

Summary of April 26th, 2021 Revision of the Housing Choice Voucher Program Administrative Plan Chapter 17

Section	Revisions
Part I: General Requirements	
17-I.A. Overview	Changed program size from up to 20 percent to up to 25 percent, added reference to where PBV summary information can be found. Changed the word “amount” to “number” in reference to program size to reflect the HOTMA change from a percentage of budget authority to number of units under ACC. Added subsection regarding additional project-based units referencing FR Notice 1/18/17 and Notice PIH 2017-21 and identified that the PHA may set aside units above the program limit for units specifically made available to house individuals and families that meet the definition of homeless under section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302) and contained in the Continuum of Care Interim Rule at 24 CFR 578.3 or specifically made available to house families that are comprised of or include a veteran.
Part II: PBV Owner Proposals	
17-II.A.	Added clarifying language and updated reference citations to eliminate notices that were superseded by HOTMA.
17-II.B.	Added policies regarding units selected non-competitively where the PHA has an ownership interest, clarified and updated language regarding public notice of Request for Proposals for all unit types, updated language regarding rating and ranking proposals to clarify that projects with lower percentages of assisted units “may” receive higher ranking instead of “will” receive higher ranking. Added language to policies regarding the selection of proposals subject to a previous competition under a Federal, State or Local Housing Assistance Program to identify that the PHA may periodically advertise that it is accepting proposals under this policy, or may contact owners directly that have already been selected for federal, state or local housing assistance based on previously held competitions to inform them of available assistance. Added paragraphs titled, “PHA Owned Units” as required by HOTMA and identified the preferred independent entity to review and administer the PBV program in the case of PHA owned units as the Sonoma County Housing Authority or another neighboring Housing Authority jurisdiction. In the paragraphs outlining PHA Notice of Owner Selection, added language identifying the agenda and minutes of the Housing Authority Board of Commissioners as a form of public notice and removed reference to publishing the selection in the newspaper.
17-II.D.	Clarified and added language regarding cooperative housing in the paragraph regarding ineligible housing types to explain that a member of a cooperative who owns shares in the project assisted under the PBV program is not considered an owner for the purposes of participation in the PBV program. Added language clarifying and reinforcing that PBV assistance may not be attached to units for which construction or rehabilitation has started after the proposal submission and prior to the execution of an AHAP.
17-II.E.	Added reference for subsidy layering requirement to FR Notice 6/25/14 and added paragraph clarifying that subsidy layering requirements do not apply to existing housing.
17-II.F.	Added reference to Notice PIH 2017-21 for paragraphs regarding the 25 percent per project cap. Changed the definition of exceptions to the 25 percent per project cap from, “units in a single family building (one to four units),” or units, “specifically made available for elderly or disabled families or families receiving services,” to units that are, “exclusively for elderly families,” or units, “for households eligible for supportive services available to all families receiving PBV assistance in the project,” as required by HOTMA. Updated and expanded definition of supportive services. Added paragraph regarding projects not subject to a project cap as required by HOTMA to identify the PHA does not have any PBV units that are subject to the per project cap exception established by HOTMA.
17-III.D.	Clarified policies regarding unit turnover inspections to reinforce that units must comply with HQS before assistance can be provided. Updated language to allow for biennial inspections of PBV units.

Part IV: Rehabilitated and Newly Construction Units	
17-IV.B.	Added language to reinforce that the PHA will not enter into an Agreement to Enter into a HAP contract if construction or rehabilitation has commenced on the project. Clarified that construction begins when excavation or site preparation including clearing of the land begins and that rehabilitation begins with the physical commencement of rehabilitation activity on the property. Updated policies regarding the Execution of the Agreement to state that the PHA will enter into the Agreement with the owner within 10 days of receiving the necessary documentation or on another agreed upon date between the owner and the PHA, and before construction or rehabilitation work has started.
Part V: Housing Assistance Payments Contract	
17-V.A.	In the overview paragraph, added clarifying language regarding the purpose of the HAP contract.
17-V.B.	In the explanation of the HAP contract information, updated the reference to the 25 percent per project cap to further define qualifying families as elderly and/or disabled families and families receiving supportive services. Updated the paragraphs regarding the term of the HAP contract and contract extensions to align with HOTMA. HAP contract terminations are clarified and revised for HOTMA, including the addition of a statutory notice requirement regarding contract termination or expiration describing how the PHA must respond if an owner chooses not to renew the HAP contract.
17-V.C.	Added references from FR 1/18/17 and Notice PIH 2017-21 to the paragraph outlining the addition of contract units as an amendment to the HAP contract.
17-V.E.	In the section outlining the owner responsibilities under the HAP contract, clarified that the requirement that the family does not own or have any interest in the contract unit does not apply to a family's membership in a cooperative; added language clarifying that repair work on the property after the HAP contract is executed may constitute development activity and if so, must comply with Davis-Bacon wage requirements.
17-V.F.	Clarified that the PHA will not make vacancy payments under any HAP contract, memorializing the current practice of the PHA.
Part VI: Selection of PBV Program Participants	
17-VI.C.	Updated list of current PBV properties where the PHA has established separate waiting lists to include Crossings on Aston and Parkwood in addition to The Rosenberg Building and Bethlehem Tower.
17-VI.D.	Updated the language regarding selection preferences to align with HOTMA.
17-VI.F.	Updated the timeline in which the PHA will make every reasonable effort to refer families to the owner within "10 business days" of receiving a notice of vacancy from the owner rather than "14 days."
17-VI.G.	Removed the policy stating that the PHA may offer the owner information about a tenant family's history of family members or about drug trafficking and criminal activity by family members to align with current practice of the PHA.
Part VII: Occupancy	
17-VII.B.	Clarified language regarding the initial lease term and the lease renewal terms, removed the paragraph regarding non-compliance with supportive services requirement to align with HOTMA changes to the supportive services definition, and added a paragraph regarding the continuation of Housing Assistance Payments in cases where the tenant income increases and is receiving zero assistance.
17-VII.C.	Added policies regarding emergency transfers under the Violence Against Women Act (VAWA) as outlined in Notice PIH 2017-08.
17-V.II.D.	Updated language to align with HOTMA regarding the 25 percent project cap as it applies to occupancy.

Part VIII: Determining Rent to Owner	
17-VIII.B.	Added reasonable rent language that establishes that within a HAP contract, the PHA will not reduce rents below the initial level except in certain circumstances, a policy allowed under HOTMA.
Part IX: Payments to Owner	
17-IX.B.	Clarified that the PHA does not make vacancy payments to owners under any HAP contract.