



# REGIONAL HOUSING AUTHORITY

Serving the Cities of Live Oak, Yuba City and Colusa • Counties of Sutter, Nevada, Colusa and Yuba

1455 Butte House Road • Yuba City, CA 95993

Phone: (530) 671-0220 • Toll Free: (888) 671-0220 • TTY: (866) 735-2929 • Fax: (530) 673-0775

www.RegionalHA.org

March 27, 2019

TO: Chairperson Dan Miller  
Commissioner Kent Boes  
Commissioner Brian Foss  
Commissioner Manny Cardoza  
Commissioner Jeramy Chapdelaine  
Commissioner J.R. Thiara  
Commissioner Suzanne Gallaty  
Commissioner Luis Uribe  
Commissioner Ron Sullenger  
Commissioner Toni Benson  
Commissioner John Loudon  
Commissioner Doug Lofton  
Commissioner Randy Fletcher  
Commissioner David Waite  
Legal Counsel Brant Bordsen

Sutter County Board of Supervisors  
Nevada County Board of Supervisors  
Yuba County Board of Supervisors  
Colusa County Board of Supervisors  
City Council, Live Oak  
City Council, Yuba City  
City Council, Colusa  
Appeal-Democrat  
Duane Oliveira, General Counsel Emeritus  
PEU Local #1  
Terrel Locke, City of Yuba City  
Darin Gale, City of Yuba City  
Judy Sanchez, City of Yuba City  
The Union  
Rob Choate, County of Nevada

## NOTICE OF REGULAR MEETING

April 3, 2019

You are hereby notified that the Commissioners of the Regional Housing Authority are called to meet in Regular Session at **12:15 PM on Wednesday, April 3, 2019 at Richland Neighborhood Center, 420 Miles Avenue, Yuba City, CA 95991.**

  
Gustavo Becerra  
Executive Director

AGENDA  
REGULAR MEETING  
OF THE BOARD OF COMMISSIONERS OF  
REGIONAL HOUSING AUTHORITY  
**Richland Neighborhood Center, 420 Miles Avenue, Yuba City, CA 95991**  
**April 3, 2019, 12:15 PM**

- A. CALL TO ORDER: ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. PUBLIC PARTICIPATION: Members of the public shall be provided with an opportunity to address the Board on items of interest that are within the subject matter jurisdiction of the Board. Any member of the audience who may wish to bring something before the Board that is not on the agenda may do so at this time; however, State law provides that no action may be taken on any item not appearing on the posted Agenda. Persons who wish to address the Board during public comment or with respect to an item that is on the agenda, will be limited to three (3) minutes.
- D. AWARDS AND PRESENTATIONS:
  - 1. Family Self-Sufficiency Graduate Lisa Stark  
Josie Alcaraz, FSS Coordinator
  - 2. Former Commissioner Diane Hodges  
Dan Miller, Chairperson
- E. EXECUTIVE SESSION: May be held under California Government Code regarding pending and/or anticipated litigation, property acquisition, and/or personnel issues.
  - 3. CLOSED SESSION: Pursuant to Section 54957.6 of the California Government Code  
Conference with Labor Negotiator Agency Negotiator: Patrick Clark
- F. CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that the Board votes on the motion, unless members of the Board request specific items to be discussed or removed from the Consent Calendar for individual action.
  - 4. Resolution 19-1604, Family Self-Sufficiency Graduate Lisa Stark pg. 1
  - 5. Resolution 19-1605, Public Housing Admissions and Continued Occupancy Policy pg. 2

G. OLD BUSINESS: Discussion/Possible Action: NONE

H. NEW BUSINESS: Discussion/Possible Action: NONE

I. ADMINISTRATIVE REPORT:

6. Administrative Update

Gustavo Becerra, Executive Director

J. HOUSING COMMISSIONERS' COMMENTS:

K. NEXT MEETING: April 17, 2019

L. ADJOURNMENT:

Ag040319



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## RESOLUTION 19-1604

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY EXPRESSING RECOGNITION OF THE ACHIEVEMENTS OF Lisa Stark

**WHEREAS**, the Regional Housing Authority encourages Housing Choice Voucher participants to enroll in the Family Self-Sufficiency (FSS) Program; and

**WHEREAS**, Lisa Stark started in this program on 04/01/2012 and set goals for herself to become independent of government assistance; and happy.

**WHEREAS**, Lisa Stark met her goals by 03/31/2019 and received sufficient earned income to generate an escrow account in the amount of \$24,135.92; and

**WHEREAS**, Lisa Stark has now “graduated” from the FSS program;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Regional Housing Authority congratulates Lisa Stark for her determination to progress to a life that is independent of government assistance and conveys their best wishes for success in all her future endeavors.

**This Resolution was approved at the regular meeting of the Board of Commissioners, this 3<sup>rd</sup> day of April 2019.**

AYES:  
NAYS:  
ABSTAINED:  
ABSENT:

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Chairperson Dan Miller



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## RESOLUTION 19-1605

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE REGIONAL HOUSING AUTHORITY ADMISSIONS AND CONTINUED OCCUPANCY POLICY

**WHEREAS**, the Regional Housing Authority (RHA) manages 173 Public Housing Units; and

**WHEREAS**, federal regulations require RHA to review and update the Admissions and Continued Occupancy Policy for the Public Housing Program when needed; and

**WHEREAS**, the proposed 2019 edition of the Admissions and Continued Occupancy Policy was posted for public review and notice was posted to actively seek public comment, and 0 individuals attended and provided comments;

**NOW THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Regional Housing Authority that:

1. The Board finds that RHA needs to adopt an updated Admissions and Continued Occupancy Policy this year.
2. A copy of the Admissions and Continued Occupancy Policy is posted online at [www.regionalha.org](http://www.regionalha.org)
3. The Admissions and Continued Occupancy Policy is hereby adopted for use by RHA and is effective April 3, 2019.

This Resolution was approved at the Regular Meeting of the Board of Commissioners on April 3, 2019 by the following vote:

AYES:

NAYS:

ABSTAINED:

ABSENT:

(SEAL)

ATTEST: \_\_\_\_\_

Dan Miller, Chairperson

# REGIONAL HOUSING AUTHORITY

## STAFF REPORT

**Date:** April 3, 2019  
**To:** Board of Commissioners  
**From:** Pattra Runge, Occupancy Manager

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**SUBJECT:** Admissions and Continued Occupancy POLICY (ACOP) for Low Income Public Housing Program 2019  
**RECOMMENDATION:** Approve updated Admissions and Continued Occupancy Policy for 2019  
**FISCAL IMPACT:** \$0

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### Background

The Regional Housing Authority (PHA) receives its funding from the United States Department of Housing and Urban Development (HUD) for the administration of the Low Income Public Housing (LIPH) Program, which was created by the U.S. Housing Act of 1937.

HUD requires the PHA to have an Admissions and Continued Occupancy Policy (ACOP) for LIPH and to update it annually. The purpose of the ACOP is to establish policies for carrying out the programs in a manner consistent with HUD regulations and local goals and objectives contained in the PHA's Agency Plan. The ACOP is a supporting document to the PHA Annual Plan, and is available for public review as required by CFR 24 Part 903.

The PHA is responsible for complying with all changes in HUD regulations pertaining to LIPH. If such changes conflict with this plan, HUD regulations will have precedence and the PHA shall amend its ACOP accordingly.

HUD regulations contain a list of what must be included in the ACOP. The PHA ACOP must cover PHA policies on these subjects:

- Policies and Objectives
- Admissions and continued occupancy policies
- Fair housing
- Improving access to services for persons with Limited English Proficiency (LEP)
- Definition of family and household members
- Basic eligibility criteria
- Denial of Admission

- Applications, waiting list and tenant selection
- Occupancy standards and unit offers
- Income and rent determinations
- Verification
- Leasing and inspections
- Leasing
- Inspections
- Reexamination
- Pets
- Community service
- Transfer policy
- Lease terminations
- Grievances and appeals
- Program integrity
- Program administration
- Violence Against Women Act (VAWA)

The ACOP is organized to provide information to participants in particular areas of operation.

The PHA will revise this ACOP as needed to comply with changes in HUD regulations and PHA policy. The original plan and any changes must be approved by the Board of Commissioners of the PHA.

The ACOP in its entirety can be found on our website at <http://www.regionalha.org/about-us/pha-plans>.

The following changes were made to the 2019 ACOP:

### Chapter 2

The California Fair Employment and Housing Act prohibits discrimination in housing on this same basis, as well as gender, gender identity, gender expression, sexual orientation, marital status, ancestry, source of income, and genetic information.

Discrimination complaints may be filed with California's Department of Fair Employment and Housing at [www.dfeh.ca.gov](http://www.dfeh.ca.gov), or HUD's Office of Fair Housing and Equal Opportunity at [www.hud.gov](http://www.hud.gov).

### Chapter 3

Added Gender Identity definition.

Updated the database used to screen for Sex Offender to Dru Sjodin National Sex Offender database.

### Chapter 4

Added to Application Process:

When the PHA provides public notice that it is accepting applications for the public housing program, the application will be available on-line through our portal at [www.regionalha.org](http://www.regionalha.org) at any time of day or night. Applicants may also obtain application forms from the PHA's office during normal business hours. Families may also request-by telephone or mail-that an

application form be sent to the family via first class mail. If the applicant requires assistance with completing the application, PHA staff will schedule an appointment to assist the applicant at the PHA office.

Added to Placement on the Waiting List:

Applicants will receive preference points only for those preferences that are verified at the time of application (proof must be turned in with the application or when submitting a Change Form).

Updated Opening and Closing the Waiting List:

The PHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

***Appeal Democrat***

***[www.regionalha.org](http://www.regionalha.org)***

Added to Updating the Waiting List:

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered. Such failures to act on the part of the applicant prevent the PHA from making an eligibility determination; therefore, no informal hearing is required.

Added to Selection Method:

**IT SHOULD BE NOTED PROOF OF PREFERNECES MUST BE VERIFIED AT TIME OF APPLICATION OR WHEN SUBMITTING A CHANGE FORM REQUESTING TO ADD A PREFERENCE. PREFERENCE POINT(S) WILL NOT BE GIVEN UNLESS VERIFIED.**

Updated Notification of Selection:

The PHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family they have reached one of the top spots on the waiting list and now need to provide items to verify legal identity, income and assets to determine eligibility.

These items will be due within 10 days from the date of the letter. If documentation is not received by the due date, the family will be removed from the waitlist. If partial documentation is received, the PHA will send another request for specific items needed that will be due 7 days from the date of request.

Updated The Application Interview (Removed requirement to attend a face-to-face interview)

Families selected from the waiting list are required to participate in an eligibility interview process. The PHA does not conduct face-to-face interviews. An eligibility packet will be mailed via first class mail to the selected applicants. A face-to-face interview will be completed at the applicant's request.

## Chapter 5

Reworded Determining Unit size to language less confusing.

## Chapter 6

Assets

Removed entire Paragraph referring to PIH Notice 2013-03 (it is now included in streamlining, self-certification process in Chapter 7).



## Chapter 7

### Added to Overview of Verification Process:

The PHA staff member who views the original document must make a photocopy, annotate the copy with the name of the person who provided the document and the date the original was viewed, and sign the copy.

### Added to Verification of Preference Status

The PHA also offers a preference for victims of domestic violence, dating violence, sexual assault, or stalking, as described in Section 4-III.B. To verify that applicants qualify for the preference, the PHA will follow documentation requirements outlined in Section 16-VII.D.

## Chapter 8

### Updated Streamlined Annual Reexaminations

The term "fixed-income" includes income from:

- Social Security payments to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI);
- Federal, State, local, and private pension plans; and
- Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic payments.

If verification of the COLA or rate of interest is not available, the PHA will obtain third-party verification of income amounts.

Third-party verification of fixed sources of income will be obtained during the intake process and at least once every three years thereafter. Upon request of the family, RHA must perform third-party verification of all income sources. Note that this provision pertains only to the verification of sources of income; RHA must continue to conduct third-party verification of deductions.

## Chapter 12

### Added to Emergency Transfer

A verified incident of domestic violence, dating violence, sexual assault, or stalking. For instances of domestic violence, dating violence, sexual assault, or stalking, the threat may be established through documentation outlined in section 16-VII.D. In order to request the emergency transfer, the requestor must submit an emergency transfer request form (HUD-5383) (Exhibit 16-4 of this ACOP), although the PHA may waive this requirement in order to expediate the transfer process.

The PHA will immediately process requests for transfers due to domestic violence, dating violence, sexual assault, or stalking. The PHA will allow a tenant to make an internal emergency transfer under VAWA when a safe unit is immediately available. The PHA defines immediately available as a vacant unit, that is ready for move-in within a reasonable period of time, not to exceed 30 days. If an internal transfer to a safe unit is not immediately available, the PHA will assist the resident in seeking an external emergency transfer either within or outside the PHA's programs.

### Added to Eligibility For Transfer

Tenants who are not in good standing may still request an emergency transfer under VAWA.

#### Added to Handling Requests

In order to request the emergency transfer under VAWA, the resident will be required to submit an emergency transfer request form (HUD-5383) (Exhibit 16-4 of this ACOP). The PHA may, on a case-by-case basis, waive this requirement and accept a verbal request in order to expedite the transfer process. If the PHA accepts an individual's statement, the PHA will document acceptance of the statement in the individual's file in accordance with 16-VII.D. of this ACOP. Transfer requests under VAWA will be processed in accordance with the PHA's Emergency Transfer Plan (Exhibit 16-3).

#### Chapter 13

Reworded Terminations Related to Domestic Violence, Dating Violence, Sexual Assault or Stalking  
VAWA provides that no person may deny assistance, tenancy, or occupancy rights to public housing to a tenant on the basis or as a direct result of criminal activity relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or affiliated individual is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking [FR Notice 8/16/13].

VAWA further provides that incidents of actual or threatened domestic violence, dating violence, sexual assault, or stalking may not be construed either as serious or repeated violations of the lease by the victim or threatened victim of such violence or as good cause for terminating the tenancy or occupancy rights of the victim of such violence [24 CFR 5.2005(c)(1), FR Notice 8/6/13].

#### Reworded Lease Termination Notice

All notices of lease termination will include a copy of the forms HUD-5382 and HUD-5380 to accompany the termination notice. Any tenant who claims that the cause for termination involves domestic violence, dating violence, sexual assault, or stalking of which the tenant or affiliated individual of the tenant is the victim will be given the opportunity to provide documentation in accordance with the policies in Sections 13-III.F and 16-VIII.D.

#### Chapter 16

#### Added to Record Keeping – Overview

Notice PIH 2014-20 requires the PHA to keep records of all complaints, investigations, notices, and corrective actions related to violations of the Fair Housing Act or the equal access final rule.

The PHA must keep confidential records of all emergency transfer requested under the PHA's Emergency Transfer Plan, and the outcomes of such requests, and retain the records for a period of three years, or for a period of time as specific in program regulations [24 CFR 5.2002(e)(12)].

#### PHA Policy

The PHA will keep the last three years of the Form HUD 50058 and supporting documentation, and for at least three years after end of participation all documents related to a family's eligibility, tenancy and termination.

#### Added to Notification

Whenever the PHA has reason to suspect that providing information about VAWA to a public housing tenant might place a victim of domestic violence at risk, it will attempt to deliver the information by hand directly to the victim or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. For example, the PHA may decide not to send mail regarding VAWA protections to the victim's unit if the PHA believes the perpetrator may have access to the victim's mail, unless requested by the victim.

When discussing VAWA with the victim, the PHA will take reasonable precautions to ensure that no one can overhear the conversation such as having conversations in a private room.

The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.

#### Added to Documentation

- (1) A completed and signed HUD-approved certification form (HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim.

#### Added to PHA Policy

The PHA may, in its discretion, extend the deadline for 10 business days. In determining whether to extend the deadline, the PHA will consider factors that may contribute to the victim's inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim's need to address health or safety issues. Any extensions granted by the PHA will be in writing.

Once the victim provides documentation, the PHA will acknowledge receipt of the documentation within 10 business days.

#### Added to Conflicting Documentation

The PHA may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to the PHA. The PHA must honor any court orders issued to protect the victim or to address the distribution of property. Individuals have 30 calendar days to return third-party verification to the PHA. If the PHA does not receive third-party documentation, and the PHA will deny or terminate assistance as result, the PHA must hold separate hearings for the tenants [Notice PIH 2017-08].

#### PHA Policy

If presented with conflicting certification documents from members of the same household, the PHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR 5.2007(e) and by following any HUD guidance on how such determinations should be made. When requesting third-party documents, the PHA will provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given 30 calendar days from the date of the request to provide such documentation.

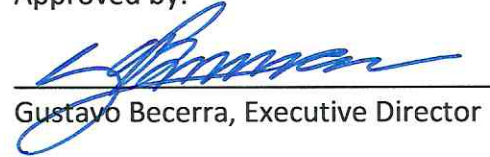
**Recommendation**

Staff recommends the approval of the Admissions and Continued Occupancy Policy (ACOP) for the Low Income Public Housing Program.

Submitted by:

  
Pattra Runge,  
Occupancy Manager

Approved by:

  
Gustavo Becerra, Executive Director