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FYB 2021

PHA ANNUAL PLAN

SUMMARY OF UPDATES



FYB 2021 ANNUAL PLAN AND 5 YEAR PLAN SUMMARY UPDATES

HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN SUMMARY

Montgomery Housing Authority (MHA) must have a written administrative plan that established local policies for the administration of the Housing Choice Voucher Program that is up-to-date with HUD Regulations and Federal Statutes. On an annual or an as-needed basis, MHA revisits the plan to include current language to address MHA policies or programs. Montgomery Housing Authority is submitting the following updates and changes.

11-11.C.

Family-Initiated Interim Reexaminations

The PHA must adopt policies prescribing when and under what conditions the family must report changes in family income or expenses [24 CFR 982.516(c)]. In addition, HUD regulations require that the family be permitted to obtain an interim reexamination any time the family has experienced a change in circumstances since the last determination [24 CFR 982.516(b)(2)].

Required Reporting

HUD regulations give the PHA the freedom to determine the circumstances under which families will be required to report changes affecting income.

MHA Policy

Families are required to report all increases in earned income, including new employment, within 10 business days of the date the change takes effect. will conduct an interim reexamination to recalculate the new family share of rent and new subsidy amount. If a family with zero income experiences an increase in income, the family must report it within 10 calendar days of the date of the increase.

The MHA will conduct interim reexaminations for families that qualify for the earned income disallowance (EID), and only when the EID family's share of rent will change as a result of the increase.

4-111.B. Selection and HCV Funding Sources

Special Admissions [24 CFR 982.203]

HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, the PHA may admit such families whether or not they are on the waiting list, and, if they are on the waiting list, without considering the family's position on the waiting list. These families are considered non-waiting list selections. The PHA must maintain records showing that such families were admitted with special program funding.

Targeted Funding [24 CFR 982.204(e)]

HUD may award a PHA funding for a specified category of families on the waiting list. The PHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, the PHA may skip families that do not qualify within the targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

MHA Policy

If HUD awards MHA program funding that is targeted for families living in specified unities or for other specified families:

- a) MHA must use the assistance for the targeted families.
- b) MHA may admit a family that is not on the MHA waiting list, or without considering the family's waiting list position. MHA must maintain records showing that the family was admitted with HUD-targeted assistance.
- c) For housing covered by the Low-Income Housing Preservation and Resident Home Ownership Act of 1990 (41 U.S.C. 4101 est seq.);
- d) A family residing in a project covered by a project-based HCV HAP contract at or near the end of the HAP contract term;
- e) Tenant protection vouchers for foster youth to independence initiative (FYI).

9-I.D. Special Housing Types [24 CFR 982 Subpart M]

Foster Youth to Independence (FYI) Initiative:

Tenant Protection Vouchers (TPVs) provided by HUD for youth eligible under the Family Unification Program (FUP), subject to availability.

Funding:

- a) The HA may request a minimum of one voucher and a maximum of 25 vouchers per Federal Fiscal Year.

- b) Voucher(s) will be requested for a specific person(s) qualifying for a FYI voucher.

Youth Eligibility:

- a) The population eligible to be assisted are youth certified by Alabama Department of Human Resources as meeting the following conditions: Has attained at least 18 years and not more than 24 years of age;
- b) Left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act at age 16 or older; and
- c) Is homeless or is at risk of becoming homeless. (**Homeless refers to the population included in the definition of this term at 24 CFR 578.3. At Risk of Becoming Homeless means the population defined as "At Risk of Homelessness" at 24 CFR 576.2**)

NOTE: Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance.

Youth Referral:

- a) Youth must be certified by the Alabama Department of Human Resources as eligible for assistance under this notice and referred to the HA for assistance.
- b) The HA must determine eligibility for the HCV program

Additional Program Requirements:

- a) Turnover: These vouchers "sunset" when the youth leaves the program. This means that the PHA cannot reissue the HCV assistance issued under this notice when the youth exits the HCV program. When the youth exits the HCV program, HUD will reduce the PHA's HCV assistance to account for the removal of the FYI voucher assistance from the PHA's HCV baseline inventory.
- b) Youth Failure to Use Voucher: Should a youth fail to use the voucher, the PHA must notify HUD, and HUD will reduce the PHA's HCV assistance to account for the removal of the FYI voucher assistance from the PHA's HCV baseline inventory.
- c) Waiting List Administration: The funding is targeted to a specific person. As a result, the PHA must use the assistance for that person. The PHA may admit the youth that is not on the PHA waiting list, or without considering the family's waiting list position. The PHA must maintain records showing the family was admitted with HUD-targeted assistance.
- d) Length of Assistance: As required by statute, a FYI voucher may only be used to provide housing assistance for you for a maximum of 36 months.

Project-Based Voucher

17-VI.C. ORGANIZATION OF THE WAITING LIST [24 CFR 983.251(c)]

The PHA may establish a separate waiting list for PBV units or it may use the same waiting list for both tenant-based and PBV assistance. The PHA may also merge the PBV waiting list with a waiting list for other assisted housing programs offered by the PHA. If the PHA chooses to offer a separate waiting list for PBV assistance, the PHA must offer to place applicants who are listed on the tenant-based waiting list on the waiting list for PBV assistance.

If a PHA decides to establish a separate PBV waiting list, the PHA may use a single waiting list for the PHA's whole PBV program, or it may establish separate waiting lists for PBV units in particular projects or buildings or for sets of such units.

MHA Policy

The PHA will establish waiting lists for individual projects or buildings that are receiving PBV assistance. The PBV project will administer the site-based waiting list. The MHA currently has waiting lists for the following PBV projects:

- The Plaza at Centennial Hills

17-VI.D. SELECTION FROM THE WAITING LIST [24 CFR 983.251(c)]

Applicants who will occupy units with PBV assistance must be selected from the PHA's waiting list. The PHA may establish selection criteria or preferences for occupancy of particular PBV units. The PHA may place families referred by the PBV owner on its PBV waiting list.

Income Targeting [24 CFR 983.251(c)(6)]

At least 75 percent of the families admitted to the PHA's tenant-based and project-based voucher programs during the PHA fiscal year from the waiting list must be extremely-low income families. The income targeting requirement applies to the total of admissions to both programs.

Units with Accessibility Features [24 CFR 983.251(c)(7)]

When selecting families to occupy PBV units that have special accessibility features for persons with disabilities, the PHA must first refer families who require such features to the owner.

Preferences [24 CFR 983.251(d), FR Notice 11/24/08]

The PHA may use the same selection preferences that are used for the tenant-based voucher program, establish selection criteria or preferences for the PBV program as a whole, or for occupancy of particular PBV developments or units. The PHA must provide an absolute selection preference for eligible in-place families as described in Section 17-VI.B. above.

The PHA may establish a selection preference for families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units, provided that

preference is consistent with the PHA plan. The PHA may not, however, grant a preference to a person with a specific disability [FR Notice 1/18/17].

In advertising such a project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible disabled persons who may benefit from services provided in the project. In these projects, disabled residents may not be required to accept the particular services offered as a condition of occupancy.

If the PHA has projects with “excepted units” for elderly families or supportive services, the PHA must give preference to such families when referring families to these units [24 CFR 983.261(b); FR Notice 1/18/17].

MHA Policy

The PHA will provide a selection preference when required by the regulation (e.g., eligible in-place families, elderly families or units with supportive services, or mobility impaired persons for accessible units). MHA will select project-based applicants based a working preference having priority over all other preferences. The preferences are for families that qualify for the HCV working preference at the time that they are selected from the Waiting List. To meet the preference, all adult household members must meet one of the following: work at least 30 hours per week; be engaged in MHA approved job training program and/or a full-time student as verified in an accredited education program; or be a person with disabilities or over 62 years of age.

The contract unit leased to each family must be appropriate for the size of the family in accordance with MHA occupancy standards.

PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY SUMMARY

Montgomery Housing Authority (MHA) must have a written Admissions and Continued Occupancy Policy (ACOP) that established local policies for the administration of the Public Housing Program that is up-to-date with HUD Regulations and Federal Statutes. On an annual or an as-needed basis, MHA revisits the policy to include current language to address MHA policies or programs. Montgomery Housing Authority is submitting the following updates and changes and/or clarification of policies for review and comment.

2-II.B. DEFINITION OF REASONABLE ACCOMMODATION

A “reasonable accommodation” is a change, exception, or adjustment to a policy, practice or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since policies and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others will sometimes deny them an equal opportunity to use and enjoy a dwelling. [Joint Statement of the Departments of HUD and Justice: Reasonable Accommodations under the Fair Housing Act]

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the MHA or result in a

“fundamental alteration” in the nature of the program or service offered. A fundamental alteration is a modification that alters the essential nature of a provider’s operations.

Types of Reasonable Accommodations

When it is reasonable (see definition above and Section 2-II.E), the MHA shall accommodate the needs of a person with disabilities. Examples include but are not limited to:

- Permitting applications and reexaminations to be completed by mail
- Providing “large-print” forms
- Conducting home visits
- Permitting a higher utility allowance for the unit if a person with disabilities requires the use of specialized equipment related to the disability
- Modifying or altering a unit or physical system if such a modification or alteration is necessary to provide equal access to a person with a disability
- Installing a ramp into a dwelling or building
- Installing grab bars in a bathroom
- Installing visual fire alarms for hearing impaired persons
- Allowing a MHA-approved live-in aide to reside in the unit if that person is determined to be essential to the care of a person with disabilities, is not obligated for the support of the person with disabilities and would not be otherwise living in the unit.
- Providing a designated handicapped-accessible parking space
- Allowing an assistance animal
- Permitting an authorized designee or advocate to participate in the application or certification process and any other meetings with MHA staff
- Displaying posters and other housing information in locations throughout the MHA's office in such a manner as to be easily readable from a wheelchair

4-III.B. SELECTION METHOD

MHAs must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that the MHA will use.

Local Preferences [24 CFR 960.206]

MHAs are permitted to establish local preferences and to give priority to serving families that meet those criteria. HUD specifically authorizes and places restrictions on certain types of local preferences. HUD also permits the MHA to establish other local preferences, at its discretion. Any local preferences established must be consistent with the MHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources [24 CFR 960.206(a)].

MHA Policy

The MHA will use the following local preferences:

In order to bring higher income families into public housing, the MHA will establish a preference for “working” families, where the head, spouse, cohead, or sole member is employed at least 20 hours per week. As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].

The MHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who has either been referred by a partnering service agency or consortia or who is seeking an emergency transfer under VAWA from the MHA’s housing choice voucher program or other covered housing program operated by the MHA.

The applicant must certify that the abuser will not reside with the applicant unless the MHA gives prior written approval.

Local preferences will be aggregated using a system in which each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant’s place on the waiting list.

The preference for victims of domestic violence, dating violence, sexual assault, or stalking seeking an emergency transfer will be equal to two points.

The preference for working families will be equal to one point.

Applicants qualifying for both preferences will thus be assigned a total of three points.

Among applicants who qualify for two preferences, date and time of application will be used to determine placement on the waiting list.

5-I.B. DETERMINING UNIT SIZE

In selecting a family to occupy a particular unit, the MHA may match characteristics of the family with the type of unit available, for example, number of bedrooms [24 CFR 960.206(c)].

HUD does not specify the number of persons who may live in public housing units of various sizes. MHAs are permitted to develop appropriate occupancy standards as long as the standards do not have the effect of discriminating against families with children [PH Occ GB, p. 62].

Although the MHA does determine the size of unit the family qualifies for under the occupancy standards, the MHA does not determine who shares a bedroom/sleeping room.

The MHA’s occupancy standards for determining unit size must be applied in a manner consistent with fair housing requirements.

MHA Policy

The MHA will use the same occupancy standards for each of its developments.

The MHA’s occupancy standards are as follows:

The MHA will assign one bedroom for each two persons within the household, except in the following circumstances:

Persons of different generations will not be required to share a bedroom, except:

A single pregnant woman with no other household members and a single parent with one child and no other household members will be assigned a one-bedroom unit. Assuming no other changes in family composition, after the child reaches the age of 2 years, the family will be eligible for a transfer to a 2-bedroom unit.

Otherwise, an unborn child will not be counted as a person in determining unit size.

Live-in aides will be allocated a separate bedroom. No additional bedrooms will be provided for the live-in aide's family.

Single person families will be allocated a zero or one bedroom.

Children related to a household member by birth, adoption, or court awarded custody will be considered when determining unit size.

Foster children will be considered when determining unit size. The family may add foster children to the household as long as it does not overcrowd the unit based on the MHA's occupancy standards.

Children away at school, but for whom the unit is considered the primary residence, and children temporarily placed outside the home, will be considered when determining unit size.

Children in the process of being adopted will be considered when determining unit size.

Children who will live in the unit less than 50 percent of the time will not be considered when determining unit size.

5-I.C. EXCEPTIONS TO OCCUPANCY STANDARDS

Types of Exceptions

MHA Policy

The MHA will consider granting exceptions to the occupancy standards at the family's request if the MHA determines the exception is justified by the relationship, age, sex, health or disability of family members, or other personal circumstances.

For example, an exception may be granted if a larger bedroom size is needed for medical equipment due to its size and/or function, or as a reasonable accommodation for a person with disabilities. An exception may also be granted for a smaller bedroom size in cases where the number of household members exceeds the maximum number of persons allowed for the unit size in which the family resides (according to the chart in Section 5-I.B) and the family does not want to transfer to a larger size unit.

When evaluating exception requests the MHA will consider the size and configuration of the unit. In no case will the MHA grant an exception that is in violation of local housing or occupancy codes, regulations or laws.

Requests from applicants to be placed on the waiting list for a unit size smaller than designated by the occupancy standards will be approved as long as the unit is not overcrowded according to local code, and the family agrees not to request a transfer for a period of two years from the date of admission, unless they have a subsequent change in family size or composition.

To prevent vacancies, the MHA may provide an applicant family with a larger unit than the occupancy standards permit. However, in these cases the family must agree to move to a suitable, smaller unit when another family qualifies for the larger unit and there is an appropriate size unit available for the family to transfer to.

REAL ESTATE DEVELOPMENT

Development

- Formulate a comprehensive re-development strategy for Paterson Court

Community Development

- Engage MHA residents in the redevelopment process
- Applied for a Choice Neighborhoods Planning Grant; the property that will be the focus of this grant if awarded is Paterson Court.



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FYB 2021

PHA SUMMARY OF 5-YEAR ACTION PLAN



SUMMARY OF 5-YR ACTION PLAN (2021-2025)

Budgets for the next five years were reviewed line-by-line to distinguish between capital funds (not maintenance dollars) and development activities funding. This proposed budget provides general knowledge of the items/areas that will be funded through our Capital Fund Budget Program.

Property	Activity	2021	2022	2023	2024	2025
Parks Place						
	Dwelling-Exterior Improvements-roofing	X				
Gibbs Village-East						
	Site Improvements-playground, porches, curb and gutter, lighting, replace mailboxes and landscape	X				
	Interior Dwelling Improvements-countertop, paint, patch, and cabinets	X				X
	Dwelling-Exterior Improvements-roofing					X
	Replace HVAC		X			
	Replacing Floor-LVT	X	X	X	X	
	Replace 40-gallon gas water heater			X		
Gibbs Village-West						
	Site Improvements-playground, porches, curb and gutter, lighting, replace mailboxes and landscape	X				X
	Interior Dwelling Improvements-countertop, paint, patch, and cabinets	X				
	Dwelling-Exterior Improvements-roofing	X				X
	Replace HVAC				X	
	Replacing Floor-LVT	X	X	X	X	
Victor Tulane Gardens						
	Site Improvements-Repair/replace concrete, sidewalk, curbs, and secure handrails, lighting, parking lot resurfacing, paving, and landscape	X		X		X
	Interior Dwelling Improvements-electrical system and trash	X				
	Replace 20 electric water heaters	X				
	Upgrade playground equipment					X
	Replace HVAC				X	

The Terrace						
	Site Improvements- lighting, parking lot paving, fencing, pressure wash and landscape	X				
	Interior Building Improvements- electrical system and trash chute	X				
	Dwelling Improvements - replace dishwashers			X		
	Replace PTAC				X	
Paterson Court						
	Site Improvements- lighting, parking lot paving, fencing, pressure wash and landscape		X			
	Interior Dwelling Improvements- countertop, paint, patch, and cabinets	X	X	X	X	
	Install Ventilation of Gas Furnace and Water Heaters	X				
	Replace PTAC Heat Units					X
	Relocation				X	X
Development Activities						
	Renovating or building to improve overall inventory	X	X	X	X	X
	Community and master planning for various properties	X	X	X		