



AGENDA
HOUSING AUTHORITY OF THE COUNTY OF MONTEREY
HYBRID SPECIAL BOARD MEETING
BOARD OF COMMISSIONERS

DATE: TUESDAY, MAY 16, 2023

TIME: 5:30 PM

LINK/PHONE: https://us02web.zoom.us/j/3501891938?pwd=N3d4QWM3MjRQQUtnYnYwZ3dtekxDdz09

Phone: (669) 900-6833 (*6 to unmute)
Meeting ID: 350 189 1938
Passcode: 438419

PLACE: Housing Authority of the County of Monterey
Central Office
123 Rico Street, Salinas, CA 93907

1. CALL TO ORDER

2. ROLL CALL

Table with 3 columns: Name, PRESENT, ABSENT. Rows include Chair John Wizard, Vice Chair Hans Buder, and several Commissioners.

3. PUBLIC COMMENT

4. NEW BUSINESS

- A. Resolution 3089: Resolution to Update the HCV Administrative Plan
B. Resolution 3090: Resolution Establishing New Payment Standards for the HCV Program

5. ADJOURNMENT

This agenda was posted on the Housing Authority's Bulletin Boards at 123 Rico Street, Salinas, CA.
The Board of Commissioners will next meet at the Regular Board Meeting on June 26, 2023, at 5:00 p.m.



COMMENTS FROM THE PUBLIC



MEMORANDUM



TO: Board of Commissioners

FROM: Zulieka Boykin, Executive Director

RE: **Resolution 3089: Resolution to Update the Housing Choice Voucher Administrative Plan**

DATE: May 15, 2023

The Housing Authority of the County of Monterey (“HACM”) administers a HUD approved Housing Choice Voucher Program (“HCV”). The program is designed to assist low-income families obtain affordable housing. The program consists of several steps before the family is housed. For this recommendation's purposes, we are focusing on the oral briefing, voucher issuance term, extension terms, number of allowable extensions, and subsidy standards for bedrooms assigned.

Chapter 5 covers all the areas we will discuss and if approved the necessary changes will be made to that chapter and any affected areas in the HCV Admin Plan.

Chapter 5 pg. 5-12 VOUCHER OCCUPANCY GUIDELINES

“The HACM does not determine who shares a bedroom/sleeping room; one bedroom will be assigned to the head of household and spouse or partner, and a one bedroom will be assigned for each additional two persons.”

Following this guideline has decreased voucher utilization, HACM houses more one- and two-bedroom units overall and has difficulties housing three-bedroom units and higher. This has also led to a more reasonable accommodation request to increase bedroom sizes awarded during voucher issuance.

PROPOSED CHANGE - “The HACM does not determine who shares a bedroom/sleeping room; one bedroom will be assigned to the head of household and spouse or partner, and a one bedroom will be assigned for each additional persons while allowing two persons maximum per bedroom.”

If approved, we will be able to allow each person a bedroom but to reduce the chance of overcrowding we can still place two people in each bedroom. During times of funding shortages, we can return to two people per bedroom without requiring another policy change.

Chapter 5 pg. 5-14 ORAL BRIEFINGS GUIDELINES

A voucher can be issued to an applicant family only after HACM has determined that the family is eligible for the program based on verification of information received within 60 days prior to issuance and after the **family has attended an oral briefing.**

During COVID HUD issued waivers to allow Housing Authorities to utilize remote briefings. Remote briefings decrease the number of no shows and assist families with transportation issues. It has been demonstrated as an effective tool in assisting families.

PROPOSED CHANGE - A voucher can be issued to an applicant family only after HACM has determined that the family is eligible for the program based on verification of information received within 60 days prior to issuance and after the family has attended an oral briefing either in person or remotely.

If approved, we hope to decrease the number of no-shows and improve client customer service.

Chapter 5 pg. 5-15 VOUCHER TERM, EXTENSIONS, AND SUSPENSIONS

“The initial voucher term will be 90 calendar days. An additional extension may be granted for an additional 90-days, provided the applicant has provided substantial proof of a housing search.”

“The family must submit a Request for Tenancy Approval and proposed lease within the 90-day period unless HACM grants an extension.”

“There is no limit on the number of extensions HACM can approve.”

Traditionally, the initial voucher, additional extension period, and submission for a Request for Tenancy Approval is 60 days but each Housing Authority has the discretion to change that time period. At HACM, the current policy provides 90 days, but I recommend changing it 60 days for each. Instead of starting with 180 days the clients will start with 120 days. The number of extensions allowed should be changed to two before utilizing reasonable accommodation if needed.

PROPOSED CHANGES - “The initial voucher term will be 60 calendar days. An additional extension may be granted for an additional 60-days, provided the applicant has provided substantial proof of a housing search.”

“The family must submit a Request for Tenancy Approval and proposed lease within the 60-day period unless HACM grants an extension.”

“The HACM can approve up to two extensions. If an additional extension is requested, it must be considered as a Reasonable Accommodation Request.”

If approved, decreasing the time limit while increasing customer service and follow-up will result in more vouchers being utilized. The use of this extended time limit has caused a decrease in voucher utilization, decrease in program success rate, increase in voucher issuance termination, and over briefing which causes funding problems.

Please consider these recommendations for changes to the HCV Admin Policy to improve utilization and customer service to the community.

RESOLUTION 3089

RESOLUTION TO UPDATE THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

WHEREAS, the Housing Authority of the County of Monterey (“HACM”) operates a Housing Choice Voucher program; and

WHEREAS, HACM must maintain an Administration Plan; and

WHEREAS, HACM has the authority to determine time allowed for task associated with voucher issuance, administering briefings, and subsidy occupancy standards; and

WHEREAS, HACM desires to expand options for briefings, change time periods associated with voucher issuance task and voucher subsidy occupancy standards for bedroom size.

NOW, THEREFORE, BE IT RESOLVED that the Housing Authority of the County of Monterey do hereby authorize the Executive Director to update the Administration Plan by changing the time associated with voucher issuance task and briefing options as discussed in the Board Memo dated May 15, 2023 provided by Zulieka Boykin, making any necessary changes and corrections.

Chairperson

ATTEST:

Secretary

Date

PASSED AND ADOPTED this 16th day of May 2023, upon motion of _____,
seconded by _____ and carried by the following vote-to-wit:

AYES:

NOES:

ABSENT:

5-III.D. VOUCHER ISSUANCE [24 CFR 982.302]

When a family is selected from the waiting list (or as a special admission as described in Chapter 4), or when a participant family wants to move to another unit, HACM issues a Housing Choice Voucher, form HUD-52646. This chapter deals only with voucher issuance for applicants. For voucher issuance associated with moves of program participants, please refer to Chapter 10.

The voucher is the family's authorization to search for housing. It specifies the unit size for which the family qualifies and includes both the date of voucher issuance and date of expiration. It contains a brief description of how the program works and explains the family obligations under the program. The voucher is evidence that HACM has determined the family to be eligible for the program, and that HACM expects to have money available to subsidize the family if the family finds an approvable unit. However, HACM does not have any liability to any party by the issuance of the voucher, and the voucher does not give the family any right to participate in HACM's housing choice voucher program [Voucher, form HUD-52646]

A voucher can be issued to an applicant family only after HACM has determined that the family is eligible for the program based on verification of information received within the 60 days prior to issuance [24 CFR 982.201(e)] and after the family has attended an oral briefing [HCV 8-1].

HACM Policy

Vouchers will be issued to eligible applicants immediately following the mandatory briefing.

HACM should have sufficient funds to house an applicant before issuing a voucher. If funds are insufficient to house the family at the top of the waiting list, the HACM must wait until it has adequate funds before it calls another family from the list [HCV GB p. 8-10].

HACM Policy

Prior to issuing any vouchers, the HACM will determine whether it has sufficient funding in accordance with the policies in Part VIII of Chapter 16.

If HACM determines that there is insufficient funding after a voucher has been issued, HACM may rescind the voucher and place the affected family back on the waiting list.

5-II.E. VOUCHER TERM, EXTENSIONS, AND SUSPENSIONS

Voucher Term [24 CFR 982.303]

The initial term of a voucher must be at least 60 calendar days. The initial term must be stated on the voucher [24 CFR 982.303(a)].

HACM Policy

The initial voucher term will be 90 calendar days. An additional extension may be granted for an additional 90 days, provided the applicant has provided substantial proof of a housing search.

The family must submit a Request for Tenancy Approval and proposed lease within the 90-day period unless HACM grants an extension.

Extensions of Voucher Term [24 CFR 982.303(b)]

HACM has the authority to grant extensions of search time, to specify the length of an extension, and to determine the circumstances under which extensions will be granted. There is no limit on the number of extensions that HACM can approve. Discretionary policies related to extension and expiration of search time must be described in HACM's administrative plan [24 CFR 982.54].

HACM must approve additional search time if needed as a reasonable accommodation to make the program accessible to and usable by a person with disabilities. The extension period must be reasonable for the purpose.

HACM Policy

For purposes of a reasonable accommodation the Housing Choice Voucher is not indefinite. The voucher will expire 12 months after initial date of issuance. No other extensions will be granted.

HACM Policy

The HACM does not determine who shares a bedroom/sleeping room; one bedroom will be assigned to the head of household and spouse or partner, and one bedroom will be assigned for each additional two persons.

Live-in aides will be allocated a separate bedroom.

Single person families will be allocated one bedroom.

The HACM will reference the following chart in determining the appropriate voucher size for a family:

Typical PHA Standards Used to Issue Housing Choice Voucher			Standards Used to Determine Acceptability of Unit Size (HQS Rules)	
Housing Choice Voucher Size	Minimum No. of Persons in Household	Maximum No. of Persons in Household	Unit Size	Maximum Occupancy Assuming a Living Room is Used as a Living/Sleeping Area
0-BR	1	1	0-BR	1
1 BR	1	2	1-BR	4
2-BR	2	4	2-BR	6
3-BR	4	6	3-BR	8
4-BR	6	8	4-BR	10
5-BR	8	10	5-BR	12
6-BR	10	12	6-BR	14

Adults may increase by one person to the standard listed above provided they sign a bedroom waiver.

MEMORANDUM



TO: Board of Commissioners

FROM: Zulieka Boykin, Executive Director

RE: **Resolution 3090: Establishing New Payment Standards for The Housing Choice Voucher Program**

DATE: May 16, 2023

Proposed HCV Payment Standard Chart

PAYMENT STANDARDS

EFFECTIVE MARCH 2023

The Housing Authority of the County of Monterey will use the HUD (Housing and Urban Development) 50th Percentile Fair Market Rate Success Rate Payment Standards for Monterey County.

Bedroom Size	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom	Five Bedroom
FMR (Fair Market Rent)	\$2236	\$2324	\$2833	\$4014	\$4389	\$5047
Payment Standard	\$2683	\$2789	\$3400	\$4817	\$5267	\$6056
Percentage	120%	120%	120%	120%	120%	120%

The five-bedroom FMR was calculated by adding 15% over the four-bedroom HUD FMR. Depending on the agency Budget Authority, if necessary, we will reduce the Payment Standard to either 100% FMR or 110% FMR. At the current time, funding is not an issue; therefore, we will use the 120% Payment Standards for all areas except those listed below. The payment standards below are based on FMR by zip code.

Zip Code	Efficiency	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom	Five Bedroom
93908	\$3,170	\$3,290	\$4,010	\$5,680	\$6,210	\$7,141
93921	\$3,300	\$3,432	\$4,180	\$5,918	\$6,479	\$7,450
93923	\$3,036	\$3,157	\$3,850	\$5,456	\$5,962	\$6,856
93924	\$2,816	\$2,926	\$3,564	\$5,049	\$5,522	\$6,350
93940	\$3,113	\$3,234	\$3,949	\$5,599	\$6,116	\$7,033
93950	\$3,179	\$3,300	\$4,026	\$5,709	\$6,237	\$7,172
93953	\$3,170	\$3,290	\$4,010	\$5,680	\$6,210	\$7,038
93955	\$2,695	\$2,794	\$3,410	\$4,829	\$5,280	\$6,072

Zip codes 93908 and 93955 are 100 percent of the Small Area Fair Market Rents for those areas. The remaining zip codes are 110% of the Small Area Fair Market Rents for those areas.

RESOLUTION 3090

RESOLUTION ESTABLISHING NEW PAYMENT STANDARDS FOR THE HOUSING CHOICE VOUCHER PROGRAM

WHEREAS, the Housing Authority of Monterey County (“HACM”) operates a housing choice voucher program; and

WHEREAS, has the ability to set payment standards up to 120% of the Small Area FMR or 110% of the FMR; and

WHEREAS, HACM has adequate HAP reserves to fund these increases.

NOW, THEREFORE, BE IT RESOLVED that The Housing Authority of the County of Monterey do hereby approve the attached Payment Standards to be implemented effective 5/16/2023, in the manner outlined in the 5/16/23 memorandum to the Board by Zulieka Boykin, making any necessary changes and corrections.

Chairperson

ATTEST:

Secretary

Date

PASSED AND ADOPTED this 16th day of May 2023, upon motion of _____,
seconded by _____ and carried by the following vote-to-wit:

AYES:

NOES:

ABSENT:



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

February 16, 2023

Ms. Zulieka Boykin
Executive Director/Chief Executive Officer
Housing Authority of the County of Monterey
123 Rico Street
Salinas, CA 93907

Dear Ms. Boykin:

The Department of Housing and Urban Development (HUD) reviewed the Housing Authority of the County of Monterey (HACM) request submitted pursuant to **Notice PIH 2022-30, “Extension of Certain Regulatory Waivers for the Housing Choice Voucher (including Mainstream and Mod Rehab) Program and Streamlined Review Process.”** The Notice provided instructions on the streamlined processing of public housing authority (PHA) requests to use specific regulatory waivers for the Housing Choice Voucher (HCV) (including Mainstream) program. The waivers you requested are marked “Yes” in column one on the table below.

Background:

In the context of the public health emergency, the CARES Act provided HUD with authority to waive statutes and regulations (except for requirements related to fair housing, non-discrimination, labor standards, and the environment) for the Housing Choice Voucher (HCV) and Public Housing programs. These waivers provided PHAs with the flexibility to adjust program practices where necessary so that they could prioritize mission critical functions. Most CARES Act waivers and alternative requirements contained in Notice [PIH 2021-14](#) (published May 5, 2021) expired on December 31, 2021; specific previously exercised HCV waiver approvals extended into 2022.

Through subsequent PIH notices, and now through PIH Notice 2022-30, HUD provides a streamlined process for PHAs requesting certain regulatory waivers in order to provide continued flexibility to PHAs to respond to the pandemic, especially fluctuating rental markets. Using regulatory waiver authority provided in 24 CFR 5.110, HUD will consider requests to approve regulatory waivers listed in Table 1 below based on a PHA’s statement of good cause.

Table 1. List of streamlined regulatory waivers.

Item	Waiver Name	Regulation	Summary of relief from HUD requirements
(1)	Increase in Payment Standard During HAP Contract Term	982.505(c)(4)	PHAs have the option to increase the payment standard for the family at any time after the effective date of the increase, rather than waiting for the next regular reexamination.

(2)	Voucher Tenancy: New Payment Standard Amount	982.503(b)	PHAs may establish payment standards from 111 to 120 percent of the applicable FMR.
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HACM’s application was submitted by an authorized official and included HACM’s justifications for the waiver(s) to be granted. Notice PIH 2022-30 specifies that good cause justification must include: (a) why a PHA needs the waiver; (b) the impact on PHA operations or applicants if the waiver is not provided; and (c) the proposed waiver duration is limited to only the time necessary for a PHA to resume normal operations and not to exceed December 31, 2023.

Additionally, if requesting a waiver of Regulation 24 CFR § 982.503(b) Voucher Tenancy: New Payment Standard Amount, a PHA must certify that it meets one of the following good cause reasons (explained in further detail in Notice PIH 2022-30): (1) The PHA’s jurisdiction is in a Fair Market Rent (FMR) area identified by HUD to have significant rental market fluctuations, where an increase in the PHA’s payment standards up to 120 percent of the FMR may help the PHA more quickly respond to local circumstances (a list of these FMR areas is attached to Notice PIH 2022-30); (2) Utilization Rate is lower than 98 percent for the current year-to-date or more than a 5 percent reduction between years 2019 and 2021; or (3) less than 85 percent of the PHA’s vouchers issued in the last six months have leased. If your PHA adopts this waiver, please notify PIH_Expedited_Waivers@hud.gov if it elects to change its payment standards back to the basic range between 90 and 110 percent based on the FY 2023 FMR.

After reviewing the waiver request(s) and considering HACM’s stated justification(s) of good cause, HUD: (1) finds there is good cause to waive, and hereby waives, the regulations and/or requirements marked “APPROVED” in the “Waiver Status” column and/or (2) finds there is not good cause to waive, and therefore does not waive, the regulations and/or requirements marked “NOT APPROVED” in the “Waiver Status” column.

List of streamlined regulatory waivers

Waiver Requested	Waiver Status/Term Expiration	Waiver Name	Regulation	Summary of relief from HUD Requirements
Yes	APPROVED: Expiration 12/31/2023	Increase in Payment Standard During Housing Assistance Payment (HAP) Contract Term	24 CFR § 982.505(c)(4)	PHAs have the option to increase the payment standard for the family at any time after the effective date of the increase, rather than waiting for the next regular reexamination.
Yes	APPROVED: Expiration 12/31/2023	Voucher Tenancy: New Payment Standard Amount	24 CFR § 982.503(b)	PHAs may establish payment standards from 111 to 120 percent of the FMR.

All waiver approvals are set to expire at the end of the term requested or December 31, 2023, whichever is earliest, unless an alternative limit is provided by HUD. If any provision of these waivers or their application to any HUD requirement is made invalid by PHA omission or is no longer needed due to changing circumstances, HUD reserves the right to revoke all or a portion of these waivers at any time.

Should you have any questions, please contact the Waiver Processing Team at ***PIH_Expedited_Waivers@hud.gov***.

Sincerely,

 for

Dominique Blom
General Deputy Assistant Secretary



ADJOURNMENT