

MINUTES

**CITY OF GLENDALE
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE
GLENDALE CITY HALL – ROOM 2-A
5850 W. GLENDALE AVENUE**

**Thursday, February 21, 2013
6:30 p.m.**

MEMBERS PRESENT: Arthur Swander Jr., Vice-Chair
Gina Schmitz
Chuck Jared
Sharon Wixon
John Torres
Cherie Hudson
Randy Miller
Marcellous Sanders
Vickie Loya
Shirley Wong

MEMBERS ABSENT: Matthew Versluis

STAFF PRESENT: Gilbert Lopez, Revitalization Administrator
Rebecca Daniel, Community Action Program
Administrator
Elaine Adamczyk, Community Housing
Administrator
Erin Cullum, Senior Management Assistant

I. Call to Order

**Committee-member Loya motioned to call the meeting to order at 6:32 p.m.
Committee-member Jared made the second. The motion passed 10 – 0.**

II. Roll Call

Vice-Chair Swander Jr. conducted roll call.

III. Approval of Meeting Minutes – January 9 and 10, 2013

**Committee-member Miller motioned to approve the January 9 and 10, 2013
meeting minutes as written. Committee-member Jared made the second.
The motion passed 10 – 0.**

IV. Business from the Floor

None.

V. Request to Amend Glendale Neighborhood Stabilization Program 3 (NSP 3) Substantial Amendment for the Fiscal Year (FY) 2010-11 Annual Action Plan

Mr. Lopez noted that in 2010, the city was awarded NSP 3 funding to address the effects of housing foreclosures in Glendale. The NSP 3 funds were to be used in very specific areas of Glendale to purchase foreclosed residential properties to rehabilitate and resell to qualifying families and individuals. Through a formal Request for Proposal (RFP), Habitat for Humanity Central Arizona was awarded \$1,296,540 to help Glendale mitigate the impact of foreclosures.

Mr. Lopez stated that since the contract was signed, the market has changed and the availability of foreclosed houses within the existing target areas has decreased dramatically. In order to continue to mitigate foreclosures and have the greatest impact, Mr. Lopez presented information regarding a request to expand the acquisition, rehabilitation and resale target areas for NSP 3 to match those of the original NSP program, which are covered by zip codes 85301, 85302 and 85303.

Committee-member Miller motioned to expand the acquisition, rehabilitation and resale target areas for NSP 3 to match those of the original NSP program, which are covered by zip codes 85301, 85302 and 85303. Committee-member Jared made the second. The motion passed 10 – 0.

VI. Community Action Program (CAP) Updates

Ms. Daniel updated the Committee on CAP Office activities for October, November and December 2012. The information presented includes the following:

- Direct services funding balances available for crisis programs:
 - Low Income Home Energy Assistance Program: \$167,785
 - Arizona Community Action Association: \$41,421
 - Temporary Assistance to Needy Families: \$28,594
 - Emergency Solutions Grant: \$99,067
- CAP Appointment Line
 - The Appointment Line has been very busy.
 - Calls are accepted every other Monday.
 - 302 resident calls were accepted on the hotline for October, November and December.
 - 282 households were pre-screened through Education Workshops for energy conservation.

- \$163,889 in direct service funding was provided to Glendale residents for utility, rent/mortgage programs during October, November and December 2012.
- Glendale Family Health and Resource Fair
 - On November 17, 2012, the Maricopa Integrated Health System and CAP coordinated this public event at Glendale Civic Center.
 - Many agencies participated. The full list of partners was distributed to the Committee-members.
 - 915 residents attended and 150 residents received free turkeys/food boxes.
 - 1,500 flyers were sent to Glendale residents in promotion of the event.
- December Agency Collaboration Events
 - December 8: Elk's Lodge for CAP Holiday JC Penney Shopping Event. Twenty low-income children shopped with a \$100.00 gift card and attended a holiday party at the Elk's Lodge.
 - December 9: First year of coordination with Glendale Kmart for CAP Holiday Toy Drive.
 - December 14: Agency Collaboration Group to host CAP annual holiday party. 65 families were adopted and received \$100.00 Fry's Grocery cards. Children received backpacks with school supplies and visited Santa. Each family received lunch, blankets, towels and snack bags. Fourteen families were adopted for the holidays by City employees, CAP and Care 1st Health Plan.
- Total funding returned to the Glendale Community for December: \$19,570. This was most likely the best December ever.

Ms. Daniel announced that the CAP office is moving back to City Hall, which is a very convenient location for residents.

Ms. Daniel was thanked for her hard work, dedication to Glendale residents and presentation.

VII. Review of the Agency Plan for Fiscal Year (FY) 2013

Ms. Adamczyk reviewed the changes to the 2013 Community Housing Division (CHD) Agency Plan, which includes the Section 8 Administrative Plan, the Admissions and Continued Occupancy Policy, the Capital Fund and Annual Plan.

Ms. Adamczyk stated that the Agency Plan and its annual update are required by the U.S. Department of Housing and Urban Development.

Ms. Adamczyk commented that the 2013 Agency Plan consists of the Annual Plan, which gives the basic information about the Section 8 Housing Choice Voucher and Conventional Public Housing rental assistance programs as

administered in Glendale, the Public Housing Capital Improvement Fund Five-Year Action Plan, program policy documents, including the Public Housing Admissions and Continued Occupancy Policy (ACOP), the Section 8 Administrative Plan, and the Violence Against Women Act Addendum to the FY 2013 Agency Plan.

Ms. Adamczyk discussed the updates as follows.

BOTH PROGRAMS

1. Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Violence Against Women Act (VAWA)), 24-Hour Notice

- Conventional Public Housing Continued Admissions and Occupancy Policy – Section 21.3.F.
- Section 8 Administrative Plan – Section 16.3.F.
- Violence Against Women Act Addendum to FY 2013 PHA Plan

Summary: To act in accordance with the Violence Against Women Act, Glendale Housing will review and take into consideration all circumstances to remove a person from the household. If warranted, CHD will issue a 24-hour notice of removal/trespassing (trespassing is Public Housing only), if allowed by court action or upon law enforcement advice/guidance.

2. Records Retention - HUD Verification Data

- Conventional Public Housing Continued Admissions and Occupancy Policy – 12.1.C., Records Retention
- Section 8 Administrative Plan – 10.1.C, Records Retention

Summary: HUD requires all participant records accessed through the HUD Enterprise Income Verification (EIV) system to be maintained for a period of at least three years from the effective date of the action. Once the data has served its purpose, it must be destroyed by either burning or shredding the data. In order to be consistent with CHD policy, to maintain four years of participant file data after the close/termination date, EIV records for participant family actions will be maintained and destroyed according to the same schedule.

3. Taking Applications

- Conventional Public Housing Continued Admissions and Occupancy Policy – Section 7.0, Taking Applications
- Section 8 Administrative Plan – Section 4.2, Taking Applications

Summary: Policy modified from accepting applications from “all families” to “families meeting the criteria defined in the public notice.” HUD program rules allow housing authorities to open the application process for families meeting specific criteria.

4. Income Exclusions

- Conventional Public Housing Continued Admissions and Occupancy Policy – Section 11.2, Income Exclusions
- Section 8 Administrative Plan – Section 9.3, Income Exclusions

Summary: Program regulations dictate what will and will not be included in household annual income for purposes of calculating the monthly rental assistance payment. HUD has modified the list of sources of household income that will not be included in the calculation of the rental assistance payment.

Program regulations also dictate that Glendale Housing will not provide exclusions from income in addition to those already provided for by HUD. Modifications are as follows:

Included in Exclusions-

- Major disaster and emergency assistance received by individuals and families under the Robert T. Stafford Disaster Relief and Emergency Assistance Act comparable disaster assistance provided by states, local governments, and disaster assistance organizations shall not be considered as income or a resource when determining eligibility or in the calculation of monthly rental assistance.
- The value of benefits to children under the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1996 shall not be considered income or resources for any purpose under any federal or state laws.
- Payments, funds or distributions authorized, established, or directed by the Seneca Nation Settlement Act of 1990, and none of the income derived therefrom, shall be used as a basis for denying, or reducing funds under any federal program.
- Payments from any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.
- Compensation received by or on behalf of a veteran for service-connected disability, death, dependency, or indemnity compensation as provided by an amendment by the Indian Veterans Housing Opportunity Act of 2010.
- A lump sum or a periodic payment received by an individual Indian pursuant to the Class Action Settlement Agreement in the United States District Court case entitled *Elouise Cobell et al. v. Ken Salazar et al.*, 816 F.Supp.2d 10 (Oct. 5, 2011 D.D.C.), or for any household member during the one-year period beginning on the date of receipt, shall not be treated as income for the month during which the amounts were received, or as a resource.

Removed from exclusions:

- Any allowance paid to a child suffering from spina bifida, who is the child of a Vietnam veteran.
- Any low-income subsidy received to assist low-income persons in paying for their Medicare prescription drug program.

- Income payments from the U. S. Census Bureau defined as employment lasting no longer than 180 days and not culminating in permanent employment.
- One-time recovery payments generated by the American Recovery and Reinvestment Act (ARRA).
- Payments received under programs funded in whole or in part under the Job Training Partnership Act. (The Job Training Partnership Act was replaced by the Workforce Investment Act, which is included in the exclusions.)

5. Adding Persons to an Assisted Household

- Conventional Public Housing Continued Admissions and Occupancy Policy – Section 15.6.A., Family Composition Changes
- Section 8 Administrative Plan – Section 14.4.A., Family Composition Changes

Summary: CHD will not approve the addition of new family or household members other than by birth, adoption, court-awarded custody, or marriage.

6. Extending Period of Prohibition of Assistance

- Conventional Public Housing Continued Admissions and Occupancy Policy – Section 8.3.B., Suitability
- Section 8 Administrative Plan – Section 4.9., Grounds for Denial

Summary: CHD prohibits admission for five years after a disqualifying behavior or event. This policy change includes extended prohibitions if HUD determines that a longer period of time is appropriate. For example, if a family is terminated for owing money, HUD set the prohibition for 10 years, and only if the debt is paid.

SECTION 8 HOUSING CHOICE VOUCHER ONLY

1. Late Fees to Landlord

- Section 8 Administrative Plan – Section 11.7.D., Distribution of Housing Assistance Payments
- Section 12.9.D., Abatement

Summary: CHD will not pay late fees or any other charges when payment is suspended due to the landlord/owner/manager's failure to comply with a CHD request within the specified timeframe.

CHD will not pay late fees, or any other charges, resulting from late payments due to failed HQS inspections.

2. New Owner/Landlord/Manager Program Briefing

- Section 8 Administrative Plan –
Section 11.10., New Owner Information

Summary: Expands the obligations and responsibilities for new Section 8 property owners/landlords/managers to attend in person, a landlord briefing, during which time the program obligations and responsibilities will be reviewed. Failure to comply with the briefing requirement or with any obligations or responsibilities will be cause to terminate the contract and offer the family a voucher to move.

3. Inspection Scheduling; Tenant Notice by Landlord

- Section 8 Administrative Plan –
Section 12.0. H-I, Inspection Policies, Housing Quality Standards, and Damages
Section 12.2.A. 5., Owner and Family Responsibility

Summary: Section 12.0. H. - The failing party is ultimately responsible for the repairs and to ensure CHD can access the unit for the reinspection.

Section 12.0. I & When a unit fails an annual or special inspection resulting from HQS.

Section 12.2 A.5 & Section 12.9A - deficiencies, it is up to the party responsible for correcting the deficiencies and to ensure that CHD can access the unit for a reinspection. For landlord fails and repairs, it is the landlord's responsibility to give proper notice to the tenant once the reinspection date has been scheduled. For landlord fails, if, for any reason, CHD is unable to access the unit to conduct the reinspection, CHD will fail the unit and will proceed with the abatement/contract termination, and the tenant will be given a voucher to move.

4. Annual and Special Failed Inspections

- Section 8 Administrative Plan –
Section 12.0. J, Inspection Policies, Housing Quality Standards, and Damages

Summary: If a unit fails two consecutive inspections due to HQS violations, CHD will proceed with abatement and cancellation of the contract for landlord deficiencies, and the termination of assistance for family deficiencies. If a landlord fails to appear for a scheduled reinspection. CHD will abate the HAP payment, and only schedule one more inspection. If the landlord fails to appear a second time, CHD will terminate the contract and the family will be given a voucher to move.

If the family fails to appear for a scheduled inspection, CHD will only schedule one more inspection. If the family fails to appear a second time, CHD will consider the family to have violated a Family Obligation, and their assistance will be terminated.

5. Annual and Special Failed Inspections

- Section 8 Administrative Plan –

Section 12.0. K, Inspection Policies, Housing Quality Standards, and Damages

Summary: If a unit fails two consecutive inspections due to HQS violations, CHD will proceed with abatement and canceling the contract for landlord deficiencies, or the termination of assistance for family deficiencies.

6. Annual and Special Inspections- Time Allowed for Correction of Landlord Fails

- Section 8 Administrative Plan –

Section 12.2.A.3., Owner Responsibility or HQS

Section 12.7.C.3., Timeframes for Corrections

Summary: Non-emergency repairs by the landlord must be completed within 30 calendar days of the failed inspection. This is consistent with the time allowed families for non-emergency repairs. Prior policy was 14 calendar days. (Initial inspections remain at 14 days.)

7. Annual and Special Inspections - Time Allowed for Correction of Landlord Fails - Extensions

- Section 8 Administrative Plan –

Section 12.7.D, Extensions

Summary: At the sole discretion of CHD, extensions of up to no more than 30 calendar days may be granted to permit a landlord to complete repairs if the landlord has made a good faith effort to repair. Prior policy was 45 days.

8. Utilities at Initial Inspection - Landlord Responsibilities

- Section 8 Administrative Plan –

Section 12.2.C, Initial Inspection Unit Condition and Utilities

Summary: Unless the tenant is leasing in place, the unit must be vacant at time of the initial inspection. If the unit is not vacant, the inspection will not be conducted and the unit will fail.

9. Initial Inspections – Landlord Timeframe for Corrections

- Section 8 Administrative Plan –

Section 12.7.A, Correcting Initial HQS Fail Items

Summary: If the unit fails the initial inspection twice (a no-show is a failed inspection), CHD will direct the family to select another unit. For initial fails, the time to repair remains at 14 days.

10. Denial of Request to Lease a Single-Family House With a Hot Tub or Spa

- Section 8 Administrative Plan –
Section 6.6.D., Approval to Lease a Unit
Section 6.9.L., Eligible/Ineligible Housing

Summary: Previous year's change was related to swimming pools. This change will include properties with hot tubs or spas. CHD will not approve a lease and will not pay assistance for a family to rent a unit with a hot tub or spa, operable or not, that is not a community hot tub or spa. Any hot tub or spa, in-ground or above-ground on the property, must be removed or permanently filled in with dirt or rock and brought up to ground level with the surrounding area, in a manner that would prevent any hazards, and meet all local codes or ordinances.

11. Contract Termination for Failure to Comply

- Section 8 Administrative Plan –
Section 18.2.C.6.f., Termination of Contract

Summary: If the owner fails to provide all documents required, CHD will suspend the monthly rent subsidy payment, followed by contract cancellation. CHD will provide a 10-day notice prior to the suspension, which will include the contract termination date. (The landlord/manager/owner was previously notified during the inspection process of the required documentation and due date.) CHD will include that date of contract termination in the suspension notice.

12. Final Payment to Owner

- Section 8 Administrative Plan –
Section 18.2.D., Final HAP to Owner

Summary: When a family is evicted, the Section 8 contract with the landlord terminates. If the family is evicted, yet refuses to leave causing the landlord to commence legal proceedings, CHD will continue to pay the monthly assistance, if the action is not caused by landlord failure to act.

CONVENTIONAL PUBLIC HOUSING PROGRAM ONLY

Pet "Sitting" and Visiting Pets on the Property

- Conventional Public Housing Continued Admissions and Occupancy Policy
Section 18.10, Visiting Pets

Summary: Pets may visit for up to two (2) weeks without CHD approval per lease period. "Pet sitting" is prohibited for a period longer than two (2) weeks per lease period. Tenant understands that the Pet Addendum applies to any visiting pet. Tenants and guests must act as a responsible, humane owner/caretaker of an animal.

Public Housing Capital Fund Five-Year Plan

- Agency Plan Annual Plan attachment

Summary: The Capital Fund Program Five-Year Action Plan sets out the plan for public housing capital improvement expenditures for the next five years. The list is a compilation of planned Capital Fund projects along with the funding amounts allocated to each project. These allocations can change based on project need, as long as the total expended does not exceed the total Capital Fund for that year. This 5-Year Plan uses an estimate of funding for the fiscal year starting July 1, 2013, as that amount is not known at the time of preparation. Upon receipt of notice of funding, it will be reflected in the 5-Year Plan.

Declaration of Trust (DOT)

- HUD form separate from Agency Plan packet. This form is not submitted to HUD; however, it must be current, locally recorded, and available in case of audit.

Summary: All public housing acquired, developed, maintained, or assisted with funds under the U.S. Housing Act of 1937 must have a U.S. Department of Housing and Urban Development (HUD) Declaration of Trust recorded against the property with the local Recorder's Office. The Declaration of Trust is a legal instrument that grants HUD an interest in public housing properties for 20 years. It automatically extends HUD's financial interest in the properties by one year, every year that the city accepts federal capital funds. It also provides public notice that the property must be operated in accordance with federal public housing rules and requirements, including the requirement not to convey or otherwise encumber the property unless expressly authorized by federal law and/or HUD. The filing of the Declaration of Trust will ensure that the city is in compliance with the Conventional Public Housing program federal regulations, and enables the city to remain eligible to receive federal funds for capital improvements, making it possible to maintain the city-owned public housing rental communities.

AGENCY PLAN TEMPLATE, FORM HUD 50075

PHA Plan Update

- PHA 5-Year and Annual Plan, form HUD 50075
Section 6.0 Revised Plan elements

Summary: The 2013 submittal is an Annual Plan. Section 6.0 of the form HUD 50075 summarizes the changes to the Section 8 Administrative Plan, the Public Housing Admissions and Continued Occupancy Policy, and the Violence Against Women Act Addendum to the 2013 Plan. This memorandum includes additional summary information on all changes to the 2013 Annual Plan. Any changes to Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures; Financial Resources; Rent Determination; Operation and Management; Grievance Procedures; Designated Housing for Elderly and Disabled Families; Community Service and Self-Sufficiency; Safety and Crime Prevention;

Pets; Fiscal Year Audit; Asset Management; and Violence Against Women Act (VAWA) will be included in Section 6.0.

The Fiscal Year Audit results are pending at the time of preparation of this memorandum. Upon receipt of final results, Section 6.0 will reflect those results with “none,” or listing the findings specific to the Housing programs.

Committee-member Miller motioned to open the public hearing portion of the meeting for public comments. Committee-member Torres made the second. The motion passed 10 – 0.

No public comments were made.

Committee-member Miller motioned to close the public hearing portion of the meeting for public comments. Committee-member Torres made the second. The motion passed 10 – 0.

Committee-member Miller motioned to approve the changes to the 2013 Community Housing Division (CHD) Agency Plan as presented and to forward the recommendation to City Council. Committee-member Torres made the second. The motion passed 10 – 0.

VIII. Committee Comments and Suggestions

None.

IX. Adjournment

Committee-member Miller motioned to adjourn at 7:49 p.m. Committee-member Torres made the second. The motion passed 10 – 0.

Respectfully submitted,

Recording Secretary
Denise Kazmierczak