

MINUTES OF THE REGULAR ELECTRONIC MEETING  
WORK SESSION OF THE COMMISSIONERS OF  
RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY  
HELD VIA GOTOMEETING IN RICHMOND, VIRGINIA  
ON MONDAY, MARCH 22, 2021

**In Attendance via GoToMeeting:**

**Board of Commissioners**

Veronica Blount, Chairman  
Neil Kessler, Vice Chairman  
Jonathan Coleman  
Robley Jones  
Basil Gooden  
Barrett Hardiman  
W. R. “Bill” Johnson, Jr.  
Charlene Pitchford  
Patrice Shelton

**RRHA Staff**

Stacey Daniels-Fayson, Interim Chief Executive Officer

Chairman Veronica Blount called the meeting to order at 4:05 p.m. with Cory Wolfe serving as Legal Counsel. A quorum was established.

**General Counsel Comments**

This meeting is an electronic meeting of the RRHA Board of Commissioners conducted in accordance with City of Richmond Ordinance No. 2020-093 (the “Ordinance”), which was ordained under the authority conferred unto the City by Va. Code § 15.2-1413. The Board is meeting by entirely remote means and a quorum of the Board is not physically assembled. The Board is conducting an electronic meeting due to the COVID-19 pandemic, which has made it unsafe for a quorum of Board members to physically assemble in a single location. This Board is a “public body” within the meaning of the Virginia Freedom of Information Act (Va. Code § 2.2-3700 *et seq.*), as well as Section 1(B)(5) of the Ordinance, in that the members of this Board are appointed to office by the City Council.

Notice of this electronic meeting was published on RRHA’s website on **Wednesday, March 17, 2021**. That Notice identified that this meeting will be an “electronic meeting” within the meaning of the Ordinance, that the meeting will be conducted through GoToMeeting, and that members of the public could observe and participate in the meeting. Specific instructions to access the meeting by Internet and by phone were disclosed in the Notice. The Notice also directed members of the public to a link at which they could register to deliver public comments in real time in accordance with the

Citizens' Comment provisions of the Board's Bylaws. All such requests to speak are delivered to Priscilla Jackson, Executive Administrative Assistant.

Members of the public must register in advance in accordance with the Board's Bylaws in order to make public comments during the meeting. To register, members of the public must access an online link by which they can provide the registration information required by the Board's Bylaws. Public comments must be made at electronic meetings of this Board in real time through the GoToMeeting application, either by Internet or by phone. Written comments will not be accepted and will not be included in the minutes of this meeting.

In accordance with the Bylaws, no member of the public may address the Board unless they have registered to speak or have otherwise been called upon by the Chair to speak. Accordingly, all members of the public are instructed to disable any audio or video broadcasts until and unless the Board has called upon such individual to deliver comments. If a member of the public refuses to disable an audio or video broadcast after having been warned to do so by the Chair, then the individual may be permanently banned from the remainder of the meeting.

Please disable your audio and video broadcasts now.

All members of this body in attendance at this meeting are participating electronically. The members who are participating in this meeting include: (1) Ms. Veronica Blount, Chair, (2) Mr. Jonathan Coleman, (3) Dr. Basil Gooden, (4) Mr. Barrett Hardiman, (5) Mr. W.R. "Bill" Johnson, Jr., (6) Mr. Robley Jones, (7) Mr. Neil Kessler, Vice Chair, (8) Ms. Charlene Pitchford, and (9) Ms. Patrice Shelton.

Members are reminded that all voting during this electronic meeting must be conducted by roll call vote. When a motion is on the floor, I will call each member by name, in alphabetical order, to state their vote individually, until all members are polled.

I have no further comments.

## **FY 2022 Annual Agency Plan Work Session**

### **PHA Plan**

- The Quality Housing and Work Responsibility Act (QHWRA) of 1998 created the public housing agency Five-Year and Annual Plan requirement.
- The PHA Plan is a comprehensive guide to public housing agency policies, programs, operations and strategies for meeting local housing needs and goals. The PHA Plan is Congress' way of ensuring that the PHA is accountable to the local community.

- This year's PHA Plan will outline the Agency's policies, programs, services, and strategies it intends to operate during FY 2022 (October 1, 2021 – September 30, 2022).
- The Capital Fund Five Year Action Plan describes strategic priorities, capital improvements, and redevelopment activities.

## The Resident Advisory Board (RAB)

- RRHA has a jurisdiction-wide resident council known as the Richmond Tenants Organization (RTO) in place that complies with tenant participation regulations. A limited number from this group along with HCVP representatives serve as the Resident Advisory Board (RAB). RRHA will ensure that reasonable efforts are made to secure adequate representation and participation in the RAB.
- The RAB is to partner with RRHA during the development of the PHA Annual Plan. The RAB will assist and make recommendations regarding the development of the PHA plan and any significant amendments or modifications to the plan.

## Public Review Documents

As part of the public review, the following documents will be put out for public review and comment.

- Draft Annual Agency Plan FY 2022 along with the following Certification Forms:
  - HUD form 50075-ST – Annual PHA Plan.
  - HUD 50077-ST-HCVP-HP – Certifications of Compliance with the PHA Plans and related Regulations.
  - Form HUD 50077-SL – a certification by a State or Local official of the Annual PHA Plan's consistency with the City's Consolidated Plan, including the Analysis of Impediments to Fair Housing Choice (AI),
  - Form HUD 50077-CR – Civil Rights Certification.
- Capital Fund Five Year Action Plan FY 2021-2025.
- Draft Admissions and Continued Occupancy Policy (ACOP).
- Draft Administrative Plan (does not require HUD approval).

## Annual Plan Elements

- Form HUD-50075-ST is the template that is used to submit the Annual Plan information.
  - Section A outlines the public housing agency's information, the start of RRHA's fiscal year, and the number of ACC units we have in our Low-income Public Housing (3,723) and Housing Choice Voucher Programs (3,672). The total ACC units for this Annual Plan submission is 7,395.
  - Section B-1 outlines the revisions of PHA plan elements. This is where the Housing Authority will outline areas that it is planning to revise for the upcoming fiscal year.

## Revision of PHA Plan Elements

- As part of our Annual Plan, we are required to provide a statement of housing needs and a strategy for addressing those housing needs.
- RRHA will provide an assessment of housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategies for addressing housing needs of families who reside in the jurisdiction served by the PHA.
- This assessment will include waitlist specifics and family attributes that will create housing opportunities for individuals requiring an accessible unit.

## Analysis of Impediments to Fair Housing Choice

- RRHA, the City of Richmond and surrounding jurisdictions – Henrico County, Chesterfield County, Petersburg, Hopewell and Colonial Heights – took part in research of Analysis of Impediments to Fair Housing Choice study in 2020. This research analyzed barriers, impediments, and/or discriminatory practices that may hinder a person's right to Fair Housing Choice.
- RRHA will implement Action Items to address fair housing education and outreach programs for PH residents, HCVP participants and landlords; improve the environment of persons with disabilities in public housing (increasing the number of handicap accessible units) HCVP and PBV programs; continue to offer programs that build self-sufficiency and job readiness among residents; adopt best

practices for crime-reduction, economic self-sufficiency, and good tenant programs; strengthen client resources for relocating to high opportunity areas; provide comprehensive tenant transitional programs for redeveloped public housing and support state and federal regulatory reform to address rental housing disparities.

## Financial Resources

- This section lists the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year.

## Proposed ACOP Revisions

### Chapter 2: Fair Housing (Non-discrimination)

- Current: RRHA shall not discriminate because of race, color, sex, religion, familial status (in the non-elderly designated housing), disability, elderliness or national origin in the leasing, rental or other disposition of housing or related facility, including land, included in any development or any development under its jurisdiction.
- Add: Gender identity, sexual orientation, veteran status, and Source of Funds to the list of protected classes.

### Chapter 4: Applications

#### *Section B. Initial Application Process*

- Add: Language related to efforts to assist residents who lack access to the necessary technology and/or resources.

### Chapter 5: Criminal Background Eligibility Criteria

- Generally: Denial of assistance and re-apply dates now defined by recency of conviction as well as charge class, allowing staff to differentiate between crimes of differing severity within a category.
- Drug policies: Possession of marijuana, and distribution of less than one ounce of marijuana, are no longer considered a crime.
- Alcohol policies: Penalties greatly reduced for alcohol-related convictions (DWI, drunk in public).

- Rehabilitation: Burden to prove applicant has been “rehabilitated” from prior convictions will be lowered, allowing more applicants to claim rehabilitation.

Chapter 8: Leasing

*Visitors*

- Revise: Will remove language forbidding a resident to receive non-resident visitors who were previously evicted from public housing.

Chapter 12: Reexaminations

*Section 2. Changes in Family Composition*

Add: Item D - Removal of a Minor from the household.

- When removing a minor from the household, the head of household must provide a court ordered custody agreement. If a court ordered custody agreement is not available, the head of household may submit a notarized statement from both the new guardian and the head of household detailing the custody arrangement in the event of a dispute, or where custody is listed as equal, RRHA will review court documents, where the child’s money (child support, SS, etc.) is being sent and where the child is registered for school to determine where the housing subsidy is apportioned.

Chapter 13 - Inspection, Repair, and Maintenance

*Part B: Move-In Inspection*

- Will be revised to provide that move-in inspections may not occur while the previous family still resides in the unit.

Chapter 23: Grievance Procedure

*E. Scope of Hearing; Burden of Proof*

- Revise: Language for this area will be tightened to clarify scope of Formal Grievance Hearing to ensure that all issues raised at the Informal Conference may be raised at the Formal Grievance Hearing.

Page 414 - Exhibit #4 List of Standard Charges

*Preventive Maintenance*

- Revise: Remove all charges for preventive and routine maintenance in accordance with law.

## Administrative Plan Revisions

### Chapter 3: Denial of Assistance

#### *Criminal Activity*

- Generally: Denial of assistance and re-apply dates now defined by recency of conviction as well as charge class, allowing staff to differentiate between crimes of differing severity within a category.
- Drug policies: Possession of marijuana, and distribution of less than one ounce of marijuana, are no longer considered a crime.
- Alcohol policies: Penalties greatly reduced for alcohol-related convictions (DWI, drunk in public).
- Rehabilitation: Burden to prove applicant has been “rehabilitated” from prior convictions will be lowered, allowing more applicants to claim rehabilitation.

### Chapter 8: Housing Quality Standards and Rent Reasonableness Determinations

#### *Inspections Scheduling*

- Add - Method of communication updated to add electronic and landlord/resident portal.

#### *Inspections - Sections 8-12*

- The new NSPIRE (National Standards for the Physical Inspection of Real Estate) model prioritizes health, safety, and functional defects over appearance. Upon final HUD guidance, RRHA will change from UPCS-V inspections to NSPIRE inspections. The Admin Plan will be updated with final changes upon approval of final rule.

### Chapter 12: Terminations

#### *Family Obligations*

- Add: Participant must not allow anyone not authorized by RRHA to reside in the household to use the assisted unit address.

## Homeownership

- RRHA plans to develop two single family homes on scattered sites located at 2800 Bainbridge Avenue and 1524 Maury Street.
- RRHA plans to re-implement HCVP Homeownership opportunities for FY 2022.

## Substantial Deviation/Significant Amendment (redefined)

- PHAs must describe when the following occurs:
  - a “substantial deviation” to its 5-Year Plan, and
  - a “significant amendment” to its Annual or 5-Year Plan (including the Capital Fund 5-Year Action Plan budget).
- Previous language defined both as changes of more than 20% of annual budget; this threshold will be reduced to 10%.
- Language added to clarify that RRHA may choose PBV or PBRA RAD assistance without Board approval but may not initiate new RAD conversion without Board approval.

## New Activities

- Designated Housing for Elderly - RRHA intends to complete the build out of its Senior Cottages project by completing the renovation of 3-duplex units and new construction of additional units to complete this project. All units will be designated for occupancy by the elderly.
- Conversion of Public Housing to Project-Based Assistance under RAD - Creighton Court, Gilpin, Fairfield, Mosby Whitcomb, and Hillside.
- Project-based vouchers (PBVs) are a component of RRHA’s Housing Choice Voucher (HCV) program and is subject to the regulations set forth in 24 CFR Part 983. PBVs are funded with allocation of the current budget authority. RRHA may use up to 20 percent of its authorized voucher authority to project-base units in a specific project and an additional 10 percent through a competitive Request for Proposal (RFP) process. In certain cases, RRHA may use an additional 10 percent of its authorized voucher units for PBV assistance.

## Additional Annual Plan Elements

### B. 6. Resident Advisory Board comments

- The PHA must submit any comments received from the RAB and must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.



B. 7. Certification by State and Local Officials: This document will be signed by the City's CAO.

B. 8. Troubled PHA

- RRHA is not in a troubled status.

## Additional Submission Requirements

C. Statement of Capital Improvements

- The PHA must reference the most recent HUD approved Capital Fund 5 Year Action Plan (HUD 50075.2).
- 2020-2024 Plan was approved November 2020 – available for review.
- PHAs are required to incorporate the information received from capital improvement requests and include a statement of capital improvements needed in the Annual PHA Plan.
- RRHA received notice of the 2020 Capital Fund Grant a couple of weeks ago. The Capital Fund Team is in the process of creating a 5 Year Action Plan for 2020 -2025 Capital Fund. The goal is to present this 5 Year Action Plan in conjunction with this Annual Plan submission.

## Key Milestone Dates

- February 26, 2021 –Capital Improvement Requests due (submitted).
- March 22, 2021 – Work session with Board of Commissioners.
- March 2021 – Review City of Richmond's Draft Consolidated Plan (not yet out for review).
- April 8, 2021 - Plan submissions due from each Department.
- April 22, 2021 – Draft plan presentation to RAB.
- May 3, 2021 thru May 21, 2021 – Virtual draft plan presentations to the communities.
- May 19, 2021 – Draft plan presentation to Board.
- May 24, 2021 thru July 9, 2021 – Public Comment period.
- June 9, 2021 – Virtual Public Meetings (11:00 a.m. and 5:30 p.m.).
- July 16, 2021 – Submit plan to HUD.

**Action Item:** The Commissioners asked staff to provide them with a red lined version of the Annual Plan with the highlighted changes.

**Questions and Additional Discussion:**

The following questions were asked and discussed during the meeting.

**Q:** *In the presentation, staff mentioned that 76,000 applications were received. Was that the number of applications that was received for this year?*

**A:** *No, this number references the number of applications that were received for a combination of years, from the time the waitlist was actually created. This is for all of our waitlists including HCVP and is based on applications and not necessarily families.*

**Q:** *When we submit the Annual Plan, we also make the demolition and removal request to HUD to utilize the Rental Assistance Demonstration (RAD) program. Is that request binding in any other way besides that?*

**A:** *With the submission of the Annual Plan, we inform HUD of what we would like to do for our developments. We would like for HUD and others to know that if an opportunity arises, we would like to use the RAD program in Gilpin, Creighton or any of our developments to redevelop these properties. It does not commit us to doing that, it just gives us the flexibility to do so if the opportunity arises.*

**Action Item:** Staff should add language to the Annual Plan to show that these items are tentative, explain why they are listed in the plan, and note that they are conditional on many other things.

**Q:** *In regard to the 5 Year Capital Plan, how much money has HUD allotted for capital improvements for this fiscal year and next? How are we checking projects off of that list?*

**A:** *There will be a separate presentation for the 5 Year Capital Plan as it relates to the acceptance of the 2021 Grant. This item will not be under the Annual Plan because HUD has decoupled that process. That presentation is not fully*

*developed by staff because we were just awarded the grant. The team will meet to solidify what those projects will be. If there are any significant changes in the 5 Year Capital Plan on what we pulled together from last year, we will go back to HUD for approval. If our 5 Year Capital Plan does not substantially change in terms of the projects and the dollar amounts for the projects, we will not need HUD approval.*

**Q:** *Based on the fact that our facilities are so old, what flexibility do we have to re-allocate dollars within the Capital Improvement Program to pay for emergency situations?*

**A:** *We have funds budgeted for each AMP that are specifically related to water and sewer leaks and other emergency type repairs that we know will most likely occur. This is budgeted in our 5 Year Capital Plan.*

**Q:** *Will we have the flexibility to re-allocate funds if we exceed the anticipated estimated cost for emergencies?*

**A:** *We have the flexibility to re-allocate funds wherever they are needed as long as we do not exceed that 10% threshold.*

**Q:** *In regard to the Substantial Deviation/Significant Amendment, the funding that was received was different from what the Authority had requested. How does that impact the plans for moving forward with Creighton?*

**A:** *We have the funds for the demolition costs for the Creighton Court Redevelopment. The contributions that we receive from the City does not have an impact on our capital budget. The Substantial Deviation is the funding that we receive from HUD and is not reflective of other outside funding that we may receive from the City; therefore, this Substantial Deviation would not apply because it is not impacting our budget. It allows us the flexibility to move within the program rather than going to HUD for that particular event.*

**Discussion:**

The Commissioners wanted to ensure that sufficient time is spent on fully engaging and explaining the Annual Plan process to the residents and stakeholders so that they will fully understand what will take place.

**Q:** *Would it be worthwhile to have an additional comment period earlier on in the process to ensure that once the RTO, RAB and the public have had an opportunity to review the plan and make comments, we will have the opportunity to make any substantive changes prior to final approval of the plan.*

**A:** *That is the purpose of providing the draft presentation to the communities on May 3<sup>rd</sup> through May 21<sup>st</sup>. It will be very tight to try to include another 45-day period in the schedule. We can look at the timeline to see what can be done. Maybe we can include an additional timeframe for the commissioners to review the plan.*

**Q:** *Is there a way to compress the timeline by giving a prior draft of the plan to our partners (council representative and affected associations) so that they will have as much time as possible to review what we intend to do?*

**A:** *Staff will look at the timeline and provide a recommendation on this request. The draft Annual Plan is sent to our stakeholders, including the City. Before we can send a draft to the public for review, we have to review the City's consolidated plan to ensure that we are in line with their proposed policies, programs, and services.*

**Adjournment**

There being no further business, the meeting adjourned at approximately 5:21 p.m.

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Chairman

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Interim Chief Executive Officer/Secretary