives, to ensure that residents are not exposed to unsafe living conditions and to comply with applicable relocation, fair housing and civil rights requirements. As discussed in Section 6.1, below, a written relocation plan is required in some circumstances and strongly encouraged for any conversion resulting in resident moves or relocation. Further, the obligations due to relocating residents under RAD are broader than URA relocation assistance and payments and RAD specifies requirements which are more protective of residents than standard URA requirements, including additional notices (see Section 6.6) and a right to return (see Section 6.2). This Notice requires that certain information be provided to all households, beginning prior to submission of the RAD application.

Any resident who moves as a direct result of acquisition, rehabilitation or demolition for an activity or series of activities associated with a RAD conversion may, depending on the circumstances and length of time of the relocation, be eligible for relocation assistance and payments under the URA. Additionally, Section 104(d) relocation and one-for-one replacement housing requirements may also apply when CDBG- or HOME-funds are used in connection with a RAD conversion. The applicability of the URA or Section 104(d) to RAD conversions is fact-specific, which must be determined in accordance with the applicable URA and Section 104(d) regulations.⁶⁷

Eligibility for specific protections under this Notice applies to any person residing in a Converting Project who is legally on the public housing lease, has submitted an application to be added to an existing lease, or is otherwise in lawful occupancy at the time of the issuance of the CHAP and at any time thereafter until conversion of assistance under RAD. All such residents of a Converting Project have a right to return and are eligible for relocation protections and assistance as provided by this Notice. The eligibility criteria set forth in this paragraph apply to the protections under this Notice regardless of whether residents or household members meet the statutory and regulatory requirements for eligibility under URA.⁶⁸

⁶⁶ Under the URA, the term "displacing agency" refers to the agency or person that carries out a program or project which will cause a resident to become a displaced person. Projects vary and, for any specific task described in this Notice, the displacing agency may be either the PHA or the Project Owner, as determined by the allocation of roles and responsibilities between the PHA and Project Owner

⁶⁷ 42 U.S.C. § 4601 et seq., 42 U.S.C. § 5304(d), and their implementing regulations at 49 C.F.R Part 24 and 24 C.F.R. Part 42 subpart C.

⁶⁸ A nonexclusive listing of persons who do not qualify as displaced persons under URA is at 49 C.F.R. 24.2(a)(9)(ii). See also, Paragraph 1-4(J) of HUD Handbook 1378. See Section 6.5 of this Notice for discussion of the date of "initiation of negotiations."

6.1. Planning

If there is a possibility that residents will be relocated as a result of acquisition, demolition, or rehabilitation for a Converting Project,

PHAs must undertake a planning process in conformance with the URA statutory and regulatory requirements in order to minimize the adverse impact of relocation (see 49 § C.F.R. 24.205). PHAs must also ensure that their relocation planning is conducted in compliance with applicable fair housing and civil rights requirements.

The PHA shall prepare a written relocation plan if the RAD conversion involves permanent relocation (including, without limitation, a move in connection with a transfer of assistance) or temporary relocation anticipated to last longer than one year. While a written relocation plan is not required for temporary relocation lasting one year or less, HUD strongly encourages PHAs, in consultation with any applicable Project Owners, to prepare a written relocation plan for all RAD conversions to establish their relocation process clearly and in sufficient detail to permit consistent implementation of the relocation process and accurate communication to the residents. Appendix II contains recommended elements of a relocation plan.

During the planning stages of a RAD transaction and based on the results of this planning process, a PHA must submit applicable portions of the Checklist described in Section 5.3(B) to HUD, together with any required backup documentation, as early as possible once the information covered in the applicable part is known.⁶⁹ All parts of the Checklist must be submitted to HUD prior to submission of the Financing Plan. The Checklist will allow HUD to assist the PHA to comply, and to evaluate the PHA's compliance, with relocation requirements, including civil rights requirements related to relocation.

The following presents a general sequencing of relocation planning activities within the RAD conversion process for informational and planning purposes only. Specific requirements are set forth in the provisions of this Notice.

⁶⁹ The Checklist refers to the existing FHEO Accessibility and Relocation Checklist until a revised Checklist is approved for use pursuant to the Paperwork Reduction Act.

Stage	Activities
1. Prior to submission of RAD application	<ul style="list-style-type: none"> Determine potential need for relocation in connection with proposed conversion plans. Meet with residents to discuss proposed conversion plans, communicate right to return, and solicit feedback. Provide the <i>RAD Information Notice (RIN)</i> to residents as described in Section 6.6(A) of this Notice.
2. After submission of RAD application	<ul style="list-style-type: none"> Assess the need for relocation planning in connection with proposed conversion plans. Determine if technical assistance would be beneficial to ensuring compliance with relocation requirements. Survey residents to inform relocation planning and relocation process. Develop a relocation plan (see Appendix II for recommended content). Prepare Significant Amendment to PHA Plan and engage with the Resident Advisory Board, residents and the public regarding Plan amendment.⁷⁰
3. Following issuance of the CHAP, or earlier if warranted	<ul style="list-style-type: none"> Provide the <i>General Information Notice (GIN)</i> to residents when the project involves acquisition, rehabilitation, or demolition as described in Section 6.6(B) of this Notice and relocation may be required.
4. While preparing Financing Plan	<ul style="list-style-type: none"> Discuss the outlines of the conversion plans and their impact on relocation with the HUD transaction manager. Refine the plan for relocation and integrate the construction schedule into the relocation strategy; seek to minimize off-site or disruptive relocation activities. Identify relocation housing options . Budget for relocation expenses and for compliance with accessibility requirements. Submit the Checklist and, where applicable, the relocation plan. If the conversion involves acquisition, at the discretion of the Project Owner issue Notice of Intent to Acquire (NOIA). If a NOIA is issued, at the discretion of the Project Owner provide residents with appropriate relocation notices as

Stage	Activities
	described in Section 6.6(C) through 6.6(E) of this Notice at this time.
5. From RAD Conversion Commitment (RCC) to Closing	<ul style="list-style-type: none"> Meet with residents to describe approved conversion plans and discuss required relocation. The effective date of the RCC marks the date of “Initiation of Negotiations” (ION), as defined in the URA (49 § C.F.R. 24.2(a)(15)). If no NOIA was provided while preparing the Financing Plan, provide residents with appropriate relocation notices as described in Section 6.6(C) through 6.6(E) of this Notice. Resident relocation may begin following the effective date of the RCC, subject to applicable notice requirements.
6. Post-Closing	<ul style="list-style-type: none"> Ongoing implementation of relocation Notify the residents regarding return to the Covered Project as described in Section 6.6(F) of this Notice Implementation of the residents’ right to return

⁷⁰ Alternatively, the PHA may submit a new PHA Five-Year or Annual Plan, especially if it is on schedule to do so. Under any scenario, the PHA must consult with the Resident Advisory Board and undertake the community participation process.

6.2. Resident Right to Return

Any public housing or Section 8 assisted resident that may need to be relocated temporarily to facilitate rehabilitation or construction has a right to return to an assisted unit at the Covered Project once rehabilitation or construction is complete.⁷¹ Permanent involuntary displacement of public housing or Section 8 assisted residents may not occur as a result of a project's conversion of assistance. The Project Owner satisfies the RAD right to return to a Covered Project if the Project Owner offers

the resident household either: a) a unit in the Covered Project in which the household is not under-housed; or b) a unit in the Covered Project which provides the same major features as the resident's unit in the Converting Project prior to the implementation of the RAD conversion. In the case of a transfer of assistance to a new site, residents of the Converting Project have the right to reside in an assisted unit meeting the requirements set forth in this paragraph at the Covered Project (the new site) once the Covered Project is ready for occupancy in accordance with applicable PBV or PBRA requirements.

If proposed plans for a Converting Project would preclude a resident from returning to the Covered Project, the resident must be given an opportunity to comment and/or object to such plans. Examples of project plans that may preclude a resident from returning to the Covered Project include, but are not limited to:

- Changes in bedroom distribution which decrease the size of units such that the resident would be under-housed;⁷²
- Where a) the PHA is reducing the number of assisted units at a property (if authorized to do so under Section 1.5.B of the RAD Notice) and b) the resident cannot be accommodated in the remaining assisted units;
- The imposition of income eligibility requirements, such as those associated with LIHTC or other program financing, under which the current resident may not be eligible;⁷³ and
- Failure to provide reasonable accommodation to an individual with disabilities, in violation of applicable law, which reasonable accommodation may include installation of accessibility features that are needed by the individual with disabilities.⁷⁴

If the resident who would be precluded from returning to the Covered Project objects to such plans, the PHA must alter the project plans to accommodate the resident's right to return to the Covered Project. If the resident who would be precluded from returning to the Covered Project prefers to voluntarily and permanently relocate rather than object to the project plans, the PHA must secure informed, written consent to a voluntary permanent relocation in lieu of returning to the Covered Project and must otherwise comply with all the provisions of Section 6.10, below, regarding alternative housing options. The PHA cannot employ any tactics to pressure residents into relinquishing their right to return or accepting alternative housing options. A PHA may not terminate a resident's lease if the PHA fails to obtain the resident's consent and the resident seeks to exercise the right to return.

71 The right to return is not a right to any specific unit in the Covered Project. Tenancies other than public housing or Section 8 assisted residents (such as commercial tenants) do not hold a right to return and are subject to standard relocation requirements applicable to such tenants under the URA.

72 See the RAD Notice for a description of the procedures that must be undertaken if a resident is over-housed.

73 In these cases, a PHA may elect to exclude some units from the applicable financing program, for example, claiming LIHTC for a subset of the units and not claiming tax credits in connection with the units occupied by households over the LIHTC maximum eligibility of 60% of AMI.

74 Refer to the Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications Under the Fair Housing Act (March 5, 2008), at http://www.hud.gov/offices/ftheo/disabilities/reasonable_modifications_mar08.pdf for additional detail regarding applicable standards for reasonable accommodations and accessibility features which must be provided. If the resident has paid for installation of accessibility features in the resident's prior unit, the PHA or Project Owner shall pay for the installation of comparable features in the new unit. Violations of law may also result in other sanctions.

In the case of a multi-phase transaction, the resident has a right to return to the Covered Project or to other converted phases of the property which have converted and are available for occupancy at the time the resident is eligible to exercise the right to return. A relocated resident should get the benefit of improvements facilitated by the resident's relocation and conversion and completion of future phases cannot be assured. In most cases, this means that the resident's right to return must be accommodated within the Covered Project associated with resident's original unit. However, in those cases where improvements to multiple phases of a site are occurring simultaneously, the PHA or Project Owner may treat multiple Covered Projects on the same site as one for purposes of the right to return. If the PHA or Project Owner seeks to have the resident exercise the right of return at a future phase, the PHA or Project Owner would need to secure the resident's consent to such plan as an alternative housing option pursuant to Section 6.10, below.

In implementing the right of return, the Project Owner shall comply with all applicable fair housing laws and implementing regulations, including, but not limited to, the Fair Housing Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act.

6.3. Admissions and Continued Occupancy Requirements

Resident households may not be denied relocation housing or the right to return based on rescreening, income eligibility, or income targeting. PHAs may only offer housing options with screening, income eligibility or income targeting requirements if the impacted residents meet the admission and occupancy policies applicable to such housing. However, whether or not in a temporary relocation situation, the household remains subject to the applicable program policies regarding continued occupancy of an assisted unit by an incumbent resident of the unit.

6.4. Types of Moves and Relocation

Any time project plans require a resident to move from their current unit, the resident is eligible for assistance as described in this Notice. Assistance may vary depending on the options provided to residents, whether the relocation is temporary or permanent and, if applicable, the length of time the resident is in temporary accommodations.⁷⁵ In all circumstances, the move or relocation must be in compliance with applicable requirements of this Notice and consistent with applicable fair housing and civil rights requirements. Each type of move is discussed below.

Moves within the same building or complex of buildings⁷⁶

Temporary or permanent moves within the same building or complex of buildings may be appropriate given the extent of work to be completed to permit phasing of rehabilitation or construction. Moves within the same building or complex of buildings are not considered relocation under RAD and a tenant generally does not become displaced under the URA. Whether permanent (i.e., the tenant will move to and remain in an alternative unit) or temporary (i.e., the tenant will move to another unit and return to their original unit), the PHA or Project Owner must reimburse residents for all reasonable out-of-pocket expenses incurred in connection with any move and all other terms and conditions of the move(s) must be reasonable.⁷⁷ The final move must be to a unit which satisfies the right to return requirements specified in Section 6.2 of this Notice.

⁷⁵ PHAs should note that the definitions of "permanent" vary between the URA and RAD. For example, "permanent displacement" under the URA includes moves from the original building or complex of buildings lasting more than one year. The RAD Notice, meanwhile, considers "permanent relocation" to be separation from the RAD-assisted unit upon completion of the conversion and any associated rehabilitation and construction. The duration of a temporary move may exceed one year. In the case of a transfer of assistance, it is not permanent relocation under RAD when the resident must move from the original complex of buildings to the destination site in order to retain occupancy of the RAD-assisted unit.

⁷⁶ An example of relocation within the same building or complex of buildings would be if one floor of a multi-story building is vacant, and the PHA is moving residents from another floor to the vacant units.

⁷⁷ Failure to reimburse residents for moving or other out-of-pocket expenses and any other terms and conditions of the move which may be unreasonable may result in the resident becoming a displaced person under the URA if the resident subsequently moves from the property

Temporary relocation lasting one year or less

If a resident is required to relocate temporarily, to a unit not in the same building or complex of buildings, for a period not expected to exceed one year in connection with the RAD conversion, the resident's temporarily occupied housing must be decent, safe, and sanitary and the resident must be reimbursed for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation. These expenses include, but are not limited to, moving expenses, increased housing costs (e.g., rent and utilities), meals if the temporary housing lacks cooking facilities (e.g., during a short hotel stay, whether or not on an emergency basis) and other applicable expenses.⁷⁸

Temporary relocation initially expected to last one year or less, but which extends beyond one year

In the event that a resident has been temporarily relocated, to a unit not in the same building or complex of buildings, for a period which was anticipated to last one year or less but the temporary relocation in fact exceeds one year, the resident qualifies as a "displaced person" under the URA and as a result immediately becomes eligible for all permanent relocation assistance and payments as a "displaced person" under the URA, including notice pursuant to Section 6.6(E). This assistance would be in addition to any assistance the person has already received for temporary relocation, and may not be reduced by the amount of any temporary relocation assistance.

In such event, the PHA or Project Owner shall offer the resident the opportunity to choose to voluntarily permanently relocate with the offered URA assistance or to choose to remain temporarily relocated based on updated information from the PHA or Project Owner about when they can return to the completed RAD unit. The PHA or Project Owner must present this opportunity to the resident when the temporary relocation extends beyond one year and each time thereafter that the temporary relocation extends beyond the previously anticipated duration. In presenting such opportunity, the PHA or Project Owner must inform the resident in writing that his or her acceptance of voluntary permanent relocation, with the associated assistance, would terminate the resident's right to return to the Covered Project. The PHA or Project Owner must provide the resident with at least 30 days to decide whether to remain in temporary relocation status or to voluntarily relocate permanently.

Temporary relocation anticipated to last more than one year

When the PHA anticipates that the temporary relocation, to a unit not in the same building or complex of buildings, will last more than one year, but the resident is retaining the resident's right to return to the Covered Project, the resident is considered temporarily relocated under RAD and is eligible to receive applicable temporary relocation assistance and payments. Under the URA, the resident becomes eligible to receive applicable relocation assistance and payments as a "displaced person" when the temporary relocation period exceeds one year and each time thereafter that the temporary relocation extends beyond the previously anticipated duration, at which time the PHA or Project Owner shall offer the resident the opportunity to choose to voluntarily permanently relocate or to remain temporarily relocated, as described in Section 6.4(C), above.

In order to allow residents to make the election earlier than required under the URA (thereby avoiding a year in temporary relocation housing prior to electing voluntary permanent relocation), if the PHA or Project Owner anticipates that temporary relocation will last more than one year, the PHA or Project Owner shall provide the resident with an initial option to (a) be temporarily relocated, retain the right to return to the Covered Project when a unit becomes available and receive assistance, including temporary housing and reimbursement for all reasonable out-of-pocket expenses associated with the temporary relocation, or (b) accept RAD voluntary permanent relocation assistance and payments equivalent to what a "displaced person" would receive under the URA. The PHA or Project Owner must inform the resident in writing that his or her acceptance of voluntary permanent relocation, with the associated assistance, would terminate the resident's right to return to the Covered Project. The PHA or Project Owner must provide the resident with at least 30 days to decide whether to remain in temporary relocation status or to voluntarily relocate permanently.

⁷⁸ HUD Handbook 1378, Chapter 2, Section 2-7 governs activities subject to URA requirements and informs, but is not binding upon, any RAD activities not governed by the URA. PHAs may also refer to HUD Form 40030

Permanent moves in connection with a transfer of assistance

In cases solely involving a transfer of assistance to a new site, resident relocation from the Converting Project to the Covered Project is not, by itself, generally considered involuntary permanent relocation under RAD. However, the URA and/or Section 104(d) is likely to apply in most cases. In cases of a transfer of assistance to a new site where it has also been determined that the URA and/or Section 104(d) apply to the transfer of assistance, residents may be eligible for all permanent relocation assistance and payments for eligible displaced persons under the URA and/or Section 104(d). If the URA applies to a move of this type, the PHA or Project Owner must make available at least one, and when possible, three or more comparable replacement dwellings pursuant to 49 C.F.R. § 24.204(a). However, provided the transfer of assistance unit meets the URA definition of a comparable replacement dwelling pursuant to 49 C.F.R. § 24.2(a)(6), that unit could in fact represent the most comparable replacement dwelling as determined by the agency for purposes of calculating a replacement housing payment, if any, under 49 C.F.R. § 24.402.

Whether or not the URA and/or Section 104(d) apply, under RAD the residents are entitled to relocation assistance and payments, including counseling in preparation for the relocation, written notices of the relocation (including a 90-day RAD Notice of Relocation), and reimbursement for all reasonable out-of-pocket expenses, including moving expenses, incurred in connection with the move. It should be noted that the RAD relocation assistance and payments provided to transferring residents in this paragraph differ from those required under the URA and/or Section 104(d) as described above. Where both frameworks apply, the residents must receive the more extensive protections offered under either framework.

If HUD determines that the distance from the Converting Project to the site of the Covered Project is significant and the resident could not reasonably be required to move to the new site, then HUD will require the PHA to adjust project plans to accommodate the resident in an assisted unit (e.g., a public housing unit, some other project-based Section 8 unit or a market unit with a housing choice voucher) within a reasonable distance of the site of the Converting Project. HUD will evaluate whether this requirement applies on a case by case basis, considering whether the distance would impose a significant burden on residents' access to existing employment, transportation options, schooling or other critical services. Accommodating the resident may also be satisfied by the resident's consent to an alternative housing option pursuant to Section 6.10. The requirement set forth in this paragraph is in addition to all protections, including, for example, the offer of comparable replacement dwellings, which are required in all instances where a transfer of assistance is subject to the URA and/or Section 104(d).

Voluntary permanent relocation

A resident may elect to relinquish their right of return and consent to voluntary permanent relocation pursuant to an alternative housing option offered and accepted according to the procedures described in Section 6.10, which Section specifies protections to ensure the resident's decision is fully informed. By selecting voluntary permanent relocation, the resident is electing to receive RAD permanent relocation assistance and payments which are equivalent to the relocation payments and assistance required to be provided to a "displaced person" pursuant to the regulations implementing the URA.

6.5. Initiation of Negotiations (ION) Date

Eligibility for URA relocation assistance is effective on the date of initiation of negotiations (ION) (49 C.F.R. § 24.2(a)(15)). For Converting Projects, the ION date is the effective date of the RCC. The ION date is also typically the date when PHAs can begin to issue RAD Notices of Relocation (except in the case of acquisitions when the PHA can issue a Notice of Intent to Acquire and RAD Notices of Relocation prior to the ION date). Any person who is in lawful occupancy on the ION date is presumed to be entitled to relocation payments and other assistance.

PHAs and Project Owners should note that prior to the ION date, a resident may be eligible as a displaced person for permanent relocation assistance and payments under the URA if HUD determines, after analyzing the facts, that the resident's move was a direct result of the project. However, resident moves taken contrary to specific instructions from the PHA or Project Owner (for example, contrary to instructions not to move if contained in a General Information Notice) are generally not eligible as a displaced person under the URA.

6.6. Resident Relocation Notification (Notices)

PHAs and Project Owners are encouraged to communicate regularly with the residents regarding project plans and, if applicable, the resulting plans for relocation. When residents may be relocated for any time period (including, without limitation, a move in connection with a transfer of assistance), written notice must be provided to the resident heads of households, including the notices listed below as applicable.⁷⁹ PHAs and Project Owners are also encouraged to provide additional relocation notices and updates for the residents' benefit as appropriate for the specific situation.

To ensure that all residents understand their rights and responsibilities and the assistance available to them, consistent with URA requirements at 49 C.F.R. § 24.5 and civil rights requirements, PHAs and Project Owners must ensure effective communication with individuals with disabilities, including through the provision of appropriate auxiliary aids and services, such as interpreters and alternative format materials. Similarly, PHAs and Project Owners are required to take reasonable steps to ensure meaningful access for LEP persons in written and oral materials. Each notice shall indicate the name and telephone number of a person to contact with questions or for other needed help and shall include the number for the telecommunication device for the deaf (TDD) or other appropriate communication device, if applicable, pursuant to 24 C.F.R. §8.6(a)(2).

The purpose of these notifications is to ensure that residents are informed of their potential rights and, if they are to be relocated, of the relocation assistance available to them. Two initial notices launch this effort and provide critical information regarding residents' rights. The first, the RAD Information Notice, is to be provided at the very beginning of the RAD conversion planning process in order to ensure residents understand their rights, to provide basic program information and to facilitate residents' engagement with the PHA regarding project plans. The GIN, meanwhile, provides information specifically related to protections the URA provides to impacted residents. Subsequent notices provide more detailed information regarding relocation activities specific to the household, including tailored information regarding eligibility and timelines for relocation.

PHAs should note that a resident move undertaken as a direct result of the project may be eligible to receive relocation assistance and payments under the URA even though the PHA has not yet issued notices to them. Sample notices which may be used as-is or modified to fit the peculiarities of each situation are provided on the RAD website at www.hud.gov/rad.

RAD Information Notice

The RAD Information Notice is to be provided to residents at the very beginning of the RAD conversion planning process in order to convey general written information on potential project plans and residents' basic rights under RAD, and to facilitate residents' engagement with the PHA regarding the proposed RAD conversion. The PHA shall provide a RAD Information Notice to all residents of a Converting Project prior to the first of the two meetings with residents required by the RAD Notice, Section 1.8.2, and before submitting a RAD Application. This RAD Information Notice shall be provided without regard to whether the PHA anticipates any relocation of residents in connection with the RAD conversion. The RAD Information Notice must do the following:

⁷⁹ The notices required under Sections 6.6(B) through 6.6(E) must be delivered in accordance with URA resident notification requirements, including the requirement that the notice be personally served or delivered by certified or registered first class mail return receipt requested. All notices must be delivered to each household (i.e., posting in common areas is insufficient) and methods of delivery (e.g., certified mail, U.S. mail, or hand delivery) must be documented in the PHA's or Project Owner's files.

- Provide a general description of the conversion transaction (e.g., the Converting Project, whether the PHA anticipates any new construction or transfer of assistance, whether the PHA anticipates partnering with a developer or other entity to implement the transaction);
 - Inform the resident that the early conceptual plans are likely to change as the PHA gathers more information, including, among other items, resident opinions, analysis of the capital needs of the property and financing options;
 - Inform the resident that the household has a right to remain in the unit or, if any relocation is required, a right to return to an assisted unit in the Covered Project (which may be at the new site in the case of a transfer of assistance);
 - Inform the resident that they will not be subject to any rescreening as a result of the conversion;
 - Inform the resident that the household cannot be required to move permanently without the resident's consent, except in the case of a transfer of assistance when the resident may be required to move a reasonable distance, as determined by HUD, in order to follow the assisted unit;
 - Inform the resident that if any relocation is involved in the transaction, the resident is entitled to relocation protections under the requirements of the RAD program and, in some circumstances, the requirements of the URA, which protections may include advance written notice of any move, advisory services, payment(s) and other assistance as applicable to the situation;
 - Inform the resident that any resident-initiated move from the Converting Project could put any future relocation payment(s) and assistance at risk and instruct the resident not to move from the Converting Project; and
 - Inform the resident that the RAD transaction will be completed consistent with fair housing and civil rights requirements, and provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

General Information Notice (49 C.F.R. § 24.203(a))

The purpose of the General Information Notice (GIN) is to provide information about URA protections to individuals who may be displaced as a result of federally-assisted projects involving acquisition, rehabilitation or demolition. A GIN provides a general description of the project, the activities planned, and the relocation assistance that may become available.

A GIN shall be provided to any person scheduled to be displaced as soon as feasible based on the facts of the situation. In certain instances, such as when the PHA knows that a project will involve acquisition, rehabilitation or demolition, "as soon as feasible" may be simultaneous with issuance of the RAD Information Notice. For any RAD conversion involving acquisition, rehabilitation or demolition, "as soon as feasible" shall be no later than 30 days following the issuance of the CHAP. In instances where acquisition, rehabilitation or demolition is not anticipated at the time of the CHAP but project plans change to include such activities, pursuant to this Notice the PHA shall provide the GIN as soon as feasible following the change in project plans.

For RAD, the GIN must do at least the following:

- Inform the resident that he or she may be displaced for the project and generally describe the relocation payment(s) for which the resident may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s);
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will be given reasonable relocation advisory services, including referrals to replacement properties, help in filing payment claims, and other necessary assistance to help the displaced resident successfully relocate;
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she will not be required to move without 90 days advance written notice;
- Inform the resident that, if he or she qualifies for relocation assistance as a displaced person under the URA, he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available;
- Inform the resident that any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child (see 49 C.F.R. § 24.208(h) for additional information);
- Describe the resident's right to appeal the PHA's determination as to a resident's eligibility for URA assistance; and
- Inform the resident that the RAD transaction will be completed consistent with fair housing and civil rights requirements, and provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

Because of the potential confusion caused by evolving policy directions in the RAD program regarding delivery of the GIN, for actions taken prior to the issuance of this Notice, HUD will consider the facts and circumstances of each conversion, with emphasis on the underlying URA requirements, in monitoring and enforcing a PHA's compliance with this requirement.

Notice of Intent to Acquire (49 C.F.R. § 24.203(d))

For conversions involving acquisition, the Project Owner (the "acquiring agency") may provide to residents of the Converting Project a Notice of Intent to Acquire (NOIA).⁸⁰ The NOIA may be provided no earlier than 90 days prior to the PHA's reasonable estimate of the date of submission of a complete Financing Plan. While eligibility for URA relocation assistance is generally effective on the effective date of the RCC (the ION date), a prior issuance of a NOIA establishes a resident's eligibility for relocation assistance and payments on the date of issuance of the NOIA and prior to the ION date.

RAD Notice of Relocation

If a resident will be relocated to facilitate the RAD conversion, the PHA shall provide written notice of such relocation by means of a RAD Notice of Relocation. The RAD Notice of Relocation may not be issued until: 1) the effective date of the RCC (the ION date) if the conversion does not involve acquisition; or 2) the earlier of the issuance of the Notice of Intent to Acquire (see Section 6.6(C)) or the effective date of the RCC (the ION date) if the conversion involves acquisition. Prior to issuance of the RAD Notice of Relocation, PHAs and Project Owners should meet with each resident household to provide preliminary relocation advisory services and to determine their needs and preferences.⁸¹

A RAD Notice of Relocation is not required for residents who will not be relocated. As a best practice, PHAs or Project Owners should notify residents that they are not being relocated once that determination has been made if they were previously informed by the GIN and/or by other methods that relocation was a possibility.⁸²

A RAD Notice of Relocation shall provide either: 1) 30-days' notice to residents who will be relocated for twelve months or less; or 2) 90-days' notice to residents who will be relocated for more than twelve months.⁸³ The RAD Notice of Relocation must conform to the following requirements:

- (1) The notice must state the anticipated duration of the resident's relocation.
- (2) The notice must specify which entity (the PHA or the Project Owner) is primarily responsible for management of the resident's relocation and for compliance with the relocation obligations during different periods of time (i.e., before vs. after Closing).
- (3) For residents who will be relocated for twelve months or less:
 - The PHA or Project Owner must provide this notice a minimum of 30 days prior to relocation.⁸⁴ PHAs or Project Owners may deem it appropriate to provide longer notice periods for persons who will be temporarily relocated for an extended period of time (over 6 months), or if necessary due to personal needs or circumstances.

⁸⁰ Acquisition includes a new ownership entity's purchase of the Covered Project from the PHA, such as a purchase by a single purpose entity, an affiliate or a low-income housing tax credit ownership entity.

⁸¹ PHAs and Project Owners should note the URA relocation advisory services requirement for personal interviews. See Section 6.7 of this Notice. In sequencing the RAD Notice of Relocation, PHAs and Project Owners wishing to offer alternative housing options pursuant to Section 6.10 should also note the additional complexity in the timeline of notices. Pursuant to Section 6.10(D), the resident can consent to an alternative housing option only after issuance of the NOIA or the effective date of the RCC and 30 days after presentation of the alternative housing options. In some cases, for example, when the resident would not otherwise be relocated for over twelve months, the RAD Notice of Relocation must include both the information described in Section 6.6(D)(3) and the information in Section 6.6(D)(4). The PHA or Project Owner should consider discussing the alternative housing options prior to issuing the RAD Notice of Relocation so that the RAD Notice of Relocation can be tailored to the resident's situation.

⁸² The RAD program does not require a "notice of non-displacement," which HUD relocation policy generally uses for this purpose.

⁸³ The 90-day notice is required for residents relocated for more than twelve months, whether or not they intend to return to the Covered Project and whether or not they are eligible for assistance and payments as a displaced person under URA. Recipients of the 90-day notice would include those residents who have voluntarily accepted a permanent relocation option as well as those residents who are relocated within the same building or complex of buildings.

⁸⁴ Note that residents may elect to move to the relocation housing before the 30 days have elapsed. However, a PHA may not require a resident to move prior to this time

- The notice must explain that the PHA or Project Owner will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with any temporary move (including, but not limited to, increased housing costs and moving costs).
- The notice must explain the reasonable terms and conditions under which the resident may exercise the right to return to lease and occupy a unit in the Covered Project.

(4) For residents who will be relocated for more than twelve months, including for residents who may wish to voluntarily accept a permanent relocation option:

- The PHA or Project Owner must provide this notice a minimum of 90 days prior to relocation of residents.⁸⁵
- The notice must offer the choice to be temporarily relocated, thereby preserving the resident’s right to return, or the choice to be voluntarily permanently relocated pursuant to the procedures set forth in Section 6.10, together with guidance that the resident has at least thirty (30) days to consider the choice. • For residents who voluntarily elect to be permanently relocated, the 90-day notice period may only begin once the PHA or Project Owner has made available at least one comparable replacement dwelling consistent with 49 C.F.R. § 24.204(a).⁸⁶
- The notice must describe the available relocation assistance, the estimated amount of assistance based on the individual circumstances and needs, and the procedures for obtaining the assistance. The notice must be specific to the resident and his or her situation so that the resident will have a clear understanding of the type and amount of payments and/or other assistance the resident household may be entitled to claim.
- The notice must comply with all requirements for a URA Notice of Relocation Eligibility as described in 49 C.F.R. § 24.203(b).

(5) The notice must inform the resident that the relocation will be completed consistent with fair housing and civil rights requirements, and it must provide contact information to process reasonable accommodation requests for residents with disabilities during the relocation.

For short-term relocations, the RAD Notice of Relocation may also contain the information required in the Notice of Return to the Covered Project (see Section 6.6(F))

URA Notice of Relocation Eligibility – for residents whose temporary relocation exceeds one year (49 C.F.R. § 24.203(b))

After a resident has been temporarily relocated for one year, notwithstanding a prior issuance of a RAD Notice of Relocation, the PHA or Project Owner must provide an additional notice: the notice of relocation eligibility in accordance with URA requirements (“URA Notice of Relocation Eligibility”). The URA Notice of Relocation Eligibility is not required if the resident has already accepted permanent relocation assistance.⁸⁷

⁸⁵ Note that residents may elect to move to the relocation housing before the 90 days have elapsed. However, a PHA may not compel a resident to move prior to this time.

⁸⁶ PHAs should note that URA regulations also require, where possible, that three or more comparable replacement dwellings be made available before a resident is required to move from his or her unit

⁸⁷ To illustrate, consider the following examples.

• Example 1: The household is expected to be relocated for 11 months. The resident would receive a RAD Notice of Relocation offering only temporary relocation. Construction delays result in the extension of the relocation such that, in fact, it exceeds 12 months. When the temporary relocation exceeds 12 months, the resident must receive a URA Notice of Relocation Eligibility offering a choice between continuation in temporary relocation status and permanent relocation.

• Example 2: The household is expected to be relocated for 14 months. The resident would receive a RAD Notice of Relocation offering a choice between temporary relocation status and permanent relocation. If the household elects temporary relocation, the URA Notice of Relocation Eligibility is required as an additional notice following twelve months in temporary relocation status.

• Example 3: The household is expected to be relocated for 14 months. The resident would receive a RAD Notice of Relocation offering a choice between temporary relocation status and permanent relocation. If the household elects permanent relocation, the URA Notice of Relocation Eligibility is not required.

• Example 4: The household can be accommodated with temporary relocation of 3 months, but has been offered and seeks to accept permanent relocation pursuant to an alternative housing option. This resident would receive a RAD Notice of Relocation under Section 6.6(D)(4) offering a choice between temporary relocation status (the default option) and permanent relocation (the alternative housing option), instead of the RAD Notice of Relocation under Section 6.6(D)(3) which would be expected absent a permanent relocation option. The URA Notice of Relocation Eligibility is not required in either case because a temporary relocation exceeding 12 months was never anticipated nor experienced

The URA Notice of Relocation Eligibility must conform to URA requirements as set forth in 49 C.F.R. part 24 and shall:

- Provide current information as to when it is anticipated that the resident will be able to return to the Covered Project.
- Give the resident the choice to remain temporarily relocated based upon the updated information or to accept permanent URA relocation assistance at that time instead of exercising the right to return at a later time.

If the resident chooses to accept permanent URA relocation assistance and this choice requires the resident to move out of their temporary relocation housing, the URA requires that the PHA or Project Owner make available at least one, and when possible, three or more comparable replacement dwellings pursuant to 49 C.F.R. § 24.204(a), which comparability analysis is in reference to the resident's original unit. The URA further requires that the resident receive 90 days' advance written notice of the earliest date they will be required to move pursuant to 49 C.F.R. § 24.203(c).

Notification of Return to the Covered Project

With respect to all temporary relocations, the PHA or Project Owner must notify the resident in writing reasonably in advance of the resident's expected return to the Covered Project, informing the resident of:

- The entity (the PHA or the Project Owner) with primary responsibility for managing the resident's relocation;
- The address of the resident's assigned unit in the Covered Project and, if different from the resident's original unit, information regarding the size and amenities of the unit;
 - The date of the resident's return to the Covered Project or, if the precise date is not available, a reasonable estimate of the date which shall be supplemented with reasonable additional notice providing the precise date;
- That the PHA or Project Owner will reimburse the resident for all reasonable out-of-pocket expenses incurred in connection with the return relocation; and
- The resident's options and the implications of those options if the resident determines that he or she does not want to return to the Covered Project and wants to decline the right of return.⁸⁸

Reasonable advance notice shall be 15% of the duration of the resident's temporary relocation or 90 days, whichever is less. For short-term relocations, the PHA or Project Owner may include this information within the RAD Notice of Relocation.

⁸⁸ If the resident declines to return to the Covered Project upon completion of the period of temporary relocation, the resident shall be considered to have voluntarily moved out of the property, without the benefit of further relocation assistance. For example, a PHA or Project Owner may have rented a market-rate apartment as a temporary relocation resource for a six-month period. In such a situation, the resident may decline to return to the Covered Project and choose to remain in the market-rate apartment at the expiration of the six-month period, but shall not be eligible for any further relocation assistance and payments (including rent differential payments) under this Notice, the URA or Section 104(d), if applicable, in connection with the resident's decision to remain in the temporary housing and not return to the Covered Project

6.7. Relocation Advisory Services

Throughout the relocation planning process, the PHA and Project Owner should be in communication with the residents regarding the evolving plans for relocation. Notwithstanding this best practice, certain relocation advisory services, described below, are required by the URA. The URA regulations require the PHA or Project Owner to carry out a relocation assistance advisory program that includes specific services determined to be appropriate to residential or nonresidential displacements. The specific advisory services to be provided, as determined to be appropriate, are outlined at 49 C.F.R. § 24.205(c). For residential displacement under the URA, a personal interview is required for each displaced resident household to determine the relocation needs and preferences of each resident to be displaced. The resident household shall be provided an explanation of the relocation payments and other assistance for which the resident may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. Advisory counseling must also inform residents of their fair housing rights and be carried out in a manner that satisfies the requirements of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and Executive Order 11063 (49 C.F.R. § 24.205(c)(1)).⁸⁹ Such advisory services under the URA may include counseling to ensure that residents affected by the project understand their rights and responsibilities and the assistance available to them (49 C.F.R. § 24.205(c)). In addition, the PHA or Project Owner should inform residents that if they believe they have experienced unlawful discrimination, they may contact HUD at 1-800-669-9777 (Voice) or 1-800-927-9275 (TDD) or at <http://www.hud.gov>.

6.8. Initiation of Relocation

PHAs and Project Owners **may not initiate any involuntary physical relocation until both the RCC is in effect and the applicable RAD Notice of Relocation period has expired** (i.e., after either 30 or 90 days' notice as applicable depending on nature of the relocation, as described above). This prohibition applies to all types of RAD transactions, regardless of whether the RAD Notice of Relocation is provided after issuance of a NOIA (for conversions involving acquisition) or following the effective date of the RCC (for all other conversions). PHAs are advised to account for the required 30-day or 90-day written notice periods in their planning process, to ensure that notices which satisfy all applicable requirements are issued prior to taking any action to initiate relocation.

Neither involuntary nor voluntary relocation for the project shall take place prior to the effective date of the RCC, unless moves are authorized under Section 7, below ("Applicability of HCV and Public Housing Requirements") or unless HUD provides explicit approval which will only be provided in extraordinary circumstances. The PHA must wait until the RAD Notice of Relocation period has expired before it may initiate any involuntary relocation. However, a resident may request to move voluntarily, and the PHA may honor a resident's request to move, before the applicable 30-day or 90-day period has elapsed, provided that the PHA may not take any action to encourage or coerce a resident to make such a request. If a resident has elected an alternative housing option, PHAs are advised to ensure that any consent to voluntary permanent relocation does not expire prior to the date of the relocation, as described in Section 6.10.

HUD may use administrative data to identify and investigate projects where relocation may be occurring prior to RCC.

6.9. Records and Documentation; Resident Log

HUD may request from the PHA or Project Owner written records and documentation in order to evidence the PHA's and/or Project Owner's compliance, as applicable, with this Notice and the URA.⁹⁰ HUD may request to review some or all of such records in the event of compliance concerns, in the event a project is identified for additional review based on administrative data, in the event of audits for purposes of monitoring the RAD program as a whole, upon selection of a random sample of projects and/or at other times at HUD's sole discretion. The records shall include resident files for all households relocated in connection with RAD and a resident log as described in this Section.

⁸⁹ For example, under fair housing and civil rights laws, the PHA and Project Owner may be required to inform residents about and provide reasonable accommodations for individuals with disabilities, such as search assistance; take appropriate steps to ensure effective communication with individuals with disabilities, such as through the provision of auxiliary aids and services, such as interpreters and alternate format documents; provide advisory counseling services in accessible locations and in an accessible manner for individuals with disabilities; and take reasonable steps to ensure meaningful access for LEP persons. See Section 4 of this Notice for more information on these requirements.

⁹⁰ Chapter 6 of HUD Handbook 1378 includes guidance on URA recordkeeping requirements.

As part of such written record, the PHA or Project Owner must maintain data sufficient to deliver to HUD a resident log of every household that resides at the Converting Project at the time of the first required resident meeting on the proposed conversion pursuant to Section 1.8 of the RAD Notice (the "First Resident Meeting") and of every household that moves into the Converting Project after the First Resident Meeting and before the conversion of assistance under RAD. If any relocation is required, the log shall track resident status through completion of rehabilitation and construction, including re-occupancy after relocation. The resident log must include, but need not be limited to, the following information:

- Name of head of household
- PHA's resident identification number and/or the last four digits of the head-of household's Social Security Number
- The head of household's race and ethnicity as reported on the HUD Form 50058 or the HUD Form 50058 MTW (the "Form 50058"). For purposes of the resident log, all references to the Form 50058 shall be to the form most recently prepared at the time of the First Resident Meeting or, for residents who moved in after the First Resident Meeting, the form most prepared at the time of the resident's initial occupancy.
- A Yes/No indication if there is any household member reported as having a disability on the Form 50058.
- A Yes/No indication if there is any household member reported as under the age of 18 on the effective date of action of the Form 50058;
- The household's relevant unit address, unit size and household size at the following times:
 - o The time of the First Resident Meeting or the time of a resident's initial occupancy if after the First Resident Meeting
 - o The time of the issuance of the CHAP or the time of a resident's initial occupancy if after the issuance of the CHAP
 - o Proximate and prior to the PHA or Project Owner having authority to initiate involuntary relocation activities (i.e., at the time of issuance of the RCC unless otherwise approved by HUD upon extraordinary circumstances)
 - o Completion of the relocation process following construction or rehabilitation and with return of all households exercising the right of return
- The household's residence status at the time of issuance of the RCC (e.g., in residence at the Converting Project, transferred to other public housing, moved out, evicted or other with explanation)
- The household's residence status upon completion of re-occupancy (e.g., in residence at the Covered Project/never relocated, in residence at the Covered Project/temporarily relocated and returned, transferred to other public housing, moved out, evicted, permanently relocated or other with explanation)
- The following dates for each resident household, as applicable:
 - o Date of the RAD Information Notice
 - o Date of the GIN
 - o Date of the CHAP
 - o Date of NOIA
 - o Date of RAD Notice of Relocation
 - o Date of URA Notice of Relocation Eligibility
 - o Date of most recent consent to voluntary permanent relocation⁹¹
 - o Date of relocation away from the Converting Project or Covered Project
 - o Dates of any intermediate relocation moves
 - o Date of return to the Covered Project or to the household's post-closing permanent address.⁹²

⁹¹ The most recent consent must be within 180 days of the actual relocation date, as discussed in Section 6.10(D).

⁹² In the case of voluntary permanent relocation, the date of "return" may be the same as the date of relocation away from the Converting Project.

- The following information for each resident household, as applicable:
 - o The type of move (e.g., the types identified in Section 6.4, above)
 - o The form of any temporary relocation housing (e.g., hotel, assisted housing, market-rate housing)
 - o The address and unit size of any temporary relocation housing o Whether alternative housing options were offered consistent with Section 6.10, below
 - o Any material terms of any selected alternative housing options
 - o The type and amount of any payments for
 - Moving expenses to residents and to third parties
 - Residents' out-of-pocket expenses
 - Rent differential payments or other payments for temporary or permanent rental assistance, together with the rent and utilities (if applicable) that were the basis for the calculations
 - Any other relocation-related compensation or assistance

6.10. Alternative Housing Options

Under the RAD Notice, “involuntary permanent relocation” is prohibited and each resident must be able to exercise his or her right of return to the Covered Project. A PHA or Project Owner is permitted to offer a resident alternative housing options when a resident is considering his or her future housing plans, provided that at all times prior to the resident’s decision, the PHA and Project Owner preserve the resident’s ability to exercise his or her right of return to the Covered Project.

Requirements for Any Offer of Alternative Housing Options

All residents who are similarly situated must be given the same offer of alternative housing options. If the PHA or Project Owner seeks to limit the number of households that accept the offer of alternative housing options, the PHA or Project Owner shall determine a fair and reasonable method for selection among similarly situated residents.⁹³

In connection with any offer and acceptance of alternative housing options, the PHA or Project Owner must ensure that the residents’ decisions are: 1) fully informed; 2) voluntary; and 3) carefully documented. Any alternative housing option must include, at a minimum, all relocation assistance and payments required under this Notice, the URA and Section 104(d), as applicable, and may include other elements. Funds administered by HUD may not be used to pay any monetary elements not required under this Notice, the URA or Section 104(d).

Acceptance of an alternative housing option is considered voluntary permanent relocation and the accompanying RAD relocation assistance and payments for which the resident may be eligible must be administered in accordance with all requirements for an eligible displaced person under the URA and its implementing regulations and, where applicable, Section 104(d) and its implementing regulations.

PHAs may not propose or request that a displaced person waive rights or entitlements to relocation assistance under the URA or Section 104(d). The PHA must provide a written notice of URA or Section 104(d) relocation assistance and payments for which the resident may be eligible so that the resident may make an informed housing choice. The resident must be provided at least thirty (30) days to consider the offer of voluntary permanent relocation and the resident’s acceptance of the PHA’s offer of voluntary permanent relocation must be in writing signed by the head of the household for that unit.

Assisted Housing Options as Alternatives

Alternative housing option packages may include a variety of housing options and PHAs and Project Owners shall take particular care to ensure program compliance with the regulations applicable to the alternative housing options. Examples of alternative housing options may include:

⁹³ For example, if the RAD conversion is financed by LIHTC and a few residents would not meet LIHTC program requirements, the PHA and Project Owner may want to offer these household alternative voluntary permanent relocation options. However, they must offer the same alternative housing options to all such households. As a second example, if the PHA and Project Owner seek to create two on-site vacancies of a particular unit size in order to facilitate temporary relocation on-site, the PHA may offer an alternative housing option of a housing choice voucher to all residents of applicably sized units (assuming that to do so is consistent with the PHA’s voucher administration policies), and conduct a lottery to select the two households which will receive the vouchers.

- Transfers to public housing
- Admission to other affordable housing properties subject to the program rules applicable to such properties
- Housing Choice Vouchers (HCVs) subject to standard HCV program administration requirements. PHAs must operate their HCV programs, including any HCVs offered as an alternative housing option, in accordance with their approved policies as documented in their Section 8 Administrative Plan and HUD regulations at 24 C.F.R. part 982. Any offer of an HCV as an alternative housing option must be made consistent with the PHA's admission preferences and other applicable policies and procedures set forth in the Section 8 Administrative Plan.
- Homeownership programs subject to the applicable program rules
- Other options as may be identified by the PHA and/or Project Owner

C) Monetary Elements Associated With Alternative Housing Options

A PHA or a Project Owner may include a monetary element in an alternative housing option package, provided that:

- Any monetary element associated with the alternative housing option shall be completely distinct from and in addition to any required RAD, URA or Section 104(d) relocation payments and benefits for which the resident is eligible ("Required Relocation Payments").
- No funds administered by HUD may be used to pay for any monetary element associated with the alternative housing option other than Required Relocation Payments.
- Any monetary element associated with the alternative housing option other than Required Relocation Payments must be the same amount offered to all similarly situated households.⁹⁴
- Any alternative housing option package must comply fully with the disclosure and agreement provisions of this Notice.

D) Disclosure and Agreement to Alternative Housing Options

In providing an offer of alternative housing options to a resident, the PHA or Project Owner must inform the resident in writing of: a) his or her right to return;⁹⁵ b) his or her right to comment on and/or object to plans which would preclude the resident from returning to the Covered Project; c) the requirement that if the resident objects to such plans, the PHA or Project Owner must alter the project plans to accommodate the resident in the Covered Project; and d) a description of both the housing option(s) and benefits associated with the right of return and the alternative housing options and benefits being offered. In the description of the available housing options and benefits, the PHA or Project Owner shall include a description of any temporary housing options associated exercising the right of return and a description of any permanent alternative housing options as well as a reasonable estimate of the financial implications of all temporary and permanent options on the resident long-term.

The written notification may request written consent from the resident to exercise the alternative housing option and receive permanent relocation assistance and payments pursuant to RAD, the URA and/or Section 104(d), as applicable, in addition to any benefits associated with the alternative housing option. As part of any voluntary consent, the resident head of household must acknowledge in writing that acceptance of such assistance terminates the resident's right to return to the Covered Project.

In order to ensure that the resident has sufficient time to seek advice and consider the alternative housing options, any consent to an alternative housing option executed within 30 days of the written presentation of the options shall be invalid.

⁹⁴ Monetary payments other than Required Relocation Payments are considered "temporary, nonrecurring or sporadic income" pursuant to 24 C.F.R. § 5.609(c)(9) and consequently are excluded from income for purposes of eligibility and assistance calculations under certain HUD programs. Residents should be reminded that monetary payments other than URA relocation payments may be taxable under the Internal Revenue Code, that monetary payments, including required relocation payments, may affect residents' eligibility for other assistance programs and that the resident should seek knowledgeable guidance on these matters, including guidance on the taxation of monetary payments under state law.

⁹⁵ In the case of a transfer of assistance to a new site a significant distance from the Converting Project as described in Section 6.4(E), the resident shall be informed of the resident's right to return to the Covered Project at the new site and of the resident's right to an assisted unit within a reasonable distance of the site of the Converting Project, as described in Section 6.4(E).

Any offer of alternative housing options must be made in writing and the acceptance of the alternative must be voluntary and in writing. The offer of an alternative housing option must contain the following elements:

- The resident is informed of his or her right to return to the Covered Project and that neither the PHA nor the Project Owner can compel the resident to relinquish his or her right to return. The offer of alternative housing options must clearly state that acceptance of any alternative would relinquish the resident's right to return to the Covered Project.
- The offer of an alternative housing option must be accompanied by identification of comparable housing units which the resident may use to understand the nature of housing options available to them and the rent and estimated utility costs associated with such housing options. This information must also be accompanied by a reasonable estimate of any replacement housing payment or "gap payment" for which the resident may be eligible.
- The offer of an alternative housing option must be accompanied by information regarding moving payments and assistance that would be available if the resident exercises the right of return and if the resident accepts the alternative housing option.
- Residents must be offered advisory assistance to consider their options.
- To be fully informed, the offer must outline the implications and benefits of each alternative housing option being made available (i.e., of accepting each alternative housing option as compared to exercising his or her right to return) as well as a reasonable estimate of when the resident's relocation might occur. Implications and benefits include payment amounts, differences in rent calculations, differences in program rules, housing location, and potential long-term implications such as household housing expenses multiple years in the future.
- To be fully voluntary, the resident must have at least thirty (30) days following delivery of the written offer to consider their options. LEP persons must be provided a written translation of the offer and oral interpretation of any meetings or counseling in the appropriate language. In addition, PHAs must comply with their obligation to ensure effective communication with persons with disabilities.
- The resident cannot be asked to make a decision which will be implemented at a distant future time. Consequently, the resident may not provide written consent to an alternative housing option (and consequently, consent to voluntary permanent relocation) until after 60 the earlier of issuance of the NOIA or the effective date of the RCC.⁹⁶ If a resident signs a written consent to accept an alternative housing option, that written consent is valid for 180 days. If relocation (after the applicable notice periods) has not occurred within this 180 day period, then the PHA or Project Owner must secure a new consent to accept an alternative housing option. New relocation notices are generally not required.
- The acceptance must be in writing signed by the resident head of household, including a certification of facts to document that the household is relinquishing its right to return and that the decision and the acceptance of the alternative housing option was fully informed and voluntary.
- Residents accepting alternative housing options to relinquish their right to return will be considered to have voluntarily and permanently relocated. Such residents are to be provided applicable RAD, URA and/or Section 104(d) relocation assistance and payments.

The information included with the offer of alternative housing options is to aid the resident in making decisions regarding the desirability of the alternative housing options and neither satisfies nor replaces the relocation notices and information required to be provided to residents pursuant to this Notice, the URA or Section 104(d).

While HUD does not require PHAs to submit documentation of alternative housing options offered to residents or the residents' elections, PHAs must keep auditable written records of such consultation and decisions. HUD may request this documentation at any time, including as part of a review of the Checklist or if relocation concerns arise.

6.11. Lump Sum Payments

PHAs and Project Owners should note that certain relocation payments to displaced residential tenants may be subject to 42 USC § 3537c ("Prohibition of Lump-Sum Payments") and must be disbursed in installments. The PHA or Project Owner may determine the frequency of the disbursements which must be made in installments. Handbook 1378, Chapter 3-7(D) provides guidance on the manner and frequency of disbursing payments subject to this requirement. Any monetary element beyond Required Relocation Payments which may be associated with an alternative housing option described in Section 6.10, above, is not relocation assistance and is therefore not subject to the requirements regarding lump sum payments.

⁹⁶ The PHA and Project Owner should note that securing resident consent to an alternative housing option may delay the issuance of the RAD Notice of Relocation. The RAD Notice of Relocation must be specific to whether the resident will be temporarily or permanently relocated.

APPENDIX B: RAD/Section 18 Construction Blend-Reeves Terrace Apartments

The Orlando Housing Authority (OHA) may submit an application for Rental Assistance Demonstration (RAD)/Section 18 Construction Blend for Reeves Terrace Apartments. OHA plans to convert 171 public housing units at Reeves Terrace Apartments to Project Based Vouchers under the guidelines of PIH Notice 2012-32, REV-4, H-2019-09 PIH-2019- 23 (HA) (the RAD Notice) and any successor Notices. Upon conversion to Project Based Vouchers, the Authority will adopt the resident rights, participation, waiting list, and grievance procedures listed in the RAD Notice and any successor notices or included in Notice H-2016-17/PIH 2016-17 (the Fair Housing, Civil Rights and Relocation Notice). These resident rights, participation, waiting list, and grievance procedures are appended to or referenced in this Appendix. Additionally, OHA certifies that it is currently compliant with all fair housing and civil rights requirements, including those imposed by any remedial orders or agreements, namely Section 504/ADA. The agency’s compliance will not be negatively impacted by conversion activities.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing OHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, OHA’s Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration and that OHA may also borrow funds to address their capital needs. Regardless of any funding changes that may occur because of conversion under RAD, OHA certifies that it will maintain its continued service level for the Public Housing and Housing Choice Voucher programs. Below, please find specific information related to the Public Housing Development(s) selected for RAD/Section 18 Construction Blend:

NAME OF PUBLIC HOUSING DEVELOPMENT	PIC DEVELOPMENT ID	CONVERSION TYPE (I.E. PBV OR PBRA)	TRANSFER OF ASSISTANCE
REEVES TERRACE APARTMENTS	FL004000002	PBV	No
TOTAL UNITS	PRE-RAD UNIT TYPE (I.E. FAMILY, SENIOR, ETC.)	POST-RAD UNIT TYPE IF DIFFERENT (I.E. FAMILY, SENIOR, ETC)	CAPITAL FUND ALLOCATION OF DEVELOPMENT
171	FAMILY	FAMILY	\$612,090 (uses pro rata method for 2024 Capital Fund award and 1371 total public housing units)
BEDROOM TYPE	NUMBER OF UNITS PRE-CONVERSION	NUMBER OF UNITS POST-CONVERSION	CHANGE IN NUMBER OF UNITS PER BEDROOM TYPE AND WHY (DE Minimis Reduction, Transfer of Assistance, Unit Reconfiguration.)
0-BEDROOM	0	0	(no changes are proposed in the number of units by bedroom size)
1-BEDROOM	23	23	
2-BEDROOM	78	78	
3-BEDROOM	60	60	
4-BEDROOM	10	10	
5-BEDROOM	0	0	
6-BEDROOM	0	0	

Resident Rights, Participation, Waiting List, and Grievance Procedures

Attached please see Section 1.6. C. and D. of the RAD Notice and Section 6, Relocation, of the Fair Housing, Civil Rights and Relocation Notice, on pages 44-70 of the FY2026 MTW Plan Draft. A full copy of PIH Notice H-2016-17/PIH 2016-17, the Fair Housing, Civil Rights, and Relocation Notice, and PIH Notice 2012-32, Rev-4, H-2019-09 PIH-2019-23(HA) of the RAD notice may be online at <https://qrco.de/ohaMTW24>.

APPENDIX C: RAD/Section 18 Construction Blend-Murchison Terrace Apartments

The Orlando Housing Authority (OHA) may submit an application for Rental Assistance Demonstration (RAD)/Section 18 Construction Blend for Murchison Terrace Apartments Homes. OHA plans to convert 190 public housing units at Murchison Terrace Apartments to Project Based Vouchers under the guidelines of PIH Notice 2012-32, REV-4, H-2019-09 PIH-2019- 23 (HA) (the RAD Notice) and any successor Notices. Upon conversion to Project Based Vouchers, the Authority will adopt the resident rights, participation, waiting list, and grievance procedures listed in the RAD Notice and any successor notices or included in Notice H-2016-17/PIH 2016-17 (the Fair Housing, Civil Rights and Relocation Notice). These resident rights, participation, waiting list, and grievance procedures are appended to or referenced in this Appendix. Additionally, OHA certifies that it is currently compliant with all fair housing and civil rights requirements, including those imposed by any remedial orders or agreements, Section 504/ADA). The agency’s compliance will not be negatively impacted by conversion activities.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing OHA with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, OHA’s Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration and that OHA may also borrow funds to address their capital needs. Regardless of any funding changes that may occur because of conversion under RAD, OHA certifies that it will maintain its continued service level for the Public Housing and Housing Choice Voucher programs.

Below, please find specific information related to the Public Housing Development(s) selected for RAD/Section 18 Construction Blend:

NAME OF PUBLIC HOUSING DEVELOPMENT	PIC DEVELOPMENT ID	CONVERSION TYPE (I.E. PBV OR PBRA)	TRANSFER OF ASSISTANCE
MURCHISON TERRACE APARTMENTS	FL004000006	PBV	No
TOTAL UNITS	PRE-RAD UNIT TYPE (I.E. FAMILY, SENIOR, ETC.)	POST-RAD UNIT TYPE IF DIFFERENT (I.E. FAMILY, SENIOR, ETC)	CAPITAL FUND ALLOCATION OF DEVELOPMENT
188	FAMILY	FAMILY	\$660,779 (uses pro rata method for 2024 Capital Fund award and 1371 total public housing units)
BEDROOM TYPE	NUMBER OF UNITS PRE-CONVERSION	NUMBER OF UNITS POST-CONVERSION	CHANGE IN NUMBER OF UNITS PER BEDROOM TYPE AND WHY (DE Minimis Reduction, Transfer of Assistance, Unit Reconfiguration.)
0-BEDROOM	0	0	(no changes are proposed in the number of units by bedroom size)
1-BEDROOM	40	40	
2-BEDROOM	83	83	
3-BEDROOM	49	49	
4-BEDROOM	14	14	
5-BEDROOM	2	2	
6-BEDROOM	0	0	

Resident Rights, Participation, Waiting List, and Grievance Procedures

Attached please see Section 1.6. C. and D. of the RAD Notice and Section 6, Relocation, of the Fair Housing, Civil Rights and Relocation Notice, on pages 44-70 of the FY2026 MTW Plan Draft. A full copy of PIH Notice H-2016-17/PIH 2016-17, the Fair Housing, Civil Rights, and Relocation Notice, and PIH Notice 2012-32, Rev-4, H-2019-09 PIH-2019-23(HA) of the RAD notice may be found online at <https://qrco.de/ohaMTW24>.

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