

PHA 5-Year and Annual Plan	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 4/30/2011
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1.0	PHA Information PHA Name: Housing and Redevelopment Authority in and for the City of Bloomington PHA Type: <input checked="" type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input checked="" type="checkbox"/> HCV (Section 8) PHA Fiscal Year Beginning: (MM/YYYY): <u>01/2012</u> PHA Code: MN152					
2.0	Inventory (based on ACC units at time of FY beginning in 1.0 above) Number of PH units: <u>26</u> Number of HCV units: <u>525</u>					
3.0	Submission Type <input type="checkbox"/> 5-Year and Annual Plan <input checked="" type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only					
4.0	PHA Consortia <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)					
	Participating PHAs	PHA Code	Program(s) Included in the Consortia	Programs Not in the Consortia	No. of Units in Each Program	
					PH	HCV
	PHA 1:					
	PHA 2:					
	PHA 3:					
5.0	5-Year Plan. Complete items 5.1 and 5.2 only at 5-Year Plan update.					
5.1	Mission. State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years: <ul style="list-style-type: none"> • Provide Housing for people not adequately served by market rate housing. • Coordinate efforts to preserve existing neighborhoods. • Promote development and redevelopment that enhances Bloomington. 					
5.2	Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan. Expand the supply of assisted housing. <ul style="list-style-type: none"> • Leverage private or other public funds to create additional housing opportunities. • Acquire or build units or developments. Improve the quality of assisted housing. <ul style="list-style-type: none"> • Improve public housing management: (Implement changes necessary if PHAS score falls below high performer status) • Improve voucher management: (Implement changes necessary if SEMAP score falls below high performer status). • Increase customer satisfaction. • Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections) Increase assisted housing choices <ul style="list-style-type: none"> • Conduct outreach efforts to potential voucher landlords. • Promote development of affordable rental units. Provide an improved living environment <ul style="list-style-type: none"> • Continue Housing Quality Standards (HQS) inspections to preserve and existing rental units. Promote self-sufficiency and asset development of assisted households <ul style="list-style-type: none"> • Provide or attract supportive services to increase independence for the elderly or families with disabilities. • Administer Rental Homes for First-Time Home Buyers program. Ensure equal opportunity and affirmatively further fair housing. <ul style="list-style-type: none"> • Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability. • Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability: 					

PHA Plan Update

- (a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:
- (b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

6.0

The Section 8 Administrative Plan has been updated to include an admission preference for continuously assisted families. The Admin Plan and all other required documentation is available for review at the HRA's offices, address below.

The annual plan may be obtained at the following locations:

Bloomington HRA
1800 W. Old Shakopee Road
Bloomington MN 55431

The HRA's website: <http://www.ci.bloomington.mn.us/cityhall/commiss/hra/hra.htm#hraage>

Violence Against Women Act (VAWA) Policy: **See Attached Document A**

	<p>Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers. <i>Include statements related to these programs as applicable.</i></p> <p>The Bloomington HRA has 20 project based units 10 of which provide access to neighborhoods outside of high poverty areas and secure units for larger families. The other 10 are through Cornerstone which is an organization that provides services to men and women who have been victims of domestic violence, and physical abuse.</p> <p>The Bloomington HRA applied to HUD in the fall of 2009 for approval for the voluntary conversion of all 26 public housing units to Section 8 project-based units. The HRA is presently waiting for HUD's approval of the conversion. The units consist of 20 scattered-site single family homes and 6 townhome units. They HRA will apply for additional tenant-based vouchers to replace the converted public housing units. The HRA will project-base vouchers in the units to preserve the affordability of the units. This action will also eliminate any negative impacts on the residents.</p> <p>Voluntary Conversion Assessment Activity Description:</p> <p>1a. Development Names: Bloomington Scattered Site Public Housing and Lyndale Townhomes. 1b. Development project numbers: MN152000001 1c. Asset Management Project Number: MN152000001P 1d. Units to be converted: All 26 units in the Bloomington HRA's Public Housing Program inventory are included in this voluntary conversion to Section 8.</p> <p>2. Has the PHA completed the Cost Analysis comparing the costs of continuing to operate the units as public housing to the cost of providing tenant-based assistance? Yes. 3. Has the PHA completed an independent appraisal (market analysis) of the development before and after conversion? Yes 4. Has the PHA completed a rental market analysis of existing conditions to determine the likely success of using tenant-based assistance for the residents of public housing development? Yes. 5. Has the PHA completed an analysis of the likely impacts of the voluntary conversion on the community in which the development is located? Yes. 6. Has the PHA described its conversion implementation plans, included the actions it plans to take to convert the development to transition the residents to tenant based assistance? Yes. 7. Has the PHA consulted with the residents in the development to review the conversion assessment? Yes. Does the PHA have documentation to support the consultation? Yes.</p> <p>Voluntary Conversion Plan Activity Description:</p> <p>1a. Development Name: Bloomington Scattered Site Public Housing and Lyndale Townhomes 1b. Development Project Numbers: MN152000001 1c. Asset Management Project Number: MN152000001P 1d. Units to be converted: All 26 units in the Bloomington HRA's Public Housing Program inventory are included in this voluntary conversion to Section 8.</p> <p>2. Has the PHA provided information on its plans for the development after the voluntary conversion? Yes. 3. Has the PHA provided an impact analysis on the voluntary conversion of the development on the community? Yes. 4. Has the PHA demonstrated that the voluntary conversion plan accurately describes the findings of the conversion assessment? Yes. 5. Has the PHA consulted with the residents in the development to review the conversion plan? Yes. Does the PHA have documentation to support the consultation? Yes. 6. Has the PHA consulted with appropriate public officials in development the voluntary conversion plan? Yes. Has the PHA acquired the required certification? Yes. 7. Has the PHA confirmed that any proceeds from a conversion activity will be subject to the limitations on the use of these net proceeds found in section 18 of the 1937 Housing Act? Yes. 8. Has the PHA completed a detailed Relocation Plan in accordance with 24 CFR 972.230 (b) as part of its voluntary conversion plan? Not Applicable – the conversion to Project-Based Voucher Rent Assistance will not require any family to move out of their Public Housing unit. 9. Has the PHA summarized how the conversion of these public housing units supports the three conditions necessary for HUD to approve a voluntary conversion pursuant to 24 CFR 972.224? Yes.</p> <p>Project-Based Vouchers</p> <p>The HRA has a total of 20 vouchers that have been project-based in specific units in Bloomington. Of the 20, the HRA has ten units designated for victims of domestic violence scattered throughout the City and ten units in a tax credit property located in central Bloomington. The 20 project-based vouchers represent only 4% of the 525 vouchers of our program, and is well within the 20% project-based cap set by HUD.</p>
7.0	<p>Capital Improvements. Please complete Parts 8.1 through 8.3, as applicable.</p>
8.0	<p>Capital Fund Program Annual Statement/Performance and Evaluation Report. As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.</p> <p>Attached</p>
8.1	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>Attached</p>
8.2	<p>Capital Fund Program Five-Year Action Plan. As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.</p> <p>Attached</p>

8.3	<p>Capital Fund Financing Program (CFFP). <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.</p>																																																			
9.0	<p>Housing Needs. Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>Maximize the number of affordable units available to the PHA within its current resources by:</p> <ul style="list-style-type: none"> • Reduce turnover time for vacated public housing units. • Maintain or increase housing choice voucher lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction. • Maintain or increase housing choice voucher lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration. • Maintain or increase housing choice voucher lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program. • Participate in the Consolidated Plan development process to ensure coordination with broader community strategies. <p>Increase the number of affordable housing units by:</p> <ul style="list-style-type: none"> • Leverage affordable housing resources in the community through the creation of mixed-finance housing. • Pursue housing resources other than public housing or Housing choice voucher-based assistance. <p>Target available assistance to the elderly:</p> <ul style="list-style-type: none"> • Encourage development of assisted housing through redevelopment. <p>Target available assistance to Families with Disabilities:</p> <ul style="list-style-type: none"> • Affirmatively market to local non-profit agencies that assist families with disabilities. • Encourage new construction of units for the disabled. <p>Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:</p> <ul style="list-style-type: none"> • Affirmatively market to races/ethnicities shown to have disproportionate housing needs. <p>Conduct activities to affirmatively further fair housing:</p> <ul style="list-style-type: none"> • Participate with Hennepin County Consortium to identify barriers to fair housing. Conduct discrimination testing. <p>Factors that influenced the PHA's selection of the strategies it will pursue:</p> <ul style="list-style-type: none"> • Funding constraints • Staffing constraints • Limited availability of sites for assisted housing. • Influence of the housing market on PHA programs. • City of Bloomington Comprehensive Plan. • City of Bloomington Consolidated Plan. <p>The Bloomington HRA waiting list identifies the following affordable housing waiting list need:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th></th> <th style="text-align: center;">Public Housing</th> <th style="text-align: center;">Housing Choice Voucher</th> </tr> </thead> <tbody> <tr> <td>Waiting List Total</td> <td style="text-align: center;">543</td> <td style="text-align: center;">863</td> </tr> <tr> <td><=30% AMI</td> <td style="text-align: center;">409</td> <td style="text-align: center;">742</td> </tr> <tr> <td>Between 30% and 50% AMI</td> <td style="text-align: center;">112</td> <td style="text-align: center;">121</td> </tr> <tr> <td>Between 50% and 80% AMI</td> <td style="text-align: center;">22</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Families with Children</td> <td style="text-align: center;">512</td> <td style="text-align: center;">388</td> </tr> <tr> <td>Elderly Families</td> <td style="text-align: center;">2</td> <td style="text-align: center;">54</td> </tr> <tr> <td>Families with Disabilities</td> <td style="text-align: center;">68</td> <td style="text-align: center;">234</td> </tr> <tr> <td>Race/Ethnicity- White</td> <td style="text-align: center;">92</td> <td style="text-align: center;">222</td> </tr> <tr> <td>Race/Ethnicity- Black</td> <td style="text-align: center;">410</td> <td style="text-align: center;">625</td> </tr> <tr> <td>Race/Ethnicity- Asian</td> <td style="text-align: center;">17</td> <td style="text-align: center;">12</td> </tr> <tr> <td>Race/ Ethnicity- Native American</td> <td style="text-align: center;">26</td> <td style="text-align: center;">35</td> </tr> <tr> <td>1BR</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">256</td> </tr> <tr> <td>2BR</td> <td style="text-align: center;">130</td> <td style="text-align: center;">469</td> </tr> <tr> <td>3BR</td> <td style="text-align: center;">413</td> <td style="text-align: center;">102</td> </tr> <tr> <td>4BR</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">29</td> </tr> <tr> <td>5BR</td> <td style="text-align: center;">n/a</td> <td style="text-align: center;">7</td> </tr> </tbody> </table>		Public Housing	Housing Choice Voucher	Waiting List Total	543	863	<=30% AMI	409	742	Between 30% and 50% AMI	112	121	Between 50% and 80% AMI	22	0	Families with Children	512	388	Elderly Families	2	54	Families with Disabilities	68	234	Race/Ethnicity- White	92	222	Race/Ethnicity- Black	410	625	Race/Ethnicity- Asian	17	12	Race/ Ethnicity- Native American	26	35	1BR	n/a	256	2BR	130	469	3BR	413	102	4BR	n/a	29	5BR	n/a	7
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<p>9.1</p>	<p>Strategy for Addressing Housing Needs. Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.</p> <ul style="list-style-type: none"> • The Bloomington HRA will assist extremely low, very low-income and low-income families in Bloomington area to obtain decent and affordable housing by maintaining the waiting list for its tenant-based assistance programs. It will continue to issue vouchers for tenant-based assistance in an efficient and effective manner in order to maximize use of all Federal resources. • The Bloomington HRA will apply for additional Section 8 Housing Choice Vouchers if funding is made available by Congress and HUD. • Continue to develop marketing strategies that promote landlord participation in the Section 8 programs. • Continue to coordinate the Bloomington Rental Housing Collaborative to provide education to landlords and promote participation in Section 8. • Promote affordable housing unit development by providing funding utilizing HRA and/or City resources. • Make available project-based assistance vouchers as a tool in the development of affordable housing when appropriate.
<p>10.0</p>	<p>Additional Information. Describe the following, as well as any additional information HUD has requested.</p> <p>(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA’s progress in meeting the mission and goals described in the 5-Year Plan.</p> <p>The Bloomington Housing & Redevelopment Authority (Bloomington HRA) continues to carry out its mission of assisting low income families to obtain decent, safe and sanitary affordable. The HRA provides over 550 individuals and families with rental assistance subsidies through the Section 8 program and Public Housing Programs. Successful program design and implementation has resulted in efficient use of federal funding. For example, the HRA has utilized Section 8 funding at 99% in the most recent program year. Such performance is reflected in the HRA’s SEMAP score. The Bloomington HRA has maintained a high performer SEMAP score since for many years for both the Section 8 and Pubic Housing Programs.</p> <p>In order to expand the choice and supply of affordable housing, the HRA has implemented a number of strategies. For example, the HRA has recently awarded funding to several affordable housing projects in the City of Bloomington. Funding sources for these projects include HRA levy funds, City funds and other Federal programs such as CDBG. Examples of new affordable housing that received HRA has funded include \$257,000 to assist in the development of 50 affordable (tax-credit) rental apartments at the Crossings and \$200,000 to assist in the purchase and substantial rehabilitation of 50 existing Section 8 project-based townhome units at Blooming Glen.</p> <p>The HRA also owns and operates Public Housing Program consisting of twenty scattered-site units and six townhome units spread throughout Bloomington. With this Plan, the HRA has begun the application process to convert these units to project-based Section 8 to increase their financial stability.</p> <p>The HRA also owns and operates 20 scattered-site single-family homes to assist families make the transition from being a renter to homeownership. The Rental Homes Program for First Time Homebuyers assists eligible families learn the basics of care and upkeep of a home while saving a portion of their rent every month for a down payment on a future home purchase.</p> <p>The HRA continues to ensure equal access and equal opportunity in housing through the administration of all HRA programs. The HRA sponsors an annual Fair Housing training for landlords through its’ Rental Collaborative.</p> <p>The HRA is a member of the Fair Housing Implementation Council (FHIC) which coordinates the Regional Analysis of Impediments (AI) to Fair Housing study for several jurisdictions in the metropolitan area. This study results in the identification of barriers to fair housing in the public, private and non-profit sectors. The AI also identifies short and long-term solutions that the FHIC and others can act upon to impact the impediments.</p> <p>(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA’s definition of “significant amendment” and “substantial deviation/modification”</p> <p>Significant Amendment or Modification to the Annual Plan: A modification or change to the PHA Plan will be considered a “significant amendment” or “substantial deviation/modification” if the modification or change significantly changed the mission of the PHA as stated in 5.1, Mission above, which would impact or change the PHA goals stated in 5.2 Goals and Objectives.</p>

11.0	<p>Required Submission for HUD Field Office Review. In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. Note: Faxed copies of these documents will not be accepted by the Field Office.</p> <ul style="list-style-type: none">(a) Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i> (which includes all certifications relating to Civil Rights)(b) Form HUD-50070, <i>Certification for a Drug-Free Workplace</i> (PHAs receiving CFP grants only)(c) Form HUD-50071, <i>Certification of Payments to Influence Federal Transactions</i> (PHAs receiving CFP grants only)(d) Form SF-LLL, <i>Disclosure of Lobbying Activities</i> (PHAs receiving CFP grants only)(e) Form SF-LLL-A, <i>Disclosure of Lobbying Activities Continuation Sheet</i> (PHAs receiving CFP grants only)(f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.(g) Challenged Elements(h) Form HUD-50075.1, <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i> (PHAs receiving CFP grants only)(i) Form HUD-50075.2, <i>Capital Fund Program Five-Year Action Plan</i> (PHAs receiving CFP grants only)
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Attachment A

VIOLENCE AGAINST WOMEN ACT (VAWA) POLICY

I. PURPOSE AND APPLICABILITY

THE PURPOSE OF THIS POLICY (HEREIN CALLED "POLICY") IS TO IMPLEMENT THE APPLICABLE PROVISIONS OF THE VIOLENCE AGAINST WOMEN AND DEPARTMENT OF JUSTICE REAUTHORIZATION ACT OF 2005 (PUB. L. 109-162) AND MORE GENERALLY TO SET FORTH THE BLOOMINGTON HOUSING AND REDEVELOPMENT AUTHORITY'S (BHRA) POLICIES AND PROCEDURES REGARDING DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING, AS HEREINAFTER DEFINED.

This Policy shall be applicable to the administration by BHRA of all federally subsidized public housing and Section 8 rental assistance under the United States Housing Act of 1937 (42 U.S.C. §1437 *et seq.*). Notwithstanding its title, this policy is gender-neutral, and its protections are available to males who are victims of domestic violence, dating violence, or stalking as well as female victims of such violence.

II. GOALS AND OBJECTIVES

This Policy has the following principal goals and objectives:

- A. Maintaining compliance with all applicable legal requirements imposed by VAWA;
- B. Ensuring the physical safety of victims of actual or threatened domestic violence, dating violence, or stalking who are assisted by BHRA;
- C. Providing and maintaining housing opportunities for victims of domestic violence dating violence, or stalking;
- D. Creating and maintaining collaborative arrangements between BHRA, law enforcement authorities, victim service providers, and others to promote the safety and well-being of victims of actual and threatened domestic violence, dating violence and stalking, who are assisted by BHRA; and
- E. Taking appropriate action in response to an incident or incidents of domestic violence, dating violence, or stalking, affecting individuals assisted by BHRA.

III. Other AHA Policies and Procedures

This Policy shall be referenced in and attached to BHRA's Five-Year Public Housing Agency Plan and shall be incorporated in and made a part of BHRA's Admissions and Continued Occupancy Policy (ACOP) and the Administrative Plan for the BHRA's Section 8 Housing Choice Voucher Program. BHRA's annual public housing agency plan shall also contain information concerning BHRA's activities, services or programs relating to domestic violence, dating violence, and stalking.

IV. DEFINITIONS

As used in this Policy:

- A. *Domestic Violence* – The term 'domestic violence' includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- B. *Dating Violence* – means violence committed by a person—
 - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.
- C. *Stalking* – means -
 - (A) (i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person; and (ii) to place under surveillance with the intent to kill, injure, harass or intimidate another person; and
 - (B) in the course of, or as a result of, such following, pursuit, surveillance or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to –
 - (i) that person;
 - (ii) a member of the immediate family of that person; or
 - (iii) the spouse or intimate partner of that person;
- D. *Immediate Family Member* - means, with respect to a person –
 - (A) a spouse, parent, brother, sister, or child of that person, or an individual to whom that person stands in loco parentis; or
 - (B) any other person living in the household of that person and related to that person by blood or marriage.
- E. *Perpetrator* – means person who commits an act of domestic violence, dating violence or stalking against a victim.

V. ADMISSIONS AND SCREENING

A. *Non-Denial of Assistance.* BHRA will not deny admission to public housing or to the Section 8 rental assistance program to any person because that person is or has been a victim of domestic violence, dating violence, or stalking, provided that such person is otherwise qualified for such admission.

B. *Mitigation of Disqualifying Information.* When so requested in writing by an applicant for assistance whose history includes incidents in which the applicant was a victim of domestic violence, BHRA, may but shall not be obligated to, take such information into account in mitigation of potentially disqualifying information, such

as poor credit history or previous damage to a dwelling. If requested by an applicant to take such mitigating information into account, BHRA shall be entitled to conduct such inquiries as are reasonably necessary to verify the claimed history of domestic violence and its probable relevance to the potentially disqualifying information. BHRA will not disregard or mitigate potentially disqualifying information if the applicant household includes a perpetrator of a previous incident or incidents of domestic violence.

VI. TERMINATION OF TENANCY OR ASSISTANCE

A. *VAWA Protections.* Under VAWA, public housing residents and persons assisted under the Section 8 rental assistance program have the following specific protections, which will be observed by BHRA:

1. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of or assistance to the victim of that violence.
2. In addition to the foregoing, tenancy or assistance will not be terminated by BHRA as a result of criminal activity, if that criminal activity is directly related to domestic violence, dating violence or stalking engaged in by a member of the assisted household, a guest or another person under the tenant’s control, and the tenant or an immediate family member is the victim or threatened victim of this criminal activity. However, the protection against termination of tenancy or assistance described in this paragraph is subject to the following limitations:
 - (a) Nothing contained in this paragraph shall limit any otherwise available authority of BHRA’ or a Section 8 owner or manager to terminate tenancy, evict, or to terminate assistance, as the case may be, for any violation of a lease or program requirement not premised on the act or acts of domestic violence, dating violence, or stalking in question against the tenant or a member of the tenant’s household. However, in taking any such action, neither BHRA nor a Section 8 manager or owner may apply a more demanding standard to the victim of domestic violence dating violence or stalking than that applied to other tenants.
 - (b) Nothing contained in this paragraph shall be construed to limit the authority of BHRA or a Section 8 owner or manager to evict or terminate from assistance any tenant or lawful applicant if the owner, manager or BHRA, as the case may be, can demonstrate an actual and imminent threat to other tenants or to those employed at or providing service to the property, if the tenant is not evicted or terminated from assistance.

B. *Removal of Perpetrator.* Further, notwithstanding anything in paragraph VI.A.2. or Federal, State or local law to the contrary, BHRA or a Section 8 owner or manager, as the case may be, may bifurcate a lease, or remove a household member from a lease, without regard to whether a household member is a signatory to a lease, in order to evict, remove, terminate occupancy rights, or terminate assistance to any individual who is a tenant or lawful occupant and who engages in acts of physical violence against family members or others. Such action against the perpetrator of such physical violence may be taken without evicting, removing, terminating assistance to, or otherwise penalizing the victim of such violence who is also the tenant or a lawful occupant. Such eviction, removal, termination of occupancy rights, or termination of assistance shall be effected in accordance with the procedures prescribed by law applicable to terminations of tenancy and evictions by BHRA. Leases used for all public housing operated by BHRA and, at the option of Section 8 owners or managers, leases for dwelling units occupied by families assisted with Section 8 rental assistance administered by BHRA, shall contain provisions setting forth the substance of this paragraph.

A. *Requirement for Verification.* The law allows, but does not require, BHRA or a section 8 owner or manager to verify that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking claimed by a tenant or other lawful occupant is bona fide and meets the requirements of the applicable definitions set forth in this policy. Subject only to waiver as provided in paragraph VII. C., BHRA shall require verification in all cases where an individual claims protection against an action involving such individual proposed to be taken by BHRA. Any such incident(s) must have occurred within six months. Section 8 owners or managers receiving rental assistance administered by BHRA may elect to require verification, or not to require it as permitted under applicable law.

Verification of a claimed incident or incidents of actual or threatened domestic violence, dating violence or stalking may be accomplished in one of the following three ways:

1. *HUD-approved form* - by providing to BHRA or to the requesting Section 8 owner or manager a written certification, on a form approved by the U.S. Department of Housing and Urban Development (HUD), that the individual is a victim of domestic violence, dating violence or stalking that the incident or incidents in question are bona fide incidents of actual or threatened abuse meeting the requirements of the applicable definition(s) set forth in this policy. The incident or incidents in question must be described in reasonable detail as required in the HUD-approved form, and the completed certification must include the name of the perpetrator.
2. *Other documentation* - by providing to BHRA or to the requesting Section 8 owner or manager documentation signed by an employee, agent, or volunteer of a victim service provider, an attorney, or a medical professional, from whom the victim has sought assistance in addressing the domestic violence, dating violence or stalking, or the effects of the abuse, described in such documentation. The professional providing the documentation must sign and attest under penalty of perjury (28 U.S.C. 1746) to the professional’s belief that the incident or incidents in question are bona fide incidents of abuse meeting the requirements of the applicable definition(s) set forth in this policy. The victim of the incident or incidents of domestic violence, dating violence or stalking described in the documentation must also sign and attest to the documentation under penalty of perjury.
3. *Police or court record* – by providing to BHRA or to the requesting Section 8 owner or manager a Federal, State, tribal, territorial, or local police or court record describing the incident or incidents in question.

B. *Time allowed to provide verification/ failure to provide.* An individual who claims protection against adverse action based on an incident or incidents of actual or threatened domestic violence, dating violence or stalking, and who is requested by BHRA, or a Section 8 owner or manager to provide verification, must provide such verification within 10 business days (*i.e.*, 10 calendar days, excluding Saturdays, Sundays, and federally-recognized holidays). Failure to provide verification, in proper form within such time will result in loss of protection under VAWA and this policy against a proposed adverse action.

C. *Waiver of verification requirement.* The Administrator of BHRA, or a Section 8 owner or manager, may, with respect to any specific case, waive the above-stated requirements for verification and provide the benefits of this policy based on the victim’s statement or other corroborating evidence. Such waiver may be granted in the sole discretion of the Administrator, owner or manager. Any such waiver must be in writing. Waiver in a particular instance or instances shall not operate as precedent for, or create any right to, waiver in any other case or cases, regardless of similarity in circumstances.

VIII. Confidentiality

A. *Right of confidentiality.* All information (including the fact that an individual is a victim of domestic violence, dating violence or stalking) provided to BHRA or to a Section 8 owner or manager in connection with a verification required under section VII of this policy or provided in lieu of such verification where a waiver of

verification is granted, shall be retained by the receiving party in confidence and shall neither be entered in any shared database nor provided to any related entity, except where disclosure is:

1. requested or consented to by the individual in writing, or
 2. required for use in a public housing eviction proceeding or in connection with termination of Section 8 assistance, as permitted in VAWA, or
 3. otherwise required by applicable law.
- B. *Notification of rights.* All tenants of public housing and tenants participating in the Section 8 rental assistance program administered by AHA shall be notified in writing concerning their right to confidentiality and the limits on such rights to confidentiality.

IX. Transfer to New Residence

- A. *Application for transfer.* In situations that involve significant risk of violent harm to an individual as a result of previous incidents or threats of domestic violence, dating violence, or stalking, BHRA will, if an approved unit size is available at a location that may reduce the risk of harm, approve transfer by a public housing or Section 8 tenant to a different unit in order to reduce the level of risk to the individual. A tenant who requests transfer must attest in such application that the requested transfer is necessary to protect the health or safety of the tenant or another member of the household who is or was the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.
- B. *Action on applications.* BHRA will act upon such an application promptly.
- C. *No right to transfer.* BHRA will make every effort to accommodate requests for transfer when suitable alternative vacant units are available and the circumstances warrant such action. However, except with respect to portability of Section 8 assistance as provided in paragraph IX. E. below the decision to grant or refuse to grant a transfer shall lie within the sole discretion of BHRA, and this policy does not create any right on the part of any applicant to be granted a transfer.
- D. *Family rent obligations.* If a family occupying BHRA public housing moves before the expiration of the lease term in order to protect the health or safety of a household member, the family will remain liable for the rent during the remainder of the lease term unless released by BHRA. In cases where BHRA determines that the family's decision to move was reasonable under the circumstances, BHRA may wholly or partially waive rent payments and any rent owed shall be reduced by the amounts of rent collected for the remaining lease term from a tenant subsequently occupying the unit.
- E. *Portability.* Notwithstanding the foregoing, a Section 8-assisted tenant will not be denied portability to a unit located in another jurisdiction (notwithstanding the term of the tenant's existing lease has not expired, or the family has not occupied the unit for 12 months) so long as the tenant has complied with all other requirements of the Section 8 program and has moved from the unit in order to protect a health or safety of an individual member of the household who is or has been the victim of domestic violence dating violence or stalking and who reasonably believes that the tenant or other household member will be imminently threatened by harm from further violence if the individual remains in the present dwelling unit.

X. COURT ORDERS/FAMILY BREAK-UP

A. *Court orders.* It is BHRA's policy to honor orders entered by courts of competent jurisdiction affecting individuals assisted by BHRA and their property. This includes cooperating with law enforcement authorities to enforce civil protection orders issued for the protection of victims and addressing the distribution of personal property among household members in cases where a family breaks up.

B. *Family break-up.* Other BHRA policies regarding family break-up are contained in BHRA's Public Housing Admissions and Continuing Occupancy Plan (ACOP) and its Section 8 Administrative Plan.

XI. RELATIONSHIPS WITH SERVICE PROVIDERS

It is the policy of BHRA to cooperate with organizations and entities, both private and governmental, that provide shelter and/or services to victims of domestic violence. If BHRA staff become aware that an individual assisted by AHA is a victim of domestic violence, dating violence or stalking, BHRA will refer the victim to such providers of shelter or services as appropriate. Notwithstanding the foregoing, this Policy does not create any legal obligation requiring BHRA either to maintain a relationship with any particular provider of shelter or services to victims of domestic violence or to make a referral in any particular case. BHRA's annual public housing agency plan shall describe providers of shelter or services to victims of domestic violence with which BHRA has referral or other cooperative relationships.

XII. NOTIFICATION

BHRA shall provide written notification to applicants, tenants, and Section 8 owners and managers, concerning the rights and obligations created under VAWA relating to confidentiality, denial of assistance and, termination of tenancy or assistance.

XIII. RELATIONSHIP WITH OTHER APPLICABLE LAWS

Neither VAWA nor this Policy implementing it shall preempt or supersede any provision of Federal, State or local law that provides greater protection than that provided under VAWA for victims of domestic violence, dating violence or stalking.

XIV. AMENDMENT

This policy may be amended from time to time by BHRA as approved by the BHRA Board of Commissioners.

List of Supporting Documents Available for Local Review

(Applicable to All PHA Plan Types)

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
X	Form HUD-50077, <i>Standard PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual PHA Plans.</i>	Standard 5-Year and Annual Plans Streamlined 5-Year Plans
	Form HUD-50076, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual PHA Plan</i> , including required PHA certification and assurances for policy and program changes since last Annual Plan.	Streamlined Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5-Year and Annual Plans 5-Year Streamlined Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5-Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments (AI) to Fair Housing Choice); and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Streamlined Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
X	Public Housing Admissions and (Continued) Occupancy Policy (A&O), which includes the Tenant Selection and Assignment Plan (TSAP) and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
x	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input checked="" type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development. <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
X	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in the Section 8 Administrative Plan.	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
X	Results of latest Public Housing Assessment System (PHAS) assessment (or other applicable assessment).	Annual Plan: Management and Operations
X	Follow-Up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary).	Annual Plan: Operations and Maintenance and Community Service and Self-Sufficiency
X	Results of latest Section 8 Management Assessment System (SEMAP).	Annual Plan: Management and Operations
	Any policies governing any Section 8 special housing types <input type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Management and Operations
X	Public housing grievance procedures <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Grievance Procedures
X	Section 8 informal review and hearing procedures <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement/Performance	Annual Plan: Capital Needs

List of Supporting Documents Available for Local Review

(Applicable to All PHA Plan Types)

Indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
	and Evaluation Report (form HUD-52837) for the active grant year	
	Most recent CIAP Budget/Progress Report (form HUD-52825) for any active CIAP grant	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See Notice 99-52 (HA).	
	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the U.S. Housing Act of 1937, or Section 33 of the U.S. Housing Act of 1937.	Annual Plan: Conversion of Public Housing
X	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
	Policies governing any Section 8 Homeownership program (Section ___ of the Section 8 Administrative Plan).	Annual Plan: Homeownership
X	Public Housing Community Service Policy/Programs <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan/s for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	
	Most recent self-sufficiency (ED/SS, TOP, or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
X	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input checked="" type="checkbox"/> Check here if included in the public housing A & O Policy.	
X	The results of the most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U. S.C. 1437c(h)), the results of that audit and the PHA’s response to any findings	Annual Plan: Annual Audit
	Consortium agreements and certifications that agreements are in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint PHA Plans for Consortia
	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)