

**Richmond Redevelopment & Housing Authority**  
**Annual Public Housing Authority Plan**  
**for**  
**Fiscal Year 2022-2023**



## Table of Contents

Schedule of Exhibits .....	ii
Introduction .....	1
About RRHA.....	2
Fair Housing, Nondiscrimination, and Accessibility.....	2
Resident Advisory Board .....	3
RRHA Annual Plan for Fiscal Year 2022-2023 .....	4
A. PHA Information.....	4
B. Plan Elements.....	5
B.1: Revision of Existing PHA Plan Elements .....	5
B.2: New Activities .....	10
B.3: Progress Report .....	17
B.4: Capital Improvements.....	22
B.5: Most Recent Fiscal Year Audit .....	22
C. Other Documents and/or Certification Requirements .....	23
C.1: Resident Advisory Board (“RAB”) Comments.....	23
C.2: Certification by State or Local Officials .....	23
C.3: Civil Rights Certification/Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.....	23
C.4: Challenged Elements .....	23
C.5: Troubled PHA.....	23
D. Affirmatively Furthering Fair Housing (“AFFH”) .....	25
D.1: Affirmatively Furthering Fair Housing (“AFFH”).....	25

## Schedule of Exhibits

Exhibit A: Availability of Information

Exhibit B.1-1: Housing Needs of Families on RRHA's Waiting Lists

Exhibit B.1-2: Summary of Changes – Admissions & Continued Occupancy Plan ("ACOP")

Exhibit B.1-3: Summary of Changes – Administrative Plan

Exhibit B.1-4: Revised Criminal Background Eligibility Criteria (ACOP and Administrative Plan)

Exhibit B.1-5: Statement of Financial Resources

Exhibit B.2-1: Tables of New and Planned Modernization, Redevelopment, Demolition and/or Disposition, and Conversion Projects

Exhibit B.2-2: Tables of New and Planned Designated Housing for Elderly and/or Disabled Families

Exhibit B.2-3: Tables of New and Planned Rental Assistance Demonstration ("RAD") Conversions

Exhibit B.2-4: Excerpt from HUD Notice H-2019-09, PIH 2019-23 (HA), Rev-4

Exhibit B.2-5: HUD Notice H-2016-17, PIH-2016-17

Exhibit B.2-6: Revised Non-Smoking Lease Addendum

Exhibit B.2-7: Project-based Vouchers

Exhibit C.1: Resident Advisory Board ("RAB") Comments

Exhibit C.2: Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*

Exhibit C.3: HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*

Exhibit D.1: Family Attributes on RRHA Waiting Lists

**NOTE: All Exhibits, Attachments, and any other document or record referenced in this Plan are incorporated into this Plan as if fully set forth herein.**

## Introduction

The Quality Housing and Work Responsibility Act of 1998 (“QHWRA”) requires all federally funded public housing authorities (“PHAs”) to submit a Public Housing Authority Plan to the United States Department of Housing and Urban Development (“HUD”). This plan, which PHAs submit annually, reflects the PHA’s policies, rules, and requirements concerning the PHA’s operations, programs, and services, including any changes to these policies.

This document (the “Plan”) represents the final draft plan for the Richmond Redevelopment & Housing Authority (“RRHA”) for the authority’s 2022-2023 fiscal year. This Plan covers the period of October 1, 2022 through September 30, 2023.

This Plan is made available to the public for at least 45 days for a review and comment period. An electronic copy of the Plan is available on RRHA’s website ([www.rrha.com](http://www.rrha.com)); hard copies of this Plan are available at the locations specified on **Exhibit A**, attached to this Plan.

Anyone who needs this Plan in alternate formats, including languages other than English, should contact Ms. Calandra Trotter, RRHA’s Housing Compliance Officer, by phone at (804) 780-4276 or by email at [calandra.trotter@rrha.com](mailto:calandra.trotter@rrha.com) for further information and assistance.

This Plan will be submitted to HUD on or before July 15, 2022.

Once approved, the final approved Plan will be available on RRHA’s website ([www.rrha.com](http://www.rrha.com)).

**NOTE: All Exhibits, Attachments, and any other document or record referenced in this Plan are incorporated into this Plan as if fully set forth herein.**

## About RRHA

Founded in 1940, RRHA is the PHA responsible for administering HUD's Low-income Public Housing ("LIPH"), Housing Choice Voucher ("HCV"), Project-based Voucher ("PBV"), and redevelopment programs within the City of Richmond.

RRHA is governed by a nine-member Board of Commissioners appointed by the Richmond City Council. This Board is responsible for determining RRHA policy, approving RRHA's annual budget, and approving this Plan prior to its submission to HUD. The Board elects a Chair and Vice Chair from among its members and hires RRHA's Chief Executive Officer to oversee the agency's activities and operations.

RRHA's mission is to build vibrant communities and provide decent, safe, and sanitary affordable housing throughout the City of Richmond. The agency operates under the core values of iACT:

- Integrity
- Accountability
- Customer Focus
- Teamwork

## Fair Housing, Nondiscrimination, and Accessibility

RRHA provides housing and employment opportunities for all persons without regard to an applicant's, resident's, or employee's race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, or military status in the admission to, access to or operation of programs, services, or activities.

RRHA complies with all relevant law, including but not limited to Title VI of the Civil Rights Act, the Americans with Disabilities Act, and the Virginia Fair Housing Act.

Qualified individuals who need a reasonable accommodation to access and participate in RRHA programs or services are encouraged to make their needs known. Please contact Ms. Calandra Trotter, RRHA's Housing Compliance Officer, by phone at (804) 780-4276 or by email at [calandra.trotter@rrha.com](mailto:calandra.trotter@rrha.com) for further information and assistance.

Anyone who feels that RRHA has discriminated against them has the right to request an internal grievance with RRHA and/or to file a complaint with HUD's Office of Fair Housing and Equal Opportunity by calling toll free 800-669-9777.

## Resident Advisory Board

RRHA's Resident Advisory Board ("RAB") is composed of the Richmond Tenants Organization, a jurisdiction-wide resident council in accordance with 24 C.F.R. § 903.13, and representatives that receive tenant-based assistance through RRHA's HCV program.

The RAB's major responsibility is to assist RRHA in preparing this Plan, to provide comments on this Plan, and to advocate for families who receive housing assistance from RRHA. The RAB has reviewed this Plan, received an overview of RRHA's programs and policies, and has been afforded the opportunity to provide comments. All RAB's comments on this Plan are attached hereto as **Exhibit C.1**.

## RRHA Annual Plan for Fiscal Year 2022-2023

### A. PHA Information

**PHA Name:** Richmond Redevelopment & Housing Authority

**PHA Code:** VA 007

**PHA Type:** ☒ Standard PHA

☐ Troubled PHA

**PHA Plan for Fiscal Year Beginning:** (MM/YYYY): 10/2022

**PHA Inventory** (Based on Annual Contributions Contract (ACC) units at time of FY beginning):

**Number of Public Housing (PH) Units:** 3,513

**Number of Housing Choice Vouchers (HCVs):** 4,067

**Total Combined Units/Vouchers:** 7,580

**PHA Plan Submission Type:** ☒ Annual Submission

☐ Revised Annual Submission

**Availability of Information:** PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project ("AMP") and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plan.

A detailed list of locations where a copy of this Plan is available for public inspection is attached to this Plan as **Exhibit A**.

## B. Plan Elements

### B.1: Revision of Existing PHA Plan Elements

*(a) Have the following PHA Plan elements been revised by the PHA?*

Y	N	
x		Statement of Housing Needs and Strategy for Addressing Housing Needs
x		Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions
x		Financial Resources
	x	Rent Determination
x		Operation and Management
x		Grievance Procedures
x		Homeownership Programs
	x	Community Service and Self-Sufficiency Programs
x		Safety and Crime Prevention
	x	Pet Policy
	x	Asset Management
	x	Substantial Deviation
	x	Significant Amendment/Modification

*(b) If the PHA answered “yes” for any element, describe the revisions for each revised element:*

#### Statement of Housing Needs and Strategy for Addressing Housing Needs

Like many places in the United States, Richmond, Virginia needs to increase its supply of available housing, particularly for persons and families whose income is at or below 80% of the Area Median Income (“AMI”). The need for quality, affordable housing inversely correlates to income; in other words, the lower a family’s income the more competition they face for housing.

RRHA identifies the housing needs of the low-income, very-low income and extremely low-income families who reside in RRHA’s jurisdiction, namely, the City of Richmond. RRHA determines housing needs based on analyses of RRHA’s waiting lists, information provided by the City of Richmond, and demographic data from the United States Census Bureau’s most recent and available American Community Survey.

RRHA’s waiting lists for public housing and HCVs all demonstrate that most families self-report that their income is at or below 30% AMI and that they need a 1- or 2-bedroom home. For additional information about RRHA’s waiting lists, please see **Exhibit B.1-1**, attached to this Plan.



According to the Census Bureau, Richmond has approximately 19,500 households categorized as Extremely Low Income (at or below 30% AMI). Nearly 12,000 families are Very Low Income (between 30% and 50% AMI) and an additional 15,295 report being Low Income (between 50% and 80% AMI).

RRHA's strategies to address the housing needs of these families include:

- 1) **Maximizing the number of available affordable housing units** by:
  - a. Address needed capital projects in existing public housing units while also moving forward with repositioning strategies to ensure new affordable units are developed.
  - b. Employing effective management practices and policies to minimize offline public housing units with an occupancy goal of 96%.
  - c. Maintaining at least 95% lease-up rate or utilizing 100% budget authority for RRHA's HCV program by establishing effective payment standards, occupancy standards, and manageable practices.
  - d. Applying for additional voucher subsidy and any available special program vouchers or other grant funding to serve more families.
- 2) **Ensuring housing remains affordable** by adopting appropriate payment standards and thoroughly reviewing landlord requests for contract rent increases.
- 3) **Creating greater awareness of housing opportunities** by publicizing and marketing agency programs and resources. RRHA plans to provide marketing information to local social service agencies, advocacy groups, partners, residents, and applicants. RRHA will also publicize housing opportunities through advertisements in local print and broadcast media, as well as detailing these opportunities on RRHA's website.
- 4) **Conducting activities to further fair housing**, as further detailed in Section D.1 of this Plan.

RRHA will undertake these strategies while keeping in mind and considering all identified needs of applicants and residents when planning for redevelopment and new affordable housing communities. This includes, without limitation, analysis and consideration of family size, families with children, and persons with disabilities so that RRHA can continue to ensure the agency's developments can offer a sufficient number of units, range of sizes and bedroom configurations, and accessibility features as indicated by the stated needs of RRHA residents and applicants.

Additional information about RRHA's waiting lists, which informs RRHA's planning processes, can be found in **Exhibit B.1-1** and **Exhibit D.1**, attached to this Plan.

Further, RRHA utilizes site-based waiting lists for all Project-based Voucher ("PBV") communities, with the agency maintaining and administering a waiting list for each PBV community. Based on RRHA's past experiences, as well as past and current demographic information, this policy is crucial in further desegregating the City of Richmond.

#### Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions

This information for RRHA's LIPH program is contained in RRHA's Admissions & Continued Occupancy Policy ("ACOP"). Policies governing RRHA's HCV program are found in RRHA's Administrative Plan.

Both documents are submitted along with this Plan and available for public inspection and comment in all locations where this Plan is available, as identified on **Exhibit A**.

A summary of all changes to RRHA's ACOP and Administrative Plan are attached to this Plan as **Exhibits B.1-2 and B.1-3**, respectively. A revised Criminal Background Eligibility Criteria, which is applicable to the ACOP and Administrative Plan, is attached to this Plan as **Exhibit B.1-4**.

#### Financial Resources

Attached to this Plan, as **Exhibit B.1-5**, is a summary of RRHA's financial resources. This summary includes, without limitation, operating, capital, and other anticipated federal resources available to RRHA, as well as tenant rents and other income – including non-federal sources of funds – available to support public housing or tenant-based assistance. This summary also provides RRHA's planned use(s) for each resource.

#### Operation and Management

This information for RRHA's LIPH program is contained in RRHA's Admissions & Continued Occupancy Policy ("ACOP"). Policies governing RRHA's HCV program are found in RRHA's Administrative Plan.

Both documents are submitted along with this Plan and available for public inspection and comment in all locations where this Plan is available, as identified on **Exhibit A**.

A summary of all changes to RRHA's ACOP and Administrative Plan are attached to this Plan as **Exhibits B.1-2 and B.1-3**, respectively.

### Grievance Procedures

This information for RRHA's LIPH program is contained in RRHA's Admissions & Continued Occupancy Policy ("ACOP"). Policies governing RRHA's HCV program are found in RRHA's Administrative Plan. Both documents are submitted along with this Plan and available for public inspection and comment in all locations where this Plan is available, as identified on **Exhibit A**.

RRHA has updated its written grievance procedures for both LIPH and HCV programs in accordance with HUD notice PIH-2020-32. Specifically, RRHA has now included language in the ACOP and Administrative Plan that allows for remote grievance hearings in certain circumstances.

A summary of all changes to RRHA's ACOP and Administrative Plan are attached to this Plan as **Exhibits B.1-2 and B.1-3**, respectively.

### Homeownership Programs

RRHA is excited to place a greater focus on homeownership programs. As many Americans know, investing in a home is a primary means to building generational wealth; unfortunately, many Americans have been denied this opportunity for too long.

Specifically, RRHA administers, has applied for, or plans to apply for the following programs:

#### **HOPE VI:**

*Blackwell, Swansboro, Fulton, Citywide Homeownership; Project No. VA36URD0071197*  
Application approved March 29, 2002; 212 units.

RRHA may amend its HOPE VI Revitalization Plan (RP) for Blackwell to include vacant lots that still exist in RRHA's inventory. This revision would provide for construction of additional affordable and market rate homeownership units under the same HOPE VI restrictions. RRHA may also build affordable and market rate homeownership units on lots that are unencumbered by HOPE VI program restrictions to further deconcentration of poverty.

#### **Section 32:**

*Neighborhood Homeownership Initiative (“NHI”); Project No. DDA0002335*

Application approved September 25, 2007; 121 units

HUD approved a significant amendment to RRHA’s previous plan related to the agency’s Section 32 Homeownership program. On November 19, 2015, HUD approved RRHA’s request to rescind sixty-six (66) Section 32 units; on April 28, 2017, HUD approved disposition of these units. Since that approval, RRHA has contracted with two local nonprofit organizations to construct or rehabilitate thirty-eight (38) homes and sell them to families whose income is at or below 80% of AMI. The other twenty-eight (28) units were sold at a public auction.

On June 8, 2017, HUD approved RRHA’s application to rescind forty-four (44) Section 32 units. HUD then approved disposition of these units on October 11, 2018. RRHA’s nonprofit development partners will construct or rehabilitate homes on thirty-six (36) of these lots for families earning 80% or less of AMI. The remaining eight (8) lots were sold at a public auction.

**Section 5h:**

*3208 N Street; Project No. VA 7-30*

Application approved July 26, 1999

RRHA plans to dispose of 3208 N Street, Richmond, Virginia.

More information about these homeownership applications is located in **Exhibit B.2-1**, attached to this Plan.

Additionally, RRHA plans to open a comprehensive Home Center to support these homeownership opportunities, as described more fully in Sections B.2 and B.3, below.

**Safety and Crime Prevention**

RRHA takes the safety of its communities very seriously. In 2019, the agency created a Department of Public Safety (“DPS”) to reduce crime in RRHA’s communities and improve residents’ quality of life.

Since its creation, DPS has built relationships with RRHA families and outside, like-minded organizations to collaboratively focus on crime prevention and intervention. DPS has worked hard to install additional security cameras around RRHA’s communities, and the department continues to use its Interdiction Program, as described in RRHA’s ACOP, when alleged criminal activity threatens a family’s future in RRHA’s LIPH program.

The ACOP was submitted along with this Plan and was made available for public inspection and comment in all locations where this Plan is available, as identified on **Exhibit A**.

RRHA also recently executed a Memorandum of Understanding (“MOU”) with Help Me Help You, a local nonprofit organization that provides support and resources to individuals with criminal convictions. The goal is to offer this connection to applicants to, residents of, and participants in RRHA’s housing programs to address underlying causes of criminal activity, provide necessary services, and help reduce recidivism. RRHA believes this MOU will further increase the safety of our communities and surrounding neighborhoods.

Additionally, the department is currently working on developing a long-term partnership with the Richmond Police Department, the City of Richmond, and Virginia Union University to develop a comprehensive means of tracking key data and metrics. RRHA hopes this information will help to ensure that DPS meets its goal of reducing crime in RRHA’s communities and that the department allocates resources appropriately.

Lastly, when DPS learns of a potential victim of domestic violence, dating violence, sexual assault, or stalking, the department works with the victim and other key stakeholders to ensure that RRHA follows all relevant law, regulation, and agency policy and, more importantly, to connect each victim with appropriate resources and service providers.

*(c) The PHA must submit its Deconcentration Policy for Field Office review.*

## B.2: New Activities

*(a) Does the PHA intend to undertake any new activities related to the following in the PHA’s current Fiscal Year?*

Y	N	
x		Hope VI or Choice Neighborhoods
x		Mixed Finance Modernization or Development
x		Demolition and/or Disposition
x		Designated Housing for Elderly and/or Disabled Families
x		Conversion of Public Housing to Tenant-based Assistance
x		Conversion of Public Housing to Project-based Rental Assistance or Project-based Vouchers under RAD
	x	Occupancy by Over-income Families

	x	Occupancy by Police Officers
x		Non-smoking Policies
x		Project-based Vouchers
	x	Units with Approved Vacancies for Modernization
x		Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants)

*(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project-based units and general locations, and describe how project basing would be consistent with the PHA Plan.*

#### HOPE VI or Choice Neighborhoods

RRHA continues to work towards closure of its HOPE VI Grant. The agency identified ninety-six (96) vacant parcels in RRHA's inventory, and the plan is to procure developer partners who can build homeownership units according to RRHA's HOPE VI Homeownership plan without the need for RRHA to contribute any funding. RRHA may also oversee the development of affordable and market rate homeownership units on parcels without HOPE VI program restrictions.

Specifically, RRHA's HOPE VI grant has helped to construct fourteen (14) senior cottages in the Blackwell neighborhood. This first phase is complete and occupied; RRHA is actively working on an additional four (4) cottages in a second phase and the agency may use Capital Grant funds to construct a third phase consisting of another four (4) units. Additional information about the Senior Cottages can be found in the tables located in **Exhibit B.2-1**, attached hereto.

RRHA was thrilled to receive a Choice Neighborhoods Initiative ("CNI") Planning Grant for Gilpin Court. These funds will greatly support the planning process of a redeveloped community. During this Plan year, RRHA may apply for additional CNI grants when HUD publishes any Notice of Funding Availability. Any such application RRHA submits may be for Creighton, Fairfield, Gilpin, Hillside, Mosby, or Whitcomb Courts.

#### Mixed Finance Modernization or Development

Like many housing authorities, RRHA's goal is to reposition its entire public housing portfolio into mixed-income, mixed-use communities that offer a variety of quality

housing options for families at all income levels as well as a host of other amenities and opportunities.

RRHA envisions that it may employ a range of options to achieve this goal. This includes, without limitation: modernization of existing public housing units, demolition of specific sections or entire developments, construction of new units (including market-rate and homeownership opportunities), acquisition of parcels around RRHA's communities for additional construction or redevelopment, and/or voluntary conversion of public housing to project-based assistance.

Redeveloping these communities may require a partnership between RRHA and a private developer partner or RRHA may choose to self-develop, either through the agency or one or more subsidiary entities. In either case, RRHA plans to make use of HUD's repositioning resources as well as private or other public funding resources as appropriate for each activity.

Specifically, RRHA may use Capital Funds and other public and private funds, when available and appropriate, to redevelop the agency's entire Annual Contributions Contract ("ACC") portfolio. This portfolio includes, but is not limited to: Creighton Court, Fairfield Court, Gilpin Court, Hillside Court, Mosby Court, Whitcomb Court, Dove Street, Townes at River South, Frederic Fay Towers, and scattered site elderly developments. RRHA has selected a development partner for Creighton Court, and plans to do the same for Gilpin, Fairfield, Hillside, Mosby, and Whitcomb Courts. This selection and planning process will involve community engagement and other stakeholder outreach to assist RRHA in arriving at a master plan for the redeveloped communities.

RRHA may also use Capital Funds and other funds to acquire and redevelop properties in and around its public housing communities. In addition, RRHA plans to utilize project-based vouchers for additional affordable housing initiatives, redevelopment projects, replacement housing options, and relocation options for residents.

Additionally, RRHA may utilize one or more subsidiary entities for development, financing, ownership, or operation of public and non-public housing programs.

RRHA may propose other affordable housing developments and mixed-finance transactions, via acquisition and/or new construction, later in the Plan year commensurate with RRHA's Strategic Plan. Financing may include use of regular Capital Funds or HUD's Capital Fund Financing Program (CFFP), which permits borrowing against future flow of annual Capital Funds.

As always, RRHA will submit all necessary applications to HUD for review and approval prior to undertaking any of these plans.

Additional information about these plans can be found in the tables located in **Exhibit B.2-1**, attached hereto.

### Demolition and/or Disposition

Most of RRHA's public housing inventory was constructed between forty-five (45) and eighty (80) years ago. Recent Physical Needs Assessments for Creighton, Fairfield, Gilpin, Hillside, Mosby, and Whitcomb courts – what many around Richmond know as RRHA's "Big Six" – used inspections and financial analyses and concluded that all six developments are functionally obsolete and that addressing the significant capital needs in these buildings would be cost ineffective.

Therefore, RRHA may utilize various HUD repositioning strategies to continue to provide quality, affordable housing around the City of Richmond. This may include, without limitation: Section 18 Demolition/Disposition, Rental Assistance Demonstration ("RAD"), and RAD/Section 18 Blend. These programs will enable RRHA to leverage public resources, such HUD Choice Neighborhoods Initiative and other grant or subsidy funding, and private capital to create vibrant communities where families at every income level can live, work, learn, shop, and play.

Transformation of RRHA's Big Six will involve the entire development, including dwelling units, non-dwelling units – such as, but not limited to, Creighton Court Management Office, Fairfield Court Management Office, Gilpin Court Management Office, Hillside Court Management Office, Mosby Court Management Office, Whitcomb Court Management Office, the Calhoun Family Investment Center (436 Calhoun Street), Friends Day Car center, and other non-dwelling units – and vacant land in the communities.

Additionally, HUD approved RRHA's applications for disposition of 110 single-family public housing units that were previously approved under a Section 32 Homeownership plan. These units have been or will be transferred to nonprofit developer partners who will rehabilitate or construct homes to sell, many of which will be designated for families earning at or below 80% AMI. More information on this can be found in Section B.1, "Homeownership Programs".

Specific information about these plans can be found in the tables located in **Exhibit B.2-1**, attached hereto.



### Designated Housing for Elderly and/or Disabled Families

In accordance with applicable law and regulation, RRHA operates certain, designated public housing communities that restrict occupancy to individuals who are elderly, near elderly, or disabled.

Specifically, RRHA has constructed the first phase of the Blackwell Senior Cottages that consists of fourteen (14) units that are designated for elderly individuals and allow them to age in place. An additional four (4) units are currently under construction in the second phase of this development, with the third and final phase planned for the remaining four (4) units.

Additional information about these communities, including planned developments, can be found in the tables located in **Exhibit B.2-2**, attached hereto.

### Conversion of Public Housing to Tenant-based Assistance

As part of RRHA's planned repositioning of its public housing communities, the agency will continue to analyze its inventory. RRHA may convert public housing to tenant-based assistance when it is economically feasible and will increase housing opportunities.

Such conversion may involve applications for Section 18 Demolition/Disposition or RAD/Section 18 Blend for the following public housing communities: Creighton Court, Fairfield Court, Gilpin Court, Hillside Court, Mosby Court, Whitcomb Court, or other public housing in RRHA's inventory.

Information about specific plans and applications is found elsewhere in this section and in relevant exhibits attached to this Plan.

### Conversion of Public Housing to Project-based Rental Assistance or Project-based Vouchers under RAD

RRHA may convert public housing to Project-based Rental Assistance ("PBRA") or Project-based Vouchers ("PBV") assistance under HUD's Rental Assistance Demonstration ("RAD"). Information about specific applications and plans can be found in tables located in **Exhibit B.2-3**, attached hereto.

Every such RAD conversion will occur under the guidelines of H-2019-09 PIH Notice 2019-23 (HA), REV-4 and any successor Notices. Upon conversion to Project-Based

Vouchers or Project-Based Rental Assistance, the Authority will adopt the resident rights, participation, waiting list, and grievance procedures described in *Section 1.6 of H-2019-09 PIH Notice 2019-23, Rev-4; and H-2016-17/PIH-2016-17 (PBV) conversions; and Section 1.7 of H-2019-09 PIH Notice 2019-23, Rev-4; and H-2016-17/PIH-2016-17(PBRA)*. These resident protections, rights, participation, waiting list and grievance procedures are attached hereto as **Exhibit B.2-4**.

A reference to HUD Notice H-2016-17, PIH-2016-17 (HA) is attached hereto as **Exhibit B.2-5**.

RRHA will make the full text of these HUD Notices available to anyone upon request and all are incorporated into this Annual Plan by reference as if fully laid out herein.

Additionally, the Richmond Redevelopment and Housing Authority certifies that it is currently compliant with all fair housing and civil rights requirements.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing Richmond Redevelopment and Housing Authority with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, RRHA's Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that Richmond Redevelopment and Housing Authority may also borrow funds to address their capital needs. The Richmond Redevelopment and Housing Authority will also be contributing Operating Reserves and Capital Funds towards the conversion.

RRHA is utilizing a mixed-finance approach for replacement of its public housing developments under RAD. Mixed-finance development emphasizes the formation of new public and private partnerships to ensure long-term sustainability of public housing developments and the leveraging of public and private resources to transform the isolated communities in which many public housing residents currently live into vibrant and sustainable "mixed-income" communities with a wide range of family incomes. This approach utilizes a variety of financial resources and partnerships; therefore, it may be necessary to realign the various developments based on financial feasibility or other factors related to project implementation.

### Non-smoking Policies

RRHA recently provided all LIPH families with notice that the agency was proposing changes to its standard Non-Smoking Addendum to all residential leases. The proposed change, necessitated by Virginia's recent legalization of small amounts of marijuana for

personal use in certain circumstances, updates the addenda to explicitly prohibit the smoking of marijuana or e-cigarettes in LIPH units or within twenty-five (25) feet of any RRHA building.

A copy of this revised addendum is attached to this Plan as **Exhibit B.2-6**.

RRHA plans to have all families execute this revised addendum during annual or interim recertifications over the next calendar year.

### Project-based Vouchers

RRHA consistently searches for opportunities to provide families with quality housing, with access to wonderful amenities, through HUD's Project-based Voucher ("PBV") program. Specifically for this Plan year, RRHA expects to increase its PBV authority in and around the City of Richmond. More information on the particular PBV communities is located in **Exhibit B.2-7**.

These new PBV opportunities will comply with PBV goals, civil rights requirements, HUD's National Standards for the Physical Inspection of Real Estate ("NSPIRE"), and deconcentration standards. Additional information about how RRHA works to meet these goals and standards is found in RRHA's Administrative Plan, submitted along with this Plan.

Additionally, these PBVs are consistent with this Plan because they encourage the rehabilitation or development of mixed-income, possibly mixed-use communities throughout the City of Richmond and neighboring localities, including several areas with low levels of poverty and segregation and high levels of opportunities.

### Other Capital Grant Programs

All of RRHA's hard work on a recent application for a Choice Neighborhoods Initiative Planning Grant paid off when the agency was one of a small group of housing authorities to be awarded such funding. These dollars will help RRHA and partner organizations engage residents and other stakeholders in the redevelopment of Gilpin Court and the larger Jackson Ward neighborhood.

RRHA has eagerly begun meeting with HUD, partner organizations (specifically, the City of Richmond and the Richmond City Health District), and other key stakeholders to develop a process and a budget for using these grant funds.

RRHA's Finance department will carefully monitor these grant funds and project spending and will assist with draw downs as necessary.

### B.3: Progress Report

RRHA is actively working towards the agency's goals and objectives detailed in previous Annual and 5-Year plans. Specifically, RRHA has made progress on the following:

**1. Reposition RRHA's large public housing communities.**

- a. RRHA has engaged in a "build first" strategy to construct new affordable housing as one of many relocation options for current public housing residents. This strategy includes:
  - i. The Rosa
  - ii. The award-winning Baker School; and
  - iii. Armstrong Renaissance, which was just awarded a 2022 Merit Award from the Congress for New Urbanism and includes a variety of housing options including homeownership opportunities.
- b. RRHA continues to engage residents and other key stakeholders in the planning process.
  - i. The agency's goal is to engage with each community and work with their respective Tenant Councils to develop a community specific "Tenant Bill of Rights" so that every resident can see RRHA's commitment on paper. This was wildly successful with Creighton Court and RRHA wants to use this same process on all the other sites.
  - ii. This process also involves regular updates via Frequently Asked Questions ("FAQs") and fact sheets distributed to communities.
- c. RRHA completed density studies and has begun to develop phasing strategies for all "Big Six" sites (Creighton Court, Fairfield Court, Gilpin Court, Hillside Court, Mosby Court, and Whitcomb Court).
- d. HUD approved RRHA's Section 18 Demolition/Disposition application for the first phase of Creighton Court, comprised of 192 units.
- e. RRHA has received grant and other federal funding for redevelopment, including but not limited to:
  - i. 9% LIHTC tax credits for Creighton Court
  - ii. Choice Neighborhoods Planning Grant for Gilpin Court.

**2. Strategically use existing resources while exploring alternative revenue sources.**

- a. RRHA has been reviewing its real estate portfolio to identify parcels that might generate revenue for the agency.
- b. RRHA continues to explore the feasibility of generating revenue by marketing existing services to outside parties. Potential opportunities are:
  - i. RRHA's internal extermination services; and
  - ii. RRHA's in-house inspection department.
- c. RRHA also plans to begin marketing its tax-exempt bond program – which is created under Virginia law – more aggressively as an additional revenue source.
- d. RRHA is searching for opportunities to gain development experience, either as a co-developer or the lead developer on affordable housing communities. The agency has been evaluating staff knowledge and capacity and has been working to identify potential opportunities for self-development opportunities.

### **3. Support our families' success.**

- a. RRHA developed a summer Youth Employment and Leadership Academy in the summer of 2021. 65 youth took part, learning job skills, working in various RRHA departments, and participating in educational and entertainment activities. RRHA plans to continue this program in 2022 with the goal of expanding it to allow more participation.
- b. RRHA has partnered with Apple and Verizon to design and develop a modern STEM and computer lab with an estimated \$200,000 in equipment and fixtures (all donated). This resource will provide opportunities for incredible educational opportunities.
- c. RRHA's Resident Services department has implemented a comprehensive case management system that also provides certain document management and data tracking tools. This platform allows RRHA to conduct efficient and effective evaluations of families and then provide resources, services, and opportunities.
- d. As RRHA continues to implement this new system, the agency also regularly evaluates its effectiveness to ensure that it actually helps our families.
- e. RRHA is currently assessing every LIPH family under a LIFTS ("Leading Individuals and Families Towards Self-sufficiency") model. These assessments will identify each family's needs and allow RRHA to work with each family to develop attainable service plans. To date, 404 families have completed this assessment with the following results:

PRIORITY AREA	INDICATOR	CURRENT RESULT – self reported	GOAL
<b>Employment</b>	Employment Status of Head of Household	Unemployed – 67%	Assist 25 Head of Household Residents in obtaining employment, per community = 105 newly employed families, total.
<b>Job/Technical Training</b>	Access to job training opportunities	Interested in Job Technical Training - 31%	Engage Residents by facilitating information sessions and/or workshops, quarterly, representing job/technical training opportunities.
<b>Education</b>	Access to Adult Basic Educational opportunities	Does not have a High School Diploma or GED – 34%	Introduce and expose families to adult basic education programs, quarterly, and provide support to families enrolling in programs.
<b>Health and Wellness</b>	Access to Health Education and Resources	Has one or more chronic health conditions (Asthma, Diabetes, High Blood Pressure, Mental Illness – 20%	Provide opportunities for families to access Health education and resources, at least quarterly

- f. RRHA was thrilled to receive a Resident Opportunities and Self-Sufficiency (“ROSS”) grant.
  - i. These funds allowed the agency to add three new staff in the Resident Services department.
  - ii. The additional staff will allow for an increase in the number of families RRHA can work with in the Family Self Sufficiency (“FSS”) program.

- g. Additionally, RRHA has contracted with a developer partner to provide services during a RAD conversion, which generates additional revenue for the department.
- h. RRHA has been very successful at using agency assets in partnership with local nonprofit developers to build dozens of quality single family homes for families at or below 80% AMI. These opportunities have allowed dozens of families to attain homeownership and begin to build generational wealth.

**4. Develop existing strategic partnerships and cultivate new ones to advance RRHA's mission.**

- a. RRHA recognizes that it can achieve more by partnering with resident leadership and outside organizations and service providers.
  - i. RRHA is continuously working on ensuring that all tenant councils and the jurisdiction-wide council have the necessary resources and support from the agency to effectively function.
  - ii. RRHA has increased its involvement in professional and trade groups. Specifically:
    - 1. RRHA's Interim CEO currently serves as a VP for the Virginia Association of Housing and Community Development Officers ("VAHCDO") and RRHA's General Counsel actively works with VAHCDO's Public Policy Committee to advocate on bills pending before the state legislature.
    - 2. RRHA's HCV department has engaged with several organizations representing local landlords to increase participation in HCV.
- b. RRHA has developed key relationships with elected officials at the local, state, and federal levels.
  - i. RRHA has been working to ensure that key staff attend relevant meetings with City Council, the Mayor's office, and other civic organizations.
  - ii. RRHA attended a meeting with Richmond's Mayor, members of the City Council, and representatives from Virginia's General Assembly. The attendees discussed RRHA's mission and objectives and focused on how local and state leaders can support the agency through funding and legislative priorities.
- c. RRHA has worked with Virginia Housing ("VH"), the Commonwealth's state finance agency, to establish parameters for a VH-administered capital grant that would provide an estimated \$12.4 million to RRHA for

capital and other needs in public housing. VH has stated this is a non-competitive process, so RRHA will be receiving these funds.

**5. Foster an innovative and collaborative organizational culture.**

- a. RRHA has prioritized staff and commissioner training to ensure that:
  - i. Everyone has the necessary knowledge and skills to perform their job and comply with all relevant law, regulation, and HUD guidance; and
  - ii. Anyone who is interested can have opportunities to advance, both personally and professionally. This includes a new partnership between RRHA and Virginia Commonwealth University to provide leadership and management training to all interested employees.
- b. RRHA's Human Resources department has completed a wage study. As a result, they have:
  - i. Improved the agency's performance management program to ensure that supervisors regularly evaluate all employees; and
  - ii. Provided salary adjustments to employees when necessary to ensure RRHA pays staff appropriate wages or to retain quality employees who have opportunities elsewhere.
- c. RRHA has worked to develop a Human Capital Plan to address departments and positions that will phase-out with repositioning of RRHA's public housing communities.
- d. RRHA provides regular updates to all employees in monthly newsletters prepared and distributed by RRHA's Communications and Public Relations department.
- e. RRHA has worked to transition to virtual and cloud-based processes and systems. This change, which also involved providing employees with equipment and resources to work wherever, was expedited due to the COVID-19 pandemic; however, it has been very successful.

**6. Measure agency success.**

- a. RRHA continues to have a high performing HCV program and a public housing program that makes significant progress year over year.
  - i. RRHA has developed and implemented a plan to ensure proper quality control processes in LIPH and HCV.
  - ii. RRHA is developing a plan, with achievable benchmarks, to improve PHAS scores.



- b. RRHA has been working on a system that will measure key performance indicators on a regular basis so that RRHA can evaluate successes and areas for improvement.

**7. Develop a comprehensive communications and marketing plan.**

- a. In the fall of 2020, RRHA's Communications and Public Relations department developed a comprehensive, agency-wide communications plan.
- b. The department also conducted a Resident Communications Survey to assess how the agency can best reach families who receive housing assistance from RRHA.
- c. RRHA continues to analyze how best to communicate with other key stakeholders.
- d. RRHA has standardized communications with a new logo, website, mass text messaging capabilities, and social media accounts presenting a cohesive picture of the agency.
- e. The Communications department has also worked hard to issue press releases and other statements to highlight all the great work the agency is doing. Unfortunately, RRHA cannot always rely on local media to provide accurate and thorough reporting on agency activities.

**B.4: Capital Improvements**

See Capital Fund 5 Year Action Plan in EPIC approved by HUD on 05/18/2021.

**B.5: Most Recent Fiscal Year Audit**

*(a) Were there any findings in the most recent FY Audit?*

☐ Yes ☒ No

*(b) If yes, please describe:*

## C. Other Documents and/or Certification Requirements

### C.1: Resident Advisory Board (“RAB”) Comments

*(a) Did the RAB(s) have comments to the PHA Plan?*

☐ Yes ☒ No

*(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHA’s must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.*

All comments from the RAB are attached hereto as **Exhibit C.1**.

### C.2: Certification by State or Local Officials

A completed and signed Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, is attached hereto as **Exhibit C.2**.

### C.3: Civil Rights Certification/Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan

A completed and signed Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*, is attached hereto as **Exhibit C.3**.

### C.4: Challenged Elements

If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.

*(a) Did the public challenge any elements of the Plan?*

☐ Yes ☒ No

*(b) If yes, include Challenged Elements.*

### C.5: Troubled PHA

*(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?*

☐ Yes

☐ No

☒ N/A

*(b) If yes, please describe:*

DRAFT

## D. Affirmatively Furthering Fair Housing (“AFFH”)

### D.1: Affirmatively Furthering Fair Housing (“AFFH”)

RRHA remains deeply committed to ensuring that all persons have access to the agency’s programs and services. To that end, RRHA partnered with the City of Richmond and other neighboring jurisdictions to conduct a regional analysis of impediments to fair housing choice.

This analysis, conducted by Root Policy Research, examined the Richmond region’s structural and historical barriers to fair housing opportunities for members of protected classes and historically marginalized groups. It identified five core impediments to fair housing choice in and around the City of Richmond:

1. Furthering fair and equitable housing;
  - a. Historical actions of forced segregation.
  - b. Limited, declining, or inconsistent local and federal funding and resources.
  - c. Restrictive land use codes and development standards.
2. Rental housing choices;
  - a. Geographic concentration of affordable rental units.
  - b. Market forces causing rent amounts to increase faster than income.
  - c. Landlord refusal to accept housing choice vouchers.
  - d. Landlord willingness to evict tenants, sometimes without cause.
  - e. Limited funding for housing choice vouchers.
  - f. Limited income supports for persons with a disability and lack of accessible affordable units.
3. Attaining homeownership;
  - a. Historical discrimination and segregation in homeownership opportunities.
  - b. Historical and recent discrimination in the lending process.
4. Accessing high opportunity environments; and
  - a. Job-rich areas lack affordable housing and transit access.
  - b. Region’s inadequate public transportation systems.
  - c. Disparity in access to high quality educational opportunities.
5. Fair housing knowledge and awareness.
  - a. Lack of knowledge and awareness in fair housing laws.
  - b. Lack of understanding of Virginia’s recent source of income protections.

RRHA also conducted an analysis of self-reported disabilities by families on RRHA’s waiting lists. A summary of these stated needs is attached to this Plan as **Exhibit D.1**.

With this understanding, RRHA has implemented, continues to implement, or will implement the following strategies to address these stated impediments:

*Furthering Fair and Equitable Housing*

**Continue to improve internal processes to ensure fair and equitable housing.**

- In 2020, RRHA revised key fair housing plans, policies, and procedures. Specifically, RRHA revised the agency's:
  - Language Access Plan, for persons with limited English proficiency; and
  - Reasonable Accommodation procedures.
- As a result, RRHA continues to provide telephonic translation services for anyone who requires it. This system can also provide verbal translation of written documents.
- RRHA also identified some inefficiencies in documenting reasonable accommodation requests, including reports on the status of requests and copies of communications with the requestor. In response, RRHA has worked with our software provider (YARDI) to implement a Reasonable Accommodation Workflow process that will allow for more accurate and consistent tracking and reporting of all reasonable accommodation requests received from application to end of participation. This process will allow for regular updates to the applicant, tenant, or participant's file as they happen, including timely communicating the status and updates of each request. This information will remain with the tenant's file and will be available to the subject resident through an online, secure portal and upon request. Additionally, RRHA will have the ability to generate an ADHOC report at any time to reflect the most recent status of requests. YARDI has no such program in place at any other PHA and they developed this specifically for RRHA (with the understanding that it may serve as a great pilot program and could have wider use in the near future). Staff has worked on the data entry and manual reporting processes in December 2021 and January 2022; the platform was in full use beginning in February 2022.
- RRHA has created a committee of key staff to review and process unit transfers within the agency's LIPH program. The committee has already been very effective at comparing the stated needs with RRHA's housing inventory and matching families with units that meet their needs. RRHA has every reason to believe this success will continue, resulting in timely transfer offers once a family makes such a request.
- RRHA continues to provide HCV participants with voucher extensions when needed to allow a family to find a unit that has necessary accessibility features.

**Increase the number of accessible affordable units throughout the City of Richmond and in neighboring jurisdictions.**

- RRHA continues to grant reasonable accommodations for persons who make such a request. This may include, but is not limited to, adding features to make an existing unit accessible or transferring a family to another LIPH unit that has the needed features.
- RRHA continues a partnership with HOME (“Housing Opportunities Made Equal”) of Virginia, who provides resources to voucher recipients and can assist with searching for homes that have necessary accessibility features and that are in high opportunity areas.
- RRHA has worked with developers to exceed the legally required minimum number of accessible units in rehabilitated or new developments. Specifically:
  - Richmond Family 1 and 2: 204 total units; 37 will be fully accessible under UFAS requirements.
  - Baker School: 50 total units, all with accessibility features to allow residents to age in place. This includes units with additional sensory features, which are set aside for persons with hearing or vision differences.
  - Creighton Phase 1: 68 total units; 14 universal design units, 7 units meeting UFAS requirements, and 2 units with sensory features.
  - Armstrong Renaissance
    - RRHA completed the first senior phase in 2019. It has 45 units, fully occupied by senior residents, all with features to allow them to age in place.
    - The second phase is also now complete, providing an additional 45 units like those in the first phase.

*Rental Housing Choices*

**Work with local and regional partners to strengthen funding for eviction mediation and diversion programs.**

- The City of Richmond is one of four Virginia localities with mandated Eviction Diversion Pilot Program. This program, which is codified in state law, requires that landlords offer tenants repayment agreements for all amounts owed in certain circumstances; it also provides funding for Housing Counselors and trans volunteers to advise tenants of their rights. RRHA has happily participated in this program and will continue to offer residents the opportunity to enter into a repayment agreement with more favorable terms than those required by law.
- Additionally, RRHA staff have put a lot of energy and long hours into helping RRHA families apply for and secure rental assistance funding. To date, RRHA has

submitted over 3,000 applications and the agency has received nearly \$4 million to pay towards tenant balances. RRHA will continue to apply for rental assistance funds on behalf of families for as long as such funding remains available.

**Support local, state, and federal legislative and regulatory priorities that seek to address rental housing disparities.**

- RRHA vocally supported Virginia’s “Source of Income” protection that prohibits landlords from denying a potential tenant solely because some or all of their income for housing comes from a government agency, such as RRHA or other housing authorities.
- RRHA has also advocated for a state or local inclusionary zoning requirement and property tax abatement for affordable units, and will continue to support such measures until they become law. The goal is to permit more flexible land use, thus making it easier to create affordable housing in more places, and provide financial incentives for developers to include affordable units in current and planned developments.

*Attaining Homeownership*

**Construct new homes.** RRHA has worked with, and will continue to work with, developers in the construction of single-family homes on parcels in RRHA’s inventory. Many of these new homes are made available and affordable for families earning at or below 80% AMI.

**Expand RRHA’s HCV Homeownership Program.** RRHA has begun a broad marketing and communications strategy to inform voucher recipients of the option to purchase a home as opposed to renting. The agency fully expects that participation in this program will significantly increase, providing an opportunity for more families to own their own home.

**Open a Homeownership Resource Center.** RRHA continues to move forward with opening a comprehensive Home Center to assist first-time homebuyers, particularly those at lower income levels, with all aspects of the home buying process in one centralized location. Through agency resources and partnerships with outside organizations, RRHA plans to provide information, resources, and supportive services.

**Utilize RRHA funds when permitted and appropriate.** When permitted under relevant law, regulation, and guidance, and when RRHA determines it appropriate, RRHA may use agency funds to assist purchasers with down payments, closing cost assistance, and other subsidies to support homeownership.

**Partnership with HOME.** As discussed elsewhere in this Plan, RRHA continues its wonderful partnership with Housing Opportunities Made Equal (“HOME”) of Virginia. This partnership assists voucher recipients at locating housing in high opportunity areas. In 2021, HOME has assisted 196 of RRHA’s voucher families and has worked to find them housing in high opportunity areas.

**Landlord Outreach, Recruitment, and Education.** RRHA continues to work hard to increase the number of landlords who participate in the HCV program, particularly those in high opportunity areas. Specifically, RRHA:

- Has offered an online landlord portal through which landlords can review all relevant documents and receive information from RRHA.
- Takes great pride in the prompt review and decision on requests for tenancies, inspections, contract rent adjustments, and monthly HAP payments. This has proven to be invaluable at retaining good landlords.
- Provides landlords with important information on Virginia’s source of funds protections and the benefits of participating in RRHA’s HCV program.
- Studied, and will continue to study, the feasibility of providing financial incentives to landlords, such as making funds available to offset any tenant-caused damage and security deposit payments.
- Is considering and evaluating the feasibility of adopting Small Area Fair Market Rents (“SAFMR”) in accordance with HUD regulation and guidance.

**Build Self Sufficiency and Job Readiness.**

- RRHA’s Resident Services department has continued to evaluate all LIPH families for ability and need in these areas (see Section B.3, Item 3).
- RRHA has also offered, and will continue to offer classes and training on: budget management, private market rentals, connecting and paying utilities, and housekeeping to help our families succeed when they move to other housing.
- RRHA has continued to create job opportunities under Section 3.
  - Current real estate developments have resulted in 30 RRHA residents being hired.
  - The agency and developer partners regularly hold job fairs in and around RRHA’s communities. A recent fair had excellent attendance and over 40 residents signed-up to receive more information about specific job opportunities.



**Project-Based Vouchers.** RRHA has been very successful at using project-based vouchers (“PBVs”) in communities located in high opportunity areas. This success continued in 2021, with the issuance of another Request for Proposals for additional PBVs.

### *Fair Housing Knowledge and Awareness*

#### **Fair housing education and outreach programs.**

- RRHA has provided and will continue to provide training and information on relevant fair housing topics. The agency makes these available to staff, commissioners, and landlords, as well as program applicants, residents, and participants.
  - Specifically, RRHA partnered with Virginia’s Attorney General to prepare and distribute a brochure discussing Virginia’s source of income protections.
- RRHA regularly distributes relevant fair housing information to all who may be interested and includes a dedicated “Fair Housing” section on the agency’s website.
- RRHA reminds all residents and program participants of fair housing law, including information and instructions for requesting a reasonable accommodation, at initial move-in and every annual and interim reexamination.

**RRHA’s Commitment.** RRHA has been very vocal and transparent about our commitment to fair and equitable housing, with information available on the agency’s website, social media channels, and posted at all RRHA office buildings. The agency plans to continue clearly stating this commitment.

## Exhibit A

Copies of this Plan, documents related to Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public at the following locations:

RRHA's website ([www.rrha.com](http://www.rrha.com))

RRHA's central offices:

901 Chamberlayne Parkway, Richmond, VA 23220

918 Chamberlayne Parkway, Richmond, VA 23220

RRHA's AMP Property Management offices:

Creighton Court

Fairfield Court

Gilpin Court

Hillside Court

Mosby Court

Whitcomb Court

Stonewall AMP

Calhoun Family Investment Center (436 Calhoun Street, Richmond, VA 23220)

Additionally, all members of RRHA's RAB receive an electronic and/or hard copy of these documents and information.

## Exhibit B.1-1

### Housing Needs of Families on RRHA's Waiting Lists<sup>1</sup>

<b>LIPH Waiting List</b> (13,851 total families)		
	<b># of Families</b>	<b>% of Total Families</b>
<b>By Income Level</b>		
Extremely Low Income (at or below 30% AMI)	11,268	81.4%
Very Low Income (between 30% and 50% AMI)	2,067	14.9%
Low Income (between 50% and 80% AMI)	458	3.3%
<b>Family Characteristics</b>		
Families with Children	4,712	34.0%
Elderly Families	728	5.3%
Families with Disabilities	3,085	22.3%
<b>Racial Distribution</b>		
White	2,177	15.7%
Black	11,979	86.5%
Asian/Pacific Islander/Other	830	6.0%
Hispanic	672	4.9%
<b>Bedroom Size</b>		
1 Bedroom	8,796	63.5%
2 Bedroom	3,348	24.2%
3 Bedroom	1,428	10.3%
4 Bedroom	254	1.8%
5 Bedroom	25	0.2%

<b>Is this waiting list closed?</b>	Yes
<b>If Yes:</b>	
How long has it been closed (# of months)?	3
Does the PHA plan to reopen this list in this Plan year?	Yes
<b>Does the PHA permit specific categories of families onto this waiting list, even if generally closed?</b>	No

<sup>1</sup> All data presented in this Exhibit B is as of **January 24, 2022**. It is self-reported by families when they apply for the waiting list and RRHA does not independently verify this information until such time as the family is selected from the waiting list and RRHA begins to review the family's information and documents to determine program eligibility. Additionally, because families self-report this information, one family may be counted in multiple parts of one or more sections, resulting in total percentages or numbers that exceed 100%.

<b>LIPH Elderly Waiting List</b> (1,779 total families)		
	<b># of Families</b>	<b>% of Total Families</b>
<b>By Income Level</b>		
Extremely Low Income (at or below 30% AMI)	1,779	87.6%
Very Low Income (between 30% and 50% AMI)	182	10.2%
Low Income (between 50% and 80% AMI)	36	2.0%
<b>Family Characteristics</b>		
Families with Children	73	4.1%
Elderly Families	1,115	62.7%
Families with Disabilities	938	52.7%
<b>Racial Distribution</b>		
White	283	15.9%
Black	1,483	83.4%
Asian/Pacific Islander/Other	88	5.0%
Hispanic	70	3.9%
<b>Bedroom Size</b>		
1 Bedroom	1,634	91.9%
2 Bedroom	0	0.0%
3 Bedroom	0	0.0%
4 Bedroom	0	0.0%
5 Bedroom	0	0.0%

<b>Is this waiting list closed?</b>	Yes
<b>If Yes:</b>	
How long has it been closed (# of months)?	3
Does the PHA plan to reopen this list in this Plan year?	Yes
<b>Does the PHA permit specific categories of families onto this waiting list, even if generally closed?</b>	No

<b>HCVP Waiting List</b> (4,849 total families)		
	<b># of Families</b>	<b>% of Total Families</b>
<b>By Income Level</b>		
Extremely Low Income (at or below 30% AMI)	0	0.0%
Very Low Income (between 30% and 50% AMI)	0	0.0%
Low Income (between 50% and 80% AMI)	0	0.0%
<b>Family Characteristics</b>		
Families with Children	2,469	50.9%
Elderly Families	318	6.6%
Families with Disabilities	881	18.2%
<b>Racial Distribution</b>		
White	351	7.2%
Black	4,573	94.3%
Asian/Pacific Islander/Other	172	3.6%
Hispanic	171	3.5%
<b>Bedroom Size</b>		
1 Bedroom	0	0.0%
2 Bedroom	0	0.0%
3 Bedroom	0	0.0%
4 Bedroom	0	0.0%
5 Bedroom	0	0.0%

<b>Is this waiting list closed?</b>	Yes
<b>If Yes:</b>	
How long has it been closed (# of months)?	15
Does the PHA plan to reopen this list in this Plan year?	No
<b>Does the PHA permit specific categories of families onto this waiting list, even if generally closed?</b>	No

## Exhibit B.1-2

### Summary of Changes to RRHA's Admissions & Continued Occupancy Policy ("ACOP")

Section	Page	Previous Language	Proposed Language	Reason/Justification
Chapter 2-A	6	Referred to "status as a veteran" as a protected class under applicable law	Change "status as a veteran" to "military status"	Updated to reflect recent change in Virginia law.
Chapter 2-B	6	Referred to "status as a veteran" as a protected class under applicable law	Change "status as a veteran" to "military status"	Updated to reflect recent change in Virginia law.
Chapter 4-C	17	"RRHA will require that a professional third party provide a written assessment that the applicant qualifies as a person with a disability and specific accommodations due to their disability is required for them to have equal access to the program."	"RRHA may require that a professional third party provide a written assessment that the applicant qualifies as a person with a disability and specific accommodations due to their disability is required for them to have equal access to the program."	Change is consistent with existing law that allows for, but does not necessarily require, such an inquiry.
Chapter 4-J.1	22	"As a part of the eligibility determination, RRHA shall run a criminal record check on all adult family members."	"As the final step of the eligibility determination, RRHA shall run a criminal record check on all adult family members."	Change is consistent with HUD and Virginia Attorney General guidance related to criminal backgrounds in housing.
Chapter 4-N	26	"As families approach the top of the Waiting List	"As families approach the top of the Waiting List	Change to ensure criminal backgrounds are

		in the matter described below in Chapter 6, the following items will be verified to determine qualification for admission:"	in the matter described below in Chapter 6, the following items will be verified to determine qualification for admission according to the following order of precedence:"	considered last, in accordance with relevant guidance and best practices.
Chapter 4-N.7	26	Non-economic selection criteria includes "criminal history report"	Removed "criminal history report" from this section and placed it in a new section 9	Consistent with the previous two changes.
Chapter 5-J.2	48	"To evidence such removal, the applicant must document where other than RRHA public housing the member to be removed is living or going to live by means of a lease, or utilities turned on the member's name, or other appropriate documentation."	"To evidence such removal, the applicant must document where other than RRHA public housing the member to be removed is living or going to live by means of a lease, or utilities turned on the member's name, or other appropriate documentation, which may include, without limitation, a sworn statement or affidavit from the applicant family that is acceptable to RRHA."	Change to clarify what may be acceptable documentation in this circumstance.
Chapter 5-J.2(q)	51	"A person who is incarcerated at the time of eligibility determination is	"A person who is incarcerated at the time of eligibility determination is	Change to afford housing opportunities to formerly-

		ineligible for a period of one year after released from incarceration.”	ineligible <b>until they are</b> released from incarceration.”	incarcerated persons who otherwise meet RRHA’s eligibility criteria.
Chapter 5-J.3	52	“In addition to screening adult members of the applicant’s household, the criminal background screening includes juvenile members of the applicant’s household to the extent allowed by state and local law.”	<b>Removed</b> this sentence entirely.	RRHA will not run criminal background checks on juvenile members of a household.
Chapter 5-J.4	52-61	See <b>Exhibit B.1-4</b> , attached hereto.		
Chapter 5-J.5(b)	61	“RRHA will require any applicant who asserts that mitigating circumstances related to a change in disability, medical condition, or treatment to provide verification that he or she has applied for SSI, VA or SSA or appealed a denial of such benefits.”	<b>Removed</b> this sentence entirely.	RRHA will accept other verifications in support of any such mitigating circumstances.
Chapter 6-A	63-64	“RRHA uses site-based waiting lists in accordance with RRHA’s Annual Plan and any updates submitted in compliance with the Quality	Remove existing language and replace with “ <b>RRHA does not use site-based waiting lists for its low-income public housing</b>	Added language to clarify that RRHA does not use site-based waiting lists in this housing program.



		Housing and Work Responsibility Act of 1998.”	program governed by this ACOP.”	
Chapter 6-C.2(d)	68	n/a	Added: “RRHA’s use of this residency preference will not have the purpose or effect of delaying or otherwise denying admission to RRHA’s housing program based on race, color, ethnic origin, gender, religion, disability, age, or any other class protected by applicable law of any member of an applicant family.”	Added this language based on HUD’s comments to RRHA’s FY21-22 Annual Plan.
Chapter 8-A.1	85	“Apartments will be leased without regard to race, religion, sex, age, national origin, disability, and family status.”	“Apartments will be leased without regard to race, religion, sex, age, national origin, disability, <del>and</del> family status, <del>or</del> any other classification protected under applicable law.”	Added language to clarify additional protected classes.
Chapter 8-L.2	91	“For transfers due to emergency conditions that occur due to damage to the dwelling apartment (except for normal wear and tear), residents will be charged for	<del>Removed</del> this sentence entirely.	This sentence was duplicative.

		the damages caused to the apartment.”		
Chapter 8-Q.1	92	“Visitors are permitted in a dwelling apartment as long as they have no previous history of behavior on RRHA premises that would be a lease violation.”	“Visitors are permitted in a dwelling apartment as long as they <b>are not currently barred from RRHA properties.</b> ”	Changed language to clarify that past history, without a current barment, is not grounds to prevent a visitor.
Chapter 8-Q.8	93	“Residents will not be given permission to allow a former resident of any federally assisted housing program who has been evicted to occupy the apartment for any period of time.”	“Residents will not be given permission to allow a former resident of any federally assisted housing program who has been evicted to <b>reside in</b> the apartment for any period of time.”	Changed language to clarify that former residents who were evicted can visit RRHA properties, but cannot live in a RRHA unit.
Chapter 15, “Purpose”	192	“Transfers will be made without regard to race, color, national origin, sex, religion, or familial status.”	“Transfers will be made without regard to race, color, national origin, sex, religion, familial status, <b>or any other classification protected under applicable law.</b> ”	Added language to clarify additional protected classes.
Chapter 15-D	193	n/a	<b>Added:</b> “RRHA may permit a resident to transfer, on a temporary basis, from a former public housing unit undergoing a Rental Assistance Demonstration	Language added to permit temporary transfers from RAD communities to public housing in response to an emergency. RRHA’s goal is to provide quality housing for

			<p>(“RAD”) conversion to a current public housing unit when (i) in accordance with this section, an emergency exists at the resident’s RAD unit, (ii) RRHA has a current public housing unit that is vacant and meets the resident’s needs, and (iii) RRHA, in its sole discretion, determines that the resident has no other viable temporary relocation options available. Such transfer shall only be for the duration of the emergency condition that necessitated the same.”</p>	all families throughout any RAD conversion.
Chapter 21, “Purpose”	269	n/a	<p><b>Added:</b> “All timeframes for Termination Notices as stated herein shall be construed to comply with all applicable law in effect as of the date RRHA sends the Notice. By way of example, and not of limitation, RRHA may provide for a longer</p>	Language added to clarify that RRHA will comply with applicable law regarding termination notice timeframes, even if it requires a timeframe other than what is explicitly stated in the ACOP.

			timeframe in a Termination Notice for nonpayment of rent when such timeframe is required under HUD regulation or guidance in response to an emergency.”	
Chapter 23, “Purpose”	284	n/a	<p><b>Added:</b> “RRHA may hold any proceeding under this procedure in person or through remote means. Remote proceedings will be available through a platform that provides for internet and telephone access when:</p> <ul style="list-style-type: none"> <li>i. Emergency circumstances require remote proceedings or the person who filed the grievance specifically requests it; and</li> <li>ii. The remote proceeding will not present a burden on any party to the grievance, including the applicant or resident; and</li> <li>iii. The remote proceeding can occur in</li> </ul>	Added language in accordance with HUD guidance

			compliance with all applicable law and guidance, including but not limited to due process, fair housing, and other nondiscrimination requirements.”	
Exhibit 2 Section V-A.1(i)	309	“An applicant to, resident of, or participant in a Program who has a disability may request a Reasonable Accommodation at any time.”	“An applicant to, resident of, or participant in a Program who has a disability may request a Reasonable Accommodation at any time, <b>including but not limited to after RRHA determines an applicant is ineligible, after RRHA issues a resident a termination notice, or after RRHA initiates court proceedings.</b> ”	Added language to clarify RRHA’s compliance with applicable law and HUD guidance.
Exhibit 2 Section V-B.5	318-319	“Residents must register their animal with their Property Manager BEFORE it is brought onto RRHA’s property and must update the registration annually (during annual recertification) at the Property Management Office. The	<b>Remove and replace with:</b> “As part of the Reasonable Accommodation Process, residents must register their animal with their Property Manager and must provide RRHA with: <ul style="list-style-type: none"> <li>• A certificate signed by a licensed veterinarian or</li> </ul>	Revised language to clarify RRHA’s compliance with applicable law and HUD guidance.

		<p>registration must include a certificate signed by a licensed veterinarian or a local authority empowered to inoculate animals (or designated agent of such an authority) stating that the animal has received all inoculations required by applicable law. Residents must provide the name, address, phone number of one or more responsible parties who can care for the pet if the pet owner dies, is incapacitated, or is otherwise unable to care for the pet.”</p>	<p>a local authority empowered to inoculate animals (or designated agent of such an authority) stating that the animal has received all inoculations required by applicable law; and</p> <ul style="list-style-type: none"> <li>• The name, address, phone number of one or more responsible parties who can care for the pet if the pet owner dies, is incapacitated, or is otherwise unable to care for the pet.</li> </ul> <p>The aforementioned information must be updated by the resident at least annually.”</p>	
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## Exhibit B.1-3

### Summary of Changes to RRHA's Administrative Plan

Section	Page	Previous Language	Proposed Language	Reason/Justification
Chapter 3-III.C	3-25	"A person who is incarcerated is ineligible for a period of one year after release from probation/parole."	"A person who is incarcerated is ineligible <b>until they are released from incarceration.</b> "	Change to afford housing opportunities to formerly-incarcerated persons who otherwise meet RRHA's eligibility criteria.
Chapter 3-III.C(3)	3-25 through 3-37	See <b>Exhibit B.1-4</b> , attached hereto.		
Chapter 3-III.C	3-35 through 3-36	Language referenced annual criminal background checks and "additional review"	Removed language that is inconsistent with criminal background eligibility criteria found elsewhere in the plan.	Removed to eliminate internal inconsistencies and confusing language.
Chapter 5-II.B	5-13	"A Head of Household is not required to share a bedroom. The bedroom sizes for all other household members are based on 2 persons per bedroom regardless of age, sex or gender."	"A Head of Household is not required to share a bedroom. The bedroom sizes for all other household members are based on 2 persons per bedroom regardless of age, sex or gender. <b>Notwithstanding anything herein to the contrary, a family will be allowed an additional</b>	Added language to allow for an additional bedroom for children in certain circumstances.

			<p>bedroom if the family has children of different genders once the oldest child reaches five years of age.”</p>	
Chapter 5-II.E	5-16	<p>“All requests for extensions to the voucher term must be made in writing and submitted to RRHA prior to the expiration date of the voucher (or extended term of the voucher).”</p>	<p>“All requests for extensions to the voucher term must be made in writing and submitted to RRHA prior to the expiration date of the voucher (or extended term of the voucher). <b>Any such request must include information about the person’s efforts to secure housing. By way of example and not of limitation, a voucher recipient who requests an extension must provide RRHA with a list of properties where they have inquired about or applied for housing utilizing their voucher.”</b></p>	<p>Added language to require that voucher recipients document their housing search efforts as part of a request for an extension.</p>
Chapter 8-III.B	8-20	<p>“After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner’s lease.”</p>	<p>“After the initial occupancy period, the owner may request a rent adjustment in accordance with the owner’s lease. <b>Any such request</b></p>	<p>RRHA seeks to keep units affordable by limiting large contract rent increases. The agency believes this will have the</p>



			<p>shall be limited to an increase of no more than 5% of the current contract rent amount. RRHA may approve larger rent increases if the owner provides sufficient documentation of significant property improvements or upgrades or increases in the amenities provided to tenants. In no case will RRHA approve a contract rent increase solely for an increase in homeowners insurance or property taxes for the assisted unit.”</p>	<p>added benefit of allowing voucher recipients the option to renew a lease, thereby providing stable affordable housing for families.</p>
Chapter 16-III.A	16-8	n/a	<p>Added: “RRHA may hold any proceeding under this procedure in person or through remote means. Remote proceedings will be available through a platform that provides for internet and telephone access when:</p>	<p>Added language in accordance with HUD guidance</p>

			<p>i. Emergency circumstances require remote proceedings or the person who filed the grievance specifically requests it; and</p> <p>ii. The remote proceeding will not present a burden on any party to the grievance, including the applicant or resident; and</p> <p>iii. The remote proceeding can occur in compliance with all applicable law and guidance, including but not limited to due process, fair housing, and other nondiscrimination requirements.”</p>	
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Exhibit B.1-4

Revised Criminal Background Eligibility Criteria  
Applicable to RRHA's ACOP and Administrative Plan

DRAFT

For purposes of this Exhibit B.1-4, proposed changes herein are identified as follows:

*Italics indicate language that RRHA proposes to add.*

~~Strikethrough indicates language that RRHA proposes to delete.~~

An unacceptable criminal record is one wherein the applicant or any member of the household has been convicted of a crime, within the time period specified below, or has a history of criminal activity that would jeopardize the health, safety and welfare of the community. ~~An unacceptable juvenile record is one wherein the juvenile has one (1) conviction within the past twelve (12) months for crimes outlined in categories (a) through (d), (h), and (j).~~ Other convictions within the past twelve (12) months that fall within the remaining categories will be determined based upon the severity of the crime as indicated by the deposition.

*Any applicant who is denied admission due to an unacceptable criminal record of the applicant or any member of the household is entitled to a grievance hearing in accordance with this ACOP/Administrative Plan. During any such grievance proceeding, the applicant shall be entitled to present any Mitigating Circumstances, other information and evidence about their specific convictions, any rehabilitation, or any other relevant factors that may indicate the individual does not pose a threat to the health, safety, or welfare of RRHA communities, other residents, and staff. RRHA shall take any such offered information and evidence into consideration before issuing a decision in the grievance proceeding.*

*RRHA may refer any person whose background includes criminal convictions to third-party organizations or service providers for resources, support, and assistance. RRHA may consider a person's work with any such third party as Mitigating Circumstances as permitted under this ACOP/Administrative Plan.*

**RE-APPLY DATES ARE TO BE DETERMINED FROM THE DATE OF LAST CONVICTION.**

- a. *Denial for Life* - Includes a family or household member who has been convicted of manufacturing or producing methamphetamine on or off the premises of public housing and a family or household member who is subject to a lifetime registration requirement under the sex offender registration program of any jurisdiction.
- b. *Inchoate Crimes* – Any conviction for conspiracy to commit any offense described below, or for attempt to commit any offense described below, or for soliciting any offense described below, shall be treated as if the applicant was actually convicted of such offense for the purpose of this Policy.
- c. *Repealed Offenses* – Any conviction for an offense which was criminal in nature at the time of conviction, but which is not a criminal offense under the laws of the Commonwealth of Virginia at the time of application review, shall not be considered a conviction for the purpose of this Policy.
- d. *Manufacture, Sale, or Distribution of Controlled Substance or Imitation*

Controlled Substance, or Possession with Intent to Do the Same. – Includes conviction for any violation of Va. Code § 18.2-248 or a substantially similar offense in any jurisdiction, except for convictions relating solely to marijuana (cannabis) and no other controlled substance.

Re-Apply:		Disapproval:
5 Yrs.		One (1) conviction (any class) within the five (5) years preceding application review.
10 Yrs.		Two (2) <i>or more</i> convictions (any class) within the <del>10</del> 5 years preceding application review.
Permanent		<del>Three (3) or more convictions (any class) within the 10 years preceding application review.</del>

- e. Sale, Gift, or Distribution of Marijuana, or Intent to Do the Same – Includes conviction for any violation of Va. Code § 18.2-248.1 or a substantially similar offense in any jurisdiction.

Re-Apply:		Disapproval:
1 Year		Conviction of Class 5 Felony within one (1) year preceding application review.
3 Yrs.		Two (2) convictions of Class 5 Felony within the <del>10</del> 5 years preceding application review, or one (1) conviction of any felony Class 4 or higher within the <del>10</del> 5 years preceding application review.

- f. Possession of Controlled Substances Other than Marijuana - Includes conviction for any violation of Va. Code § 18.2-250 or a substantially similar offense in any jurisdiction, except for convictions solely for possession of marijuana (cannabis) and no other controlled substance.

Re-Apply:		Disapproval:
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1 Year		One (1) or Two (2) <del>or more</del> convictions of misdemeanor (any class) within the three (3) years preceding application review, or one conviction of felony (any class) within one (1) year preceding application review.
3 Yrs.		Three (3) <del>or more</del> convictions of misdemeanor (any class), or two (2) <del>or more</del> convictions of felony (any class), within the five (5) years preceding application review.
5 Yrs.		Four (4) or more convictions of misdemeanor (any class), or three (3) or more convictions of felony (any class), within the <del>40</del> 5 years preceding application review.

- g. Offenses Involving Driving While Alcohol and Intoxicated ion – Crimes involving the unlawful operation of a vehicle while intoxicated under Article 2, Chapter 7, Title 18.2 of the Code of Virginia (Va. Code § 18.2-266 et seq.) ~~consumption, distribution, or sale of alcohol, or crimes involving actions taken under the influence of alcohol or other intoxicating substances. Includes, without limitation, violations of Va. Code §§ 18.2-266, 18.2-266.1, and 18.2-388, and any provision the Virginia Alcoholic Beverage Control Act (Va. Code § 4.1-300 et seq.), and any substantially similar offenses in any jurisdiction.~~

Re-Apply:		Disapproval:
<del>1 Year</del>		Three (3) <del>or more</del> convictions of misdemeanor (any class) within the five (5) years preceding application review, or one (1) <del>or more</del> convictions of felony (any class) within one (1) year preceding application review.
2 Yrs.		Two (2) <del>One (1)</del> or more convictions of felony (any class) within the five (5) years preceding application review.

- h. Weapons Offenses – Crimes involving the unlawful possession, use, sale, distribution, or handling of firearms and other weapons, if such offense is not addressed in another section of this Policy. Includes, without limitation, violations of any provision of Articles 4, 5, 6, 6.1, or 7 of Title 18.2, Chapter 7 of the Virginia Code, and any substantially similar offenses in any jurisdiction. Such convictions include evidence of conduct which constitute a danger of disrupting the safety and quiet enjoyment of other tenants.

Re-Apply:		Disapproval:
1 Year		Two (2) convictions of misdemeanor (any class) within the two (2) years preceding application review.
3 Yrs.		Three (3) convictions of misdemeanor (any class) within the five (5) years preceding application review, or one (1) conviction of Class 4-6 Felony within the three (3) years preceding application review.
5 Yrs.		Four (4) convictions of misdemeanor (any class), or two (2) convictions of Class 4-6 Felony, within the ten (10) years preceding application review.
10 Yrs.		Five (5) or more convictions of misdemeanor (any class), or three (3) convictions of Class 4-6 Felony, or one (1) conviction of any felony Class 3 or higher, within the ten (10) years preceding application review.

- i. Crimes Against the Person – Crimes, other than homicide offenses and sex crimes, involving the infliction of physical violence or abduction, or the threat of physical violence or abduction, against a natural person. Includes, without limitation, violations of any provision of Articles 2, 2.1, 2.2, 3, 4, 5, or 6 of Title 18.2, Chapter 4 of the Virginia Code, and any substantially similar offenses in any jurisdiction.

Re-Apply:		Disapproval:
1 Year		One (1) conviction for misdemeanor

		(any class) within one (1) year preceding application review.
3 years		Two (2) convictions for misdemeanor (any class), or one conviction of Class 6 Felony, within five (5) years of application review.
5 Years		Three (3) or more convictions of misdemeanor (any class), or two (2) convictions of Class 6 Felony, or one (1) conviction of Class 4-5 Felony, within the 10 years preceding application review.
10 Years		Five (5) or more convictions of misdemeanor (any class), or three (3) or more convictions of Class 6 Felony, or two (2) or more convictions of Class 4-5 Felony, or one (1) conviction of felony Class 3 or higher, within the 10 years preceding application review.
Permanent		Two (2) convictions of felony Class 3 or higher within the 15 years preceding application review.

- j. Homicide – Any criminal act which causes the death of a natural person. Includes, without limitation, violations of any provision of Title 18.2, Chapter 4, Article 1 of the Virginia Code, and any substantially similar offenses in any jurisdiction.

Re-Apply:		Disapproval:
5 Years		Conviction of one (1) Class 5-6 Felony within the five (5) years preceding application review.
10 Years		Conviction of one (1) Class 2-4 Felony



		within the 10 years preceding application review.
Permanent		Conviction of a Class 1 Felony at any time prior to application review.

- k. Sex Crimes – Any criminal conduct of a sexual character involving physical contact with a victim. Includes, without limitation, violations of any provision of Title 18.2, Chapter 4, Article 7 of the Virginia Code, and any substantially similar offenses in any jurisdiction.

Re-Apply:		Disapproval:
1 Year		One (1) conviction of misdemeanor (any class) within one (1) year preceding application review.
3 Years		Two (2) convictions of misdemeanor (any class), or one (1) conviction of Class 6 Felony, within the three (3) years preceding application review.
5 Years		Three (3) or more convictions of misdemeanor (any class), or two (2) convictions of Class 6 Felony, or one (1) conviction of Class 4-5 Felony, within the 10 years preceding application review.
10 Years		Five (5) or more convictions of misdemeanor (any class), or three (3) or more convictions of Class 6 Felony, or two (2) or more convictions of Class 4-5 Felony, or one (1) conviction of felony Class 3 or higher, within the 10 years preceding application review.
Permanent		Two (2) convictions of felony Class 3 or higher within the 15 years preceding application review.

- I. ~~Crimes Against Property~~ Arson and Burglary – Crimes which harm the real or tangible personal property of another, or deprive another of such property, invade upon the privacy of another. Includes, without limitation, violations of Articles 1, ~~and 2, 3, 5, 6, and 7~~ of Title 18.2, Chapter 5 of the Virginia Code, and any substantially similar offenses in any jurisdiction.

Re-Apply:		Disapproval:
1 Year		Three (3) convictions of Class 3-4 Misdemeanor, or one (1) convictions of Class 1-2 Misdemeanor, within three (3) years prior to application review.
3 Years		Five (5) convictions of Class 3-4 Misdemeanor, or two (2) convictions of Class 1-2 Misdemeanor, or one (1) conviction of Class 5-6 Felony, within the five (5) years prior to application review.
5 Years		Six (6) or more convictions of Class 3-4 Misdemeanor, or three (3) or more convictions of Class 1-2 Misdemeanor, or two (2) convictions of Class 5-6 Felony, or one (1) conviction of Class 4 Felony, within the ten (10) years prior to application review.
10 Years		Three (3) or more convictions of Class 5-6 Felony, or two (2) or more convictions of Class 4 Felony, or one (1) conviction of felony Class 3 or higher, within the 10 years preceding application review.
Permanent		Two (2) convictions of felony Class 3 or higher within the 10 years preceding application review.

m. Juvenile Felonies

Re-Apply:	Number of Convictions
5 Yrs.	Three (3) or more felonies within the past two (2) years from date of application review.

n. Crimes not considered. Conviction of crimes which do not indicate an applicant's propensity to jeopardize the health, safety, or welfare of other program participants will not be considered unfavorably upon application review. Such crimes include, without limitation:

- i. Crimes of fraud, including, without limitation, forgery, embezzlement, identity theft, passing bad checks, money laundering, and making false representations to obtain property or credit.
- ii. *Crimes against property, other than arson and burglary as provided herein.*
- iii. Crimes of morality or decency, including, without limitation, gambling, prostitution (other than sex trafficking), bigamy, and adultery.
- iv. Crimes against the administration of justice, such as perjury, bribery, barratry, obstruction of justice, and contempt of court.
- v. *Crimes for which the accused was tried and convicted as a juvenile.*

o. Definitions.

For the purpose of this Policy, the terms "felony," "Class 1 Felony," "Class 2 Felony," "Class 3 Felony," "Class 4 Felony," "Class 5 Felony," and "Class 6 Felony" shall bear the meaning accorded to such terms in Va. Code § 18.2-10, irrespective of whether the relevant conviction was made under the laws of the Commonwealth of Virginia or another jurisdiction. Each such term, as used in this Policy, shall include any offense meeting the definition for such term, irrespective of how such offense is classified under Virginia law.

For the purpose of this Policy, the terms "misdemeanor," "Class 1 Misdemeanor," "Class 2 Misdemeanor," "Class 3 Misdemeanor," and "Class 4 Misdemeanor" shall bear the meaning accorded to such terms in Va. Code § 18.2-11, irrespective of whether the relevant conviction was made under the laws of the Commonwealth of Virginia or another jurisdiction. Each such term, as used in this Policy, shall include any offense meeting the definition for such term, irrespective of how such offense is classified under Virginia law.

p. Rehabilitation. Any applicant who is denied admission due to conviction for

possession of controlled substances or alcohol-related crimes, as provided by paragraphs (f) and (g) hereinabove (respectively), may submit evidence to RRHA that the conviction was due to a substance abuse problem from which the applicant has been rehabilitated. RRHA shall disregard such conviction for the purpose of criminal history screening if satisfactory evidence of rehabilitation is presented.

Satisfactory evidence of rehabilitation may include the following:

- i. Evidence of completion of an appropriate substance abuse rehabilitation program and no additional involvement in such behavior for one (1) year prior to application review.
- ii. Results of current drug testing which screens for the controlled substance concerned in the conviction showing no positive test results for at least one (1) year prior to application review.
- iii. Certification of completion of any relevant behavior modification/counseling course.
- iv. Reports and/or letters from social service agencies or case managers who have been working with the resident for the past twelve (12) months.
- v. If none of the evidence described in (i)-(iv) hereinabove is available, the applicant may substitute or supplement such evidence with other written documentation from a reliable source showing that the individual has not abused alcohol or a controlled substance within the 12 months preceding application review. Examples of a "reliable source" may include, without limitation, court records, medical records, or signed statements from the applicant's employer, case worker, counselor, or another credible individual with direct knowledge of the applicant's rehabilitation or abstinence from controlled substances or alcohol. RRHA shall have sole discretion in determining what constitutes adequate and credible documentation.

Prior to making a determination of ineligibility due to criminal history, RRHA will notify the household of the proposed action to be based on the information and must provide the subject of the record and the applicant a copy of such information, and an opportunity to dispute the accuracy and relevance of the information. [24 C.F.R. § 5.903 (f)] If determination of ineligibility is premised on conviction of possession of a controlled substance or an alcohol crime, as described in paragraphs (f) and (g) hereinabove (respectively), such notice shall state that the applicant may rebut the determination with evidence of rehabilitation.

If a family is removed from the waiting list because RRHA has determined the family is ineligible for assistance due to criminal activity, a notice will be sent to the family's address of record. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal review regarding RRHA'S decision.

## Exhibit B.1-5

### Statement of Financial Resources

<b>Financial Resources: Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants</b>		
a) Public Housing Operating Fund	20,819,503	
b) Public Housing Capital Fund	14,449,558	
c) Capital Fund Recovery Grant	-0-	
d) HOPE VI Revitalization	-0-	
e) HOPE VI Demolition	-0-	
f) Annual Contributions for Section 8 Tenant-Based Assistance	31,786,832	
g) Family Self-Sufficiency Grant	72,000	
h) Resident Opportunity and Supportive Services Grant	266,542	
Other Federal Grants (list below)	-0-	
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
CFP 2019 as of 12/31/2021	3,648,357	In accordance with application
CFP 2020 as of 12/31/2021	5,369,537	In accordance with application
CFP 2021 as of 12/31/2021	11,274,621	In accordance with application
<b>3. Public Housing Dwelling Rental Income</b>	8,162,366	Operations of PHA sites
<b>4. Other income</b> (list below)		
Leases	34,428	LIPH Operations
Estimated HUD Held Cash Reserves for 2022	1,386,489	HCVP HAP
<b>5. Non-federal sources</b> (list below)		
Interest – 161,593		Agency wide use
Sale of Property – 855,370		RECD Operations and LIPH Dispositions
Bond Fees – 135,875		RECD Operations
Developer Fees – 682,027		RECD Operations
	1,834,865	
<b>Total resources</b>	99,105,098	
<b>Note: Sources primarily based on the 2021 Budget.</b>		

## Exhibit B.2-1

Tables of New and Planned Modernization, Redevelopment, Demolition and/or Disposition, and Conversion Projects

<b>Table # 1: Demolition/Disposition Activity Description</b>	
1a. Development name:	Small House/Used House
1b. Development (project) number:	VA007000016
2. Activity type:	<input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	04/28/2017
5. Number of units affected:	110
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	07/15/2016
7b. Projected end date of activity:	12/31/2022

<b>Table # 2: Demolition/Disposition Activity Description</b>	
1a. Development name:	Frederick Fay Towers*
1b. Development (project) number:	VA007000501
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/03/2013
5. Number of units affected:	200
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/01/2015
7b. Projected end date of activity:	12/31/2025

\*Note: Fay Towers is under a Rental Assistance Demonstration ("RAD") application.

<b>Table # 3: Demolition/Disposition Activity Description</b>	
1a. Development name:	Gilpin Court
1b. Development (project) number:	VA007000001
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/2023
5. Number of units affected:	781
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	12/15/2016
7b. Projected end date of activity:	12/31/2030

<b>Table # 4: Demolition/Disposition Activity Description</b>	
1a. Development name:	Gilpin Court – Calhoun Family Investment Center
1b. Development (project) number:	VA007000001
2. Activity type:	<input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	07/2022
5. Number of units affected:	1 – non-dwelling, ancillary to public housing
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/01/2022
7b. Projected end date of activity:	12/31/2022

<b>Table # 5: Demolition/Disposition Activity Description</b>	
1a. Development name:	Hillside Court
1b. Development (project) number:	VA007000004
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/2025
5. Number of units affected:	472
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	07/01/2021
7b. Projected end date of activity:	12/31/2030

<b>Table # 6: Demolition/Disposition Activity Description</b>	
1a. Development name:	Fairfield Court
1b. Development (project) number:	VA007000007
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/2025
5. Number of units affected:	447
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/01/2021
7b. Projected end date of activity:	12/31/2030

<b>Table # 7: Demolition/Disposition Activity Description</b>	
1a. Development name:	Whitcomb Court
1b. Development (project) number:	VA007000006
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/2025
5. Number of units affected:	493
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/01/2021
7b. Projected end date of activity:	12/31/2030

<b>Table # 8: Demolition/Disposition Activity Description</b>	
1a. Development name:	Mosby Court
1b. Development (project) number:	VA007000008
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	11/2023
5. Number of units affected:	458
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/30/2021
7b. Projected end date of activity:	12/31/2030



<b>Table # 9: Demolition/Disposition Activity Description</b>	
1a. Development name:	Creighton Court
1b. Development (project) number:	VA007000005
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	03/2021
5. Number of units affected:	192
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	12/15/2016
7b. Projected end date of activity:	12/31/2027

<b>Table # 10: Demolition/Disposition Activity Description</b>	
1a. Development name:	Creighton Court
1b. Development (project) number:	VA007000005
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	12/2020
5. Number of units affected:	102
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/2021
7b. Projected end date of activity:	12/31/2027

<b>Table # 11: Demolition/Disposition Activity Description</b>	
1a. Development name:	Creighton Court
1b. Development (project) number:	VA007000005
2. Activity type:	<input checked="" type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	12/2020
5. Number of units affected:	210
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/2021
7b. Projected end date of activity:	12/31/2027

Table # 12: Demolition/Disposition Activity Description	
1a. Development name:	Townes at River South
1b. Development (project) number:	VA007990000
2. Activity type:	<input type="checkbox"/> Demolition <input checked="" type="checkbox"/> Disposition
3. Application status (select one):	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date application approved, submitted, or planned for submission:	06/2022
5. Number of units affected:	75
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development
7. Timeline for activity:	
7a. Actual or projected start date of activity:	01/2021
7b. Projected end date of activity:	12/2023

Table # 13 Public Housing Homeownership Activity Description	
1a. Development name:	Blackwell
1b. Development (project) number:	VA36URD007I197
2. Federal Program authority:	<input checked="" type="checkbox"/> HOPE VI <input type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/01/1999)
3. Application status (select one):	<input checked="" type="checkbox"/> Approved; included in the PHA's Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission:	11/10/2021 (approved)
5. Number of units affected:	99
6. Coverage of action (select one):	<input type="checkbox"/> Part of the development <input checked="" type="checkbox"/> Total development

Table # 14		Public Housing Homeownership Activity Description	
1a. Development name:	Creighton Court		
1b. Development (project) number:	DDA0003029		
2. Federal Program authority:	<input type="checkbox"/> HOPE VI <input checked="" type="checkbox"/> 5(h) <input type="checkbox"/> Turnkey III <input type="checkbox"/> Section 32 of the USHA of 1937 (effective 10/01/1999)		
3. Application status (select one):	<input checked="" type="checkbox"/> Approved; included in the PHA's Homeownership Plan/Program <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application		
4. Date Homeownership Plan/Program approved, submitted, or planned for submission:	11/10/2021 (approved)		
5. Number of units affected:	1		
6. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development		

## Exhibit B.2-2

### Tables of New and Planned Designated Housing for Elderly and/or Disabled Families

<b>Table # 1</b>	<b>Designation of Public Housing Activity Description</b>
1a. Development name:	Blackwell Senior Cottages (Phase 1)
1b. Development (project) number:	VA007000037
2. Designation type:	<input checked="" type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by only families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities
3. Application status (select one):	<input checked="" type="checkbox"/> Approved; included in the PHA's Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date this designation approved, submitted, or planned for submission:	03/21/2014 (approved)
5. If approved, this designation constitutes a (select one):	<input checked="" type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously approved Designation Plan
6. Number of units affected:	14
7. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

<b>Table # 2</b>	<b>Designation of Public Housing Activity Description</b>
1a. Development name:	Blackwell Senior Cottages (Phase 2)
1b. Development (project) number:	VA007000038
2. Designation type:	<input checked="" type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by only families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities
3. Application status (select one):	<input checked="" type="checkbox"/> Approved; included in the PHA's Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date this designation approved, submitted, or planned for submission:	03/21/2014 (approved)
5. If approved, this designation constitutes a (select one):	<input checked="" type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously approved Designation Plan
6. Number of units affected:	4
7. Coverage of action (select one):	<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development

Table # 3                      Designation of Public Housing Activity Description	
1a. Development name:	Blackwell Senior Cottages (Phase 3)
1b. Development (project) number:	TBD
2. Designation type:	
<input checked="" type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by only families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities	
3. Application status (select one):	
<input type="checkbox"/> Approved; included in the PHA's Designation Plan <input type="checkbox"/> Submitted, pending approval <input checked="" type="checkbox"/> Planned application	
4. Date this designation approved, submitted, or planned for submission:	
2024 (planned)	
5. If approved, this designation constitutes a (select one):	
<input checked="" type="checkbox"/> New Designation Plan <input type="checkbox"/> Revision of a previously approved Designation Plan	
6. Number of units affected:	4
7. Coverage of action (select one):	
<input checked="" type="checkbox"/> Part of the development <input type="checkbox"/> Total development	

### Exhibit B.2-3

#### Tables of New and Planned Rental Assistance Demonstration (“RAD”) Conversions

<b>Development # 1</b>			
<b>Name of Public Housing Development:</b>	<b>PIC Development ID:</b>	<b>Conversion Type:</b>	<b>Transfer of Assistance:</b>
1. Stonewall 2. Fox 3. Decatur 4. Lombardy 5. Old Brook 6. 4 <sup>th</sup> Avenue	VA007000503 and VA007000501	PBV	0
<b>Total Units:</b>	<b>Pre-RAD Unit Type:</b>	<b>Post-RAD Unit Type:</b>	<b>Capital Fund Allocation of Development:</b>
349	Senior	Senior	\$365,163.00
<b>Bedroom Type:</b>	<b>Number of Units Pre-conversion:</b>	<b>Number of Units Post-Conversion:</b>	<b>Change in Number of Units per Bedroom Type and Why:</b>
Efficiency:	15	15	0
One Bedroom:	334	334	0
Two Bedroom:	0	0	0
Three Bedroom:	0	0	0
Four Bedroom:	0	0	0
Total Units:	349	349	

Development # 2			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Townes at River South	VA007990000	PBV/PBRA	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
161	Family	Family	\$120,028.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	0	0
One Bedroom:	0	0	0
Two Bedroom:	0	0	0
Three Bedroom:	75	75	0
Four Bedroom:	0	0	0
Total Units:	75	75	

Development # 3			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Gilpin Court	VA007000001	PBV	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
781	Family	Family	\$43,264.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	781	0
One Bedroom:	103		
Two Bedroom:	361		
Three Bedroom:	228		
Four Bedroom:	84		
Five Bedroom:	4		
Non-dwelling:	1		
Total Units:	781		



Development # 4			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Hillside Court	VA007000004	PBV	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
471	Family	Family	\$1,486,426.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	471	0
One Bedroom:	80		
Two Bedroom:	232		
Three Bedroom:	131		
Four Bedroom:	26		
Five Bedroom:	1		
Non-dwelling:	1		
Total Units:	471		

Development # 5			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Creighton Court	VA007000005	PBV	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
504	Family	Family	\$1,571,898.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	680	Increasing total number of affordable units
One Bedroom:	121		
Two Bedroom:	207		
Three Bedroom:	129		
Four Bedroom:	46		
Five Bedroom:	0		
Non-dwelling:	1		
Total Units:	504		

Development # 6			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Whitcomb Court	VA007000006	PBV	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
491	Family	Family	\$1,564,230.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	491	0
One Bedroom:	62		
Two Bedroom:	274		
Three Bedroom:	116		
Four Bedroom:	34		
Five Bedroom:	5		
Non-dwelling:	0		
Total Units:	491		

Development # 7			
Name of Public Housing Development:	PIC Development ID:	Conversion Type:	Transfer of Assistance:
Fairfield Court	VA007000007	PBV	0
Total Units:	Pre-RAD Unit Type:	Post-RAD Unit Type:	Capital Fund Allocation of Development:
447	Family	Family	\$1,425,687.00
Bedroom Type:	Number of Units Pre-conversion:	Number of Units Post-Conversion:	Change in Number of Units per Bedroom Type and Why:
Efficiency:	0	447	0
One Bedroom:	61		
Two Bedroom:	222		
Three Bedroom:	111		
Four Bedroom:	46		
Five Bedroom:	5		
Non-dwelling:	2		
Total Units:	447		

## Exhibit B.2-4

Excerpt from HUD Notice H-2019-09, PIH 2019-23 (HA), Rev-4

### 1.6 Special Provisions Affecting Conversions to PBVs

#### C. PBV Resident Rights and Participation.

1. **No Rescreening of Tenants upon Conversion.** Pursuant to the RAD Statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting. With respect to occupancy in the Covered Project, current households in the Converting Project will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion<sup>2</sup>. Post-conversion, the tenure of all residents of the Covered Project is protected pursuant to PBV requirements regarding continued occupancy unless explicitly modified in this Notice (e.g., rent phase-in provisions). For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, Section 8(o)(4) of the 1937 Act and 24 CFR § 982.201, concerning eligibility and targeting of tenants for initial occupancy, will not apply for current households. Once the grandfathered household moves out, the unit must be leased to an eligible family. MTW agencies may not alter this requirement. Further, so as to facilitate the right to return to the assisted property, HUD waives Section 8(o)(4) and 24 CFR § 982.201 to the extent necessary for this provision to apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR Part 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA units.
2. **Right to Return.** See Section 1.4.A.5.b. and the RAD Fair Housing, Civil Rights, and Relocation Notice regarding a resident's right to return. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

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<sup>2</sup> These protections (as well as all protections in this Notice for current households) also apply when a household is relocated to facilitate new construction or repairs following conversion and subsequently returns to the Covered Project.

3. **Phase-in of Tenant Rent Increases.** If, purely as a result of conversion, the amount a tenant would pay for rent and utilities under the PBV program (the tenant's TTP) would increase the tenant's TTP by more than the greater of 10 percent or \$25, the rent increase will be phased in over 3 or 5 years. To implement this provision, HUD is specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 983.3 (definition of "total tenant payment" (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase-in period at three years, five years or a combination depending on circumstances and must communicate such policy in writing to affected residents. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

The method described below explains the set percentage-based phase-in a Project Owner must follow according to the phase-in period established. For purposes of this section "Calculated PBV TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1 (the first recertification following conversion), as illustrated below.

**Three Year Phase-in:**

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 3: Year 3 AR and all subsequent recertifications – Full Calculated PBV TTP<sup>3</sup>

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<sup>3</sup> For example, where a resident's most recently paid TTP is \$100, but the Calculated PBV TTP is \$200 and remains \$200 for the period of the resident's occupancy, (i.e. no changes in income) the resident would continue to pay the same rent and utilities for which it was responsible prior to conversion. At the first recertification following conversion, the resident's contribution would increase by 33% of \$100 to \$133. At the second AR, the resident's contribution would increase by 50% of the \$66 differential to the standard TTP, increasing to \$166. At the third AR, the resident's contribution would increase to \$200 and the resident would continue to pay the Calculated PBV TTP for the duration of their tenancy.

Five Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the Calculated PBV TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and the Calculated PBV TTP
- Year 5 AR and all subsequent recertifications – Full Calculated PBV TTP

Please Note: In either the three year phase-in or the five-year phase-in, once the Calculated PBV TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward. MTW agencies must also implement a three or five-year phase-in for impacted residents, but may alter the terms above as long as it establishes a written policy setting forth the alternative terms. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

4. **Family Self Sufficiency (FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are currently FSS participants will continue to participate in the PHA's FSS program.

The PHA may continue to use any FSS funds already awarded to serve those FSS participants who live in units converted by RAD. At the completion of the FSS grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. If the PHA continues to run an FSS program that serves PH and/or HCV participants, the PHA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the subsequent Appropriation Acts), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that until provisions of the Economic Growth, Regulatory Relief, and Consumer Protection Act are implemented, there are certain FSS requirements (e.g., escrow calculation and escrow forfeitures) that apply

differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR part 984 (current, or as amended), the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100<sup>4</sup>. Further, upon conversion to PBV, if the PHA no longer has a public housing program, funds already escrowed for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant<sup>5</sup>.

For information on FSS PIC reporting requirements for RAD conversions, see Notice PIH 2016-08 at <http://portal.hud.gov/hudportal/documents/huddoc?id=pih2016-08.pdf>.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can only serve public housing residents. At the completion of the ROSS-SC grant, PHAs should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be a non-profit or local Resident Association and this consequence of a RAD conversion may impact those entities. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

5. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of Covered Projects with assistance converted to PBV will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding. To

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<sup>4</sup> The funding streams for the PH FSS Program and the HCV FSS Program were first merged pursuant to the FY 2014 appropriations act. As a result, PHAs can serve both PH residents and HCV participants, including PBV participants, with FSS funding awarded under the FY 2014 FSS Notice of Funding Availability (FSS NOFA) and any other NOFA under which the combination of funds remains in the applicable appropriations act. For PHAs that had managed both programs separately and now have a merged program, a conversion to PBV should not impact their FSS participants.

<sup>5</sup> Where the PHA maintains a public housing program, any forfeited funds that had been escrowed prior to conversion would revert to the PHA's Operating Reserves.



facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

6. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum (HUD Form 52530-c), as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program.

- a. **Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD and to non-RAD PBV units located at the Covered Project. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter), the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall be:
- i. A reasonable period of time, but not to exceed 30 days:
    1. If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
    2. In the event of any drug-related or violent criminal activity or any felony conviction;
  - ii. Not less than 14 days in the case of nonpayment of rent; and
  - iii. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
- b. **Grievance Process.** Pursuant to requirements in the RAD Statute, HUD is establishing additional resident procedural rights to comply with section 6 of the Act.

For the termination of assistance and several other PHA determinations, PBV program rules require the PHA to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- i. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(v)<sup>6</sup>, an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.
  - 1. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(v), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR § 982.555(e)(4)(i).
  - 2. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- ii. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or Contract Administrator.
- iii. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- iv. The Project Owner provides opportunity for an informal hearing before an eviction

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan.

To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

- 7. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to

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<sup>6</sup> § 982.555(a)(1)(iv) is not relevant to RAD as the tenant-based certificate program has been repealed.

rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in 24 CFR § 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants that move into the property following conversion or tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion due to loss of employment) is covered by this waiver. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

8. **Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project. If the program is continued, the Project Owner must agree to continue to implement the program according to HUD's program requirements. Jobs Plus target public housing projects must enroll public housing residents into the Jobs Plus rent incentive, JPEID, prior to conversion. Any resident of the Covered Project that had not enrolled prior to conversion is not eligible to enroll in JPEID but may utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the Covered Project may voluntarily utilize Jobs Plus services that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion.
9. **When Total Tenant Payment Exceeds Gross Rent.** Under normal PBV rules, the PHA may select an occupied unit to be included under the PBV HAP Contract only if the unit's occupants are eligible for housing assistance payments (24 CFR § 983.53(c)). Also, a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent) (24 CFR § 983.258). Since the rent limitation under this Section of the Notice may

result in a family's TTP equaling or exceeding the gross rent for the unit, for residents living in the Converting Project prior to conversion and who will return to the Covered Project after conversion, HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP Contract when TTP equals or exceeds the Gross Rent. Further, HUD is establishing the alternative requirement that until such time that the family's TTP falls below the gross rent, the rent to the owner for the unit will equal the lesser of (a) the family's TTP, less the Utility Allowance, or (b) any applicable maximum rent under LIHTC regulations. During any period when the family's TTP falls below the gross rent, normal PBV rules shall apply. As necessary to implement this alternative provision, HUD is waiving the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR § 983.301 as modified by Section 1.6.B.5 of this Notice<sup>7</sup>. In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP Contract. The PHA is required to process these individuals through the Form 50058 submodule in PIC. To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

Unless a waiver is requested and approved as described below, any new admission to the Covered Project must meet the eligibility requirements at 982.201 and require a subsidy payment at admission to the program, which means their TTP may not equal or exceed the gross rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the gross rent for the unit and if the project is fully assisted, HUD is imposing an alternative requirement that the PHA must reinstate the unit after the family has left the property. If the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR §983.207 or, where "floating units have been permitted, Section 1.6.B.10 of the Notice.

A PHA may request a waiver from HUD for the Covered Project in order to admit otherwise eligible families whose TTP exceeds gross rent and to allow the units

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<sup>7</sup> For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance. Following conversion, the residents is still responsible for paying \$600 in tenant rent and utilities.

those families occupy to remain under the HAP contract even if the PHA has not made a housing assistance payment for a family in 180 days.

For a Covered Project that consists of 100 percent RAD PBV units, the PHA must demonstrate that a waiver is necessary in order to avoid an undue concentration of poverty at the Covered Project. A PHA may evidence this by providing data showing, for example:

- how eligible income-certified applicants on the waiting list must be passed over because their incomes result in zero HAP at admission causing a higher concentration of poverty at the covered project; or
- how the income of newly admitted families is causing a markedly higher concentration of poverty than the PHA's non-RAD PBV projects.

The resulting impact on the property must be compared with the concentration of poverty at non-RAD PBV projects in the PHA's jurisdiction. If there are no non-RAD PBV projects in the PHA's jurisdiction, the PHA may alternatively demonstrate that the median income of families that could be admitted to the Covered Project is significantly lower than the median income of new admissions from the waiting list to the PHA's HCV program since the time of the RAD conversion.

For any other Covered Project, the PHA must demonstrate that the property contains specific units (e.g., units suitable for large families or accessible units) for which there are insufficient alternative housing opportunities.

If the waiver is approved, the new admission[s] families covered under the waiver are participants under the program and all of the family obligations and protections under RAD and PBV apply to the family, and the unit is subject to all program requirements. Such waiver requests should be submitted to the PIH Field Office in accordance with Notice PIH 2018-16.

- 10. Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR § 983.260 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the underoccupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR § 983.260 is waived for current residents remaining or returning to the Covered Project. MTW agencies may not modify this requirement. To facilitate the uniform treatment of residents and units

at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision.

D. PBV: Other Miscellaneous Provisions

4. **Establishment of Waiting List.** 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions shall apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:

- a. Transferring an existing site-based waiting list to a new site-based waiting list.
- b. Transferring an existing site-based waiting list to a PBV program-wide or HCV program-wide waiting list.
- c. Transferring an existing community-wide public housing waiting list to a PBV program-wide or HCV program-wide waiting list, an option particularly relevant for PHAs converting their entire portfolio under RAD.
- d. Informing applicants on a community-wide public housing waiting list how to transfer their application to one or more newly created site-based waiting lists.

For any applicants on the public housing waiting list that are likely to be ineligible for admission to a Covered Project converting to PBV because the household's TTP is likely to exceed the RAD gross rent, the PHA shall consider transferring such household, consistent with program requirements for administration of waiting lists, to the PHA's remaining public housing waiting list(s) or to another voucher waiting list, in addition to transferring such household to the waiting list for the Covered Project.

To the extent any wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant

applied, the PHA must notify applicants on the waiting list of the transfer of assistance, and on how they can apply for residency at other sites.

If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the Covered Project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing communitywide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP)<sup>8</sup>.

When using a site-based waiting list, PHAs should consider waiting list and transfer policies that expand opportunities for tenants seeking an emergency transfer under, or consistent with, the PHA's Emergency Transfer Plan. This includes allowing for easier moves between assisted properties.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the Covered Project in accordance with 24 CFR § 983.251(c). To facilitate the uniform treatment of residents and units at a Covered Project, any non-RAD PBV units located in the same Covered Project shall be subject to the terms of this provision

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

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<sup>8</sup> For more information on serving persons with LEP, please see HUD's Final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published on January 22, 2007.

8. **Choice-Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of the PHA's HCV program becomes PBV assistance, it is possible for most or all of a PHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing the following alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP Contract administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD: The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA's administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) of the Act and 24 CFR § 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD . MTW agencies may not alter this requirement.

### **1.7 Special Provisions Affecting Conversions to PBRA**

#### **B. PBRA Resident Rights and Participation.**

1. **No Rescreening of Tenants upon Conversion.** Pursuant to the RAD Statute, at conversion, current households cannot be excluded from occupancy at the Covered Project based on any rescreening, income eligibility, or income targeting. With respect to occupancy in the Covered Project, current households in the Converting Project will be grandfathered for application of any eligibility criteria to conditions that occurred prior to conversion but will be subject to any ongoing eligibility



requirements for actions that occur after conversion<sup>9</sup>. Post-conversion, the tenure of all residents of the Covered Project is protected pursuant to PBRA requirements regarding continued occupancy unless explicitly modified in this Notice (e.g., rent phase-in provisions). For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, the first clause of section 8(c)(4) of the Act and 24 CFR § 880.603(b), concerning determination of eligibility and selection of tenants for initial occupancy, will not apply for current households. Once the grandfathered household moves out, the unit must be leased to an eligible family. Further, so as to facilitate the right to return to the assisted property, this provision shall apply to current public housing residents of the Converting Project that will reside in non-RAD PBV units or non-RAD PBRA units placed in a project that contain RAD PBV units or RAD PBRA units. Such families and such contract units will otherwise be subject to all requirements of the applicable program, specifically 24 CFR § 983 for non-RAD PBV units and the PBRA requirements governing the applicable contract for non-RAD PBRA units<sup>10</sup>.

2. **Right to Return.** See section 1.4.A.5.b. and the RAD Fair Housing, Civil Rights, and Relocation Notice regarding a resident's right to return.
3. **Phase-in of Tenant Rent Increases.** If, purely as a result of conversion, the amount a tenant would pay for rent and utilities under the PBRA program (the tenant's TTP) would increase the tenant's TTP by more than the greater of 10 percent or \$25, the rent increase will be phased in over 3 or 5 years. Eligibility for the phase-in is to be determined at the Initial Certification which occurs at the time the household is converted to PBRA. A phase-in must not be applied after the household's Initial Certification. To implement the phase-in, HUD is specifying alternative requirements for section 3(a)(1) of the Act, as well as 24 CFR § 880.201 (definition of "total tenant payment" (TTP)) to the extent necessary to allow for the phase-in of tenant rent increases. A PHA must create a policy setting the length of the phase-in period at three years, five years, or a combination depending on circumstances and must communicate such policy in writing to affected residents. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five

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<sup>9</sup> These protections (as well as all protections in this Notice for current households) apply when a household is relocated to facilitate repairs following conversion and subsequently returns to the Covered Project, even if they are considered a "new admission" upon return.

<sup>10</sup> For non-RAD PBV households, applicable program requirements includes the requirement that any admission to the project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time.

year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion.

The method described below explains the set percentage-based phase-in a Project Owner must follow according to the phase-in period established. For purposes of this section “Calculated Multifamily TTP” refers to the TTP calculated in accordance with regulations at 24 CFR § 5.628 (not capped at Gross Rent) and the “most recently paid TTP” refers to the TTP recorded on the family’s most recent HUD Form 50059. If a family in a project converting from Public Housing to PBRA was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below.

Three Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 33% of difference between most recently paid TTP or flat rent and the Calculated Multifamily TTP
- Year 2: Year 2 Annual Recertification (AR) and any Interim Recertification (IR) in prior to Year 3 AR – 50% of difference between most recently paid TTP and Calculated Multifamily TTP
- Year 3: Year 3 AR and all subsequent recertifications – Year 3 AR and any IR in Year 3: Full Calculated Multifamily TTP<sup>11</sup>.

Five Year Phase-in:

- Year 1: Any recertification (interim or annual) performed prior to the second annual recertification after conversion – 20% of difference between most recently paid TTP or flat rent and the Calculated Multifamily TTP
- Year 2: Year 2 AR and any IR prior to Year 3 AR – 25% of difference between most recently paid TTP and Calculated Multifamily TTP
- Year 3: Year 3 AR and any IR prior to Year 4 AR – 33% of difference between most recently paid TTP and Calculated Multifamily TTP
- Year 4: Year 4 AR and any IR prior to Year 5 AR – 50% of difference between most recently paid TTP and Calculated Multifamily TTP

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<sup>11</sup> For example, where a resident’s most recently paid TTP is \$100, but the Calculated PBV TTP is \$200 and remains \$200 for the period of the resident’s occupancy, (i.e. no changes in income) the resident would continue to pay the same rent and utilities for which it was responsible prior to conversion. At the first recertification following conversion, the resident’s contribution would increase by 33% of \$100 to \$133. At the second AR, the resident’s contribution would increase by 50% of the \$66 differential to the standard TPP, increasing to \$166. At the third AR, the resident’s contribution would increase to \$200 and the resident would continue to pay the Calculated PBV TTP for the duration of their tenancy.

- Year 5 AR and all subsequent recertifications – Full Calculated Multifamily TTP

Please Note: In either the three year phase-in or the five-year phase-in, once Calculated Multifamily TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full Calculated Multifamily TTP from that point forward.

4. **Family Self-Sufficiency (FSS) and Resident Opportunities and Self Sufficiency Service Coordinator (ROSS-SC) programs.** Public Housing residents that are currently FSS participants will continue to participate in the PHA's FSS program once their housing is converted under RAD. Through waiver in this Notice, FSS grant funds may be used to continue to serve such FSS participants. All Project Owners will be required to administer the FSS program or partner with another agency to administer the FSS program in accordance with the requirements of 24 CFR part 984, the participants' contracts of participation, and current and future guidance published by HUD for all FSS participants enrolled in the FSS program prior to RAD conversion. All Project Owners will be required to provide both service coordination and payments to escrow until the end of the Contract of Participation for each resident. To ensure that HAP payments are processed correctly, and until TRACS is modified, the Project Owner must notify MF\_FSS@hud.gov that there are current FSS participants residing in the Covered Project and adhere to the escrow and reporting requirements in Notice H 2016-08. The Project Owner may enter into a Cooperative Agreement with the PHA (the grantee), allowing the PHA to continue to provide service coordination to RAD-affected PBRA participants until all have completed their Contracts according to 24 CFR § 984.303. The Project Owner must assume responsibility for the administrative duties associated with FSS such as calculating and crediting escrow and reporting. Ultimately, the new Project Owner is responsible for serving the RAD-affected FSS participants until the end of their CoPs.

The owner is not required to enroll new participants, but may choose to run its own voluntary FSS program in accordance with Notice H 2016-08.

At the completion of the FSS grant, grantees should follow the normal closeout procedures outlined in the grant agreement. Future FSS NOFAs will identify eligible FSS participants. Until HUD implements provisions of the Economic Growth, Regulatory Relief, and Consumer Protection Act that expand eligibility for FSS to PBRA properties, only a PHA that continues to run an FSS program that serves public housing and/or HCV/PBV FSS participants, the PHA will continue to be eligible (subject to NOFA requirements) to apply for FSS funding and may use that funding to serve public housing, HCV and/or RAD-affected PBRA FSS participants. However, if

the PHA no longer has a public housing or HCV program, the PHA is not eligible to apply for FSS funding.

Upon conversion, if the PHA has closed out its public housing program in accordance with Notice PIH 2019-13, funds escrowed under the public housing program for FSS participants shall be transferred into the PBRA escrow account and be considered PBRA funds, thus reverting to PBRA if forfeited by the FSS participant.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants nor will its residents be eligible to be served by future ROSS-SC grants, as ROSS-SC, by statute, can serve only public housing residents. At the completion of the ROSS-SC grant, grantees should follow the normal closeout procedures outlined in the grant agreement. Please note that ROSS-SC grantees may be non-profits or local Resident Associations and this consequence of a RAD conversion may impact those entities.

5. **Resident Participation and Funding.** Residents of Covered Projects with assistance converted to PBRA will have the right to establish and operate a resident organization in accordance with 24 CFR part 245 (Tenant Participation in Multifamily Housing Projects). In addition, in accordance with Attachment 1B, residents will be eligible for resident participation funding.
6. **Resident Procedural Rights.** The information provided below must be included as part of the House Rules for the associated project and the House Rules must be submitted to HUD for review prior to Closing. See Attachment 1E for a sample Addendum to the House Rules.
  - a. **Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects converting assistance under RAD, that supplement notification requirements in regulations at 24 CFR § 880.607 and the Multifamily HUD Model Lease.
    - i. *Termination of Tenancy and Assistance.* The termination procedure for RAD conversions to PBRA will additionally require that Project Owners provide adequate written notice of termination of the lease which shall be:
      1. A reasonable period of time, but not to exceed 30 days:

- If the health or safety of other tenants, Project Owner employees, or persons residing in the immediate vicinity of the premises is threatened; or
      - In the event of any drug-related or violent criminal activity or any felony conviction;
    - 2. Not less than 14 days in the case of nonpayment of rent; and
    - 3. Not less than 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.
  - ii. *Termination of Assistance.* In all other cases, the requirements at 24 CFR § 880.603, the Multifamily HUD Model Lease, and any other HUD multifamily administrative guidance shall apply.
- b. **Grievance Process.** Pursuant to requirements in the RAD Statute, HUD is establishing additional resident procedural rights to comply with section 6 of the Act. In addition to program rules that require that tenants are given notice of covered actions under 24 CFR part 245 (including increases in rent, conversions of a project from project-paid utilities to tenant-paid utilities, or a reduction in tenant paid utility allowances), HUD requires that:
- i. Residents be provided with notice of the specific grounds of the Project Owner's proposed adverse action, as well as their right to an informal hearing with the Project Owner;
  - ii. Residents have an opportunity for an informal hearing with an impartial member of the Project Owner's staff within a reasonable period of time;
  - iii. Residents have the opportunity to be represented by another person of their choice, to ask questions of witnesses, have others make statements at the hearing, and to examine any regulations and any evidence relied upon by the Project Owner as the basis for the adverse action. With reasonable notice to the Project Owner, prior to hearing and at the residents' own cost, residents may copy any documents or records related to the proposed adverse action; and
  - iv. Project Owners provide the resident with a written decision within a reasonable period of time stating the grounds for the adverse action and the evidence the Project Owner relied on as the basis for the adverse action

The Project Owner shall be bound by decisions from these hearings, except if (x) the hearing concerns a matter that exceeds the authority of the impartial party conducting the hearing, or (y) the decision is contrary to HUD regulations or requirements, or otherwise contrary to federal, State, or local law. If the Project Owner determines that it is not bound by a hearing decision, the Project Owner must promptly notify the resident of this determination, and of the reasons for the determination.

- c. **Family Right to Move.** Pursuant to Section 1.7.C.5 and unless the Covered Project received a specific good cause exemption to such provision, families have a choice-mobility right which must be stated in the House Rules as shown in sample in Attachment 1E.

- 7. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID exclusion after conversion, in accordance with regulations at 24 CFR § 960.255. After conversion, no other tenants will be eligible to receive the EID. If a tenant receiving the EID exclusion undergoes a break in employment, ceases to use the EID exclusion, or the EID exclusion expires in accordance with 24 CFR § 960.255, the tenant will no longer receive the EID exclusion and the Owner will no longer be subject to the provisions of 24 CFR § 960.255. Furthermore, tenants whose EID ceases or expires after conversion shall not be subject to the rent phase-in provision, as described in Section 1.7.B.3; instead, the rent will automatically be adjusted to the appropriate rent level based upon tenant income at that time.
- 8. **Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target project(s) under RAD will be able to finish out their Jobs Plus grant unless significant relocation and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project. Jobs Plus target public housing projects must enroll public housing residents into the Jobs Plus rent incentive, JPEID, prior to conversion. Any resident of the Covered Project that had not enrolled prior to conversion is not eligible to enroll in JPEID but may utilize Jobs Plus services offered at the target project that predominantly benefit the former public housing residents who resided at the target project at the time of RAD conversion. If the program is continued, the Project Owner must agree to continue to implement the program according to HUD's program requirements.

9. **When Total Tenant Payment Exceeds Gross Rent.** Under the PBRA program, assisted families typically pay 30% of adjusted gross income toward rent and utilities, referred to as TTP. Under normal PBRA rules, a Project Owner must process a termination of assistance pursuant to section 8-5 C. of Housing Handbook 4350.3, REV-1 when the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent). In addition, section 8-6 A.1 provides that, when terminating a tenant's assistance, the owner is to increase the tenant rent to the contract rent (assuming that the tenant does not receive the benefit of any other type of subsidy).

For residents living in the Converting Project on the date of conversion and all new admissions to the Covered Project thereafter, when TTP equals or exceeds the contract rent plus any utility allowance, the Project Owner must charge a tenant rent equal to the lesser of (a) TTP (which is not capped at gross rent), less the utility allowance in the contract, or (b) any applicable maximum rent allowable under LIHTC regulations<sup>12</sup>. To this end, HUD is waiving sections 8-5 C. and 8-6 A. 1. of Housing Handbook 4350.3, REV-1. In such cases, the tenant will still be considered a Section 8 tenant and will still have the rights and be subject to the requirements of Section 8 tenants. Tenants will retain all of the rights under the Model Lease, including the right to occupy the unit, as well as those provided through this Notice, and tenants will still be subject to the requirements for Section 8 tenants, including the requirements concerning reexamination of family income and composition found in 24 CFR §§ 5.657 and 880.603(c). When TTP equals or exceeds Gross Rent, the excess rent collected by the owner is considered project funds and must be used for project purposes. Assistance may subsequently be reinstated if the Tenant becomes eligible for assistance. In the event that the tenant moves out, the Project Owner must select an applicant from the waiting list who meets the applicable income limits for the project.

The Project Owner is not required to process these individuals through Multifamily Housing's Tenant Rental Assistance Certification System (TRACS) but may be required to do so in the future when a future revision of the TRACS can accept such certifications. All normal actions for the contract rent shall continue for these units, including application of the OCAF adjustment to the contract rent indicated in the

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<sup>12</sup> For example, a public housing family residing in a property converting under RAD has a TTP of \$600. The property has an initial Contract Rent of \$500, with a \$50 Utility Allowance. Following conversion, the residents is still responsible for paying \$600 in tenant rent and utilities. Accordingly, the Project Owner must charge this resident \$550, i.e., \$600 TTP, minus \$50 Utility Allowance.

HAP Contract—since the OCAF adjusted rent will still be in effect whenever the unit is occupied by a family eligible for rental assistance.

10. **Under-Occupied Units.** If at the time of conversion, an eligible family assisted under the HAP Contract is occupying a unit that is larger than appropriate because of the family's composition, the family may remain in the unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under-occupied unit must move to the appropriate-sized within a reasonable period of time. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, HUD is waiving the portion of 24 CFR § 880.605 that assumes the unit has become under-occupied as the result of a change in family size.

C. PBRA: Other Miscellaneous Provisions.

3. **Establishment of Waiting List.** The Project Owner can utilize a project-specific or community waiting list. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:
- a. Transferring an existing site-based waiting list to a new site-based waiting list.
  - b. Transferring an existing site-based waiting list to a PBRA program-wide waiting list.
  - c. Transferring an existing community-wide public housing waiting list to a PBRA program-wide waiting list, an option particularly relevant for PHAs converting their entire portfolio under RAD.
  - d. Informing applicants on a community-wide public housing waiting list how to transfer their application to one or more newly created site-based waiting lists.

To the extent the wait list relies on the date and time of application, the applicants shall have priority on the wait list(s) to which their application was transferred in accordance with the date and time of their application to the original waiting list.

If the PHA is transferring assistance to another neighborhood and, as a result of the transfer of the waiting list, the applicant would only be eligible for a unit in a location which is materially different from the location to which the applicant applied, the PHA must notify applicants on the waiting list of the transfer of assistance, and on how they can apply for residency at other sites.



If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the Covered Project's initial waiting list. In all cases, PHAs have the discretion to determine the most appropriate means of informing applicants on the public housing communitywide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).<sup>13</sup>

When using a site-based waiting list, PHAs should consider waiting list and transfer policies that expand opportunities for tenants seeking an emergency transfer under, or consistent with, the PHA's Emergency Transfer Plan. This allows for easier moves between assisted properties. Any such preference must be approved by HUD in accordance with Notice H 2013-21, prior to implementation.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 880.603 regarding selection and admission of assisted tenants. However, after the initial waiting list has been established, the Project Owner shall administer its waiting list for the Covered Project in accordance with 24 CFR § 880.603.

A Project Owner must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations.

5. **Choice-Mobility.** HUD seeks to provide all residents of Covered Projects with viable Choice-Mobility options. Unless provided an exemption as described below, PHAs that are applying to convert the assistance of a project to PBRA are required to

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<sup>13</sup> 5 For more information on serving persons with LEP, please see HUD's Final guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published on January 22, 2007.

provide a Choice-Mobility option to residents of Covered Projects in accordance with the following<sup>14</sup>:

- a. *Resident Eligibility.* Residents have a right to move with tenant-based rental assistance (e.g., Housing Choice Voucher (HCV)) the later of: (a) 24 months from date of effective date of the HAP or (b) 24 months after the move-in date.
- b. *Voucher Inventory Turnover Cap.* Recognizing the limitation on the availability of turnover vouchers from year to year, a voucher agency would not be required, in any year, to provide more than one-third of its turnover vouchers to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.
- c. *Project Turnover Cap.* Also recognizing the limited availability of turnover vouchers and the importance of managing turnover in the best interests of the property, in any year, a Project Owner and voucher agency may agree to limit the number of Choice-Mobility moves exercised by eligible households to 15 percent of the assisted units in the project. (For example, if the project has 100 assisted units, the Project Owner and voucher agency could limit the number of families exercising Choice Mobility to 15 in any year, but not to less than 15.) While a Project Owner and voucher agency are not required to establish a project turnover cap, if such a cap is implemented the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received.

The voucher agency must maintain a written agreement with the owner describing how the Choice-Mobility option will be administered in accordance with these requirements and the process by which households may request a voucher. For example, the written agreement must specify whether the owner will receive requests from families or refer families to the PHA.

HUD's goal is to have all residents in the Demonstration offered a Choice-Mobility option within a reasonable time after conversion. However, as HUD recognizes that

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<sup>14</sup> The Choice-Mobility requirements that apply to covered PBRA projects differ from the requirements that apply to covered PBV projects.

not all voucher agencies will have vouchers sufficient to support this effort, HUD will take the following actions:

- Provide voucher agencies that make such a commitment bonus points provided under the Section Eight Management Assessment Program (SEMAP) for deconcentration.<sup>15</sup>
- Grant a good-cause exemption from the Choice-Mobility requirement for no more than 10 percent of units in the Demonstration. HUD will consider requests for good-cause exemptions only from the following types of PHAs:
  - Public housing–only agencies, defined as agencies that own units under a public housing ACC, but do not administer, directly or through an affiliate, a Housing Choice Voucher program with non special-purpose vouchers; or
  - Combined agencies that currently have more than one-third of their turnover vouchers set aside for veterans, as defined for the purpose of HUD-VASH, or homeless populations, as defined in 24 CFR § 91.5.58 To be eligible for this exemption, the PHA’s admission policies must have been formally approved by the PHA’s board prior to the time of application.

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<sup>15</sup> The sponsoring agency must commit to the full term of the initial HAP Contract, must undergo a significant amendment to its Annual Plan (no later than 60 days after execution of the project’s CHAP), and must comply with section 8(o)(6)(A) relating to selection preferences. In order to implement this incentive, HUD is waiving provisions under 24 CFR § 985.3(h) to provide donating agencies with bonus points under the SEMAP for deconcentration.

## Exhibit B.2-5

HUD Notice H-2016-17, PIH-2016-17

RRHA here incorporates U.S. Department of Housing and Urban Development Notice H 2016-17, PIH 2016-17 (HA) into this Plan as if fully set forth herein.

RRHA will provide a complete copy of this Notice to any person upon request.

DRAFT

Exhibit B.2-6

Revised Non-Smoking Lease Addendum

DRAFT



## SMOKE-FREE POLICY LEASE

### ADDENDUM F

This Smoke-Free Policy Lease Addendum (this “Addendum”) is made part of that certain lease (hereafter the “Lease”) dated \_\_\_\_\_ between Richmond Redevelopment and Housing Authority (also “RRHA” or “Landlord”) and \_\_\_\_\_ (the “Tenant”), concerning the premises located at \_\_\_\_\_, Richmond, Virginia (the “Leased Premises” or “Premises”). All applicable terms of the Lease are incorporated by reference as if fully laid out herein, and shall continue to have full force and effect.

This Addendum states the following additional terms, conditions and rules which are hereby incorporated into the Lease. A breach of this Addendum shall give each party named above all rights contained herein, as well as any of the rights in the Lease.

1. **Purpose of the “Smoke-Free Policy”**: The parties desire to mitigate (i) the irritation and known health effects of smoking products; (ii) the increased maintenance, cleaning and redecorating costs from smoking products; (iii) the increased risk of fire from lit smoking products; and (iv) the higher costs of fire insurance for a non-smoke free building. In furtherance of such smoke-free policy, the parties agree as follows:
2. **Definitions**:
  - a. **“Prohibited Smoking Product”** means (i) any item that involves the ignition and burning of leaves or other flammable plant material, including, without limitation, cigarettes, cigars, and pipes, whether they contain tobacco, marijuana, or any other flammable plant material; (ii) water pipes (“hookahs”) used to smoke tobacco, marijuana, or any other flammable plant material, to the extent not covered by the preceding clause, and (iii) electronic cigarettes.
  - b. **“Electronic cigarette”** means any electronic device that provides a vapor from liquid in order to simulate the use of lit Prohibited Smoking Products. The term shall include such devices whether they are manufactured or referred to as “e-cigarettes,” “e-cigars,” or “e-pipes,” or under any other product or trade name.
  - c. **“Smoking” and “to smoke”** means using any Prohibited Smoking Product or Electronic Cigarette, as defined above.
  - d. **“Smoke”** means the smoke, fumes, or vapor generated by smoking, as defined above.
  - e. **“Restricted area”** means any location within or upon any real property owned by Landlord, whether such location is indoors or outdoors, if such location is within 25 feet from any building, door, or window existing upon such real property. Without limitation, “restricted area” specifically includes the interior or exterior of any individual public housing unit, common area, and administrative office building within or upon Landlord’s real property.
3. **Use of Prohibited Smoking Products in restricted areas**: Tenant and members of Tenant’s household shall not smoke, nor permit Tenant’s guests or visitors within the control of the Tenant to smoke, in any restricted area.
4. **Tenant to Promote No-Smoking Policy and to Alert Landlord of Violations**: Tenant shall inform Tenant’s guests and visitors that smoking is not permitted in restricted areas. Further, Tenant shall promptly give Landlord a written statement of any incident where smoke is migrating into the Premises from sources outside of the Premises. Landlord will seek the source of the smoke and take appropriate action.
5. **Landlord to Promote No-Smoking Policy**: Landlord shall post no-smoking signs at entrances and exits, common areas and in conspicuous places adjoining the grounds of the Premises.
6. **Designated smoking areas**: Tenant specifically acknowledges and agrees that Landlord will not establish any location upon its properties, whether within or without a restricted area, as a designated smoking area.

7. **Smoking as breach of Lease:** A Tenant breaches this Addendum when RRHA determines the Tenant (or their household member or guest) to be smoking in a restricted area. Any breach of this Addendum is a breach of the Lease, and the parties are afforded all rights and obligations pursuant thereto, subject to the further terms and conditions of this Addendum.
8. **Remedies for breach:**
- a. **First breach.** Upon the first breach of this Addendum, Landlord may assess against the Tenant a fine not to exceed one hundred dollars (\$100.00).
  - b. **Second breach.** Upon the second breach of this Addendum, and pursuant to Paragraph 10(E) of the Lease and Chapter 21, Section (C)(1) of the ACOP (as both may be hereafter amended), RRHA may issue the Tenant a 21-Day Notice of Non-Compliance of Lease (the "21/30 Notice"). Such 21/30 Notice shall state that if a third breach occurs within 21 days of such notice, a thirty (30) day lease termination notice will be issued.
  - c. **Third breach within eighteen months.** If the Tenant breaches this Addendum at any time within eighteen (18) months from the date of the 21/30 Notice, RRHA may, pursuant to Paragraph 10(E) of the Lease and Chapter 21, Section (C)(1) of the ACOP (as both may hereafter be amended), issue the Tenant a thirty (30) day lease termination notice.
  - d. **Third breach after eighteen months.** If the Tenant breaches this Addendum more than eighteen (18) months after the date of the 21/30 Notice, such breach shall be considered a "first breach" in accordance with Paragraph 8(a) of this Addendum.
9. **Landlord Not a Guarantor of Smoke-Free Environment:** Tenant acknowledges that Landlord's execution of this Addendum does not make the Landlord or any of its managing agents the guarantor of Tenant's health, or of any smoke-free condition of the Premises or the common areas. However, Landlord shall take reasonable steps to enforce the smoke-free terms of this Addendum. Landlord is not required to take steps in response to smoking unless Landlord has a factual basis to believe smoking has occurred.
10. **Disclaimer by Landlord:** Tenant acknowledges that Landlord's designation of the Community as smoke-free does not in any way change the standards of care that the Landlord or managing agent would have to a Tenant household to render Public Housing Premises designated as smoke-free any safer, more habitable or improved in terms of air quality standards than any other rental premises. Landlord specifically disclaims any implied or express warranties that the Public Housing Premises will have any higher or improved air quality standards than any other rental property. Landlord cannot and does not warranty or promise that the Premises will be free from smoke. Tenant acknowledges that the Landlord's ability to police, monitor or enforce the provisions of this Addendum is dependent in significant part on voluntary compliance by Tenant and Tenant's guests. Tenants with respiratory ailments, allergies or any other physical or mental condition relating to smoke are put on notice that Landlord does not assume any higher duty of care to enforce this Addendum than any other obligation under the Lease.

**Tenant's Certification:**

Tenant covenants and agrees that the Smoke Free Policy which is attached to and made a part of the Lease, or as hereafter adopted by Landlord to apply uniformly to all tenants, shall have the same force and effects as covenants of the Lease and the Tenant covenants that he/she, their family members, guests and any other person under their control will observe the Smoke Free Policy as a condition of the Lease. Violations of the Smoke Free Policy may result in fines and or lease termination.

**IN WITNESS WHEREOF, the parties have executed this Addendum this \_\_ day of \_\_\_\_\_, 20\_\_ in Richmond, Virginia.**

Tenant: \_\_\_\_\_ Date: \_\_\_\_\_

Co-Tenant: \_\_\_\_\_ Date: \_\_\_\_\_

Property Address: \_\_\_\_\_

RRHA Representative: \_\_\_\_\_ Date: \_\_\_\_\_

## Exhibit B.2-7

### Project-based Vouchers

Project	Location	# of PBVs	Status <sup>16</sup>	Type
Armstrong 2B	Richmond	45	Pending HAP	Seniors
Bickerstaff Crossing	Henrico	14	Pending HAP	Family
Brookland Park Apartments	Richmond	7	2020 Commitment Pending LIHTC	Family
The Heights at Brady Square I	Richmond	7	Pending HAP	Family
Brook Villas	Richmond	9	Pending AHAP	Family
1900 Cool Lane	Richmond	16	Pending SLR	Family
Brady Square Apartments	Richmond	7	2020 Commitment Pending LIHTC	Family
Cameo Street	Richmond	12	Pending AHAP	Family
Cool Lane	Richmond	70	Pending SLR	Family
Lambert Landing	Chester	7	2020 Commitment Pending LIHTC	Family
Lambert Landing II	Chester	7	2020 Commitment Pending LIHTC	Family
Stonebrook Terrace	Midlothian	7	2020 Commitment Pending LIHTC	Family
Bellwood Crossing	Richmond	10	2020 Commitment Pending LIHTC	Family
Village South Apartments	Richmond	44	2020 Commitment Pending LIHTC	Family
Watermark Gardens	Chesterfield	8	Pending HAP	Family
Winchester Forest	Richmond	12	Pending SLR	Family
700 W. 44th Street	Richmond	18	2022 Commitment Pending LIHTC	Family
700 W. 44th Street II	Richmond	18	2022 Commitment Pending LIHTC	Family
Liberty Townhomes	Richmond	10	2022 Commitment Pending LIHTC	Family
St. Elizabeth Apartments	Richmond	14	2022 Commitment Pending LIHTC	Family
Colbrook Apartments	Chester	8	2022 Commitment Pending LIHTC	Family
Carter Woods III	Richmond	13	2022 Commitment Pending LIHTC	Family
1203 East Brookland Park	Richmond	8	2022 Commitment Pending LIHTC	Family
		<b>371</b>		

<sup>16</sup> Information in this column is current as of February 24, 2022.



## Exhibit C.1

Comments from the Resident Advisory Board  
(if any)

DRAFT

Exhibit C.2

Form HUD-50077-SL

*Certification by State or Local Officials of PHA Plans Consistency with the  
Consolidated Plan*

DRAFT

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan or  
State Consolidated Plan  
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 3/31/2024

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, \_\_\_\_\_, the \_\_\_\_\_  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years \_\_\_\_\_ and/or Annual PHA Plan for fiscal  
year \_\_\_\_\_ of the \_\_\_\_\_ is consistent with the  
*PHA Name*

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair  
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

\_\_\_\_\_  
*Local Jurisdiction Name*

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or  
State Consolidated Plan.

\_\_\_\_\_  
I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will  
prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official:

Title:

Signature:

Date:

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S.  
Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information  
are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to  
ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing  
instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD  
may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Exhibit C.3

Form HUD-50077-ST-HCV-HP

*PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws  
and Regulations Including PHA Plan Elements that Have Changed*

DRAFT

# **Certifications of Compliance with PHA Plan and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs)**

**U.S. Department of Housing and Urban Development**  
Office of Public and Indian Housing  
**OMB No. 2577-0226**  
**Expires 3/31/2024**

## **PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations including PHA Plan Elements that Have Changed**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or \_\_\_ Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning \_\_\_\_\_, in connection with the submission of the Plan and implementation thereof:*

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
  - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
  - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
  - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include a policy for site-based waiting lists:
  - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
  - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
  10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
  11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
  12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
  13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
  14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
  15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
  16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
  17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
  18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
  19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
  20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
  21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
  22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

\_\_\_\_\_  
PHA Name

\_\_\_\_\_  
PHA Number/HA Code

\_\_\_\_ Annual PHA Plan for Fiscal Year 20\_\_\_\_

\_\_\_\_ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

\_\_\_\_\_  
Name of Executive Director

\_\_\_\_\_  
Name Board Chairman

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

## Exhibit D.1

### Family Attributes on RRHA Waiting Lists<sup>17 18</sup>

Bedroom Size	# Families on Waiting List	Total # Families Reporting a Disability	# Families Reporting Hearing Disability	# Families Reporting Sight Disability	# Families Reporting Mobility Disability	# Families Reporting Multiple Disabilities
<b>Housing Choice Voucher Waiting Lists</b>						
<b>2015 HCV Waiting List</b>						
n/a	0 <sup>19</sup>	0	0	0	0	0
<b>2020 HCV Waiting List</b>						
n/a	4,849	346	21	45	243	37
<b>Project-based Voucher Site Based Waiting Lists</b>						
<b>Kingsridge</b>						
2	9,337	554	50	74	364	66
3	1,982	96	9	12	59	16
<b>Kingsridge 2</b>						
2	8,004	489	42	58	338	51
3	1,739	88	6	12	55	15
<b>Alexander at 1090</b>						
2	6,672	400	31	58	268	43
3	1,459	80	6	14	45	15
<b>Cary West</b>						
2	7,920	474	42	72	303	57
<b>New Clay House</b>						
0	6,208	865	53	106	610	96
<b>Goodwyn</b>						
2	7,852	486	51	65	315	55
3	1,778	93	7	15	57	14
<b>Armstrong 1a</b>						
2	8,336	520	46	68	350	56
3	1,767	98	9	16	60	13
<b>Armstrong 1b</b>						
1	1,764	393	20	43	279	51
2	446	107	4	8	77	18

<sup>17</sup> The information in this table is self-reported by each family and RRHA does not make any inquiries or independent assessment about the veracity of any such self-reporting. Therefore, it is possible that at least some of the families who report having a disability do not, in fact, meet the necessary threshold under applicable law.

<sup>18</sup> RRHA permits a family to apply for and be placed on multiple waiting lists. Therefore, it is possible that multiple entries on this table are all the same family.

<sup>19</sup> RRHA selected the last remaining families from this waiting list in 2021. Therefore, this list is no longer in use.



<b>Bedroom Size</b>	<b># Families on Waiting List</b>	<b>Total # Families Reporting a Disability</b>	<b># Families Reporting Hearing Disability</b>	<b># Families Reporting Sight Disability</b>	<b># Families Reporting Mobility Disability</b>	<b># Families Reporting Multiple Disabilities</b>
<b>Project-based Voucher Site Based Waiting Lists (continued)</b>						
<b>Armstrong 2a</b>						
3	4,109	251	18	29	174	30
4	273	12	1	1	8	2
<b>Glenwood Ridge</b>						
1	10,511	1,191	81	142	821	147
2	6,572	360	37	55	223	45
3	2,120	128	13	12	88	15
<b>Richmond SRO</b>						
0	4,194	621	38	68	432	83
<b>Bickerstaff Crossing</b>						
2	1,965	124	7	21	85	11
3	502	33	4	4	20	5
<b>Public Housing Waiting Lists</b>						
<b>General (non-site based)</b>						
1	8,920	976	65	120	672	119
2	3,413	186	19	35	109	23
3	1,450	81	9	8	54	10
4	254	17	3	1	10	3
5	27	3	0	0	1	2
<b>Elderly</b>						
1	1,671	514	20	34	390	70
<b>Blackwell Senior Cottages</b>						
1	78	30	1	3	24	2
<b>Rental Assistance Demonstration ("RAD") Waiting Lists</b>						
<b>Richmond Family - Afton</b>						
2	1,675	103	6	19	67	11
3	506	33	7	3	19	4
4	97	7	2	0	4	1
5	14	1	0	0	0	1
<b>Richmond Family - Bainbridge</b>						
3	890	61	7	7	39	8
<b>Richmond Family - Fulton</b>						
2	1,779	102	5	18	69	10
3	608	42	5	5	29	3
4	127	14	2	0	10	2
5	25	1	0	0	0	1

<b>Bedroom Size</b>	<b># Families on Waiting List</b>	<b>Total # Families Reporting a Disability</b>	<b># Families Reporting Hearing Disability</b>	<b># Families Reporting Sight Disability</b>	<b># Families Reporting Mobility Disability</b>	<b># Families Reporting Multiple Disabilities</b>
<b>RAD Waiting Lists (continued)</b>						
<b>Richmond Family - Stovall</b>						
2	1,979	128	8	25	83	12
3	605	40	5	3	27	5
4	116	6	1	0	4	1
<b>Richmond Family - Randolph</b>						
2	2,100	139	10	26	88	15
3	652	42	4	4	29	5
4	122	6	2	0	4	1
5	14	1	0	0	0	1