

# City of Roanoke Redevelopment and Housing Authority

## 2022 Annual Plan

Agency Plan 2020 — 2024



CITY of ROANOKE REDEVELOPMENT  
and HOUSING AUTHORITY

**PARTNERS IN PROGRESS**

# DRAFT

**Please do not remove plan**





## **NOTICE OF PUBLIC HEARING**

The City of Roanoke Redevelopment and Housing Authority (RRHA) will conduct a Public Hearing on the 2022 Annual Plan update to the 2020-2024 Agency Plan and the 2022 Capital Fund Program Five-Year Action Plan on May 23, 2022 at 3:00 p.m. at 2624 Salem Turnpike, NW, Roanoke, Virginia 24017.

The purpose of the hearing is: 1) to present the 2022 Annual Plan update to the 2020-2024 Agency Plan and receive public comments. The Annual Plan provides details about the agency's policies, programs and services, residents' concerns and needs, and plans for operations for the next five years; and 2) to present the 2022 Capital Fund Program Five-Year Action Plan and receive public comments. The Action Plan provides details about the agency's plans for capital improvements in public housing for the next five years.

Draft copies of the 2022 Annual Plan update to the 2020-2024 Agency Plan and the 2022 Capital Fund Program Five-Year Action Plan will be available for review beginning April 1, 2022 on the RRHA website at [www.rkehousing.org](http://www.rkehousing.org) and at the following locations Monday through Friday from 8:30 a.m. to 5:00 p.m. In addition to the Public Hearing, comments can be directed to [dbustamante@roanokehousing.org](mailto:dbustamante@roanokehousing.org).

RRHA Administrative Offices  
2624 Salem Turnpike, NW

Lansdowne Park  
2624 Salem Turnpike, NW

Morningside Manor  
1020 13th Street, SE

Villages at Lincoln  
1801 Dunbar Street, NW

Hunt Manor  
802 Hunt Avenue, NW

Indian Rock Village  
2034 Indian Village Lane, SE

Melrose Towers  
3038 Melrose Avenue, NW

Jamestown Place  
1533 Pike Lane

Bluestone Park  
2617 Bluestone Avenue, NE



CITY OF ROANOKE REDEVELOPMENT AND HOUSING AUTHORITY

David Bustamante  
Executive Director  
EEO/AA

*As set forth in the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973, RRHA does not discriminate on the basis of disability, and is willing to assist citizens with special needs. If you have a hearing or vision disability and wish to attend any RRHA public meeting, please contact us seven (7) days prior to meeting date at (540) 983-9286 or City of Roanoke Redevelopment and Housing Authority, 2624 Salem Turnpike, NW, Roanoke, VA 24017.*

Date of Notice: March 27, 2022

<b>Streamlined Annual PHA Plan</b> <i>(High Performer PHAs)</i>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires 03/31/2024</b>
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**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, including changes to these policies, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

**Applicability.** The Form HUD-50075-HP is to be completed annually by **High Performing PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, HCV-Only PHA, Small PHA, or Qualified PHA do not need to submit this form.

**Definitions.**

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS or SEMAP assessments.
- (5) **Troubled PHA** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.
- (6) **Qualified PHA** - A PHA with 550 or fewer public housing dwelling units and/or housing choice vouchers combined and is not PHAS or SEMAP troubled.

A.	PHA Information.																										
A.1	<div> <div>PHA Name: <u>City of Roanoke Redevelopment and Housing Authority</u></div> <div>PHA Code: <u>VA011</u></div> </div> <div> <div>PHA Type: <input checked="" type="checkbox"/> High Performer</div> <div>PHA Plan for Fiscal Year Beginning: (10/22): _____</div> <div>PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above)</div> <div>Number of Public Housing (PH) Units <u>1,281</u>      Number of Housing Choice Vouchers (HCVs) <u>2,077</u></div> <div>Total Combined _____</div> <div>PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission      <input type="checkbox"/> Revised Annual Submission</div> </div> <div> <p><b>Availability of Information.</b> In addition to the items listed in this form, 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. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. 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 Plans.</p> </div> <div> <input type="checkbox"/> <b>PHA Consortia:</b> (Check box if submitting a Joint PHA Plan and complete table below) </div> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																	
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<b>B.</b>	<b>Plan Elements</b>
<b>B.1</b>	<p><b>Revision of Existing PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last Annual <u>PHA Plan</u> submission?</p> <p>Y   N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each element below:</p> <p><u>The revisions for the elements answered yes are located in the Annual Plan attachments E &amp; G</u></p> <p>(c) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p><u>RRHA Deconcentration policy is part of the annual plan attachment F.</u></p>
<b>B.2</b>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y   N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(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.</p> <p><b><u>Homeownership</u></b></p> <p>RRHA was approved by HUD in 2015 for a Section 32 Homeownership program, which allows the sale of five (5) scattered site public housing properties that currently are leased. This program provides additional homeownership opportunities for HUD-assisted renters and other low to moderate income families in the Roanoke community. Tenants were advised that they may choose to purchase the homes if they can obtain financing. Tenants will be relocated in the event that a property is sold to another buyer. To date, three (3) of the five (5) properties remain available, as two (2) have been sold.</p> <p>RRHA continues to operate a Lease-Purchase homeownership program and has three (3) eligible applicants participating. There are eight (8) homes available in the program. RRHA works with residents in various ways to help them achieve homeownership. Partner agencies such as Total Action for Progress and Southeast Rural Community Assistance Project provide homeownership and financial counseling, and RRHA's FSS staff directs residents there and elsewhere for the appropriate services. Homeownership is also a part of RRHA's EnVision Center.</p> <p><b><u>New Public Housing via Disposition Proceeds</u></b></p> <p>RRHA intends to develop two (2) new public housing units on a parcel on Bluestone Avenue, NE, adjoining the Bluestone Park public housing development. RRHA acquired the property in 2020 after HUD approved an acquisition proposal. RRHA has submitted a development proposal for the units in 2021. The funding for these units will be from the Capital Fund Program and proceeds from the sale of RRHA's former warehouse property on Whiteside Ave, NE. That property was sold in 2017 after HUD approved disposition of it in 2016.</p> <p><b><u>Project-Based Vouchers</u></b></p> <p>RRHA is currently using 79 of its HCVs for project-based vouchers (PBVs) in three developments that RRHA partially owns (or has a controlling interest in); Hillcrest Heights, Park Street Square and Stepping Stone. As RRHA is the owner (or has a controlling interest in) these developments as the limited partner of the Indian Village, Park Street Housing and Stepping Stone Limited Partnerships respectively, there were non-competitive</p>

assignments of the vouchers to RRHA. This non-competitive exception is permitted by PIH Notice 2017-21 that provides further guidance on the Housing Opportunities Through Modernization Act (HOTMA) of 2016.

HOTMA allows PHAs to use up to 20% of their ACC amount rather than 20% of its voucher budget authority as previously required. HOTMA also allows several exceptions for PHAs to exceed this 20% limit. RRHA intends to evaluate additional opportunities for PBV usage to ensure availability of sufficient high quality housing to meet identified housing needs and will set aside or seek new vouchers for this purpose if needed.

RRHA intends to use PBVs through the Hurt Park Limited Partnership for the Hurt Park Townhomes in 2022. The development has 40 units. In addition, RRHA intends to procure property owners to use PBVs in the City in Census Tracts that are low in poverty and minority concentration and/or where affordable housing is lacking. A request for proposal will be advertised following RRHA's public procurement regulations. Priority for allocation of PBVs will be considered for those that provide housing for the elderly and disabled, but will not be the sole criteria. In 2022 RRHA issued and RFP for new construction units in low poverty census tracts. RRHA has awarded 16 PBV to the Lawson Group. Construction will involve 3 phases with 72 units in each phase. Lawson Group has indicated that the units will be available to RRHA's HCV waitlist applicants.

#### **EnVision Center**

RRHA has been approved by HUD as an EnVision Center Demonstration Site. RRHA's site at 2607 Salem Turnpike, NW was also approved by the HUD Richmond Field Office and acquired in 2020. Renovation of the property is underway. RRHA intends to begin occupying the property as soon as renovations are complete, potentially in late Spring of 2022. The EnVision Center will provide office space for some RRHA staff, training facilities, and possibly space for community gathering and office space available to lease to partner agencies.

#### **Disposition**

RRHA hired the Dominion Due Diligence Group to provide consultation on repositioning possibilities. RRHA plans to have a report in late April 2022. RRHA is planning to undergo repositioning of one (1) of our public housing developments in late 2022. RRHA does not have any specific disposition plans for public housing properties, however it will evaluate Section 18 options as it pertains to potential conversions or repositioning of public housing. RRHA plans to sell several non-public housing properties in 2022.

#### **Acquisition of Properties for Future Development**

RRHA is in the process (or will have completed such) of acquiring properties in the City of Roanoke. The acquisition of these properties could further RRHA's goals to implement the Choice Neighborhoods Loudon-Melrose/Shenandoah West Transformation Plan, deconcentrate poverty in the City of Roanoke, provide homeownership opportunities and convert public housing through RAD or other methods. If using Capital Funds, RRHA will require said options to be contingent upon a site acquisition approval by the Field Office. The properties that RRHA is currently considering to acquire or enter a due diligence option period for are:

- City of Roanoke Official Tax Map Numbers 3250203-5 inclusive
- City of Roanoke Official Tax Map Number 3250214
- City of Roanoke Official Tax Map Number 2420208
- City of Roanoke Official Tax Map Numbers 2420114-7 inclusive
- City of Roanoke Official Tax Map Number 4013002-4 inclusive
- City of Roanoke Official Tax Map Numbers 4013009-12 inclusive
- City of Roanoke Official Tax Map Number 4013014-5 inclusive
- City of Roanoke Official Tax Map Number 4013018
- City of Roanoke Official Tax Map Numbers 4013101-24 inclusive
- City of Roanoke Official Tax Map Numbers 7170111-9 inclusive
- City of Roanoke Official Tax Map Number 6040605
- City of Roanoke Official Tax Map Number 3340110
- City of Roanoke Official Tax Map Number 3120410
- City of Roanoke Official Tax Map Numbers 3120416-24 inclusive
- City of Roanoke Official Tax Map Numbers 3120715-8 inclusive
- City of Roanoke Official Tax Map Numbers 3120404-9 inclusive
- City of Roanoke Official Tax Map Numbers 3120701-6 inclusive
- City of Roanoke Official Tax Map Number 3250604
- City of Roanoke Official Tax Map Number 3250607
- City of Roanoke Official Tax Map Numbers 3061007-12 inclusive
- City of Roanoke Official Tax Map Number 3060806
- City of Roanoke Official Tax Map Numbers 3060818-23 inclusive
- City of Roanoke Official Tax Map Numbers 3061110-2 inclusive
- City of Roanoke Official Tax Map Numbers 3061121-4 inclusive
- City of Roanoke Official Tax Map Number 3060206
- City of Roanoke Official Tax Map Numbers 3221915-6 inclusive
- City of Roanoke Official Tax Map Number 6090405

In addition to these properties, RRHA will budget funds to acquire other properties that will achieve the aforementioned long-range goals and plan implementation.

#### **Conversion of Public Housing to Project-Based Assistance under RAD**

RRHA does not currently have any of its developments in a Rental Assistance Demonstration (RAD) conversion. RRHA will consider RAD and other potential conversion options for public housing sites that are not operating as effectively and efficiently as possible.

#### **Redevelopment**

At present RRHA is only involved in the design review and administrative process of one (1) redevelopment project; the South Jefferson Redevelopment Area. It is expected by the City of Roanoke that RRHA will not be asked to acquire another property in the area. Since the Virginia Code was amended in 2010 to limit the previous redevelopment powers of housing authorities and local governments, the City of Roanoke and RRHA have not engaged in any new redevelopment plans. However, RRHA remains open to the prospect of working with the City in any future redevelopment projects, particularly if affordable housing can be a feature of the plan.

<b>B.3</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>RRHA made significant progress in meeting goals and objectives of the 2020-2024 Agency Plan. The supply of assisted housing was increased through applying for additional Housing Choice Vouchers, increasing from 1646 to 2049. RRHA has successfully leased up 80 HUD-VASH vouchers, providing additional housing opportunities for veterans. RRHA has improved management of Public Housing and Section 8 programs and has achieved High Performer designation in both programs. RRHA has improved Public Housing program occupancy to an average of 99%. In addition, RRHA is currently assisting 11 participants with mortgage payments in the Housing Choice Voucher Homeownership program, and sold two (2) units to first-time homebuyers through its Section 32 program. RRHA had a comprehensive physical needs assessment completed in 2019 which has guided use of Capital Funds for Public Housing program modernization activities. RRHA has an active Resident Advisory Board, the Joint Resident Council, Inc., which promotes active participation and involvement by residents in all aspects of RRHA's mission and operations. One (1) member of the RRHA Board of Commissioners is a resident of public housing. One (1) member of the RRHA Board of Commissioners is a resident of the Housing Choice Voucher Program. Property performance measures are reviewed by management staff and reported to the Board of Commissioners monthly. RRHA has developed and implemented staff and board development policies that ensure training in ethics as well as progressive skill development by staff and commissioners. RRHA has hired a consultant to help identify PH Developments that would be amenable to conversion. RRHA plans to begin the conversion process in late 2022 at one Public Housing development depending on recommendations given by consultant.</p> <p>RRHA completed a strategic planning process in 2020 with the assistance of Cornerstone Leadership Strategies, led by Reed Kennedy of Virginia Tech's Pamplin Business School. This resulted in a new 5-year Strategic Plan that has been adopted by the RRHA Board of Commissioners effective October 1, 2020. The plan uses a 'balanced scorecard' approach, which is a monitoring mechanism to ensure that strategies are implemented. The balanced scorecard also serves to categorize RRHA's objectives and initiatives.</p> <p>A summary of the strategies developed by the team follows, grouped by their balanced scorecard category:</p> <p><b>Customer Perspective</b></p> <ul style="list-style-type: none"> <li>• Improve our current housing portfolio and take opportunities to expand our housing portfolio when they become available through management and ownership opportunities that best meet the needs of our customers.</li> <li>• Improve staff cultural competencies, understanding our audience, training opportunities, improved communication and team development, and customer service skills.</li> <li>• Expand and enhance community partnerships and programs to provide essential services to promote resident self-sufficiency.</li> </ul> <p><b>Financial Perspective</b></p> <ul style="list-style-type: none"> <li>• Identify additional revenue streams.</li> <li>• Improve operational efficiency.</li> </ul> <p><b>Internal Processes</b></p> <ul style="list-style-type: none"> <li>• Develop more flexibility in operations, simplify processes wherever possible through enhanced communication tools and technology.</li> </ul> <p><b>Staff Learning and Growth</b></p> <ul style="list-style-type: none"> <li>• Improve staff retention and employee satisfaction.</li> </ul> <p>The strategic plan develops each of these strategies with lower order performance objectives and initiatives per the balanced scorecard. The monthly review of the balanced scorecard helps ensure the accomplishment of the plan.</p>
<b>B.4.</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>RRHA intends to use a portion, up to 20%, of annual Operating Subsidy for the Capital Fund Program, as allowed by the Housing Opportunity Through Modernization Act of 2016 (HOTMA), in accordance with HUD notice PIH 2018-03 (HA).</p>
<b>B.5</b>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y   N  <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>

<b>C.</b>	<b>Other Document and/or Certification Requirements.</b>	
<b>C.1</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y    N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>	
<b>C.2</b>	<p><b>Certification by State or Local Officials.</b></p> <p><a href="#">Form HUD-50077-SL</a>, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>	
<b>C.3</b>	<p><b>Civil Rights Certification/Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</b></p> <p><a href="#">Form 50077-ST-HCV-HP</a>, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i> must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>	
<b>C.4</b>	<p><b>Challenged Elements.</b> 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.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y    N  <input type="checkbox"/>   <input checked="" type="checkbox"/></p> <p>If yes, include Challenged Elements.</p>	
<b>D.</b>	<b>Affirmatively Furthering Fair Housing (AFFH).</b>	
<b>D.1</b>	<p><b>Affirmatively Furthering Fair Housing.</b></p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1" style="width: 100%;"> <tr> <td><b>Fair Housing Goal:</b></td> </tr> </table>	<b>Fair Housing Goal:</b>
<b>Fair Housing Goal:</b>		

*Describe fair housing strategies and actions to achieve the goal*

**Fair Housing Goal:**

*Describe fair housing strategies and actions to achieve the goal*

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*Describe fair housing strategies and actions to achieve the goal*



# Section *A*

# Civil Rights Certification (Qualified PHAs)

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

## Civil Rights Certification

### Annual Certification and Board Resolution

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 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 fiscal year beginning 10/1/2022 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing agency and implementation thereof:

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. 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.

**City of Roanoke Redevelopment and Housing Authority**

**VA011**

PHA Name

PHA Number/HA Code

I hereby certify that all the statement above, 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: **David Bustamante**

Name of Board Chairperson: **Drew Kempley**

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to collect 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. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours 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.

**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 2022 \_\_\_ 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 \_\_\_10/1/2022\_\_\_, 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).

**City of Roanoke Redevelopment and Housing Authority**

**VA011**

PHA Name

PHA Number/HA Code

\_\_XX\_\_ 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 avid Bustamante**

Name Board Chairman **Drew Kepley**

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.

# Section B

**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, Keith Holland, the Community Resource Program Administrator  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan for fiscal years \_\_\_\_\_ and/or Annual PHA Plan for fiscal  
year 2022 of the City of Roanoke Redevelopment and Housing Authority 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

City of Roanoke  
*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.

**The plan is consistent to the City's 2020-2024 Consolidated Plan in addressing affordable  
housing needs for low to moderate income citizens. RRHA continues to be a vital participant  
on the Roanoke Neighborhood Revitalization Partnership to address housing needs in the  
city, particularly in targeted LMI neighborhoods. .**

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:  
**Keith Holland**

Title:  
**Community Resource Program Manager**

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.

# Section C



## Attachment C: Resident Comments

### **201 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they?**

1. I don't feel like I'm treated professionally. It stated last year when I was told I didn't pay rent and I did. I was current and this happened two or three times. –2405 Delta Dr.  
There hasn't been a zero balance since July 2021 and I don't recall of any incident where she was informed that she owed money and didn't actually owe it.
2. Yes –2718 Glengary
3. Yes –2716 Salem Turnpike

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. Railings in the front and back –615 Keats. St.  
*There are no work orders in the system pertaining to railings and I have assigned it to maintenance to check and see what needs to be done.*
2. The smoke detector has needed a battery at least every three months. I need a new to me refrigerator. The commode has a chip on the disposal hole and paper waste gets caught, which causes it to stop up. –2405 Delta Dr.  
*There was a work order on 08/06/21 that was completed on 08/11/21 for the smoke detector and no work orders for this issue since. The last work order for a refrigerator was 05/2020, new refrigerators are in the process of being installed in each unit and there are no work orders for a commode.*
3. The front door needs fixing, no heat in the second bedroom and the door needs to be repaired, the first bedroom door needs to be repaired, and the bathroom sink is leaking. –2718 Glengary  
*There is a work order in for the bathroom sink with a completed date of 02/07/22. I have assigned the door issue to Tanya to show Mark Orr when he comes this week to fix another entrance door. The heat will be checked and lines bled to see if the radiator in the other bedroom will work.*
4. Someone kicked in the front door –2716 Salem Turnpike  
*She is requesting a new door stating weather stripping doesn't help. I will ask Mark Orr to check and see what can be done.*

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the buildings outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. Commode problems. –: 2405 Delta Dr.  
*Addressed above*
2. Everything above needs to be repaired ASAP! –2718 Glengary  
*Addressed above*
3. The front door has been kicked in and I feel unsafe –2716 Salem Turnpike

Addressed above

4. Sometimes the toilet cannot flush and we told management and they haven't come to fix it. – 2448 Salem Turnpike – last work order was 08/06/20, assigned to maintenance to check.

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Pick up trash daily –615 Keats. St. – maintenance usually picks up trash daily but with all the unit turns and time constraints there has been days that it wasn't completed. We are now picking up daily.
2. The window in the living room won't close tightly. It comes down from the top making a draft. – 2405 Delta Dr.  
Bruce is checking the window to see if there is an issue or if the problem is getting the top pane pushed high enough to lock with the bottom panel
3. Replace door for security issues and loss of heat –2716 Salem Turnpike  
Addressed above
4. Toilet, cabinet, outlet in the kitchen, rat poison –2448 Salem Turnpike  
Toilet addressed above, will add other work orders and check with Dugwell, housekeeping issues exist.

**How safe do you feel in your unit or building?**

Very Safe: 5

Somewhat Safe: 1

Somewhat Unsafe:

Very Unsafe:

**If you feel unsafe in your building please explain why:**

1. The only problem I've had is when my gas grill got stolen when I first moved to delta. Ever since then I've been locking my stuff with locks. –2405 Delta Dr.  
We encourage our families to immediately contact RCPD for any suspicious activity and/or behavior.

**Is there anything that you would like to tell us about your unit or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Railings in the front and back –615 Keats. St. – Capital Improvements item.
2. Since management put the cameras outside now it feels safe. –2448 Salem Turnpike

## **202 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they?**

1. No issues with management at all. I never have to deal with staff since my sister handles all of my business and she has had no issues either. –1918 Gayle St.

2. Crystal Colston has been extremely respectful and professional in assisting me with my move into Lincoln Terrace. She always responds in a very timely manner. I'm not sure how much sway has over unruly tenants, but I know she acknowledges my concerns. -1740 Dunbar St.
3. Everyone here are kind and polite. -131 Whitten Ave.

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. The front door has not been replaced after being struck by bullets during a crime in front of my unit over a year ago. - 1918 Gayle St.  
*The door will have to be ordered and a contractor will be solicited to install.*
2. I have no current issues, but each of the issues I've had have been addressed. I will say that my neighbors in 1742 Dunbar have continually been aggressive in their demeanor as far as loud arguments and climbing onto the rear roof at weird times. - 1740 Dunbar St.
3. The gutter on the top of the building needs to be cleaned out. When the wind blows the leaves are stuck in the drain where the water runs and clogs up the drain. Need new bin. My bin is taped up. - 131 Whitten Ave.  
*Clarifying with tenant regarding the "bin" and will address accordingly. Now the season is changing, Maintenance staff will be with cleaning the gutters.*

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the buildings outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. Often there is trash lying around in yards and on the sidewalk - David Bolden: 1918 Gayle St.  
*Once we recognize our staff after new hires, we can address the trash issue more thoroughly.*
2. The yard area in the rear of the unit where the trash receptacle is located is often strewn with garbage - 1740 Dunbar St.  
*Once we recognize our staff after new hires, we can address the trash issue more thoroughly.*
3. I think my toilet might have a leak. -131 Whitten Ave.  
*Entering a work order for Maintenance to address.*

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Better upkeep of the lawn and grounds - 1918 Gayle St.  
*Mowing season will start in April and the curb appeal will be enhanced.*
2. Change my rear screen door so that I can actually lock it. My current rear screen door cannot lock since the mechanism does not latch on specifically - 1740 Dunbar St.  
*Entered emergency work order for Maintenance staff to fix lock.*
3. We have leaves in our back yard that have been there since 2019 and have never been cleaned up. They clean out the front, but not the back yards. -131 Whitten Ave.  
*Will address during mowing season with the first spring clean-up in April 2022*

**How safe do you feel in your unit or building?**

Very Safe:

Somewhat Safe: 3

Somewhat Unsafe:

Very Unsafe:

**If you feel unsafe in your building please explain why:**

1. There is still a lot of questionable foot traffic after the shooting last year. - 1918 Gayle St.  
**The RRHA have added the new camera system which will help with any issues, RCPD also has access to the camera systems as well.**
2. My neighbors in 1742 have cursed and threatened my through my bedroom wall for asking them to quiet down. The male resident actually climbs on the rear roof outside my bedroom window for some weird reason. I've actually asked him what he is doing and he said "getting the snow off the roof" at 1am? He's climbed up during their arguments and fallen into the trash cans. It's unsettling to say the least. 1740 Dunbar St.  
**The matter was addressed by the Site Management Staff as accordance to the Lease Agreement.**
3. Sometimes people come up on your porch and take things, then you begin to wonder if they want to break into your house. -131 Whitten Ave.  
**Residents are encouraged to contact RCPD regarding any suspicious activity and/or behavior and to also update the Management Office regarding any incidents.**

**Is there anything that you would like to tell us about your unity or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Remodel or upgraded kitchen and bathroom facilities - 1918 Gayle St.  
Capital improvement items to be included with the 5 Year Plan.  
**This may be a discussion with Capital Improvements to include in the 5 Year Plan.**
2. Bathroom remodels would be so beneficial. The tub floor sinks in the middle. The shower walls are impossible to keep mildew free. The kitchen sinks have no stopper and could be updated with a spray hose. The water fixtures/hoses for the washer and dryer hookups are old and outdated. - 1740 Dunbar St.  
**Exhaust fans will be installed which will address the issue. The contract has been awarded.**
3. Some of the cabinet fronts are getting worn out and the drawers are peeling inside. -131 Whitten Ave.  
**The cabinet contractor will be contracted to address the issues with the cabinets.**

## **205 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they?**

1. Need more people in the office to answer the phone. Need to walk around and check on people. Need to be more one on one time to make sure people are heard. - 814 Hunt Ave. #4  
**We have been short staffed since November, but now have new Assistant who has been in training and we will be able to be at both offices more.**
2. I have always been treated with kindness and respect. -812 Hunt Ave. #1

3. When you call the office no one ever answer the phone and they are right in the office. No one returns messages. –811 Hunt Ave. #2  
We have been short staffed since November, but now have new Assistant who has been in training and we will be able to be at both offices more.

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. Bathroom tile is coming up, kitchen ceiling has a hole in it, and more clothes lines. –Hunt Ave. #4  
Without a building number I cannot look –up any work orders.
2. Kitchen drawer tracks are broken, I have reported it. –812 Hunt Ave. #1  
Work order was taken care of on: 10/7/2021 when maintenance repaired the drawer tracks.
3. This unit is always having problems with the hot water. It happened last year and this year. –811 Hunt Ave. #2  
No hot water w/o was completed: 7/27/2020 and No hot water w/o was completed 1/5/2022 when maintenance found no issue. Hot water was working properly.

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the buildings outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. My door lock isn't secure. Cold air seeps inside the front door. –804 Hunt Ave. #8  
W/o was completed on 2/7/2022 with latches being adjusted and knob replaced.
2. Would love a laundry room. Hate using the clothes line in the back. –814 Hunt Ave. #4  
We do not have a way to add a laundry room at this time.
3. Everything is well maintained –812 Hunt Ave. #1
4. The screen door doesn't lock. –811 Hunt Ave. #2  
A w/o was completed for this issue on 4/22/2021. Have not had any new w/o for this issue.
5. Screen door locks can be replaced front and back. The front door handle needs to be replaced. –809 Hunt Ave. #3  
A w/o was completed for this issue on 7/27/2020 and have not had any new w/o for this issue.

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. The only issue I have is when people drive through the yard and mess it up more than what is. –814 Hunt Ave. #4  
Tenants should be providing written complaints by using our complaint form so that this issue can be resolved and addressed to the correct tenants who are doing this. However, we will send a general notice to all residents about not parking on the grass.
2. Maybe a security guard –812 Hunt Ave. #1  
We will be getting new cameras soon to help with any security issues.
3. Keep the trash picked up and keep the bushes cut. –811 Hunt Ave. #2  
As we have been short staffed, it has been difficult for maintenance to keep up with all that needs to be done. However, we do have some new staff members that are in process of being trained, which should help with this issue in the future.

4. More cable outlets. –809 Hunt Ave. #3

We would need to check on this, but typically cable companies provide this service.

**How safe do you feel in your unit or building?**

Very Safe: 1

Somewhat Safe: 2

Somewhat Unsafe: 2

Very Unsafe:

**If you feel unsafe in your building please explain why:**

1. Drugs and the guns. –814 Hunt Ave. #4
2. I lived across the street last year and there were three shootings where I live now. –812 Hunt Ave. #1

With new security cameras being installed, this should alleviate these types of issues in the future.

**Is there anything that you would like to tell us about your unit or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Neighbors do not respect their neighbors and play their music very loud. –804 Hunt Ave. #8  
Tenants need to fill out complaint forms and if necessary call police in-order to address this issue.
2. Just more good people. –814 Hunt Ave. #4  
We are working diligently to fill positions at the properties as quickly as we can.
3. Bathroom sink needs to be upgraded. The sink looks like it is about to fall off the wall. –811 Hunt Ave. #2  
Will need to check with Joel to see if this can be added into the 5 yr. plan.

**206 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they?**

1. Yes- #513
2. Yes- #624
3. I lost my phone and pouch at Valley Metro and I currently think I found it. I am waiting for them to bring it to security. –#306
4. Dugwell coming in apartment- #415
5. They are both professional and friendly. Tiffany makes sure things are correct and understood. Ms. Barbara is a blessing to this place.- #608
6. No issues with management. Property management treats with manners and in a professional way. –#922

7. Yes- #512
8. Yes –#514
9. Staff is very dependable –#522
10. No problems. Management is polite. –#427
11. Yes glad to have Ms. Lisa and Tiffany back a lot has changed and Chris is doing a great job –#814
12. The management here is so kind, professional, and fair –#215

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. Toilet could flush better. Need the locks to the apartment changed/modified. Want a bolt lock. – #517 **Work order 12467**
2. The fan over the stove needs to be fixed. A number on the door and a peep hole on the door. – #221 **Work Order 12470**
3. Slow drain in bathtub - #306 **Work order 12471**
4. Towel bar comes loose –#415 **Work Order 12472**
5. Unit is in good livable condition and appreciated. –#608
6. Lower cabinets under the sink. –#514 **Will need to have capital improvement to review this request**
7. Dog pooped outside the building and inside. There is a place, but people still let their dog poop outside the front doors. –#814 **Management has enforced this violation to residents that are not in compliance with the pet policy**
8. Drawers in the kitchen have wood falling into pots and pans, front door comes off the hinges when opened, weak windows where the AC unit is. –#507 **Work Order 12465**
9. I am so happy with my unit! It is so clean and safe. I also love my neighbors! - #215
10. Refrigerator makes noise and needs to be replaced –#727 **Replaced refrigerator Work Order 12033**

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the buildings outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. Trash chute on 2<sup>nd</sup> floor fills up quick. –#221
2. Getting better, it's just the residents who are not cleaning behind themselves. –# 624
3. The floor on the 8<sup>th</sup> floor needs to be cleaned more often. The washing machine is not working on the 8<sup>th</sup> floor. Send someone to fix the machine.- #802 **Washing Machine is working properly maintenance made the necessary repair**
4. Hallways are too lit –#306
5. Poor hallways maintenance & dirty floors. –#801 **Floors will be professionally cleaned via CAP FUND in 2022.**
6. Maintenance show care and concern and does a good job. –#608
7. Yes, areas are sufficient (well kept). Everything is in working order. –#922
8. Laundry room gets bad with lots of trash. –#206 **Laundry rooms are cleaned daily**
9. No –#512

10. The laundry rooms and hallways need to be cleaned –#522 Laundry rooms are cleaned daily, hallways are cleaned as time permits due to limited staff. The hallways are scheduled to be stripped and floors this year
11. Could be better taken care of - #427
12. They need more help here –#807 The RRHA is actively recruiting to replace all open positions.
13. People need to pick up trash and keep the elevator clean. They parking lot and laundry room have a lot of trash. The washer or dryer may be broken –#814
14. Fifth floor has somewhat good laundry. The balcony door makes a lot of noise and I can hear two apartments down from me being loud. –#507
15. Recently my commode gasket burst due to age. That means that all the commodes that were put in when mine was will most likely need replacing. –#215
16. Other residents come onto our floor to use our laundry room machine and leave a lot of trash and nasty clothes in our trash can. That needs to stop. –#727 Management will post signs requesting residents to clean up after themselves. Due to limited staff at this time, the laundry rooms are cleaned Monday – Thursday. Currently I have a part-time worker that addresses this request.

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Make sure the hallways are cleaned and that people wear masks - #522 – Capital Funds have allotted funds to have the hallways professional cleaned this fiscal year.
2. I need lower cabinets so I am able to reach things –#514 will speak with Capitol Improvement to address this request.
3. Thanks to Chris (maintenance) everything is well set up in my unit –#608
4. Parking lot is too dirty & had my car scratched twice –#801 Maintenance will check the parking lot more frequently for trash
5. More heat –#415 Will provide the tenant with a space heater
6. Chairs in the lobby –#306 The chairs will be replaced when I received notice from upper management currently the furniture was removed due to the pandemic
7. Repair or replaces washers and dryers –#524 washers and dryers have been purchased and placed on every floor. (To replace the other equipment)
8. The windows need to be cleaned –#802 will place this request in my 2023 Fiscal year budget
9. Front window needs repair & no hot water in the kitchen –#624 work order 12462
10. Windows and electrical plugs has air coming into the apartment –#221 work order 12464
11. Mopping & sweeping floors currently being addressed as time permits due to limited staff
12. Want deadbolt lock on the front door for safety –#517 the doors designed of the current door does not allow the fit for dead bolts.
13. Would like to speak with someone about problems with her unit (540) 519-1334 –#807 I will contact the resident place a work order for the items that need to be repaired
14. Need good security that check business ID, camera in the elevators and the back stairs where people sell drugs and sleep. –#814 Currently have security at Melrose Towers Friday – Sunday,
15. Kitchen Cabinet –#507 work order 12465
16. Air coming inside form new air conditioner
17. Thank you for keeping it clean –#215



18. Keep the hallways and elevators clean. People leave trash on our outdoor porch like beer cans. Smoking weed and leaving their trash in our area. –#727 **post a notice addressing these violations of the lease agreement. Maintenance will continue to wipe down the elevators several times daily and the elevators are scheduled to be stripped/wax, wiped down and removing the light covers to be cleaned.**

**How safe do you feel in your unit or building?**

Very Safe: 15

Somewhat Safe: 10

Somewhat Unsafe: 1

Very Unsafe: 1

**If you feel unsafe in your building please explain why:**

1. Too much drug activities –#801 **Management is working with the local authorities to address this matter**
2. Hallways are too lit –#306
3. Worry about careless residents that drink, smoke, don't clean up after themselves and their dogs. Parking lot litter –#624
4. Want a deadbolt on the front door –#517 **The door structure will not allow dead bolts to be installed. Capitol Improvement has placed to replace all doors within 5 years**
5. Drugs. People come in and you don't know what they may have when you come out of your apartment. People look crazy when getting on the elevator. –#814

**Is there anything that you would like to tell us about your unity or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Kitchen cabinets, windows, floors –#624 **Cap Fund will address these concerns**
2. I want to see a list of HUD homes. I am not moving, I just want to see what they have –#802
3. Repair or replace washers and dryers on each floor –#524 **Washers & Dryers have been replaced on every floor**
4. Snow removal –#306 **RRHA maintenance is responsible for snow removal**
5. Parking lot line dividers need painting –#801 **This request will be added to the 2023 budget**
6. The hallways, laundry rooms, and windows at the end of the halls –#514
7. Floors cleaned better. Don't wax on top of dirt –#427
8. A security guard and camera that works so Ms. Lisa and Tiffany can see what is really going on when they leave –#814
9. Cameras on all floors –#507
10. Drugs, Marijuana smoke, and cigarette smoke –#315 **Management address all lease violations that are reported to management**
11. Electrical outlets in bathroom, spray for bed bugs every week if bed bugs are found, not every two weeks. –#215 **Capitol Improvement to address electrical outlet. Currently Dugwell Pest Control service RRHA properties for bed bugs. The chemical that they use require treatment every 2 weeks**

12. Would like to know what the Capital Fund is about –#727

### **207 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they:**

1. Property management has always treated me with respect and in a professional manner. They are the best. –1530 Pike Ln.
2. We've been here for several weeks without hot water or heat. –1631 Queen Anne Dr. **Work order #12522**
3. Questioning about my lease. –1544 Queen Anne Dr. **Please come to the office, we will send you a letter**

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. Living room light out, porch light out, baseboard in back bedroom loose, loose door knobs. – 2151 King Charles Ave. **Work order # 12520**
2. Back door needs a screen. –2157 King Charles Ave. **Work order # 12521**
3. Yes, who can and cannot be added to my lease. –1544 Queen Anne Dr. **Additions to the household and/or lease will only be made by marriage, adoption or birth. Any additions to the household members named on the Lease, including Live-in Aides and foster children, require the advance written approval of RRHA. Such approval will be granted only if the new family members pass RRHA's screening criteria and a Unit of the appropriate size is available.**

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the building's outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. Everything works okay, my doorknobs are out though. –: 2151 King Charles Ave.
2. Problem with trash around the dumpster. They need to put trash in the dumpster, not on the ground. –1529 Queen Anne SE.
3. Yes, heat not working. –1544 Queen Anne Dr. **Resident has not submitted a work order.**

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Fix listed issues –2151 King Charles Ave. **Issues were corrected – wo-10971,7834,11625**
2. The heat and hot water need to be fixed. Maintenance has been several times and are unable to fix it. –1631 Queen Anne Dr. **Resident informed maintenance the issues was resolved.**
3. I would like to see 24 hour security. A lot of things go on at night like fighting and drunk people. – 2157 King Charles Ave. **New and improved security cameras will be installed. Resident advised to complete a complaint form, if after hours contact the police.**

**How safe do you feel in your unit or building?**

Very Safe: 6

Somewhat Safe: 2

Somewhat Unsafe: 1

Very Unsafe: 1

**If you feel unsafe in your building please explain why:**

1. Another tenant's boyfriend held a gun to my head in September. He lives with her now across the street from me and has a large dog with them he lets outside without a leash. -2151 King Charles Ave. **New security cameras being installed, this should alleviate these types of issues in the future.**
2. Glass, shooting, and fighting. -2157 King Charles Ave. **New and improved security cameras will be installed. Resident advised to complete a complaint form, if after hours contact the police.**

**Is there anything that you would like to tell us about your unity or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Central air and heat. -1530 Pike Ln. **Will check with Joel to see if this can be added into the 5 yr plan.**
2. Ceiling light in the living room. -1529 Queen Anne Dr.

## **208 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they:**

1. The property manager at Morningside Manor lies and uses technicalities to get out of doing their job the way they are supposed to and do their job the way they want to. -#310 **Unfortunately, Management wasn't able to recover an item that was allegedly taken out of the laundry room nor view anything on camera. We provided the resident with the information upon complaint. Our goal is to work harder on issues such as this to ensure the residents are completely satisfied.**
2. Staff are cordial and very helpful -#409
3. Never had a problem with anyone -#603
4. The staff is kind -#509
5. Up to now the management has been amazing given all they have to deal with. Now new year new management only time will tell. God bless. -#401
6. Management is good -#407
7. Yes. Terry Tucker treats me with respect. - #616
8. The management is great. I will miss Terry Tucker a lot. I hope the new management is as professional as she was. -#205
9. Everything is good. Property management is respectful. -#515
10. Yes -#404
11. Garbage disposal doesn't work and the bathtub gets stopped up. Fix repairs on time -#506

**Are there any issues with your unit that need management's attention, please be specific. If so, what are they?**

1. Smoke detector -#310 - **Smoke detector needed batteries - completed**
2. Toilet has a leak where the bowl meets the floor -#409 **Work completed**

3. No cabinets all are in the floor, no counter space, extremely outdated –#509
4. Ceiling is peeling in front and in kitchen –# 214 **Maintenance had not received a work order**
5. We have a person on the 2<sup>nd</sup> floor that likes to yell and cuss in the hallway –#203 **Concern has been resolved.**
6. A lot of cold air comes in around the window sills and the fridge sounds like a washing machine. –#401 **–No work order received to correct concern.**
7. Ceiling painted in the kitchen and bathroom. –#201 **–Worked completed**
8. My unit is just fine no problems –#407
9. Drainage is slow in the bathtub and the garbage disposal needs to be reset or I need a new one. –#506 **Work order complete & concerns resolved**

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the building's outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. More and better cleaning. Fix the air conditioner –#310 **The AC is working**
2. The laundry machines need to be fixed more often & fixed better than before so that they don't keep breaking down as often #320 – **Due to COVID it has been difficult to obtain necessary parts to repair laundry machines. We can review with Joel updated machines in the 5 year plan.**
3. Just wish that some people had more respect for others –#603
4. Hallway needs cleaning –#303 **Maintenance staff works extremely hard to ensure each floor is clean, on occasion they are redirected to emergency issues which causes a slight delay.**
5. They are always dirty. Tenants are nasty and don't clean up their mess. –#509
6. Front door will not lock and close at some times –# 214 **–Contractors have repaired door**
7. I think it would be nice if we could find 2 or 3 people on each floor to keep the floors, common areas, laundry room clean. –#401 -
8. Bathrooms need attention. –#201
9. Common areas are okay –#407
10. Need washers and dryers. They need to be cleaned. - #616 **can review with Joel on upgrading machines in the 5 year plan. Resident are asked to remove lint and dirt from the machines when completed there laundry as a courtesy for the next resident.**
11. It is dirty. We need a full time janitor –#205 **Maintenance works hard to keep property clean, unfortunately not all respect their living environment.**
12. The locks on the doors are tricky. The hallway could be cleaned better –#515

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Clean more. Fix the air conditioner. New property manager –#310 **We continue to strive to meet the expectation of our residents and encourage residents to communicate specifically a concern so it can be addressed. No complaint received regarding cleaning.**
2. More activities like Melrose Towers has –#409 – **Currently without an Activities Coordinator**
3. The heat –#303
4. Cabinet where my dishes aren't on the floor. –#509 – **Review with Joel for 5 year plan.**
5. Need an electrical outlet that will work during power failure –# 214 **Each floor has an emergency outlet for use during a power outage.**

6. Cleanliness and keeping people from hanging out in the main lobby area. Just doesn't look good or appealing to people coming in. –#401 **Signs are posted in the common area regarding this matter.**
7. Paint in the bathroom and kitchen –#201 – **No work order submitted**
8. My unit is fine –#407
9. Fix air conditioning –#616 **AC is working**
10. We need the air conditioning fixed before it gets too hot. –#205 **AC is working**
11. More activities for the community and a common area to gather in. –#515
12. The walls and washrooms need cleaning –#404 -
13. Painted air conditioning units. Needs painting because of rust. Needs to be cleaned inside the unit too –#506 – **Resident has not submitted a work order**

**How safe do you feel in your unit or building?**

Very Safe: 10

Somewhat Safe: 4

Somewhat Unsafe: 5

Very Unsafe:

**If you feel unsafe in your building please explain why?**

1. Some problematic neighbors –#320 – **Management is handling problematic concerns**
2. Too many drug heads and bums. Tenants dragging in homeless people. Security is a joke - #509 There is a lot of drug dealing and street people finding their way in the building. Need better screening of applications. –# 214 **Management encourages residents to fill out complaint forms and if necessary call police in-order to address this issue after hours.**
3. People bringing in people from off the street –#203 – **Residents are allowed to have guest**
4. Please schedule me a visit so that I can discuss with you. –#401
5. About a 5 of feeling safe/unsafe –#201
6. Too much traffic at night –#616 -
7. I am on the second floor. Another tenant has angry visitors- something needs to be done. – Juliette Flora #205 – **The issue has been addressed.**
8. I want 24/7 security. –#515 – **Our current budget at this time doesn't permit 24/7 security, however we do have security 3 or 4 days a week.**

**Is there anything that you would like to tell us about your unity or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. The problematic neighbors & the laundry machines. –#320
2. Just wish that some residents would stop bringing outsiders in. Don't want to see anyone end up getting hurt. –#603
3. The heat –#303
4. Clean the buildings regularly, get rid of drug heads and bums. Have some of the tenants with mental issues not disturb others. I'm tires of hearing my neighbor howl like a dog, have complained and was told nothing could be done. I can't be placed in another unit, nor can they.

–#509 We continue to strive to meet the expectation of our residents and encourage residents to communicate specific concerns so it can be addressed. No complaint received regarding cleaning. Residents are encouraged to contact the police department in case of an emergency.

5. More people wear masks if a person is sick and someone let in family or people delivering meds. –# 214
6. I love my home very much thank you. –#418
7. Updated locks –#201
8. Washers and dryers are not getting fixed –#210
9. Fix the ac, janitor on duty always –#205 Typically 24 hour Janitor service is in assisted living.
10. Updating all washers and dryers –#515 Review with Joel for 5 year plan

### **Scattered Sites surveys**

**Are you experiencing any issues with management that need to be resolved? Does the property management staff treat you with respect and in a professional manner? If so what are they:**

**Are there any issues with your unit that need management’s attention, please be specific. If so, what are they?**

1. Yes, need dishwasher fixed, ice maker fixed, fix the filter on the stove, smoke detector, tiles on bedroom floor fixed, door handle on the closet door fixed. –1801 Rorer Ave. SW #B Work Order 12466

**Are the common areas (example: entry, hallway(s), common rooms) around your unit well maintained? Are the locks on the building’s outside door(s) in good condition and working properly? Are common bathrooms, trash/recycling, and laundry rooms well maintained?**

1. Yes - 1801 Rorer Ave. SW #B A notice will be sent to the neighbor

**Please list any specific things that should be done to improve the quality of your unit or the property as a whole:**

1. Neighbor dumps their trash in our yard. - 1801 Rorer Ave. SW #B

**How safe do you feel in your unit or building?**

Very Safe: 1

Somewhat Safe:

Somewhat Unsafe:

Very Unsafe:

**If you feel unsafe in your building please explain why:**

**Is there anything that you would like to tell us about your unity or building that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

1. Neighbors are noisy and fight upstairs. They park where no one else can get in and party on the weekend with loud music. - 1801 Rorer Ave. SW #B

### **306 surveys**

**Are you experiencing any issues with management that need to be resolved? Does the management staff treat you with respect and in a professional manner? Please include your company name. If so what are they?**

1. I am treated with respect. Section 8 staff get back to me. I enjoy my exchanges with staff and they are pleasant people. -Abden Properties LLC
2. No complaints so far -3318 Windsor Rd. SW Roanoke, VA 24018, Hutto Investments LLC
3. I would like the recertifications done on time and RTA's giving before the recerts. i.e. I just got an April 2021 recert on 12/10/21. -7266 S. Barrens Rd. Roanoke, VA 24019
4. Need to get renewals and increases done on time. We have rent increase that still have not been responded to. -4428 Plantation Rd. NE Roanoke, VA 24012

The HCV Department was short staffed due to several employees placed in quarantine throughout the 2021 year which caused extreme delays in the recertification process. HCV Staff has been diligently working on "catching up" to notify all parties and process all recertifications in a timely manner.

**Are there any issues that need management attention, please be specific? If so, what are they?**

1. Tenants need to be prepared that no one can live with them. -  
Families are mandated to attend a voucher briefing that explains the do's and don'ts of the program before signing the actual voucher. During this process families are made fully aware only the approved members of the household may live in the assisted unit. Such lease violations should be reported to the family's Specialist so we may address accordingly.
2. I just want a smooth transition with renewals, approvals, or denials. -7266 S. Barrens Rd. Roanoke, VA 24019  
Email is the fastest method of communication for all HCV Staff. Feel free to communicate with all the Specialists should you have concerns or questions.
3. Managers need to be allowed to sign new move in paperwork online or sign and email. If limits of no meeting to control exposure to COVID-19 so should coming into RRHA to sign. Please allow electronic or email signatures. -4428 Plantation Rd. NE Roanoke, VA 24012  
We will definitely keep this in mind when and if such closure must occur in the future. RRHA reopened to the public for normal business hours, Monday through Friday, from 8:30 a.m. to 5:00 p.m. effective 2/22/2022.

**Please share ideas and/or suggestions in order to fully utilize our program and services. List your responses and please try to be as specific as possible.**

1. Sometimes there is a delay in response, but I am guessing this is due to COVID. When I have properties available I email to see if anyone is looking to move, but I never get a response. - 3318 Windsor Rd. SW Roanoke, VA 24018, Hutto Investments LLC  
If you emailed a rental flyer, these flyers are printed and posted in our 'For Rent' book in our Central lobby for all moving families to view. Specialists do not steer any families to any specific units. We only share publicly what we know is available.
2. Again, just better communication and stuff done in the adequate amount of time. –7266 S. Barrens Rd. Roanoke, VA 24019

**Please list any specific things that should be done to improve the quality of your customer service experience as a whole:**

3. Approvals, denials, and recerts done on time. Renewals send with proper time to notify residents. –7266 S. Barrens Rd. Roanoke, VA 24019

**Is there anything that you would like to tell us about your interactions that you would like to see address in RRHA's Annual Plan or the Capital Fund 5 year Plan submission to HUD?**

4. Some case workers are just rude. Better customer service would be great. –7266 S. Barrens Rd. Roanoke, VA 24019

Please inform the HCV Manager, Lyn Relf, of any unpleasant/concerning communications with Staff so it may be addressed accordingly.



# Section D

## **Attachment D: PHA Plan Element – Challenged Elements**

None

# Section E

## **Attachment E: PHA Plan Element – Statement of Housing Needs and Strategy for Addressing Housing Needs**

### **Housing Needs**

Based on information in the City of Roanoke Consolidated Plan, the most common housing problems are extreme housing cost burdens and poor or deferred maintenance. These issues may result in homelessness, poor health conditions or temporary loss of housing. In addition, approximately 40% of households with a member who is elderly or disabled experience housing issues. The City has a large population of refugee families with 6 or more children per household, and these families often experience overcrowding, substandard housing, and extreme cost burdens. Further, low-income minority households are more adversely affected by housing issues. Hispanic and African-American households are disproportionately represented populations in the area of substandard housing. For those who earn less than 50% of AMI, Hispanic and Caucasian households suffer from disproportionately greater needs regarding housing cost burdens. Additionally, the City has a need to provide homeownership opportunities to extremely-low and very low-income households. The City of Roanoke Redevelopment and Housing Authority does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs and activities on the basis of race, color, national origin, religion, sex (including pregnancy, childbirth, and related medical conditions), disability: physical or mental, age, genetic information and marital status. The City of Roanoke Redevelopment and Housing Authority identifies the VP of Operations as the 504 Coordinator, as the RRHA employee responsible for coordinating our efforts to comply with the nondiscrimination provisions set forth in 24 CFR Part 8. RRHA has taken initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of disabilities in violation of this part.

### **Strategy for Addressing Housing Needs**

RRHA plans to maximize the number of affordable units available by continuing to: 1) employ effective maintenance and management policies to minimize the number of vacant public housing units; 2) maintain low turnover time for vacated public housing units; 3) monitor HCV resources closely and issue vouchers to families on the waiting list as funding allows; 4) undertake measures to ensure access to affordable housing among families assisted by RRHA, regardless of unit size required; 5) maintain Section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration; 6) evaluate the need for project-based vouchers to ensure availability of sufficient high quality housing to meet identified housing needs and setting aside or seeking new vouchers for this purpose if needed; 7) use the repositioning study currently under contract and in process to evaluate the potential for RAD and other repositioning conversion methods for all public housing units, potentially applying to convert the whole portfolio while also prioritizing the chronology of developments; 8) participate in the Consolidated Plan development process to ensure coordination with broader community strategies; and 9) submit a letter of interest package to HUD by June 12, 2019 to apply for participation in the Moving to Work Demonstration Program – Cohort #2.

RRHA plans to continue working cooperatively with the City of Roanoke to provide opportunities for affordable housing development. RRHA plans to increase the number of affordable housing units by: 1) applying for additional Section 8 units should they become available; and 2) pursuing housing resources other than public housing or Section 8 tenant-based assistance. RRHA will continue to target available assistance to families at or below 30% or 50% of area median income (AMI) by adopting rent policies to support and encourage work and employing admissions preferences aimed at families who are working. RRHA will address housing needs of persons who are elderly or who have disabilities by applying for special-purpose vouchers targeted to persons who are elderly or families with disabilities, should they become available, and affirmatively marketing to local nonprofit agencies that assist persons who are elderly or families with disabilities. RRHA will address housing needs of families of races or ethnicities with disproportionate housing needs by affirmatively marketing to persons of races/ethnicities shown to have disproportionate housing needs. RRHA will affirmatively further fair housing by counseling Section 8 participants as to location of units outside of areas of poverty or minority concentration and assisting them to locate those units, and marketing the Section 8 program to owners outside of areas of poverty/minority concentrations. RRHA will also strive to increase housing options and decrease poverty concentration in planning for housing development. Approaches will include pursuit of mixed finance opportunities and the creation of mixed income communities by leveraging existing resources with market and other financial resources to address housing needs. In order to address the needs of persons who are in the target population of Virginia's Olmstead Settlement Agreement with the Department of Justice, RRHA sought HUD approval for a waiver to the Section 504 regulations and 24 C.F.R. §982.207(b) (3), allowing RRHA to offer preference for this specific population as a remedial measure to assist the Commonwealth of Virginia in complying with its Olmstead obligations. HUD approved the waiver request, and RRHA revised its Administrative Plan for the Housing Choice

Voucher Program and set aside 10 vouchers from its existing pool to serve those individuals who meet the Olmstead Settlement Agreement criteria. Selection policies have also been revised to reflect the addition of the preference for this specialized population. As an additional measure to prevent criminal activity and better meet housing needs by improving safety and security, RRHA has executed an intergovernmental agreement with the Roanoke City Police Department to provide above-baseline policing services at some public housing developments on certain days and times based on data regarding criminal activity and calls to police. RRHA implemented HUD's Final Rule for Smoke-Free Public Housing on July 1, 2018.

# Section F

## **Attachment F: PHA Plan Element – Eligibility, Selection and Admission Policies, including Deconcentration and Wait List Procedures**

### ***Public Housing***

*(Chapter 4, Applications, Waiting List and Tenant Selection, pages 4-1 through 4-17, RRHA Admissions and Continued Occupancy Policy, approved by the RRHA Board of Commissioners on September 24, 2018)*

#### **APPLICATIONS, WAITING LIST AND TENANT SELECTION**

##### **INTRODUCTION**

When a family wishes to reside in public housing, the family must submit an application that provides RRHA with the information needed to determine the family's eligibility. HUD requires RRHA to place all eligible families that apply for public housing on a waiting list. When a unit becomes available, RRHA will select families from the waiting list in accordance with HUD requirements and RRHA policies as stated in its Admissions and Continued Occupancy Policy (ACOP) and its annual plan.

RRHA is required to adopt a clear approach to accepting applications, placing families on the waiting list, and selecting families from the waiting list, and must follow this approach consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or RRHA to receive preferential treatment.

HUD regulations require that RRHA comply with all equal opportunity requirements and it must affirmatively further fair housing goals in the administration of the program [24 CFR 960.103, PH Occ GB p. 13]. Adherence to the selection policies described in this chapter ensures that RRHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and RRHA policies for accepting applications, managing the waiting list and selecting families from the waiting list. RRHA's policies for assigning unit size and making unit offers are contained in Chapter 5. Together, Chapters 4 and 5 of the ACOP comprise RRHA's Tenant Selection and Assignment Plan (TSAP).

The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how RRHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how RRHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for public housing. It also discusses the process RRHA will use to keep the waiting list current.

Part III: Tenant Selection. This part describes the policies that guide RRHA in selecting families from the waiting list as units become available. It also specifies how in-person interviews will be used to ensure that RRHA has the information needed to make a final eligibility determination.

## **PART I: THE APPLICATION PROCESS**

### **4-I.A. OVERVIEW**

This part describes the policies that guide RRHA's efforts to distribute and accept applications, and to make preliminary determinations of applicant family eligibility that affect placement of the family on the waiting list. This part also describes RRHA's obligation to ensure the accessibility of the application process.

### **4-I.B. APPLYING FOR ASSISTANCE**

Any family that wishes to reside in public housing must apply for admission to the program [24

CFR 1.4(b)(2)(ii), 24 CFR 960.202(a)(2)(iv), and PH Occ GB, p. 68]. HUD permits RRHA to determine the format and content of its applications, as well how such applications will be made available to interested families and how applications will be accepted by RRHA. However, RRHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of RRHA's application [Notice PIH 2009-36].

Depending upon the length of time between the date of application and the availability of housing, RRHA will use the following application process:

- A one-step process will be used when it is expected that a family will be selected from the waiting list within 6 months of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and the amount of rent the family will pay.
- A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 6 months from the date of application. Under the two-step application process, RRHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and the amount of rent the family will pay when selected from the waiting list.

RRHA has implemented a Web-Based Application System for its Public Housing Program. With limited exceptions, all applications must be submitted electronically. The online application can be accessed on RRHA's website [www.rkehousing.org](http://www.rkehousing.org) from any internet capable device (personal computer, cell phone, tablet, etc.) For applicants without internet access, RRHA will provide computer access at a number of Public Housing sites (listed below) where applications may be entered. Persons with disabilities or other persons lacking internet access or requiring special accommodations may contact the RRHA offices at 540-983-9281.

Lansdowne Park – 2624 Salem Turnpike NW

Indian Rock Village – 2034 Indian Village Lane, S.E.

Jamestown Place – 1533 Pike Lane, S.E.

The Villages at Lincoln – 1801 Dunbar Street, N.W.



### ***Preliminary Action Updates***

After being placed on the site based waitlist, applicants are responsible for reporting changes in family circumstances (addresses, income, family composition, etc.) electronically via the Applicant Information Update feature on the RRHA Website. This information will be used to reevaluate the assignment of provisional Admission Preference Points. Failure to provide accurate information may result in failure to be added to the Wait List or to qualify for housing assistance.

### **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

RRHA will take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the standard RRHA application process.

#### **Disabled Populations [24 CFR 8; PH Occ GB, p. 68]**

RRHA will provide reasonable accommodation when requested for persons with disabilities to make the application process fully accessible. The facility where applications are accepted and the application process must be fully accessible or RRHA will provide an alternate approach that provides equal access to the program. Chapter 2 provides a full discussion of RRHA's policies related to providing reasonable accommodations for people with disabilities.

#### **Limited English Proficiency**

RRHA will take reasonable steps to ensure meaningful access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on RRHA's policies related to ensuring access to people with limited English proficiency (LEP).

### **4-I.D. PLACEMENT ON THE WAITING LIST**

RRHA will review each completed application received and make a preliminary assessment of the family's eligibility. When the waiting list is open, applicants must be placed on the waiting list unless RRHA determines the family to be ineligible. Where the family is determined to be ineligible, RRHA will notify the family in writing [24 CFR 960.208(a); PH Occ GB, p. 41].

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

#### **Ineligible for Placement on the Waiting List**

If RRHA determines from the information provided that a family is ineligible, the family will not be placed on the waiting list. When a family is determined to be ineligible, RRHA will send written notification of the ineligibility determination within 10 business days of receipt of the completed application. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing and explain the process for doing so (see Chapter 14). If the 10th day falls on a weekend or a holiday, the document must be sent by the next business day.

#### **Eligible for Placement on the Waiting List**

RRHA will send written notification of the preliminary eligibility determination within 10 business days of receiving a completed application. If the 10th day falls on a weekend or a holiday, the document must be sent by the next business day. If applicable, the notice will also indicate the waiting list preference(s) for which the family appears to qualify.

Applicants will be placed on the waiting list according to RRHA preference(s) and the date and time their complete application is received by RRHA.

RRHA will assign families on the waiting list according to the bedroom size for which a family qualifies as established in its occupancy standards (see Chapter 5). Families may request to be placed on the waiting list for a unit size smaller than designated by the occupancy guidelines (as long as the unit is not overcrowded according to RRHA standards and local codes). However, in these cases, the family must agree not to request a transfer for two years after admission, unless they have a change in family size or composition.

Placement on the waiting list does not indicate that the family is, in fact, eligible for admission. When the family is selected from the waiting list, RRHA will verify any preferences(s) claimed and determine eligibility and suitability for admission to the program.

## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

RRHA has policies regarding the type of waiting list it will utilize as well as how the waiting list will be organized and managed. This includes policies on notifying the public on the opening and closing of the waiting list to new applicants, updating family information, purging the list of families that are no longer interested in or eligible for public housing, and conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how RRHA may structure its waiting list and how families must be treated if they apply for public housing at a PHA that administers more than one assisted housing program.

### **4-II.B. ORGANIZATION OF THE WAITING LIST**

RRHA's public housing waiting list must be organized in such a manner to allow RRHA to accurately identify and select families in the proper order, according to the admissions policies described in this ACOP.

The waiting list will contain the following information for each applicant listed:

- Name and social security number of head of household
- Unit size required (number of family members)
- Amount and source of annual income
- Accessibility requirement, if any
- Date and time of application or application number
- Household type (family, elderly, disabled)
- Admission preference, if any
- The specific site(s) selected.

RRHA has adopted site-based waiting lists. Site-based waiting lists allow families to select the development where they wish to reside and must be consistent with all applicable civil rights and fair housing laws and regulations [24 CFR 903.7(b)(2)].

RRHA will maintain site-based waiting lists for each of the following sites within RRHA's public housing stock:

- Lansdowne Park
- The Villages at Lincoln
- New Construction Lease/Purchase
- Hunt Manor
- Melrose Towers
- Jamestown Place
- Morningside Manor
- Bluestone Park
- Indian Rock Village
- Substantial Rehab (Scattered Sites)

Each site-based wait list will be maintained at each location. Within each site-based wait list all applications will be kept in sequence based upon the type and size of unit, preferences, and date and time of application.

HUD requires that public housing applicants must be offered the opportunity to be placed on the waiting list for any tenant-based or project-based voucher or moderate rehabilitation program that RRHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs [24 CFR 982.205(a)(2)(i)].

RRHA will not merge the public housing site-based waiting lists with waiting lists for any other program RRHA operates.

#### **4-II.C. OPENING AND CLOSING THE WAITING LIST**

##### **Closing the Waiting List**

RRHA is permitted to close a waiting list, in whole or in part, if it has an adequate pool of families to fully lease units in all of its developments. RRHA may close the waiting list completely, or restrict intake by preference, type of project, or by size and type of dwelling unit. [PH Occ GB, p. 31].

RRHA will close waiting lists when the estimated waiting period for housing applicants on the list reaches 24 months for the most current applicants. Where RRHA has particular preferences or other criteria that require a specific category of family, RRHA may elect to continue to accept applications from these applicants while closing the waiting list to others.

##### **Reopening the Waiting List**

If a waiting list has been closed, it may be reopened at any time. RRHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice. The notice will specify where, when, and how applications are to be received.

RRHA will give public notice by publishing the relevant information in suitable media outlets including, but not limited to:

*Roanoke Times*

*Roanoke Tribune*

Such notice will comply with HUD Fair housing Requirements, and RRHA will specify who may apply, and where and when application will be received.

#### **4-II.D. FAMILY OUTREACH [24 CFR 903.2(d); 24 CFR 903.7(a) and (b)]**

RRHA shall conduct outreach as necessary to ensure there are a sufficient number of applicants on the waiting list to fill anticipated vacancies and to assure that RRHA is affirmatively furthering fair housing and complying with the Fair Housing Act.

Because HUD requires RRHA to admit a specified percentage of extremely low income families, RRHA will conduct special outreach to ensure that an adequate number of such families apply for public housing.

RRHA outreach efforts comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

RRHA outreach efforts are designed to inform qualified families about the availability of units under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities

RRHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in RRHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

#### ***Method for Placement on the Waiting List***

RRHA will use date and time to place families on the waiting list. Applications will be accepted for a designated period of time as specified in the announcement notice. After applications are no longer being accepted, preferences and/or date and time will determine the position of each applicant.

#### **4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

While the family is on the waiting list, the family must inform RRHA, within 10 business days, of changes in family size or composition, preference status, or contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing. RRHA encourages the applicants to use the web based waitlist program and provide all updates online. If the 10th day falls on a weekend or a holiday, the changes must be received by the next business day.

Changes in an applicant's circumstances while on the waiting list may affect the family's qualification for a particular bedroom size or entitlement to a preference. When an applicant reports a change that affects their placement on the waiting list, the waiting list will be updated accordingly.

#### **4-II.F. UPDATING THE WAITING LIST**

HUD requires RRHA to establish policies that describe the circumstances under which applicants will be removed from the waiting list [24 CFR 960.202(a)(2)(iv)].

##### **Purging the Waiting List**

The decision to remove an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to RRHA's request for information or updates because of the family member's disability, RRHA will, upon the family's request, reinstate the applicant family to their former position on the waiting list as a reasonable accommodation [24 CFR 8.4(a), 24 CFR 100.204(a), and PH Occ GB, p. 39 and 40]. See Chapter 2 for further information regarding reasonable accommodations.

The waiting list will be updated as needed to ensure that all applicant information is current and timely.

To update the waiting list, RRHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that RRHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list.

The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by RRHA not later than 15 business days from the date of RRHA letter. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

If the family fails to respond within 15 business days, the family will be removed from the waiting list without further notice. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice. The family will have 15 calendar days to respond from the date the letter was re-sent. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

When a family is removed from the waiting list during the update process for failure to respond, no informal hearing will be offered, unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period. Such failures to act on the part of the applicant prevent RRHA from making an eligibility determination; therefore no informal hearing is required.

Family's removed from the waiting list for not responding to a purge letter who request re-instatement within 90 days of the purge letter will be automatically re-instated.

Applicants are notified with confirmation of RRHA's receipt of their application that they are responsible for notifying RRHA within 10 calendar days, if they have a change of address

### **Removal from the Waiting List**

RRHA will remove an applicant from the waiting list upon request by the applicant family. In such cases no informal hearing is required.

If RRHA determines that the family is not eligible for admission (see Chapter 3) at any time while the family is on the waiting list the family will be removed from the waiting list.

If an applicant fails to keep their initial appointment and fails to notify RRHA prior to the scheduled appointment, of his/her inability to keep an appointment, his/her name will be withdrawn from the waiting list. A statement to this effect will appear on the forms used by RRHA that advise applicants of scheduled interviews.

If a family is removed from the waiting list because RRHA has determined the family is not eligible for admission, a notice will be sent to the family's address of record as well as to any alternate address provided on the initial application. The notice will state the reasons the family was removed from the waiting list and will inform the family how to request an informal hearing regarding RRHA's decision (see Chapter 14) [24 CFR 960.208(a)].

## **PART III: TENANT SELECTION**

### **4-III.A. OVERVIEW**

RRHA has established tenant selection policies for families being admitted to public housing [24 CFR 960.201(a)]. RRHA will not require any specific income or racial quotas for any developments [24 CFR 903.2(d)]. RRHA will not assign persons to a particular section of a community or to a development or building based on race, color, religion, sex, disability, familial status or national origin for purposes of segregating populations [24 CFR 1.4(b)(1)(iii) and 24 CFR 903.2(d)(1)].

The order in which families will be selected from the waiting list is impacted in part by any selection preferences that the family qualifies for. The availability of units also may affect the order in which families are selected from the waiting list.

RRHA will maintain clear records of all information required to verify that the family is selected from the waiting list according to RRHA's selection policies [24 CFR 960.206(e)(2)]. RRHA's policies must be posted any place where RRHA receives applications. RRHA will provide a copy of its tenant selection policies upon request to any applicant or tenant free of charge. [24 CFR 960.202(c)(2)].

### **Program Admission**

RRHA may admit an applicant to the program either:

- 1) As a HUD Special Admission, or
- 2) As an open waitlist applicant by preference and or date and time, or
- 3) HCV funding shortfalls that cause tenants to lose their voucher assistance.

#### **4-III.B. SELECTION METHOD**

RRHA's method for selecting applicant families from the waiting list, including the system of admission preferences that RRHA will use is described below.

##### **Local Preferences [24 CFR 960.206]**

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

RRHA will use the following local preferences:

- In order to bring higher income families into public housing, RRHA will establish a preference for "working" families, where the head, spouse, co-head, or sole member is employed at least 20 hours per week.
- RRHA will offer a preference to families paying 40% of their income for rent.
- As required by HUD, families where the head and spouse, or sole member is a person age 62 or older, or is a person with disabilities, will also be given the benefit of the working preference [24 CFR 960.206(b)(2)].
- RRHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who has either been referred by a partnering service agency or consortia or who is seeking an emergency transfer under VAWA from RRHA's housing choice voucher program or other covered housing program operated by RRHA.
- RRHA will work with the following partnering service agencies:  
For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Domestic Violence Service Center 540-283-4813.  
For help regarding sexual assault, you may contact Domestic Violence Service Center 540-283-4813 or Sabrina's Place -777-HOPE (Jo Nelson).  
Victims of stalking seeking help may contact LGBTQ Partner Abuse and Sexual Assault - 866-356-6998 (Person on call) or Roanoke City Police Department - Frank Leftwich - Criminal Investigations / Special Victims Unit 540-853-5299.
- The applicant must certify that the abuser will not reside with the applicant unless RRHA gives written approval.
- Local preferences will be aggregated using a system in which each preference will receive an allocation of points. The more preference points an applicant has, the higher the applicant's place on the waiting list.
- The preference for victims of domestic violence, dating violence, sexual assault, or stalking seeking an emergency transfer will be equal to two points.
- Homeless Preference

- RRHA will give preference to homeless applicants. RRHA will give a preference to applicants meeting all of the following criteria:
  - a) Meet the HUD definition of homeless. (\*see definition below)
  - b) Are referred to RRHA by the Continuum of Care provider (CoC) with whom RRHA has executed a Memorandum of Understanding (MOU) outlining the CoC's responsibilities with respect to the provision supportive services for the referred household.
  - c) Have received a written commitment from the CoC to offer support services on an as needed basis to help the household transition from homelessness to permanent housing; and
  - d) Have received a written commitment from the CoC to offer supportive services to help the household maintain housing and comply with lease obligations.
- Individuals and families transitioning, or “moving up,” from permanent supportive housing will also be included as a priority group as part of this homeless preference. These are persons that were previously homeless prior to entry into a permanent supportive housing program but who no longer require that level of supportive services. This would require a referral from the current case manager or the permanent supportive housing provider as well as documentation that the family was homeless prior to entering into the permanent supportive housing unit. This documentation must be provided as part of the waitlist application.
- While a referral from the CoC is required for this preference if it is determined that an applicant referred by the Coc, as described above, does not meet the criteria described therein, the applicant will not receive the preference and: if the applicant was only on the public housing waiting list because of the homeless referral, the applicant will be removed from the public housing waiting list.
- RRHA will screen all applicants regardless of preferences and apply consistently the reasons for denial of admission. A history of not being able to pay rental obligations as per the court system report will result in proposed denial of an application.

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

Applicants qualifying for both preferences will thus be assigned a total of three points. Among applicants who qualify for two preferences, date and time of application will be used to determine placement on the waiting list.

- Families who have been involuntarily displaced due to a disaster (e.g. fire, flood, earthquake), government action (e.g. code enforcement, public improvement), action by a housing owner that is beyond an applicant's ability to control (e.g. conversion of a unit to non-residential use, or owner wants the property for personal use).

### **Income Targeting Requirement [24 CFR 960.202(b)]**

HUD requires that extremely low-income (ELI) families make up at least 40 percent of the families admitted to public housing during RRHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income, whichever number is



higher [Federal Register notice 6/25/14]. To ensure this requirement is met, RRHA may skip non-ELI families on the waiting list in order to select an ELI family.

RRHA will monitor progress in meeting the ELI requirement throughout the fiscal year. ELI families will be selected ahead of other eligible families on an as-needed basis to ensure that the income targeting requirement is met.

### **Mixed Population Developments [24 CFR 960.407]**

A mixed population development is a public housing development or portion of a development that was reserved for elderly families and disabled families at its inception (and has retained that character) or the PHA at some point after its inception obtained HUD approval to give preference in tenant selection for all units in the development (or portion of a development) to elderly and disabled families [24 CFR 960.102]. Elderly family means a family whose head, spouse, co-head, or sole member is a person who is at least 62 years of age. Disabled family means a family whose head, spouse, co-head, or sole member is a person with disabilities [24 CFR 5.403]. RRHA will give elderly and disabled families equal preference in selecting these families for admission to mixed population developments. RRHA may not establish a limit on the number of elderly or disabled families that may occupy a mixed population development. In selecting elderly and disabled families to fill these units, RRHA will first offer the units that have accessibility features for families that include a person with a disability and require the accessibility features of such units. RRHA will not discriminate against elderly or disabled families that include children (Fair Housing Amendments Act of 1988).

### **Units Designated for Elderly or Disabled Families [24 CFR 945]**

RRHA may designate projects or portions of a public housing project specifically for elderly or disabled families. RRHA will have a HUD-approved allocation plan before the designation may take place.

Among the designated developments, RRHA will also apply any preferences that it has established. If there are not enough elderly families to occupy the units in a designated elderly development, RRHA may allow near-elderly families to occupy the units [24 CFR 945.303(c)(1)]. Near-elderly family means a family whose head, spouse, or co-head is at least 50 years old, but is less than 62 [24 CFR 5.403].

If there are an insufficient number of elderly families and near-elderly families for the units in a development designated for elderly families, RRHA will make available to all other families any unit that is ready for re-rental and has been vacant for more than 60 consecutive days [24 CFR 945.303(c)(2)].

The decision of any disabled family or elderly family not to occupy or accept occupancy in designated housing shall not have an adverse effect on their admission or continued occupancy in public housing or their position on or placement on the waiting list. However, this protection does not apply to any family who refuses to occupy or accept occupancy in designated housing because of the race, color, religion, sex, disability, familial status, or national origin of the occupants of the designated housing or the surrounding area [24 CFR 945.303(d)(1) and (2)].

This protection does apply to an elderly family or disabled family that declines to accept occupancy, respectively, in a designated project for elderly families or for disabled families, and requests occupancy in a general occupancy project or in a mixed population project [24 CFR 945.303(d)(3)].

RRHA does not have designated elderly or designated disabled housing at this time.

## **Deconcentration of Poverty and Income-Mixing [24 CFR 903.1 and 903.2]**

RRHA's admission policy is designed to provide for deconcentration of poverty and income-mixing by bringing higher income tenants into lower income projects and lower income tenants into higher income projects. A statement of RRHA's deconcentration policies must be included in its annual plan [24 CFR 903.7(b)].

RRHA's deconcentration policy must comply with its obligation to meet the income targeting requirement [24 CFR 903.2(c)(5)].

Developments subject to the deconcentration requirement, referred to as 'covered developments' and include general occupancy (family) public housing developments are Lansdowne Park, Villages at Lincoln, Hunt Manor, Jamestown Place, Bluestone Park, Indian Rock Village/Scattered Sites, and AMP 215/Transitional Home Ownership. The following developments are not subject to deconcentration and income mixing requirements, developments which house only elderly or disabled families or both – Melrose Towers, and Morningside Manor.

### ***Steps for Implementation [24 CFR 903.2(c)(1)]***

To implement the statutory requirement to deconcentrate poverty and provide for income mixing in covered developments, RRHA will comply with the following steps:

Step 1. RRHA will determine the average income of all families residing in all RRHA's covered developments on an annual basis.

Step 2. RRHA will determine the average income of all families residing in each covered development (not adjusting for unit size) on an annual basis.

Step 3. RRHA will then determine whether each of its covered developments falls above, within, or below the established income range (EIR), which is from 85% to 115% of the average family income determined in Step 1. However, the upper limit must never be less than the income at which a family would be defined as an extremely low-income family (federal poverty level or 30 percent of median income, whichever number is higher).

Step 4. RRHA with covered developments having average incomes outside the EIR must then determine whether or not these developments are consistent with its local goals and annual plan.

Step 5. Where the income profile for a covered development is not explained or justified in the annual plan submission, RRHA will include in its admission policy its specific policy to provide for deconcentration of poverty and income mixing.

Depending on local circumstances RRHA's deconcentration policy may include, but is not limited to the following:

- Providing incentives to encourage families to accept units in developments where their income level is needed, including rent incentives, affirmative marketing plans, or added amenities
- Targeting investment and capital improvements toward developments with an average income below the EIR to encourage families with incomes above the EIR to accept units in those developments
- Establishing a preference for admission of working families in developments below the EIR

- Skipping a family on the waiting list to reach another family in an effort to further the goals of deconcentration
- Providing other strategies permitted by statute and determined by RRHA in consultation with the residents and the community through the annual plan process to be responsive to local needs RRHA strategic objectives

A family has the sole discretion whether to accept an offer of a unit made under RRHA's deconcentration policy. RRHA will not take any adverse action toward any eligible family for choosing not to accept an offer of a unit under RRHA's deconcentration policy [24 CFR 903.2(c)(4)].

If, at annual review, the average incomes at all general occupancy developments are within the EIR, RRHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

For covered developments with average incomes outside the Established Income Range where RRHA explains and/or justifies the income profile for these developments as being consistent with and furthering two sets of goals: the goals of deconcentration of poverty and income mixing as specified by the statute (bringing higher income tenants into lower income developments and vice versa); and the local goals and strategies contained in the RRHA Annual Plan, RRHA will be considered to be in compliance with the deconcentration requirement and no further action is required.

For covered developments outside the EIR where RRHA is unable to explain or justify the income profile for these developments as being consistent with and furthering the two sets of goals cited in the paragraph above, RRHA will take the following actions to provide for deconcentration of poverty and income mixing:

- For the purpose of income mixing, site-based waiting list applicants will be referred to other developments, when family incomes are contradictory to the income mix of the development.
- The on-site manager will make housing offers.
- RRHA will deconcentrate high income and very low income families in the same area by offering incentives to residents to relocate to lower income developments or higher income developments, such as:
  - Providing funds for moving expenses incurred by the resident.
  - Rent credit for one month.
  - Bedroom size change (diversion from Occupancy Standard)/
  - Free gifts.

RRHA will encourage site-based waiting list applicants and existing resident families to move to other developments to prevent concentration of lower or higher income families in the same development. However, the family will retain the choice of accepting the offer to move.

RRHA will maintain leasing statistics by property as well as for the Authority as a whole. These statistics will be for Public Housing and Section 8 programs. This will make it possible to

demonstrate the effectiveness of our plan, as well as our success in achieving a range of incomes at all properties. The records include, but are not limited to the following:

- Annual income for all new admissions.
- Average family rent payment
- Incentives provided.
- Families relocated to promote deconcentration/income mixing
- Monthly statistical information to monitor percentage compliance with HUD income targeting regulations.

#### **Order of Selection [24 CFR 960.206(e)]**

RRHA will select families from the waiting list based on preference. Among applicants with the same preference, families will be selected on a date and time basis.

When selecting applicants from the waiting list, RRHA will match the characteristics of the available unit (unit size, accessibility features, unit type) to the applicants on the waiting lists.

RRHA will offer the unit to the highest ranking applicant who qualifies for that unit size or type, or that requires the accessibility features.

By matching unit and family characteristics, it is possible that families who are lower on the waiting list may receive an offer of housing ahead of families with an earlier date and time of application or higher preference status.

Factors such as deconcentration or income mixing and income targeting will also be considered in accordance with HUD requirements and RRHA policy.

#### **4-III.C. NOTIFICATION OF SELECTION**

The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview
- Who is required to attend the interview
- Documents that must be provided at the interview to document the legal identity of household members, including information about what constitutes acceptable documentation
- Documents that must be provided at the interview to document eligibility for a preference, if applicable
- Other documents and information that should be brought to the interview

If a notification letter is returned to RRHA with no forwarding address, the family will be removed from the waiting list without further notice unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed period. Such failure to act on the part of the applicant prevents RRHA from making an eligibility determination; therefore no informal hearing will be offered. Families who contact RRHA within 30 days of this notice will be automatically re-instated.

#### **4-III.D. THE APPLICATION INTERVIEW**

RRHA will require families to participate in an eligibility interview to obtain information and documentation needed to make an eligibility determination. Being invited to attend an interview does not constitute admission to the program.

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if RRHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by RRHA [Notice PIH 2012-10].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability [24 CFR 8.4(a) and 24 CFR 100.204(a)].

**All adult family members must attend the interview and sign the housing application. Exceptions may be made for adult students attending school out of state or for members for whom attendance would be a hardship.** The interview will be conducted only if the head of household or spouse/co-head provides appropriate documentation of legal identity (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation, the appointment may be rescheduled when the proper documents have been obtained.

Pending disclosure and documentation of social security numbers, RRHA will allow the family to retain its place on the waiting list for 30 days. If not all household members have disclosed their SSNs at the next time a unit becomes available, RRHA will offer a unit to the next eligible applicant family on the waiting list.

If the family is claiming a waiting list preference, the family must provide documentation to verify their eligibility for a preference (see Chapter 7). If the family is verified as eligible for the preference, RRHA will proceed with the interview. If RRHA determines the family is not eligible for the preference, the interview will not proceed and the family will be placed back on the waiting list according to the date and time of their application.

The family must provide the information necessary to establish the family's eligibility, including suitability, and to determine the appropriate amount of rent the family will pay. The family must also complete required forms, provide required signatures, and submit required documentation. If any materials are missing, RRHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the 10th day falls on a weekend or a holiday, the document must be received by the next business day. If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (see Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process. Interviews will be conducted in English. For limited English proficient (LEP) applicants, RRHA will provide translation services in accordance with RRHA's LEP plan.

If the family is unable to attend a scheduled interview, the family must contact RRHA in advance of the interview to schedule a new appointment. If a family does not attend the scheduled interview,

their applications will be withdrawn based on the family's failure to supply information needed to determine eligibility.

If an applicant fails to appear for their interview without prior approval of the Authority, their application will be withdrawn unless they can provide acceptable documentation to the Authority that an emergency prevented them from calling and rescheduling their initial appointment.

Reasonable accommodation will be made for persons with a disability who require an advocate or accessible offices. A designee will be allowed to participate in the interview process, but only with the written permission of the person with a disability.

Such failure to act on the part of the applicant prevents RRHA from making an eligibility determination; therefore RRHA will not offer an informal hearing.

#### **4-III.E. FINAL ELIGIBILITY DETERMINATION [24 CFR 960.208]**

RRHA will verify all information provided by the family (see Chapter 7). Based on verified information related to the eligibility requirements, including RRHA suitability standards, RRHA will make a final determination of eligibility (see Chapter 3).

When a determination is made that a family is eligible and satisfies all requirements for admission, including tenant selection criteria, RRHA will notify the family in writing of their eligibility within 10 business days of the determination and will provide the approximate date of occupancy insofar as that date can be reasonably determined. [24 CFR 960.208(b)].

RRHA will expedite the administrative process for determining eligibility to the extent possible for applicants who are admitted to the public housing program as a result of an emergency transfer from another PHA program.

If RRHA determines that the family is ineligible, RRHA will send written notification of the ineligibility determination within 10 business days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal hearing (see Chapter 14). [24 CFR 960.208(a)]

If RRHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before RRHA can move to deny the application. See Section 3-III.G for RRHA's policy regarding such circumstances.

RRHA must provide the family a notice of VAWA rights (form HUD-5380) as well as the HUD VAWA self-certification form (form HUD-5382) in accordance with the Violence against Women Act of 2013, and as outlined in 16-VII.C, at the time the applicant is provided assistance or at the time the applicant is denied assistance. This notice must be provided in both of the following instances: (1) when a family actually begins receiving assistance lease execution; or (2) when a family is notified of its ineligibility.

## ***Section 8***

*(Chapter 4, Applications, Waiting List and Tenant Selection, pages 4-1 through 4-15, RRHA Section 8 Administrative Plan, approved by the RRHA Board of Commissioners on September 24, 2018)*

### **APPLICATIONS, WAITING LIST AND TENANT SELECTION**

#### **INTRODUCTION**

When a family wishes to receive Section 8 HCV assistance, the family must submit an application that provides RRHA with the information needed to determine the family's eligibility. HUD requires RRHA to place all families that apply for assistance on a waiting list. When HCV assistance becomes available, RRHA must select families from the waiting list in accordance with HUD requirements and RRHA policies as stated in the administrative plan and the annual plan.

RRHA is required to adopt clear policies and procedures for accepting applications, placing families on the waiting list, selecting families from the waiting list and must follow these policies and procedures consistently. The actual order in which families are selected from the waiting list can be affected if a family has certain characteristics designated by HUD or RRHA to justify their selection. Examples of this are the selection of families for income targeting and the selection of families that qualify for targeted funding.

HUD regulations require that all families have an equal opportunity to apply for and receive housing assistance, and that RRHA affirmatively further fair housing goals in the administration of the program [24 CFR 982.53, HCV GB p. 4-1]. Adherence to the selection policies described in this chapter ensures that RRHA will be in compliance with all relevant fair housing requirements, as described in Chapter 2.

This chapter describes HUD and RRHA policies for taking applications, managing the waiting list and selecting families for HCV assistance. The policies outlined in this chapter are organized into three sections, as follows:

Part I: The Application Process. This part provides an overview of the application process, and discusses how applicants can obtain and submit applications. It also specifies how RRHA will handle the applications it receives.

Part II: Managing the Waiting List. This part presents the policies that govern how RRHA's waiting list is structured, when it is opened and closed, and how the public is notified of the opportunity to apply for assistance. It also discusses the process RRHA will use to keep the waiting list current.

Part III: Selection for HCV Assistance. This part describes the policies that guide RRHA in selecting families for HCV assistance as such assistance becomes available. It also specifies how in-person interviews will be used to ensure that RRHA has the information needed to make a final eligibility determination.

## **PART I: THE APPLICATION PROCESS**

### **4-I.A. OVERVIEW**

This part describes RRHA's policies for making applications available, accepting applications, making preliminary determinations of eligibility, and the placement of applicants on the waiting list. This part also describes RRHA's obligation to ensure the accessibility of the application process to elderly persons, people with disabilities, and people with limited English proficiency (LEP).

### **4-I.B. APPLYING FOR ASSISTANCE [HCV GB, pp. 4-11 – 4-16 Notice PIH 2009-36]**

Any family that wishes to receive HCV assistance must apply for admission to the program. HUD permits RRHA to determine the format and content of HCV applications, as well how such applications will be made available to interested families and how applications will be accepted by RRHA. However, RRHA must include Form HUD-92006, Supplement to Application for Federally Assisted Housing, as part of RRHA's application.

#### RRHA Policy

Depending upon the length of time that applicants may need to wait to receive assistance, RRHA may use a one- or two-step application process.

A one-step process will be used when it is expected that a family will be selected from the waiting list within 60 days of the date of application. At application, the family must provide all of the information necessary to establish family eligibility and level of assistance.

A two-step process will be used when it is expected that a family will not be selected from the waiting list for at least 60 days from the date of application. Under the two-step application process, RRHA initially will require families to provide only the information needed to make an initial assessment of the family's eligibility, and to determine the family's placement on the waiting list. The family will be required to provide all of the information necessary to establish family eligibility and level of assistance when the family is selected from the waiting list.

RRHA has implemented a Web-Based Application System for its Housing Choice Voucher Program. With limited exceptions, all Preliminary Applications must be submitted electronically. The on-line Application can be accessed on RRHA's website [www.rkehousing.org](http://www.rkehousing.org) from any Internet capable device (personal computer, cell phone, tablet, etc.). For applicants without Internet access, RRHA will provide computer access at a number of Public Housing sites (listed below) where applications may be entered. Disabled, handicapped or other disadvantaged persons without Internet access or requiring special accommodations may contact the RRHA offices at 540-983-9281.

Lansdowne Park – 2624 Salem Turnpike NW

Indian Rock Village – 2034 Indian Village Lane, S.E.

Jamestown Place – 1533 Pike Lane, S.E.

Villages at Lincoln – 1801 Dunbar Street, N.W.



## PRELIMINARY APPLICATION UPDATES

After being placed in the Lottery Pool, applicants are responsible for reporting changes in family circumstances (addresses, income, family composition, etc.) electronically via the Applicant Information Update feature on the RRHA Website. This information will be used to re-evaluate the assignment of provisional Admission Preference Points. Failure to provide accurate information may result in failure to be added to the Wait List or to qualify for Voucher issuance.

### **4-I.C. ACCESSIBILITY OF THE APPLICATION PROCESS**

#### **Elderly and Disabled Populations [24 CFR 8 and HCV GB, pp. 4-11 – 4-13]**

RRHA must take a variety of steps to ensure that the application process is accessible to those people who might have difficulty complying with the normal, standard RRHA application process. This could include people with disabilities, certain elderly individuals, as well as persons with limited English proficiency (LEP). RRHA must provide reasonable accommodation to the needs of individuals with disabilities. The application-taking facility and the application process must be fully accessible, or RRHA must provide an alternate approach that provides full access to the application process. Chapter 2 provides a full discussion of RRHA's policies related to providing reasonable accommodations for people with disabilities.

#### **Limited English Proficiency**

RRHA is required to take reasonable steps to ensure equal access to their programs and activities by persons with limited English proficiency [24 CFR 1]. Chapter 2 provides a full discussion on RRHA's policies related to ensuring access to people with limited English proficiency (LEP).

### **4-I.D. PLACEMENT ON THE WAITING LIST**

RRHA must review each complete application received and make a preliminary assessment of the family's eligibility. RRHA must accept applications from families for whom the list is open unless there is good cause for not accepting the application (such as denial of assistance) for the grounds stated in the regulations [24 CFR 982.206(b)(2)]. Where the family is determined to be ineligible, RRHA must notify the family in writing [24 CFR 982.201(f)]. Where the family is not determined to be ineligible, the family will be placed on a waiting list of applicants.

No applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list [24 CFR 982.202(c)].

#### **Ineligible for Placement on the Waiting List**

##### RRHA Policy

If RRHA can determine from the information provided that a family is ineligible, the family will not be placed on the waiting list. Where a family is determined to be ineligible, RRHA will send written notification of the ineligibility determination within 10 business days of the ineligible determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review and explain the process for doing so (see Chapter 16).

#### **Eligible for Placement on the Waiting List**

RRHA will send written notification of the preliminary eligibility determination within 10 business days after all applications have been entered onto the waitlist.

Placement on the waiting list does not indicate that the family is, in fact, eligible for assistance. A final determination of eligibility will be made when the family is selected from the waiting list.

Applicants will be placed on the waiting list using a lottery system. Once each application has been randomly assigned a number, the applications will be placed on the waiting list in order of the assigned numbers and according to RRHA preference(s).

## **PART II: MANAGING THE WAITING LIST**

### **4-II.A. OVERVIEW**

RRHA must have policies regarding various aspects of organizing and managing the waiting list of applicant families. This includes opening the list to new applicants, closing the list to new applicants, notifying the public of waiting list openings and closings, updating waiting list information, purging the list of families that are no longer interested in or eligible for assistance, as well as conducting outreach to ensure a sufficient number of applicants.

In addition, HUD imposes requirements on how RRHA may structure its waiting list and how families must be treated if they apply for assistance from RRHA that administers more than one assisted housing program.

### **4-II.B. ORGANIZATION OF THE WAITING LIST [24 CFR 982.204 and 205]**

RRHA's HCV waiting list must be organized in such a manner to allow RRHA to accurately identify and select families for assistance in the proper order, according to the admissions policies described in this plan.

The waiting list must contain the following information for each applicant listed:

- Applicant name;
- Family unit size;
- Date and time of application;
- Qualification for any local preference;
- Racial or ethnic designation of the head of household.

#### RRHA Policy

RRHA will maintain a single waiting list for the HCV program.

HUD directs that a family that applies for assistance from the HCV program must be offered the opportunity to be placed on the waiting list for any public housing, project-based voucher or moderate rehabilitation program RRHA operates if 1) the other programs' waiting lists are open, and 2) the family is qualified for the other programs.

A family's decision to apply for, receive, or refuse other housing assistance must not affect the family's placement on the HCV waiting list, or any preferences for which the family may qualify.

#### RRHA Policy

RRHA will not merge the HCV waiting list with the waiting list for any other program RRHA operates.

## **4-II.C. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206]**

### **Closing the Waiting List**

#### RRHA Policy

RRHA will close the waiting list when the estimated waiting period for housing assistance for applicants on the list reaches 12 months for the most current applicants. Where RRHA has particular preferences or funding criteria that require a specific category of family, RRHA may elect to continue to accept applications from these applicants while closing the waiting list to others. The HCV waitlist will remain open for VASH, FUP, Olmstead, Mainstream and fairshare applicants.

RRHA will accept applications for the HUD-Veteran's Affairs Supportive Housing (HUD-VASH) and the family unification program (FUP) based on the Veteran's Administration's or Department of Social Services referrals when the waiting list is closed to other applicants but the waiting will remain open for these populations.

RRHA will accept applications for the Fairshare Program based on referrals from the Blue Ridge Independent Living Center when the HCV waitlist is open. Twenty-five Housing Choice Vouchers were allocated to the Blue Ridge Independent Living Center in this Annual Contributions Contract award.

RRHA will accept applications/referrals for persons with intellectual or developmental disabilities who are in the target population of Virginia's Olmstead Settlement Agreement with the U.S. Department of Justice (DOJ) based on referrals from the Virginia Department of Behavioral Health and Developmental Services (DBHDS). DBHDS will be responsible for maintaining the waiting list for this target population. RRHA will leave the HCV waitlist open to serve this population. DBHDS will be responsible for verifying that individuals meet the preference before providing the referral to RRHA. Ten (10) Housing Choice Vouchers were set aside to provide housing assistance for this population.

### **Reopening the Waiting List**

If the waiting list has been closed, it cannot be reopened until RRHA publishes a notice in local newspapers of general circulation, minority media, and other suitable media outlets. The notice must comply with HUD fair housing requirements and must specify who may apply, and where and when applications will be received.

#### RRHA Policy

RRHA will announce the reopening of the waiting list at least 10 business days prior to the date applications will first be accepted. If the list is only being reopened for certain categories of families, this information will be contained in the notice.

RRHA will give public notice by publishing the relevant information in suitable media outlets and other organizations including, but not limited to:

*Roanoke Times, Roanoke Tribune, Public Service Announcements on local radio stations, Department of Social Services, Total Action for Progress, Salvation Army, Rescue Mission, RAM House, Trust, Public Service Announcements on the government access cable channel, Blue Ridge Center for Independent Living and Blue Ridge Behavioral Health Care*

#### **4-II.D. FAMILY OUTREACH [HCV GB, pp. 4-2 to 4-4]**

RRHA must conduct outreach as necessary to ensure that RRHA has a sufficient number of applicants on the waiting list to use the HCV resources it has been allotted.

Because HUD requires RRHA to serve a specified percentage of extremely low income families (see Chapter 4, Part III), RRHA may need to conduct special outreach to ensure that an adequate number of such families apply for assistance [HCV GB, p. 4-20 to 4-21].

RRHA outreach efforts must comply with fair housing requirements. This includes:

- Analyzing the housing market area and the populations currently being served to identify underserved populations
- Ensuring that outreach efforts are targeted to media outlets that reach eligible populations that are underrepresented in the program
- Avoiding outreach efforts that prefer or exclude people who are members of a protected class

RRHA outreach efforts must be designed to inform qualified families about the availability of assistance under the program. These efforts may include, as needed, any of the following activities:

- Submitting press releases to local newspapers, including minority newspapers
- Developing informational materials and flyers to distribute to other agencies
- Providing application forms to other public and private agencies that serve the low income population
- Developing partnerships with other organizations that serve similar populations, including agencies that provide services for persons with disabilities, Roanoke Continuum of Care (COC), Roanoke city Department of Social Services (DSS), Veterans Medical Center, Virginia Department of Behavioral Health and Developmental Services (DBHDS) and Blue Ridge Independent Living Center.

#### **RRHA Policy**

RRHA will monitor the characteristics of the population being served and the characteristics of the population as a whole in RRHA's jurisdiction. Targeted outreach efforts will be undertaken if a comparison suggests that certain populations are being underserved.

#### **METHOD FOR PLACEMENT ON THE WAITING LIST**

RRHA will use a lottery system to select and place families on the waiting list. Applications will be accepted for a designated period of time as specified in the announcement notice. After applications are no longer being accepted, a random computerized process will determine the position of each applicant. The number of applicants selected for the list will be based on the number of families required to achieve a waiting list adequate to cover the next one to two years.

#### **4-II.E. REPORTING CHANGES IN FAMILY CIRCUMSTANCES**

##### RRHA Policy

While the family is on the waiting list, the family must immediately inform RRHA of changes in contact information, including current residence, mailing address, and phone number. The changes must be submitted in writing. RRHA encourages the applicants to use RRHA's web based waitlist program and provide all updates on line.

#### **4-II.F. UPDATING THE WAITING LIST [24 CFR 982.204]**

HUD requires RRHA to establish policies to use when removing applicant names from the waiting list.

##### **Purging the Waiting List**

The decision to withdraw an applicant family that includes a person with disabilities from the waiting list is subject to reasonable accommodation. If the applicant did not respond to a RRHA request for information or updates, and RRHA determines that the family did not respond because of the family member's disability, RRHA must reinstate the applicant family to their former position on the waiting list [24 CFR 982.204(c)(2)].

##### RRHA Policy

The waiting list will be updated annually to ensure that all applicants and applicant information is current and timely.

To update the waiting list, RRHA will send an update request via first class mail to each family on the waiting list to determine whether the family continues to be interested in, and to qualify for, the program. This update request will be sent to the last address that RRHA has on record for the family. The update request will provide a deadline by which the family must respond and will state that failure to respond will result in the applicant's name being removed from the waiting list. The family's response must be in writing and may be delivered in person, by mail, or by fax. Responses should be postmarked or received by RRHA no later than 15 calendar days from the date of the RRHA letter. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

If the family fails to respond within 15 calendar days, the family will be removed from the waiting list without further notice. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

If the notice is returned by the post office with no forwarding address, the applicant will be removed from the waiting list without further notice.

If the notice is returned by the post office with a forwarding address, the notice will be re-sent to the address indicated. The family will have 15 calendar days to respond from the date the letter was re-sent. If the 15th day falls on a weekend or a holiday, the document must be received by the next business day.

Families that have been removed from the waiting list for not responding to a purge letter will be automatically reinstated if they request reinstatement within 90 days of the date of the purge letter.

## **Removal from the Waiting List**

### **RRHA Policy**

If at any time an applicant family is on the waiting list, RRHA determines that the family is not eligible for assistance (see Chapter 3), the family will be removed from the waiting list.

If a family is removed from the waiting list because RRHA has determined the family is not eligible for assistance, 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 (see Chapter 16) [24 CFR 982.201(f)].

## **PART III: SELECTION FOR HCV ASSISTANCE**

### **4-III.A. OVERVIEW**

As vouchers become available, families on the waiting list must be selected for assistance in accordance with the policies described in this part.

The order in which families receive assistance from the waiting list depends on the selection method chosen by RRHA and is impacted in part by any selection preferences for which the family qualifies. The availability of targeted funding also may affect the order in which families are selected from the waiting list.

RRHA must maintain a clear record of all information required to verify that the family is selected from the waiting list according to RRHA's selection policies [24 CFR 982.204(b) and 982.207(e)].

### **Program Admission**

RRHA may admit an applicant to the program either:

- 4) As a HUD Special Admission, or
- 5) As a lottery admission, or
- 6) As a participant porting in from another housing authority.

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### **4-III.B. SELECTION AND HCV FUNDING SOURCES**

#### **Special Admissions [24 CFR 982.203]**

A Special Admission is admission of an applicant that is not in the RRHA Section 8 lottery pool, or without considering the applicant's position in the lottery pool. HUD may award funding for specifically-named families living in specified types of units (e.g., a family that is displaced by demolition of public housing; a non-purchasing family residing in a HOPE 1 or 2 projects). In these cases, RRHA may admit families that are not in the RRHA lottery pool, or without considering the family's lottery pool position. These families are considered non-waiting list admissions. RRHA must maintain records showing that such families were admitted with special program funding.

#### **Targeted Funding [24 CFR 982.204(e)]**

HUD may award RRHA funding for a specified category of families on the waiting list. RRHA must use this funding only to assist the families within the specified category. In order to assist families within a targeted funding category, RRHA may skip families that do not qualify within the

targeted funding category. Within this category of families, the order in which such families are assisted is determined according to the policies provided in Section 4-III.C.

#### RRHA Policy

RRHA administers the following types of targeted funding:

***Fairshare, HUD-VASH, Family Unification Program, Mainstream Housing Choice Voucher, Virginia's Olmstead Settlement Agreement with the U.S. Department of Justice (DOJ)***

#### **Regular HCV Funding**

Regular HCV funding may be used to assist any eligible family on the waiting list. Families are selected from the waiting list according to the policies provided in Section 4-III.C.

#### **4-III.C. SELECTION METHOD**

RRHA must describe the method for selecting applicant families from the waiting list, including the system of admission preferences that RRHA will use [24 CFR 982.202(d)].

#### **Local Preferences [24 CFR 982.207; HCV p. 4-16]**

Any local preferences established must be consistent with the RRHA plan and the consolidated plan, and must be based on local housing needs and priorities that can be documented by generally accepted data sources.

#### RRHA Policy

RRHA will use the following local preferences:

- Applicants who are entitled to a preference include:
- Elderly/ Disabled Family
- Families who pay 40% of their income towards rent.
- Mainstream non-elderly persons with disabilities who are transitioning out of institutional or other segregated settings, at serious risk of institutionalization, homeless, or at risk of becoming homeless.
- Family Unification Program Families for whom the lack of adequate housing is a primary factor in the imminent placement of the family's child, or children, in out-of-home care; or the delay in the discharge of the child, or children, to the family from out-of-home care; and youth at least 18 years and not more than 24 years of age (have not reached their 25th birthday), who left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in Section 475(5)(H) of the Social Security Act and are homeless or are at risk of becoming homeless at age 16 or older.
- Veterans Affairs Supportive Housing (HUD-VASH)
- Persons with intellectual or developmental disabilities who are in the target population of Virginia's Olmstead Settlement Agreement with DOJ; 10 HCV Vouchers are set-aside to serve individuals meeting this preference.

- RRHA will offer a preference to families that include victims of domestic violence, dating violence, sexual assault, or stalking who have either been referred by a partnering service agency or consortia or is seeking an emergency transfer under VAWA from RRHA's public housing program or other covered housing program operated by RRHA.

### **Homeless Preference**

RRHA will give preference to homeless applicants. RRHA will give a preference to applicants meeting all of the following criteria:

- a) Meet the HUD definition of homeless. (\*see definition below)
- b) Are referred to RRHA by the Continuum of Care provider (CoC) with whom RRHA has executed a Memorandum of Understanding (MOU) outlining the CoC's responsibilities with respect to the provision supportive services for the referred household.
- c) Have received a written commitment from the CoC to offer support services on an as needed basis to help the household transition from homelessness to permanent housing; and
- d) Have received a written commitment from the CoC to offer supportive services to help the household maintain housing and comply with lease obligations.

Individuals and families transitioning, or "moving up," from permanent supportive housing will also be included as a priority group as part of this homeless preference. These are persons that were previously homeless prior to entry into a permanent supportive housing program but who no longer require that level of supportive services. This would require a referral from the current case manager or the permanent supportive housing provider as well as documentation that the family was homeless prior to entering into the permanent supportive housing unit. This documentation must be provided as part of the waitlist application.

While a referral from the CoC is required for this preference if it is determined that an applicant referred by the Coc, as described above, does not meet the criteria described therein, the applicant will not receive the preference and: if the applicant was only on the public housing waiting list because of the homeless referral, the applicant will be removed from the public housing waiting list.

RRHA will screen all applicants regardless of preferences and apply consistently the reasons for denial of admission. A history of not being able to pay rental obligations as per the court system report will result in proposed denial of an application.

- RRHA will work with the following partnering service agencies:

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Domestic Violence Service Center 540-283-4813.

For help regarding sexual assault, you may contact Domestic Violence Service Center 540-283-4813 or Sabrina's Place -777-HOPE (Jo Nelson).

Victims of stalking seeking help may contact LGBTQ Partner Abuse and Sexual Assault -866-356-6998 (Person on call) or Roanoke City Police Department - Frank Leftwich - Criminal Investigations / Special Victims Unit 540-853-5299.

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



- RRHA will first assist families that been terminated from the HCV program due to insufficient funding and then assist families that qualify for the VAWA preference.

### **Income Targeting Requirement [24 CFR 982.201(b)(2)]**

HUD requires that extremely low-income (ELI) families make up at least 75 percent of the families admitted to the HCV program during RRHA's fiscal year. ELI families are those with annual incomes at or below the federal poverty level or 30 percent of the area median income whichever number is higher. To ensure this requirement is met, RRHA may skip non-ELI families on the waiting list in order to select an ELI family.

Low income families admitted to the program that are "continuously assisted" under the 1937 Housing Act [24 CFR 982.4(b)], as well as low-income or moderate-income families admitted to the program that are displaced as a result of the prepayment of the mortgage or voluntary termination of an insurance contract on eligible low-income housing, are not counted for income targeting purposes [24 CFR 982.201(b)(2)(v)].

#### RRHA Policy

RRHA will monitor progress in meeting the ELI requirement throughout the fiscal year. Extremely low-income families will be selected ahead of other eligible families on an as-needed basis to ensure the income targeting requirement is met.

### **Order of Selection**

The RRHA system of preferences may select families either according to the date and time of application, or by a random selection process (lottery) [(24 CFR 982.207(c)]. When selecting families from the waiting list RRHA is required to use targeted funding to assist only those families who meet the specified criteria, and RRHA is not permitted to skip down the waiting list to a family that it can afford to subsidize when there are not sufficient funds to subsidize the family at the top of the waiting list [24 CFR 982.204(d) and (e)].

#### RRHA Policy

Families will be selected from the waiting list based on the targeted funding or selection preference(s) for which they qualify, and in accordance with RRHA's hierarchy of preference(s), if applicable. Applicants are selected from the waitlist based on the highest ranking of preference points. If an applicant qualifies for more than one preference, their combined preference points will rank the applicant higher than an applicant with only one preference. Within each preference category, applicants will be selected based on their randomly assigned lottery number including any preference, if applicable.

Once applicants with preferences are served, applicants that do not qualify for a preference will be selected by random lottery.

Families that qualify for a specified category of program funding (targeted funding) may be selected from the waiting list ahead of higher placed families that do not qualify for the targeted funding. Selected applicants are randomly assigned a lottery number. Applicants will be placed on the waiting list in order of their assigned lottery number and according to RRHA preference. RRHA will not skip down the waiting list to a family that it can afford to subsidize when there are funds to subsidize the family at the top of the waiting list. Documentation will be maintained by RRHA as to whether families on the list qualify for and are interested in targeted funding. If a higher placed family on the waiting list is not

qualified or not interested in targeted funding, there will be a notation maintained so that RRHA does not have to ask higher placed families each time targeted selections are made.

An applicant family referred by the Blue Ridge Independent Living Center to fill a vacant slot of their Fairshare Program allocation (25 vouchers) will be accepted on a one on one basis for purposes of determining eligibility for program admission. Families selected to fill these vacant slots must be selected from the HCV waitlist.

Additional set-asides for this population in the future will be determined based on need and available funding.

The set-aside will be carved out of the current allocation of funds for the voucher program, and the set-aside will be monitored and administered by RRHA. Due to the requirements of Virginia's Settlement Agreement with DOJ, portability of these vouchers will require coordination with the Virginia DBHDS.

RRHA will receive referrals for individuals who meet the preference from Virginia Department Behavioral Health and Developmental Services (DBHDS) in cooperation with the local community based organization Blue Ridge Behavioral Healthcare (BRBH). DBHDS will be responsible for maintaining the waiting list for this target population. RRHA will leave the HCV waitlist open to serve this population DBHDS will be responsible for verifying that individuals meet the preference before providing the referral to RRHA. .

Referrals will be sent to RRHA HCV Manager and DBHDS will advise the applicant to apply to the HCV waitlist. Once received, the HCV Manager will contact the individual to set up an appointment to determine HCV Program eligibility per HUD guidelines.

Once eligibility is determined; the individual will be issued a voucher for a minimum of 120 days. The participant will be responsible for locating appropriate housing of his/her choice.

#### **4-III.D. NOTIFICATION OF SELECTION**

When a family has been selected from the waiting list, RRHA must notify the family [24 CFR 982.554(a)].

##### RRHA Policy

RRHA will notify the family by first class mail when it is selected from the waiting list. The notice will inform the family of the following:

- Date, time, and location of the scheduled application interview, including any procedures for rescheduling the interview

- Who is required to attend the interview

- All documents that must be provided at the interview, including information about what constitutes acceptable documentation

- Other documents and information that should be brought to the interview

If a notification letter is returned to RRHA with no forwarding address, the family will be removed from the waiting list. Families who contact RRHA within 30 days of this notice will be automatically reinstated.

#### **4-III.E. THE APPLICATION INTERVIEW**

HUD recommends that RRHA obtain the information and documentation needed to make an eligibility determination through a face-to-face interview with a RRHA representative. Being invited to attend an interview does not constitute admission to the program [HCV GB, pg. 4-16].

Assistance cannot be provided to the family until all SSN documentation requirements are met. However, if RRHA determines that an applicant family is otherwise eligible to participate in the program, the family may retain its place on the waiting list for a period of time determined by RRHA [Notice PIH 2012-10].

Reasonable accommodation must be made for persons with disabilities who are unable to attend an interview due to their disability.

##### RRHA Policy

The head of household or spouse/co-head will be strongly encouraged to attend the interview together. However, either the head of household or the spouse/co-head may attend the interview on behalf of the family. Verification of information pertaining to adult members of the household not present at the interview will not begin until signed release forms are returned to RRHA. The head of household or spouse/co-head must provide acceptable documentation of legal identity. (Chapter 7 provides a discussion of proper documentation of legal identity). If the family representative does not provide the required documentation at the time of the interview, he or she will be required to provide it within 10 business days.

Pending disclosure and documentation of social security numbers, RRHA will allow the family to retain its place on the waiting list for 30 days. If all household members have not disclosed their SSN's at the next time RRHA is issuing voucher, RRHA will issue a voucher to the next eligible applicant family on the waiting list.

The family must provide the information necessary to establish the family's eligibility and determine the appropriate level of assistance, as well as completing required forms, providing required signatures, and submitting required documentation. If any materials are missing, RRHA will provide the family with a written list of items that must be submitted.

Any required documents or information that the family is unable to provide at the interview must be provided within 10 business days of the interview (Chapter 7 provides details about longer submission deadlines for particular items, including documentation of Social Security numbers and eligible noncitizen status). If the family is unable to obtain the information or materials within the required time frame, the family may request an extension. If the required documents and information are not provided within the required time frame (plus any extensions), the family will be sent a notice of denial (See Chapter 3).

An advocate, interpreter, or other assistant may assist the family with the application and the interview process.

Interviews will be conducted in English. For limited English proficient (LEP) applicants, RRHA will provide translation services in accordance with RRHA's LEP plan.

If the family is unable to attend a scheduled interview, the family must contact RRHA in advance of the interview to schedule a new appointment. In all circumstances, if a family does not attend a scheduled interview, RRHA will send another notification letter with a new interview time. Applicants who fail to attend two scheduled interviews without RRHA

approval will be denied assistance based on the family's failure to supply information needed to determine eligibility. A notice of denial will be issued in accordance with policies contained in Chapter 3.

#### **4-III.F. COMPLETING THE APPLICATION PROCESS**

RRHA must verify all information provided by the family (see Chapter 7). Based on verified information, RRHA must make a final determination of eligibility (see Chapter 3) and must confirm that the family qualified for any special admission, targeted admission, or selection preference that affected the order in which the family was selected from the waiting list.

##### RRHA Policy

If RRHA determines that the family is ineligible, RRHA will send written notification of the ineligibility determination within 10 calendar days of the determination. The notice will specify the reasons for ineligibility, and will inform the family of its right to request an informal review (Chapter 16). If the 10th day falls on a weekend or a holiday, the document must be received by the next business day.

If a family fails to qualify for any criteria that affected the order in which it was selected from the waiting list (e.g. targeted funding, extremely low-income), the family will be returned to its original position on the waiting list. RRHA will notify the family in writing that it has been returned to the waiting list, and will specify the reasons for it.

If RRHA determines that the family is eligible to receive assistance, RRHA will invite the family to attend a briefing in accordance with the policies in Chapter 5.

# Section G

## Attachment G: PHA Plan Element – Financial Resources

### Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations, public housing capital improvements, public housing safety/security, public housing supportive services, Section 8 tenant-based assistance, Section 8 supportive services or other.

<b>Financial Resources: 2023 Planned Sources and Uses</b>		
<b>Sources</b>	<b>Planned \$</b>	<b>Planned Uses</b>
<b>1. Federal Grants (FY2022 grants)</b>		
a) Public Housing Operating Fund	\$ 6,100,000	
b) Public Housing Capital Fund	\$ 3,800,000	
c) HOPE VI Revitalization	N/A	
d) HOPE VI Demolition	N/A	
e) Annual Contributions for Section 8 Tenant-Based Assistance	\$ 13,100,000	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	N/A	
g) Resident Opportunity and Self-Sufficiency Grants	\$ 2,500,000	Public Housing Supportive Services
h) Community Development Block Grant	\$	CDBG Loan Program Administration
i) HOME		
j) HOTMA Project VA011 00020219D (Federal Grant FY 2019)	\$ 75,000	Capital Project Site Accessibility, Section 504 and Building Accessibility
k) HOTMA Project VA011 00020719D (Federal Grant FY 2019)	\$ 98,720	Capital Project Site Accessibility
<b>2. Prior Year Federal Grants (unobligated funds only) (list below)</b>		
ROSS	\$ 326,000	PH Supportive Svcs.
Capital Fund and RFP	\$ 730,000	PH Cap. Improvements
HOPE VI-Choice Neighborhoods	\$	
<b>3. Public Housing Dwelling Rental Income</b>	\$ 3,400,000	PH Operations

Financial Resources: 2023 Planned Sources and Uses		
Sources	Planned \$	Planned Uses
<b>4. Other income</b> (list below)		
Excess Utilities	\$ 123,000	Public Housing Operations
Lease Rental/Misc. Income	\$ 232,000	PH Operations
Fraud Recovery	\$	S8 Administration
<b>4. Non-federal sources</b> (list below)		
<b>Total resources</b>	\$ 29,854,720	

# Section H



## **Attachment H: PHA Plan Element – Rent Determination**

### ***Public Housing***

*(Chapter 6, Part III, Calculating Rent, pages 6-33 through 6-41, RRHA Admissions and Continued Occupancy Policy, approved by the RRHA Board of Commissioners on September 24, 2018)*

#### **6-III.A. OVERVIEW OF INCOME-BASED RENT CALCULATIONS**

The first step in calculating income-based rent is to determine each family's total tenant payment (TTP). Then, if the family is occupying a unit that has tenant-paid utilities, the utility allowance is subtracted from the TTP. The result of this calculation, if a positive number, is the tenant rent. If the TTP is less than the utility allowance, the result of this calculation is a negative number, and is called the utility reimbursement, which may be paid to the family or directly to the utility company by RRHA.

##### **TTP Formula [24 CFR 5.628]**

HUD regulations specify the formula for calculating the total tenant payment (TTP) for a tenant family. TTP is the highest of the following amounts, rounded to the nearest dollar:

- 30 percent of the family's monthly adjusted income (adjusted income is defined in Part II)
- 10 percent of the family's monthly gross income (annual income, as defined in Part I, divided by 12)
- The welfare rent (in as-paid states only)
- A minimum rent between \$0 and \$50 that is established by RRHA

RRHA has authority to suspend and exempt families from minimum rent when a financial hardship exists, as defined in section 6-III.B.

##### ***Welfare Rent* [24 CFR 5.628]**

Welfare rent does not apply in this locality.

##### ***Minimum Rent* [24 CFR 5.630]**

The minimum rent for this locality is \$50.

##### **Optional Changes to Income-Based Rents [24 CFR 960.253(c)(2) and PH Occ GB, pp. 131-134]**

RRHA has been given very broad flexibility to establish their own, unique rent calculation systems as long as the rent produced is not higher than that calculated using the TTP and mandatory deductions.

RRHA chooses not to adopt optional changes to income-based rents.

##### **Ceiling Rents [24 CFR 960.253 (c)(2) and (d)]**

Ceiling rents are used to cap income-based rents. They are part of the income-based formula. If the calculated TTP exceeds the ceiling rent for the unit, the ceiling rent is used to calculate tenant rent (ceiling rent/TTP minus utility allowance).

RRHA chooses not to use ceiling rents.

### **Utility Reimbursement [24 CFR 960.253(c)(3)]**

Utility reimbursement occurs when any applicable utility allowance for tenant-paid utilities exceeds the TTP. HUD permits RRHA to pay the reimbursement to the family or directly to the utility provider.

RRHA may make all utility reimbursement payments to qualifying families on a monthly basis or may make quarterly payments when the monthly reimbursement amount is \$15.00 or less. Reimbursements must be made once per calendar-year quarter, either prospectively or retroactively, and must be prorated if the family leaves the program in advance of its next quarterly reimbursement. RRHA must also adopt hardship policies for families for whom receiving quarterly reimbursement would create a financial hardship. RRHA must issue reimbursements that exceed \$15.00 per month on a monthly basis.

#### RRHA Policy

RRHA will issue all utility reimbursements monthly.

### **6-III.B. FINANCIAL HARDSHIPS AFFECTING MINIMUM RENT [24 CFR 5.630]**

#### **Overview**

Since RRHA has established a minimum rent greater than zero, RRHA will grant an exemption from the minimum rent if a family is unable to pay the minimum rent because of financial hardship.

The financial hardship exemption applies only to families required to pay the minimum rent. If a family's TTP is higher than the minimum rent, the family is not eligible for a hardship exemption. If RRHA determines that a hardship exists, the TTP is the highest of the remaining components of the family's calculated TTP.

#### **HUD-Defined Financial Hardship**

Financial hardship includes the following situations:

- (1) The family has lost eligibility for or is awaiting an eligibility determination for a federal, state, or local assistance program. This includes a family member who is a noncitizen lawfully admitted for permanent residence under the Immigration and Nationality Act who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996.

A hardship will be considered to exist only if the loss of eligibility has an impact on the family's ability to pay the minimum rent.

For a family waiting for a determination of eligibility, the hardship period will end as of the first of the month following (1) implementation of assistance, if approved, or (2) the decision to deny assistance. A family whose request for assistance is denied may request a hardship exemption based upon one of the other allowable hardship circumstances.

- (2) The family would be evicted because it is unable to pay the minimum rent.

For a family to qualify under this provision, the cause of the potential eviction must be the family's failure to pay rent or tenant-paid utilities.

- (3) Family income has decreased because of changed family circumstances, including the loss of employment.
- (4) A death has occurred in the family.

In order to qualify under this provision, a family must describe how the death has created a financial hardship (e.g., because of funeral-related expenses or the loss of the family member's income).

## **Implementation of Hardship Exemption**

### ***Determination of Hardship***

When a family requests a financial hardship exemption, RRHA will suspend the minimum rent requirement beginning the first of the month following the family's request.

RRHA then determines whether the financial hardship exists and whether the hardship is temporary or long-term.

RRHA defines temporary hardship as a hardship expected to last 90 days or less. Long term hardship is defined as a hardship expected to last more than 90 days.

RRHA may not evict the family for nonpayment of minimum rent during the 90-day period beginning the month following the family's request for a hardship exemption.

When the minimum rent is suspended, the TTP reverts to the highest of the remaining components of the calculated TTP. The example below demonstrates the effect of the minimum rent exemption.

Example: Impact of Minimum Rent Exemption					
Assume RRHA has established a minimum rent of \$35					
TTP – No Hardship			TTP – With Hardship		
\$0	30% of monthly adjusted income		\$0	30% of monthly adjusted income	
\$15	10% of monthly gross income		\$15	10% of monthly gross income	
N/A	Welfare rent		N/A	Welfare rent	
\$35	Minimum rent		\$35	Minimum rent	
Minimum rent applies			Hardship exemption granted		
TTP = \$35			TTP = \$15		

To qualify for a hardship exemption, a family must submit a request for a hardship exemption in writing. The request must explain the nature of the hardship and how the hardship has affected the family's ability to pay the minimum rent.

RRHA will make the determination of hardship within 30 calendar days.

### ***No Financial Hardship***

If RRHA determines there is no financial hardship, RRHA will reinstate the minimum rent and require the family to repay the amounts suspended.

For procedures pertaining to grievance hearing requests based upon RRHA's denial of a hardship exemption, see Chapter 14, Grievances and Appeals.

RRHA will require the family to repay the suspended amount within 30 calendar days of RRHA's notice that a hardship exemption has not been granted.

### ***Temporary Hardship***

If RRHA determines that a qualifying financial hardship is temporary, RRHA will reinstate the minimum rent from the beginning of the first of the month following the date of the family's request for a hardship exemption.

The family must resume payment of the minimum rent and must repay RRHA the amounts suspended. HUD requires RRHA to offer a reasonable repayment agreement, on terms and conditions established by RRHA. RRHA also may determine that circumstances have changed and the hardship is now a long-term hardship.

For procedures pertaining to grievance hearing requests based upon RRHA's denial of a hardship exemption, see Chapter 14, Grievances and Appeals.

RRHA may enter into a repayment agreement in accordance with RRHA's repayment agreement policy (see Chapter 16).

### ***Long-Term Hardship***

If RRHA determines that the financial hardship is long-term, RRHA will exempt the family from the minimum rent requirement for so long as the hardship continues. The exemption will apply from the first of the month following the family's request until the end of the qualifying hardship. When the financial hardship has been determined to be long-term, the family is not required to repay the minimum rent.

The hardship period ends when any of the following circumstances apply:

- (1) At an interim or annual reexamination, the family's calculated TTP is greater than the minimum rent.
- (2) For hardship conditions based on loss of income, the hardship condition will continue to be recognized until new sources of income are received that are at least equal to the amount lost. For example, if a hardship is approved because a family no longer receives a \$60/month child support payment, the hardship will continue to exist until the family receives at least \$60/month in income from another source or once again begins to receive the child support.
- (3) For hardship conditions based upon hardship-related expenses, the minimum rent exemption will continue to be recognized until the cumulative amount exempted is equal to the expense incurred.

## **6-III.C. UTILITY ALLOWANCES [24 CFR 965, Subpart E]**

### **Overview**

Utility allowances are provided to families paying income-based rents when the cost of utilities is not included in the rent. When determining a family's income-based rent, RRHA will use the utility allowance applicable to the type of dwelling unit leased by the family.

For policies on establishing and updating utility allowances, see Chapter 16.

### **Resident-Paid Utilities**

The following requirements apply to residents living in developments with resident-paid utilities or applicants being admitted to such developments:

If a resident or applicant is unable to get utilities connected because of a previous balance owed to the utility company, the resident/applicant will not be permitted to move into a unit with resident paid utilities. This may mean that a current resident cannot transfer to a scattered site or that an applicant cannot be admitted to a unit with resident-paid utilities.

Paying the utility bill is the resident's obligation under the lease. Failure to pay utilities is grounds for eviction.

When the Utility Allowance exceeds the family's Total Tenant Payment, RRHA will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the tenant.

### **Reasonable Accommodation [24 CFR 8]**

On request from a family, RRHA will approve a utility allowance that is higher than the applicable amount for the dwelling unit if a higher utility allowance is needed as a reasonable accommodation to make the program accessible to and usable by the family with a disability [PH Occ GB, p. 172].

Residents with disabilities may not be charged for the use of certain resident-supplied appliances if there is a verified need for special equipment because of the disability [PH Occ GB, p. 172].

See Chapter 2 for policies related to reasonable accommodations.

### **Utility Allowance Revisions [24 CFR 965.507]**

RRHA will review its schedule of utility allowances each year. Between annual reviews, RRHA will revise the utility allowance schedule if there is a rate change that by itself or together with prior rate changes not adjusted for, results in a change of 10 percent or more from the rate on which such allowances were based. Adjustments to resident payments as a result of such changes must be retroactive to the first day of the month following the month in which the last rate change taken into account in such revision became effective [PH Occ GB, p. 171].

The tenant rent calculations must reflect any changes in RRHA's utility allowance schedule [24 CFR 960.253(c)(3)].

Unless RRHA is required to revise utility allowances retroactively, revised utility allowances will be applied to a family's rent calculations at the first annual reexamination after the allowance is adopted.

### **6-III.D. PRORATED RENT FOR MIXED FAMILIES [24 CFR 5.520]**

HUD regulations prohibit assistance to ineligible family members. A mixed family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible family members. RRHA will prorate the assistance provided to a mixed family. RRHA will first determine TTP as if all family members were eligible and then prorate the rent based upon the number of family members that actually are eligible. To do this, RRHA will:

- (1) Subtract the TTP from the flat rent applicable to the unit. The result is the maximum subsidy for which the family could qualify if all members were eligible.
- (2) Divide the family maximum subsidy by the number of persons in the family to determine the maximum subsidy per each family member who is eligible (member maximum subsidy).
- (3) Multiply the member maximum subsidy by the number of eligible family members.

(4) Subtract the subsidy calculated in the last step from the flat rent. This is the prorated TTP.

(5) Subtract the utility allowance for the unit from the prorated TTP. This is the prorated rent for the mixed family.

Revised public housing flat rents will be applied to a mixed family's rent calculation at the first annual reexamination after the revision is adopted.

(6) When the mixed family's TTP is greater than the applicable flat rent, use the TTP as the prorated TTP. The prorated TTP minus the utility allowance is the prorated rent for the mixed family.

### **6-III.E. FLAT RENTS AND FAMILY CHOICE IN RENTS [24 CFR 960.253]**

#### **Flat Rents [24 CFR 960.253(b)]**

The flat rent is designed to encourage self-sufficiency and to avoid creating disincentives for continued residency by families who are attempting to become economically self-sufficient.

Changes in family income, expenses, or composition will not affect the flat rent amount because it is outside the income-based formula.

Policies related to the reexamination of families paying flat rent are contained in Chapter 9, and policies related to the establishment and review of flat rents are contained in Chapter 16.

#### **Family Choice in Rents [24 CFR 960.253(a) and (e)]**

Once each year, RRHA will offer families the choice between a flat rent and an income-based rent. The family may not be offered this choice more than once a year. RRHA will document that flat rents were offered to families under the methods used to determine flat rents for RRHA.

The annual RRHA offer to a family of the choice between flat and income-based rent will be conducted upon admission and upon each subsequent annual reexamination.

RRHA will require families to submit their choice of flat or income-based rent in writing and will maintain such requests in the tenant file as part of the admission or annual reexamination process.

RRHA will provide sufficient information for families to make an informed choice. This information must include RRHA's policy on switching from flat rent to income-based rent due to financial hardship and the dollar amount of the rent under each option. However, if the family chose the flat rent for the previous year RRHA is required to provide an income-based rent amount only in the year that a reexamination of income is conducted or if the family specifically requests it and submits updated income information.

#### **Switching from Flat Rent to Income-Based Rent Due to Hardship [24 CFR 960.253(f)]**

A family can opt to switch from flat rent to income-based rent at any time if they are unable to pay the flat rent due to financial hardship. If RRHA determines that a financial hardship exists, RRHA will immediately allow the family to switch from flat rent to the income-based rent.

Upon determination by RRHA that a financial hardship exists, RRHA will allow a family to switch from flat rent to income-based rent effective the first of the month following the family's request.

Reasons for financial hardship include:

- The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family, or reduction in or loss of earnings or other assistance
- The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education, or similar items
- Such other situations determined by RRHA to be appropriate

RRHA considers payment of flat rent to be a financial hardship whenever the switch to income-based rent would be lower than the flat rent [PH Occ GB, p. 137].

### **Phasing In Flat Rents [Notice PIH 2017-23; 24 CFR 960.253(b)]**

When new flat rents requirements were implemented in 2014, HUD limited the increase for existing residents paying flat rent at that time to no more than 35 percent of the current tenant rent per year. In some cases, this meant that some residents had or will have their flat rents phased-in at the time of their annual recertification. To do this, RRHA conducts a flat rent impact analysis to determine whether a phase-in is or was necessary. For families whose flat rent is being phased-in, RRHA must multiply the family's current rent amount by 1.35 and compare the result to the flat rent under RRHA's policies. Families who have subsequently been admitted to the program or have subsequently selected flat rent will not experience a phase in.

Notice PIH 2017-23 requires that flat rents must be phased in at the full 35 percent per year. RRHA does not have the option of phasing in flat rent increases at less than 35 percent per year.

**Example:** A family was paying a flat rent of \$500 per month. At their annual recertification, the PHA has increased the flat rent for their unit size to comply with the new requirements to \$700. The PHA conducted a flat rent impact analysis as follows:

$$\$500 \times 1.35 = \$675$$

Since the PHA's increased flat rent of \$700 resulted in a rent increase of more than 35 percent, the PHA offered the family the choice to pay either \$675 per month or an income-based rent. The flat rent increase was phased in. At their next annual recertification in November 2015, the PHA will again multiply the family's current flat rent by 1.35 and compare the results to the PHA's current flat rent.

### **Flat Rents and Earned Income Disallowance [A&O FAQs]**

Because the EID is a function of income-based rents, a family paying flat rent cannot qualify for the EID even if a family member experiences an event that would qualify the family for the EID. If the family later chooses to pay income-based rent, they would only qualify for the EID if a new qualifying event occurred.

Under the EID original calculation method, a family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their exclusion period would have the exclusion period continue while paying flat rent as long as the employment that is the subject of the exclusion continues. A family paying flat rent could therefore see a family member's exclusion period expire while the family is paying flat rent.

Under the EID revised calculation method, a family currently paying flat rent that previously qualified for the EID while paying income-based rent and is currently within their exclusion period would have the exclusion period continue while paying flat rent regardless whether the

employment that is the subject of the exclusion continues. A family paying flat rent could therefore see a family member's exclusion period expire while the family is paying flat rent.



# Section I

## **Attachment I: PHA Plan Element – Homeownership Programs**

RRHA operates a Section 5(h) Lease-Purchase Homeownership Program that provides opportunities for residents of the Public Housing program to purchase their public housing units. This program was approved by HUD and implemented in 2001 and originally included 32 units. The count was reduced to 22 units, with HUD approval, in 2011. Currently, 8 units remain in the program.

RRHA is currently operating a HUD-approved Section 32 Homeownership Program. This program provides housing units for homeownership opportunities for HUD-assisted renters and other families in the Roanoke community whose income creates a barrier to homeownership. The program originally included 5 units but currently has only 3 units unsold.

In an effort to provide qualified buyers with more options, particularly in low-poverty census tracts, RRHA is using some 5(h) funds to find homes for qualified buyers that are not interested in purchasing a Section 32 or the Lease-Purchase program.

RRHA also operates a Housing Choice Voucher Homeownership Program. Currently, 11 HCV program participants are receiving mortgage-assistance through this program.

RRHA also plans to use proceeds from homes previously sold in homeownership programs to develop additional affordable homeownership opportunities within the City of Roanoke.

# Section J

## **Attachment J: PHA Plan Element – Safety and Crime Prevention**

A description 1) any activities, services, or programs provided or offered by an agency, either directly or in partnership with other service providers, to child or adult victims of domestic violence, dating violence, sexual assault, or stalking; 2) any activities, services, or programs provided or offered by RRHA that helps child and adult victims of domestic violence, dating violence, sexual assault, or stalking, to obtain or maintain housing; and 3) any activities, services, or programs provided or offered by RRHA to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

RRHA's activities related to VAWA are described in the Public Housing Admission and Continued Occupancy Policy and the Section 8 Administrative Plan. A listing of community service providers that provide services related to domestic violence, dating violence, sexual assault or stalking; description of services provided; and contact information follows the policies.

### ***Public Housing***

*(Chapter 16, Part VII, Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality, pages 16-14 through 16-30, RRHA Admissions and Continued Occupancy Policy, approved by the RRHA Board of Commissioners on February 25, 2019)*

## **PART VII: VIOLENCE AGAINST WOMEN ACT (VAWA): NOTIFICATION, DOCUMENTATION, AND CONFIDENTIALITY**

### **16-VII.A. OVERVIEW**

The Violence against Women Reauthorization Act of 2013 (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault and stalking who are applying for or receiving assistance under the public housing program. If your state or local laws provide greater protection for such victims, those apply in conjunction with VAWA.

In addition to definitions of key terms used in VAWA, this part contains general VAWA requirements and RRHA policies in three areas: notification, documentation, and confidentiality. Specific VAWA requirements and RRHA policies are located in Chapter 3, "Eligibility" (sections 3-I.C and 3-III.F); Chapter 5, "Occupancy Standards and Unit Offers" (section 5-II.D); Chapter 8, "Leasing and Inspections" (section 8-I.B); Chapter 12, "Transfer Policy" (sections 12-III.C, 12-III.F, and 12-IV.D); and Chapter 13, "Lease Terminations" (sections 13-III.F and 13-IV.D).

### **16-VII.B. DEFINITIONS [24 CFR 5.2003, FR Notice 8/6/13]**

As used in VAWA:

- The term *affiliated individual* means, with respect to a person:
  - A spouse, parent, brother or sister, or child of that individual, or an individual to whom that person stands in the position or place of a parent; or
  - Any individual, tenant or lawful occupant living in the household of the victim of domestic violence, dating violence, sexual assault, or stalking.
- The term *bifurcate* means, with respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members' lease and occupancy rights are allowed to remain intact.

- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- The term *affiliated individual* means, with respect to a person:
- The term *sexual assault* means:
  - Any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks the capacity to consent
- The term *stalking* means:
  - To engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

## **16-VII.C. NOTIFICATION [24 CFR 5.2005(a)]**

### **Notification to Public**

RRHA adopts the following policy to help ensure that all actual and potential beneficiaries of its public housing program are aware of their rights under VAWA.

RRHA will post the following information regarding VAWA in its offices and on its website. It will also make the information readily available to anyone who requests it.

- A notice of occupancy rights under VAWA to public housing program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault, or stalking (Form HUD-5380, see Exhibit 16-1)
- A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation (see Exhibit 16-2)
- A copy of RRHA's emergency transfer plan (see Exhibit 16-3)
- A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (see Exhibit 16-4)
- The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibit 16-1)

- Contact information for local victim advocacy groups or service providers

### **Notification to Applicants and Tenants [24 CFR 5.2005(a)(1)]**

RRHA is required to inform public housing applicants and tenants of their rights under VAWA, including their right to confidentiality and the limits thereof, when they are denied assistance, when they are admitted to the program, and when they are notified of an eviction or termination of housing benefits.

RRHA must distribute a notice of VAWA rights, along with the VAWA self-certification form (HUD-5382) at each of these three junctures.

#### RRHA Policy

The VAWA information provided to applicants and participants will consist of the notices in Exhibits 16-1 and 16-2.

RRHA will provide all applicants with information about VAWA at the time they request an application for housing assistance. RRHA will also include such information in all notices of denial of assistance (see section 3-III.F).

RRHA will provide all tenants with information about VAWA at the time of admission (see section 8-I.B) and at annual reexamination. RRHA will also include such information in all lease termination notices (see section 13-IV.D).

RRHA is not limited to providing VAWA information at the times specified in the above policy. If RRHA decides to provide VAWA information to a tenant following an incident of domestic violence, Notice PIH 2006-42 cautions against sending the information by mail, since the abuser may be monitoring the mail. The notice recommends that in such cases RRHA make alternative delivery arrangements that will not put the victim at risk.

#### RRHA Policy

Whenever RRHA has reason to suspect that providing information about VAWA to a public housing tenant might place a victim of domestic violence at risk, it will attempt to deliver the information by hand directly to the victim or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. For example, RRHA may decide not to send mail regarding VAWA protections to the victim's unit if RRHA believes the perpetrator may have access to the victim's mail, unless requested by the victim.

When discussing VAWA with the victim, RRHA will take reasonable precautions to ensure that no one can overhear the conversation such as having conversations in a private room.

The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.

### **16-VII.D. DOCUMENTATION [24 CFR 5.2007]**

RRHA presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, sexual assault, or stalking, or criminal activity related to any of these forms of abuse may—but is not required to—request that the individual making the claim document the abuse. Any request for documentation must be in writing, and the individual must be allowed at least 14 business days after receipt of the request to submit the documentation. RRHA may extend this time period at its discretion. [24 CFR 5.2007(a)]

The individual may satisfy RRHA's request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:

- 1) A completed and signed HUD-approved certification form (HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim.
- 2) A federal, state, tribal, territorial, or local police report or court record, or an administrative record
- 3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; an attorney; a mental health professional; or a medical professional. Acceptable documentation also includes a record of an administrative agency, and documentation from a mental health professional. The person signing the documentation must attest under penalty of perjury to the person's belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

RRHA may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below under "Conflicting Documentation," nor may it require certification in addition to third-party documentation [VAWA 2005 final rule].

Any request for documentation of domestic violence, dating violence, sexual assault, or stalking will be in writing, will specify a deadline of 14 business days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.

RRHA may, in its discretion, extend the deadline for 10 business days. In determining whether to extend the deadline, RRHA will consider factors that may contribute to the victim's inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim's need to address health or safety issues. Any extension granted by RRHA will be in writing.

Once the victim provides documentation, RRHA will acknowledge receipt of the documentation within 10 business days.

#### **Conflicting Documentation [24 CFR 5.2007(e)]**

In cases where RRHA receives conflicting certification documents from two or more members of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, RRHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3). RRHA may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to RRHA. RRHA must honor any court orders issued to protect the victim or to address the distribution of property. Individuals have 30 calendar days to return third-party verification to RRHA. If RRHA does not receive third-party documentation, and RRHA will deny or terminate assistance as a result, RRHA must hold separate hearings for the tenants [Notice PIH 2017-08].

If presented with conflicting certification documents from members of the same household, RRHA will attempt to determine which is the true victim by requiring each of them to provide

third-party documentation in accordance with 24 CFR 5.2007(e) and by following any HUD guidance on how such determinations should be made. When requesting third-party documents, RRHA will provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given 30 calendar days from the date of request to provide such documentation.

If RRHA does not receive third-party documentation within the required timeframe (and any extensions) RRHA will deny VAWA protections and will notify the applicant or tenant in writing of the denial. If, as a result, the applicant or tenant is denied or terminated from the program, RRHA will hold separate hearings for the applicants or tenants.

#### **Discretion to Require No Formal Documentation [24 CFR 5.2007(d)]**

RRHA has the discretion to provide benefits to an individual based solely on the individual's statement or other corroborating evidence - i.e., without requiring formal documentation of abuse in accordance with 24 CFR 5.2007(b). HUD recommends documentation in a confidential manner when a verbal statement or other evidence is accepted.

If RRHA accepts an individual's statement or other corroborating evidence (as determined by the victim) of domestic violence, dating violence, sexual assault, or stalking, RRHA will document acceptance of the statement or evidence in the individual's file.

#### **Failure to Provide Documentation [24 CFR 5.2007(c)]**

In order to deny relief for protection under VAWA, RRHA must provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation within 14 business days from the date of receipt, or such longer time as RRHA may allow, RRHA may deny relief for protection under VAWA.

#### **16-VII.E. CONFIDENTIALITY [24 CFR 5.2007(b)(4)]**

All information provided to RRHA regarding domestic violence, dating violence, sexual assault, or stalking, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, must be retained in confidence. This means that RRHA (1) may not enter the information into any shared database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RRHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.



<b>EXHIBIT 16-1: SAMPLE Notice of Occupancy Rights Under the Violence Against Women Act, Form HUD-5380</b>
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**City of Roanoke Redevelopment and Housing Authority**  
**Notice of Occupancy Rights under the Violence Against Women Act<sup>1</sup>**

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>2</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Public Housing Program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.

**Protections for Applicants**

If you otherwise qualify for assistance under the Public Housing Program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under the Public Housing Program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Public Housing Program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

**Removing the Abuser or Perpetrator from the Household**

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<sup>1</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>2</sup> Housing providers cannot discriminate on the basis of any protected characteristics, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

RRHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If RRHA chooses to remove the abuser or perpetrator, RRHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, RRHA must allow the tenant who is or has been a victim and other household members to remain in the unit for 30 days, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or find alternative housing.

In removing the abuser or perpetrator from the household, RRHA must follow Federal, State, and local eviction procedures. In order to divide a lease, RRHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

### **Moving to Another Unit**

Upon your request, RRHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, RRHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, RRHA may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

1. **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If RRHA does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, RRHA may ask you for such documentation, as described in the documentation section below.
2. **You expressly request the emergency transfer.** RRHA may choose to require that you submit a form, or may accept another written or oral request.
3. **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

### **OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

RRHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

RRHA's emergency transfer plan provides further information on emergency transfers, and RRHA must make a copy of its emergency transfer plan available to you if you ask to see it.

## **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

RRHA can, but is not required to, ask you to provide documentation to “certify” that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from RRHA must be in writing, and RRHA must give you at least 14 business days (Saturdays, Sundays, and federal holidays do not count) from the day you receive the request to provide the documentation. RRHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to RRHA as documentation. It is your choice which of the following to submit if RRHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A completed HUD-approved certification form given to you by RRHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds of protection.
- Any other statement or evidence that RRHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, RRHA does not have to provide you with the protections contained in this notice.

If RRHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and name one or more of the other petitioning household members as the abuser or perpetrator), RRHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, RRHA does not have to provide you with the protections contained in this notice.

## **Confidentiality**

RRHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

RRHA must not allow any individual administering assistance or other services on behalf of RRHA (for example, employees and contractors) to have access to confidential information

unless for reasons that specifically call for these individuals to have access to this information under applicable federal, state, or local law.

RRHA must not enter your information into any shared database or disclose your information to any other entity or individual. RRHA, however, may disclose the information provided if:

- You give written permission to RRHA to release the information on a time limited basis.
- RRHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires RRHA to release the information.

VAWA does not limit RRHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights Under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, RRHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if RRHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

1. Would occur within an immediate time frame, and
2. Could result in death or serious bodily harm to other tenants or those who work on the property.

If RRHA can demonstrate the above, RRHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

### **Non-Compliance with the Requirements of This Notice**

You may report your PHA for violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with US Dept. of Housing & Urban Development; 600 E Broad Street, Room FL3-300; Richmond, VA 23219.

### **For Additional Information**

You may view a copy of HUD's final VAWA rule at <https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf> .

Additionally, RRHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact your Site Manager. If you do not have the office number to the site, you may call the RRHA main number at 540-983-9281.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Domestic Violence Service Center 540-283-4813.

For help regarding sexual assault, you may contact Domestic Violence Service Center 540-283-4813 or Sabrina's Place -777-HOPE (Jo Nelson).

Victims of stalking seeking help may contact LGBTQ Partner Abuse and Sexual Assault - 866-356-6998 (Person on call) or Roanoke City Police Department - Frank Leftwich - Criminal Investigations / Special Victims Unit 540-853-5299.

Attachment: Certification form HUD-5382

<b>EXHIBIT 16-2: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation, Form HUD-5382</b>
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**CERTIFICATION OF**  
0286

**U.S. Department of Housing**

OMB Approval No. 2577-

**DOMESTIC VIOLENCE, and Urban Development**

Exp. 06/30/2017

**DATING VIOLENCE,**

**SEXUAL ASSAULT, OR STALKING,**

**AND ALTERNATE DOCUMENTATION**

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not

need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_
2. Name of victim: \_\_\_\_\_
3. Your name (if different from victim's): \_\_\_\_\_
4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
5. Residence of victim: \_\_\_\_\_
6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_  
\_\_\_\_\_
7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_  
\_\_\_\_\_
9. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

_____
_____
_____
_____

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.



<b>EXHIBIT 16-3: RRHA Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Public Housing Program Version)</b>
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**City of Roanoke Redevelopment and Housing Authority (RRHA)**

**Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

**Public Housing Program**

**Emergency Transfers**

City of Roanoke Redevelopment and Housing Authority (RRHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA)<sup>3</sup>, RRHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>4</sup> The ability of RRHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether RRHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that oversees that the Public Housing and Housing Choice Voucher (HCV) programs are in compliance with VAWA.

**Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

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<sup>3</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>4</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

### **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify RRHA's management office and submit a written request for a transfer to City of Roanoke Redevelopment and Housing Authority.

RRHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

1. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under RRHA's program; OR
2. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

### **Confidentiality**

RRHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives RRHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about RRHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

### **Emergency Transfer Timing and Availability**

RRHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. RRHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. RRHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If RRHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, RRHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, RRHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

### **Emergency Transfers: Public Housing Program**

If you are a participant in the public housing program and request an emergency transfer as described in this plan. RRHA will make exceptions to program regulations restricting moves as required.

At your request, RRHA will refer you to organizations that may be able to further assist you.

You may also request an emergency transfer under the following programs for which you are required to apply:

- Public Housing program
- Housing Choice Voucher Program
- Multifamily (Hackley Apartments)
- Low Income Housing Tax Credits (LIHTC)

Emergency transfers will not take priority over waiting list admissions for these programs. At your request, RRHA will refer you to organizations that may be able to further assist you.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

**Attachment:** Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

**EXHIBIT 16-4: Emergency Transfer Request for Certain Victims of Domestic Violence,  
Dating Violence, Sexual Assault or Stalking HUD-5383**

**EMERGENCY TRANSFER**  
2577-0286

**U.S. Department of Housing**

**OMB Approval No.**

**REQUEST FOR CERTAIN  
VICTIMS OF DOMESTIC  
VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING**

**and Urban Development**

**Exp. 06/30/2017**

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

- (1) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.
- (2) **You expressly request the emergency transfer.** Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.
- (3) **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA

protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer: \_\_\_\_\_

2. Your name (if different from victim's) \_\_\_\_\_

3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_

\_\_\_\_\_

4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_

\_\_\_\_\_

5. Address of location from which the victim seeks to transfer: \_\_\_\_\_

6. Address or phone number for contacting the victim: \_\_\_\_\_

7. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_

8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_

9. Date(s), Time(s) and location(s) of incident(s): \_\_\_\_\_

\_\_\_\_\_

10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11. \_\_\_\_\_

11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.

\_\_\_\_\_

\_\_\_\_\_

12. If voluntarily provided, list any third-party documentation you are providing along with this notice:

\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

<b>EXHIBIT 16-5: Model Owner Notification of Rights and Obligations</b>
-------------------------------------------------------------------------

**City of Roanoke Redevelopment and Housing Authority**

**Notification of Your Rights and Obligations Under the Violence Against Women Act  
(VAWA)**

VAWA provides protections for Section 8 Housing Choice Voucher (HCV) and PBV applicants, tenants, and participants from being denied assistance on the basis or as a direct result of being a victim of domestic violence, dating violence, sexual assault and stalking.

**Purpose**

Many of VAWA's protections to victims of domestic violence, dating violence, sexual assault and stalking involve action by the public housing agency (PHA), but some situations involve action by owners of assisted housing. The purpose of this notice (herein called "Notice") is to explain your rights and obligations under VAWA, as an owner of housing assisted through RRHA's HCV program. Each component of this Notice also provides citations to HUD's applicable regulations.

**Denial of Tenancy**

Protections for applicants: Owners cannot deny tenancy based on the applicant having been or currently being a victim of domestic violence, dating violence, sexual assault, or stalking. However, the applicant must be otherwise eligible for tenancy. (See 24 Code of Federal Regulations (CFR) 982.452(b)(1).)

**Eviction**

Protections for HCV participants: Incidents or threats of domestic violence, dating violence, sexual assault, or stalking will not be considered a serious or repeated lease violation by the victim, or good cause to terminate the tenancy of the victim (24 CFR 5.2005(c)). Protection also applies to criminal activity related directly to domestic violence, dating violence, sexual assault, or stalking, conducted by a member of a tenant's household or any guest or other person under the tenant's control, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking (24 CFR 5.2005(b)(2)).

Limitations of VAWA protections:

- a. Nothing in the VAWA Final Rule limits the authority of an owner, when notified of a court order, to comply with a court order with respect to (24 CFR 5.2005(d)(1)):
  - 1) The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
  - 2) The distribution or possession of property among members of a household in a case.
- b. Nothing in the VAWA Final Rule limits an owner from evicting a victim of domestic violence, dating violence, sexual assault, or stalking for a lease violation that is not premised on an act of domestic violence, dating violence, sexual assault, or stalking, as long as the owner does not subject the victim to more demanding standards than other tenants when deciding whether to evict. (See 24 CFR 5.2005(d)(2).)

- c. Nothing in the VAWA Final Rule limits an owner from evicting a tenant (including the victim of domestic violence, dating violence, sexual assault, or stalking) if the owner can demonstrate an actual and imminent threat to other tenants or those employed at or providing services to the HCV property would be present if the tenant or lawful occupant is not evicted. (See 24 CFR 5.2005(d)(3).)
  - 1) In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the following standards: An actual and imminent threat consists of a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur. (See 24 CFR 5.2003.)
  - 2) Any eviction due to “actual and imminent threat” should be utilized by an owner only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual residents. (See 24 CFR 5.2005(d)(4).)

### **Documentation of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

If an applicant or tenant requests VAWA protection based on status as a victim of domestic violence, dating violence, sexual assault, or stalking, the owner has the option to request that the victim document or provide written evidence to demonstrate that the violence occurred. However, nothing in HUD’s regulation requires a covered housing provider to request this documentation. (See 24 CFR 5.2007(b)(3).)

If the owner chooses to request this documentation, the owner must make such request in writing. The individual may satisfy this request by providing any one document type listed under 24 CFR 5.2007(b)(1):

- a. Form HUD-55383 (Self-Certification Form); or
- b. A document: 1) Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional or a mental health professional (collectively, “professional”) from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse:
  - 1) Signed by the applicant or tenant; and
  - 2) That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under 24 CFR part 5, subpart L, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under 24 CFR 5.2003; or
- c. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or

- d. At the discretion of a covered housing provider, a statement or other evidence provided by the applicant or tenant.

The owner must accept any of the above items (a – c). The owner has discretion to accept a statement or other evidence (d).

The owner is prohibited from requiring third-party documentation of the domestic violence, dating violence, sexual assault, or stalking, unless the submitted documentation contains conflicting information.

If the owner makes a written request for documentation, the owner may require submission of that documentation within 14 business days after the date that the individual received the written request for documentation. (24 CFR 5.2007(a)(2)). The owner may extend this time period at its discretion. During the 14 business day period and any granted extensions of that time, no adverse actions, such as evictions or terminations, can be taken against the individual requesting VAWA protection.

Once a victim provides documentation of domestic violence, dating violence, sexual assault, or stalking, the owner is encouraged to acknowledge receipt of the documentation in a timely manner.

If the applicant or tenant fails to provide documentation that meets the criteria in 24 CFR 5.2007 within 14 business days after receiving the written request for that documentation or within the designated extension period, nothing in VAWA Final Rule may be construed to limit the authority of the covered housing provider to:

- a. Deny admission by the applicant or tenant to the housing or program;
- b. Deny assistance under the covered housing program to the applicant or tenant;
- c. Terminate the participation of the tenant in the covered housing program; or
- d. Evict the tenant, or a lawful occupant that commits a violation of a lease.

An individual's failure to timely provide documentation of domestic violence, dating violence, sexual assault, or stalking does not result in a waiver of the individual's right to challenge the denial of assistance or termination, nor does it preclude the individual's ability to raise an incident of domestic violence, dating violence, sexual assault, or stalking at eviction or termination proceedings.

## **Moves**

A victim of domestic violence, dating violence, sexual assault, or stalking may move in violation of their lease if the move is required to protect their safety. If a move results in the termination of the Housing Assistance Payment Contract, the lease is automatically terminated.

## **Lease Bifurcation**

Owners may choose to bifurcate a lease, or remove a household member from a lease in order to evict, remove, terminate occupancy rights, or terminate assistance to such member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual. (See 24 CFR 5.2009(a).) If an owner chooses to bifurcate the lease, the owner must comply with the reasonable time to establish eligibility under the covered housing program or find alternative housing following lease bifurcation provision in 24 CFR 5.2009(b). VAWA protections, including bifurcation, do not apply to guests or unreported members of a household or anyone else residing in a household who is not a tenant.



Eviction, removal, termination of occupancy rights, or termination of assistance must be effected in accordance with the procedures prescribed by federal, state, or local law for termination of leases.

To avoid unnecessary delay in the bifurcation process, HUD recommends that owners seek court-ordered eviction of the perpetrator pursuant to applicable laws. This process results in the underlying lease becoming null and void once the owner regains possession of the unit. The owner would then execute a new lease with the victim.

### **Evictions Due to “Actual and Imminent Threat” or Violations Not Premised on Abuse**

The VAWA Final Rule generally prohibits eviction on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for assistance, participation or occupancy. (See 24 CFR 5.2005.)

However, the VAWA Final Rule does not prohibit an owner from evicting a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. Nor does the VAWA Final Rule prohibit an owner from evicting a tenant if the owner can demonstrate an actual and imminent threat to other tenants or those employed at or providing services to property of the owner would be present if that tenant or lawful occupant is not evicted or terminated from assistance. (See 5.2005(d)(2) and (3).)

In order to demonstrate an actual and imminent threat to other tenants or employees at the property, the covered housing provider must have objective evidence of words, gestures, actions, or other indicators that meet the standards in the following definition:

Actual and imminent threat refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include:

- The duration of the risk;
- The nature and severity of the potential harm;
- The likelihood that the potential harm will occur; and
- The length of time before the potential harm would occur.

(See 24 CFR 5.2003 and 5.2005(d)(2).)

### **Confidentiality**

Any information submitted to a covered housing provider under 24 CFR 5.2007, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, must be maintained in strict confidence by the covered housing provider. (See 24 CFR 5.2007(c).)

Employees of the owner (or those within their employ, e.g., contractors) must not have access to the information unless explicitly authorized by the owner for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law (e.g., the information is needed by an employee to provide the VAWA protections to the victim).

The owner must not enter this information into any shared database, or disclose this information to any other entity or individual, except to the extent that disclosure is:

- a. Requested or consented to in writing by the individual (victim) in a time-limited release;

- b. Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
- c. Otherwise required by applicable law.

When communicating with the victim, owners must take precautions to ensure compliance with these confidentiality requirements.

### **Service Providers**

RRHA has extensive relationships with local service providers. RRHA staff are available to provide referrals to shelters, counselors, and advocates. These resources are also provided in RRHA's Annual and 5-Year Plan, Administrative Plan, VAWA Notice of Occupancy Rights, and Emergency Transfer Plan. A list of local service providers is attached to this Notice.

### **Definitions**

**Actual and imminent threat** refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

**Affiliated individual**, with respect to an individual, means:

- 1. A spouse, parent, brother, sister, or child of that individual, or a person to whom that individual stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of that individual); or
- 2. Any individual, tenant, or lawful occupant living in the household of that individual.

**Bifurcate** means to divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

**Dating violence** means violence committed by a person:

- 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - i. The length of the relationship;
  - ii. The type of relationship; and
  - iii. The frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate

nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

**Sexual assault** means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for the person's individual safety or the safety of others; or
2. Suffer substantial emotional distress.

**VAWA** means the Violence Against Women Act of 1994, as amended (42 U.S.C. 13925 and 42 U.S.C. 14043e et seq.).

**Attached:**

Legal services and the domestic violence resources for the Metro area

Form HUD-5382 Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

RRHA VAWA Notice of Occupancy Rights

## **Section 8**

*(Chapter 16, Part IX, Violence Against Women Act (VAWA): Notification, Documentation, Confidentiality, pages 16-29 through 16-52, RRHA Section 8 Administrative Plan, approved by the RRHA Board of Commissioners on September 24, 2018)*

### **PART IX: VIOLENCE AGAINST WOMEN ACT (VAWA): NOTIFICATION, DOCUMENTATION, CONFIDENTIALITY**

#### **16-IX.A. OVERVIEW**

The Violence against Women Act of 2013 (VAWA) provides special protections for victims of domestic violence, dating violence, sexual assault and stalking who are applying for or receiving assistance under the housing choice voucher (HCV) program. If your state or local laws provide greater protection for such victims, those laws apply in conjunction with VAWA.

In addition to definitions of key terms used in VAWA, this part contains general VAWA requirements and RRHA policies in three areas: notification, documentation, and confidentiality. Specific VAWA requirements and RRHA policies are located primarily in the following sections: 3-I.C., “Family Breakup and Remaining Member of Tenant Family”; 3-III.G., “Prohibition against Denial of Assistance to Victims of Domestic Violence, Dating Violence, and Stalking”; 10-I.A., “Allowable Move”; 10-I.B., “Restrictions on Moves”; 12-II.E., “Termination Related to Domestic Violence, Dating Violence, or Stalking”; and 12-II.F., “Termination Notice.”

#### **16-IX.B. DEFINITIONS [24 CFR 5.2003, 42 USC 13925] as used in VAWA:**

- The term *bifurcate* means, with respect to a public housing or Section 8 lease, to divide a lease as a matter of law such that certain tenants can be evicted or removed while the remaining family members’ lease and occupancy rights are allowed to remain intact.
- The term *dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
- The term *domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
- The term *affiliated individual* means, with respect to a person:

- A spouse, parent, brother or sister, or child of that Individual, or an individual to whom that individual stands in the position or place of a parent; or
- Any other individual, tenant or lawful occupant living in the household of the victim of domestic violence, dating violence, sexual assault, or stalking.
- The term *sexual assault* means:
  - Any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks the capacity to consent
- The term *stalking* means:
  - To engage in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

### **16-IX.C. NOTIFICATION [24 CFR 5.2005 (a)]**

#### **Notification to Public**

RRHA adopts the following policy to help ensure that all actual and potential beneficiaries of its HCV program are aware of their rights under VAWA.

#### RRHA Policy

RRHA will post the following information regarding VAWA in its offices and on its website. It will also make the information readily available to anyone who requests it.

- A copy of the notice of occupancy rights under VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, sexual assault or stalking (Form HUD-5380, see Exhibit 16-1)
- A copy of form HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault or Stalking and Alternate Documentation (see Exhibit 16-2)
- A copy of RRHA's emergency transfer plan (Exhibit 16-3)
- A copy of HUD's Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking, Form HUD-5383 (Exhibit 16-4)
- The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)
- Contact information for local victim advocacy groups or service providers

#### **Notification to Program Applicants and Participants [24 CFR 5.2005(a)(1)]**

RRHA is required to inform program applicants and participants of their rights under VAWA, including their right to confidentiality and the limits thereof, when they are denied assistance, when they are admitted to the program, and when they are notified of an eviction or termination of housing benefits.

### RRHA Policy

RRHA will provide all applicants with information about VAWA at the time they request an application for housing assistance, as part of the written briefing packet, and at the time the family is admitted to the program. RRHA will also include information about VAWA in all notices of denial of assistance (see section 3-III.G)

RRHA will provide all participants with information about VAWA at the time of admission (see section 5-I.B) and at annual reexamination. RRHA will also include information about VAWA in notices of termination of assistance, as provided in Section 12-II.F.

The VAWA information provided to applicants and participants will consist of the notices in Exhibits 16-1 and 16-2.

RRHA is not limited to providing VAWA information at the times specified in the above policy. If RRHA decides to provide VAWA information to a participant following an incident of domestic violence, Notice PIH 2017-08 cautions against sending the information by mail, since the abuser may be monitoring the mail. The notice recommends that in such cases RRHA make alternative delivery arrangements that will not put the victim at risk.

### RRHA Policy

Whenever RRHA has reason to suspect that providing information about VAWA to a participant might place a victim of domestic violence at risk, it will attempt to deliver the information by hand directly to the victim or by having the victim come to an office or other space that may be safer for the individual, making reasonable accommodations as necessary. For example, RRHA may decide not to send mail regarding VAWA protections to the victim's unit if RRHA believes the perpetrator may have access to the victim's mail, unless requested by the victim.

When discussing VAWA with the victim, RRHA will take reasonable precautions to ensure that no one can overhear the conversation, such as having conversations in a private room.

The victim may, but is not required to, designate an attorney, advocate, or other secure contact for communications regarding VAWA protections.

### **Notification to Owners and Managers**

While RRHA is no longer required by regulation to notify owners and managers participating in the HCV program of their rights and obligations under VAWA, RRHA may still choose to inform them.

### RRHA Policy

RRHA will provide owners and managers with information about their rights and obligations under VAWA when they begin their participation in the program and at least annually thereafter.

The VAWA information provided to owners will consist of notice in Exhibit 16-5 and a copy of form HUD-5382, Certification for Domestic Violence, Dating Violence, and Stalking and Alternate Documentation.

#### **16-IX.D. DOCUMENTATION [24 CFR 5.2007]**

If RRHA is presented with a claim for initial or continued assistance based on status as a victim of domestic violence, dating violence, sexual assault or stalking, or criminal activity related to any of these forms of abuse may –but is not required to –request that the individual making the claim document the abuse. Any request for documentation must be in writing, and the individual must be allowed at least 14 business days after receipt of the request to submit documentation. RRHA may extend this time period at its discretion. [24 CFR 5.2007(a)]

The individual may satisfy RRHA’s request by providing any one of the following three forms of documentation [24 CFR 5.2007(b)]:

- (1) A completed and signed HUD-approved certification from (HUD-5382, Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking), which must include the name of the perpetrator only if the name of the perpetrator is safe to provide and is known to the victim. The form may be filled out and submitted on behalf of the victim.
- (2) A federal, state, tribal, territorial, or local police report or court record, or an administrative record
- (3) Documentation signed by a person who has assisted the victim in addressing domestic violence, dating violence, sexual assault or stalking, or the effects of such abuse. This person may be an employee, agent, or volunteer of a victim service provider; and attorney; a mental health professional; or a medical professional. The person signing the documentation must attest under penalty of perjury to the person’s belief that the incidents in question are bona fide incidents of abuse. The victim must also sign the documentation.

RRHA may not require third-party documentation (forms 2 and 3) in addition to certification (form 1), except as specified below under “Conflicting Documentation,” nor may it require certification in addition to third-party documentation [VAWA final rule].

##### RRHA Policy

Any request for documentation of domestic violence, dating violence, sexual assault or stalking will be in writing, will specify a deadline of 14 business days following receipt of the request, will describe the three forms of acceptable documentation, will provide explicit instructions on where and to whom the documentation must be submitted, and will state the consequences for failure to submit the documentation or request an extension in writing by the deadline.

RRHA may, in its discretion, extend the deadline for 10 business days. In determining whether to extend the deadline, RRHA will consider factors that may contribute to the victim’s inability to provide documentation in a timely manner, including cognitive limitations, disabilities, limited English proficiency, absence from the unit, administrative delays, the danger of further violence, and the victim’s need to address health or safety issues. Any extension granted by RRHA will be in writing.

Once the victim provides documentation, RRHA will acknowledge receipt of the documentation within 10 business days.

### **Conflicting Documentation [24 CFR 5.2007(e)]**

In cases where RRHA receives conflicting certification documents from two or more member of a household, each claiming to be a victim and naming one or more of the other petitioning household members as the perpetrator, RRHA may determine which is the true victim by requiring each to provide acceptable third-party documentation, as described above (forms 2 and 3) within 30 calendar days of the date of the request for third-party documentation. RRHA must honor any court orders issued to protect the victim or to address the distribution of property. RRHA may also request third-party documentation when submitted documentation contains information that conflicts with existing information already available to RRHA. Individuals have 30 calendar days to return third-party verification to RRHA. If RRHA does not receive third-party documentation, and RRHA will deny or terminate assistance as a result, RRHA must hold separate hearings for the tenants [Notice PIH 2017-08].

#### **RRHA Policy**

If presented with conflicting certification documents from members of the same household, RRHA will attempt to determine which is the true victim by requiring each of them to provide third-party documentation in accordance with 24 CFR 5.2007(e) and by following any HUD guidance on how such determinations should be made.

When requesting third-party documents, RRHA will provide contact information for local domestic violence and legal aid offices. In such cases, applicants or tenants will be given 30 calendar days from the date of the request to provide such documentation.

If RRHA does not receive third-party documentation within the required timeframe (and any extensions) RRHA will deny VAWA protections and will notify the applicant or tenant in writing of the denial. If, as a result, the applicant or tenant is denied or terminated from the program, RRHA will hold separate hearings for the applicants or tenants.

### **Discretion to Require no Formal Documentation [24 CFR 5.2007(d)]**

RRHA has the discretion to provide benefits to an individual based solely on the individual's statement or other corroborating evidence—i.e., without requiring formal documentation of abuse in accordance with 24 CFR 5.2007(b). HUD recommends documentation in a confidential manner when a verbal statement or other evidence is accepted.

#### **RRHA Policy**

RRHA accepts an individual's statement or other corroborating evidence (as determined by the victim) of domestic violence, dating violence, sexual assault or stalking, RRHA will document acceptance of the statement or evidence in the individual's file.

### **Failure to Provide Documentation [24 CFR 5.2007(c)]**

In order to deny relief for protection under VAWA, RRHA must provide the individual requesting relief with a written request for documentation of abuse. If the individual fails to provide the documentation with 14 business days from the date of the receipt, or such longer time as RRHA may allow, RRHA may deny relief for protection under VAWA.

### **16-IX.E. CONFIDENTIALITY [24 CFR 5.2007(b)(4)]**

All information provided to RRHA regarding domestic violence, dating violence, sexual assault or stalking, including the fact that an individual is a victim of such violence or stalking, must be retained in confidence. This means that RRHA (1) may not enter the information into any shared



database, (2) may not allow employees or others to access the information unless they are explicitly authorized to do so and have a need to know the information for the purposes of their work, and (3) may not provide the information to any other entity or individual, except to the extent that the disclosure is (a) requested or consented to by the individual in writing, (b) required for use in an eviction proceeding, or (c) otherwise required by applicable law.

#### RRHA Policy

If disclosure is required for use in an eviction proceeding or is otherwise required by applicable law, RRHA will inform the victim before disclosure occurs so that safety risks can be identified and addressed.

<b>EXHIBIT 16-1: SAMPLE Notice of Occupancy Rights Under the Violence Against Women Act, Form HUD-5380</b>
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**City of Roanoke Redevelopment and Housing Authority**  
**Notice of Occupancy Rights under the Violence Against Women Act<sup>5</sup>**

**To all Tenants and Applicants**

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.<sup>6</sup> The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that the Housing Choice Voucher Program is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.

**Protections for Applicants**

If you otherwise qualify for assistance under the Housing Choice Voucher Program, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

**Protections for Tenants**

If you are receiving assistance under the Housing Choice Voucher Program, you may not be denied assistance, terminated from participation, or be evicted from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance or occupancy rights under the Housing Choice Voucher Program solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

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<sup>5</sup> Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

<sup>6</sup> Housing providers cannot discriminate on the basis of any protected characteristics, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

## **Removing the Abuser or Perpetrator from the Household**

RRHA may divide (bifurcate) your lease in order to evict the individual or terminate the assistance of the individual who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking.

If RRHA chooses to remove the abuser or perpetrator, RRHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the evicted abuser or perpetrator was the sole tenant to have established eligibility for assistance under the program, RRHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or find alternative housing.

In removing the abuser or perpetrator from the household, RRHA must follow federal, state, and local eviction procedures. In order to divide a lease, RRHA may, but is not required to, ask you for documentation or certification of the incidences of domestic violence, dating violence, sexual assault, or stalking.

## **Moving to Another Unit**

Upon your request, RRHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, RRHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for emergency transfer, RRHA may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

4. **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If RRHA does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, RRHA may ask you for such documentation, as described in the documentation section below.
5. **You expressly request the emergency transfer.** RRHA may choose to require that you submit a form, or may accept another written or oral request.
6. **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

RRHA will keep confidential requests for emergency transfers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

RRHA's emergency transfer plan provides further information on emergency transfers, and RRHA must make a copy of its emergency transfer plan available to you if you ask to see it.

### **Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

RRHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from RRHA must be in writing, and RRHA must give you at least 14 business days (Saturdays, Sundays, and federal holidays do not count) from the day you receive the request to provide the documentation. RRHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide one of the following to RRHA as documentation. It is your choice which of the following to submit, if RRHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A completed HUD-approved certification form given to you by RRHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, "professional") from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds of protection.
- Any other statement or evidence that RRHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, RRHA does not have to provide you with the protections contained in this notice.

If RRHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and name one or more of the other petitioning household members as the abuser or perpetrator), RRHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the

conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, RRHA does not have to provide you with the protections contained in this notice.

### **Confidentiality**

RRHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

RRHA must not allow any individual administering assistance or other services on behalf of RRHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

RRHA must not enter your information into any shared database or disclose your information to any other entity or individual. RRHA, however, may disclose the information provided if:

- You give written permission to RRHA to release the information on a time limited basis.
- RRHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.
- A law requires RRHA or your landlord to release the information.

VAWA does not limit RRHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

### **Reasons a Tenant Eligible for Occupancy Rights Under VAWA May Be Evicted or Assistance May Be Terminated**

You can be evicted and your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, RRHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and you could be evicted and your assistance terminated, if RRHA can demonstrate that not evicting you or terminating your assistance would present a real physical danger that:

3. Would occur within an immediate time frame, and
4. Could result in death or serious bodily harm to other tenants or those who work on the property.

If RRHA can demonstrate the above, RRHA should only terminate your assistance or evict you if there are no other actions that could be taken to reduce or eliminate the threat.

### **Other Laws**

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other federal laws, as well as under state and local laws.

**Non-Compliance with the Requirements of This Notice**

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with US Dept. of Housing & Urban Development; 600 E Broad Street, Room FL3-300; Richmond, VA 23219.

**For Additional Information**

You may view a copy of HUD's final VAWA rule at 24 CFR 5.2005:  
<https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>.

Additionally, RRHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For questions regarding VAWA, please contact the Housing Choice Voucher Manager at 540-983-9281.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY). You may also contact Domestic Violence Service Center 540-283-4813.

For help regarding sexual assault, you may contact Domestic Violence Service Center 540-283-4813 or Sabrina's Place -777-HOPE (Jo Nelson).

Victims of stalking seeking help may contact LGBTQ Partner Abuse and Sexual Assault - 866-356-6998 (Person on call) or Roanoke City Police Department - Frank Leftwich - Criminal Investigations / Special Victims Unit 540-853-5299.

Attachment: Certification form HUD-5382

<b>EXHIBIT 16-2: Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking and Alternate Documentation, Form HUD-5382</b>
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**CERTIFICATION OF  
DOMESTIC VIOLENCE,  
DATING VIOLENCE,  
SEXUAL ASSAULT, OR STALKING,  
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

**Use of This Optional Form:** If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (4) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (5) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (6) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

**Submission of Documentation:** The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,  
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: \_\_\_\_\_
2. Name of victim: \_\_\_\_\_
3. Your name (if different from victim's): \_\_\_\_\_
4. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
5. Residence of victim: \_\_\_\_\_
6. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_  
\_\_\_\_\_
7. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
8. Date(s) and times(s) of incident(s) (if known): \_\_\_\_\_  
\_\_\_\_\_
9. Location of incident(s): \_\_\_\_\_

In your own words, briefly describe the incident(s):

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This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

**Public Reporting Burden:** The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.



<b>EXHIBIT 16-3: RRHA Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking (Housing Choice Voucher Version)</b>
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**City of Roanoke Redevelopment and Housing Authority (RRHA)**

**Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

**Housing Choice Voucher Program**

**Emergency Transfers**

City of Roanoke Redevelopment and Housing Authority (RRHA) is concerned about the safety of its tenants, and such concern extends to tenants who are victims of domestic violence, dating violence, sexual assault, or stalking. In accordance with the Violence Against Women Act (VAWA)<sup>7</sup>, RRHA allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to request an emergency transfer from the tenant's current unit to another unit. The ability to request a transfer is available regardless of sex, gender identity, or sexual orientation.<sup>8</sup> The ability of RRHA to honor such request for tenants currently receiving assistance, however, may depend upon a preliminary determination that the tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, and on whether RRHA has another dwelling unit that is available and is safe to offer the tenant for temporary or more permanent occupancy.

This plan identifies tenants who are eligible for an emergency transfer, the documentation needed to request an emergency transfer, confidentiality protections, how an emergency transfer may occur, and guidance to tenants on safety and security. This plan is based on a model emergency transfer plan published by the U.S. Department of Housing and Urban Development (HUD), the federal agency that oversees that the Public Housing and Housing Choice Voucher (HCV) programs are in compliance with VAWA.

**Eligibility for Emergency Transfers**

A tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking, as provided in HUD's regulations at 24 CFR part 5, subpart L is eligible for an emergency transfer, if: the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant remains within the same unit. If the tenant is a victim of sexual assault, the tenant may also be eligible to transfer if the sexual assault occurred on the premises within the 90-calendar-day period preceding a request for an emergency transfer.

A tenant requesting an emergency transfer must expressly request the transfer in accordance with the procedures described in this plan.

Tenants who are not in good standing may still request an emergency transfer if they meet the eligibility requirements in this section.

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<sup>7</sup> Despite the name of this law, VAWA protection is available to all victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

<sup>8</sup> Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

## **Emergency Transfer Request Documentation**

To request an emergency transfer, the tenant shall notify RRHA's management office and submit a written request for a transfer to City of Roanoke Redevelopment and Housing Authority.

RRHA will provide reasonable accommodations to this policy for individuals with disabilities. The tenant's written request for an emergency transfer should include either:

3. A statement expressing that the tenant reasonably believes that there is a threat of imminent harm from further violence if the tenant were to remain in the same dwelling unit assisted under RRHA's program; OR
4. A statement that the tenant was a sexual assault victim and that the sexual assault occurred on the premises during the 90-calendar-day period preceding the tenant's request for an emergency transfer.

## **Confidentiality**

RRHA will keep confidential any information that the tenant submits in requesting an emergency transfer, and information about the emergency transfer, unless the tenant gives RRHA written permission to release the information on a time limited basis, or disclosure of the information is required by law or required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program. This includes keeping confidential the new location of the dwelling unit of the tenant, if one is provided, from the person or persons that committed an act of domestic violence, dating violence, sexual assault, or stalking against the tenant. See the Notice of Occupancy Rights under the Violence Against Women Act For All Tenants for more information about RRHA's responsibility to maintain the confidentiality of information related to incidents of domestic violence, dating violence, sexual assault, or stalking.

## **Emergency Transfer Timing and Availability**

RRHA cannot guarantee that a transfer request will be approved or how long it will take to process a transfer request. RRHA will, however, act as quickly as possible to move a tenant who is a victim of domestic violence, dating violence, sexual assault, or stalking to another unit, subject to availability and safety of a unit. If a tenant reasonably believes a proposed transfer would not be safe, the tenant may request a transfer to a different unit. If a unit is available, the transferred tenant must agree to abide by the terms and conditions that govern occupancy in the unit to which the tenant has been transferred. RRHA may be unable to transfer a tenant to a particular unit if the tenant has not or cannot establish eligibility for that unit.

If RRHA has no safe and available units for which a tenant who needs an emergency transfer is eligible, RRHA will assist the tenant in identifying other housing providers who may have safe and available units to which the tenant could move. At the tenant's request, RRHA will also assist tenants in contacting the local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking that are attached to this plan.

## **Emergency Transfers: Housing Choice Voucher (HCV) Program**

Tenant-based assistance: If you are a participant in the tenant-based HCV program and request an emergency transfer as described in this plan, RRHA will assist you to move to a safe unit quickly using your existing voucher assistance. RRHA will make exceptions to program regulations restricting moves as required.

At your request, RRHA will refer you to organizations that may be able to further assist you.

You may also request an emergency transfer under the following programs for which you are required to apply:

- Housing Choice Voucher Program
- Public Housing Program
- Multifamily (Hackley Apartments)
- Low Income Housing Tax Credits (LIHTC)

Emergency transfers will not take priority over waiting list admissions for these programs. At your request, RRHA will refer you to organizations that may be able to further assist you.

### **Safety and Security of Tenants**

Pending processing of the transfer and the actual transfer, if it is approved and occurs, the tenant is urged to take all reasonable precautions to be safe.

Tenants who are or have been victims of domestic violence are encouraged to contact the National Domestic Violence Hotline at 1-800-799-7233, or a local domestic violence shelter, for assistance in creating a safety plan. For persons with hearing impairments, that hotline can be accessed by calling 1-800-787-3224 (TTY).

Tenants who have been victims of sexual assault may call the Rape, Abuse & Incest National Network's National Sexual Assault Hotline at 1-800-656-HOPE, or visit the online hotline at <https://ohl.rainn.org/online/>.

Tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

**Attachment:** Local organizations offering assistance to victims of domestic violence, dating violence, sexual assault, or stalking.

<b>EXHIBIT 16-4: Emergency Transfer Request for Certain Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking HUD-5383</b>
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**EMERGENCY TRANSFER  
REQUEST FOR CERTAIN  
VICTIMS OF DOMESTIC  
VIOLENCE, DATING VIOLENCE,  
SEXUAL ASSAULT OR STALKING**

**U.S. Department of Housing  
and Urban Development**

OMB Approval No. 2577-0286  
Exp. 06/30/2017

**Purpose of Form:** If you are a victim of domestic violence, dating violence, sexual assault, or stalking, and you are seeking an emergency transfer, you may use this form to request an emergency transfer and certify that you meet the requirements of eligibility for an emergency transfer under the Violence Against Women Act (VAWA). Although the statutory name references women, VAWA rights and protections apply to all victims of domestic violence, dating violence, sexual assault or stalking. Using this form does not necessarily mean that you will receive an emergency transfer. See your housing provider's emergency transfer plan for more information about the availability of emergency transfers.

**The requirements you must meet are:**

- (4) **You are a victim of domestic violence, dating violence, sexual assault, or stalking.** If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation. In response, you may submit Form HUD-5382, or any one of the other types of documentation listed on that Form.
- (5) **You expressly request the emergency transfer.** Submission of this form confirms that you have expressly requested a transfer. Your housing provider may choose to require that you submit this form, or may accept another written or oral request. Please see your housing provider's emergency transfer plan for more details.
- (6) **You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit.** This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

**OR**

**You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer.** If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you submit this form or otherwise expressly request the transfer.

**Submission of Documentation:** If you have third-party documentation that demonstrates why you are eligible for an emergency transfer, you should submit that documentation to your housing provider if it is safe for you to do so. Examples of third party documentation include, but are not limited to: a letter or other documentation from a victim service provider, social worker, legal assistance provider, pastoral counselor, mental health provider, or other professional from whom you have sought assistance; a current restraining order; a recent court order or other court records; a law enforcement report or records; communication records from the perpetrator of the violence or family members or friends of the perpetrator of the violence, including emails, voicemails, text messages, and social media posts.

**Confidentiality:** All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking, and concerning your request for an emergency transfer shall be kept confidential. Such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections or an emergency transfer to you. Such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE PERSON REQUESTING A TRANSFER**

1. Name of victim requesting an emergency transfer: \_\_\_\_\_
2. Your name (if different from victim's) \_\_\_\_\_
3. Name(s) of other family member(s) listed on the lease: \_\_\_\_\_  
\_\_\_\_\_
4. Name(s) of other family member(s) who would transfer with the victim: \_\_\_\_\_  
\_\_\_\_\_
5. Address of location from which the victim seeks to transfer: \_\_\_\_\_
6. Address or phone number for contacting the victim: \_\_\_\_\_
7. Name of the accused perpetrator (if known and can be safely disclosed): \_\_\_\_\_
8. Relationship of the accused perpetrator to the victim: \_\_\_\_\_
9. Date(s), Time(s) and location(s) of incident(s): \_\_\_\_\_  
\_\_\_\_\_
10. Is the person requesting the transfer a victim of a sexual assault that occurred in the past 90 days on the premises of the property from which the victim is seeking a transfer? If yes, skip question 11. If no, fill out question 11. \_\_\_\_\_
11. Describe why the victim believes they are threatened with imminent harm from further violence if they remain in their current unit.  
\_\_\_\_\_  
\_\_\_\_\_
12. If voluntarily provided, list any third-party documentation you are providing along with this notice:  
\_\_\_\_\_

This is to certify that the information provided on this form is true and correct to the best of my knowledge, and that the individual named above in Item 1 meets the requirement laid out on this form for an emergency transfer. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature \_\_\_\_\_ Signed on (Date) \_\_\_\_\_

## **EXHIBIT 16-5: Model Owner Notification of Rights and Obligations**

### **City of Roanoke Redevelopment and Housing Authority**

#### **Notification of Your Rights and Obligations Under the Violence Against Women Act (VAWA)**

VAWA provides protections for Section 8 Housing Choice Voucher (HCV) and PBV applicants, tenants, and participants from being denied assistance on the basis or as a direct result of being a victim of domestic violence, dating violence, sexual assault and stalking.

#### **Purpose**

Many of VAWA's protections to victims of domestic violence, dating violence, sexual assault and stalking involve action by the public housing agency (PHA), but some situations involve action by owners of assisted housing. The purpose of this notice (herein called "Notice") is to explain your rights and obligations under VAWA, as an owner of housing assisted through RRHA's HCV program. Each component of this Notice also provides citations to HUD's applicable regulations.

#### **Denial of Tenancy**

Protections for applicants: Owners cannot deny tenancy based on the applicant having been or currently being a victim of domestic violence, dating violence, sexual assault, or stalking. However, the applicant must be otherwise eligible for tenancy. (See 24 Code of Federal Regulations (CFR) 982.452(b)(1).)

#### **Eviction**

Protections for HCV participants: Incidents or threats of domestic violence, dating violence, sexual assault, or stalking will not be considered a serious or repeated lease violation by the victim, or good cause to terminate the tenancy of the victim (24 CFR 5.2005(c)). Protection also applies to criminal activity related directly to domestic violence, dating violence, sexual assault, or stalking, conducted by a member of a tenant's household or any guest or other person under the tenant's control, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking (24 CFR 5.2005(b)(2)).

Limitations of VAWA protections:

- d. Nothing in the VAWA Final Rule limits the authority of an owner, when notified of a court order, to comply with a court order with respect to (24 CFR 5.2005(d)(1)):
  - 1) The rights of access or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or
  - 2) The distribution or possession of property among members of a household in a case.
- e. Nothing in the VAWA Final Rule limits an owner from evicting a victim of domestic violence, dating violence, sexual assault, or stalking for a lease violation that is not premised on an act of domestic violence, dating violence, sexual assault, or stalking, as long as the owner does not subject the victim to more demanding standards than other tenants when deciding whether to evict. (See 24 CFR 5.2005(d)(2).)

- f. Nothing in the VAWA Final Rule limits an owner from evicting a tenant (including the victim of domestic violence, dating violence, sexual assault, or stalking) if the owner can demonstrate an actual and imminent threat to other tenants or those employed at or providing services to the HCV property would be present if the tenant or lawful occupant is not evicted. (See 24 CFR 5.2005(d)(3).)
  - 1) In this context, words, gestures, actions, or other indicators will be considered an “actual and imminent threat” if they meet the following standards: An actual and imminent threat consists of a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur. (See 24 CFR 5.2003.)
  - 2) Any eviction due to “actual and imminent threat” should be utilized by an owner only when there are no other actions that could be taken to reduce or eliminate the threat, including, but not limited to, transferring the victim to a different unit, barring the perpetrator from the property, contacting law enforcement to increase police presence or develop other plans to keep the property safe, or seeking other legal remedies to prevent the perpetrator from acting on a threat. Restrictions predicated on public safety cannot be based on stereotypes, but must be tailored to particularized concerns about individual residents. (See 24 CFR 5.2005(d)(4).)

### **Documentation of Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

If an applicant or tenant requests VAWA protection based on status as a victim of domestic violence, dating violence, sexual assault, or stalking, the owner has the option to request that the victim document or provide written evidence to demonstrate that the violence occurred. However, nothing in HUD’s regulation requires a covered housing provider to request this documentation. (See 24 CFR 5.2007(b)(3).)

If the owner chooses to request this documentation, the owner must make such request in writing. The individual may satisfy this request by providing any one document type listed under 24 CFR 5.2007(b)(1):

- e. Form HUD-55383 (Self-Certification Form); or
- f. A document: 1) Signed by an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional or a mental health professional (collectively, “professional”) from whom the victim has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse:
  - 3) Signed by the applicant or tenant; and
  - 4) That specifies, under penalty of perjury, that the professional believes in the occurrence of the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection and remedies under 24 CFR part 5, subpart L, and that the incident meets the applicable definition of domestic violence, dating violence, sexual assault, or stalking under 24 CFR 5.2003; or
- g. A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or

- h. At the discretion of a covered housing provider, a statement or other evidence provided by the applicant or tenant.

The owner must accept any of the above items (a – c). The owner has discretion to accept a statement or other evidence (d).

The owner is prohibited from requiring third-party documentation of the domestic violence, dating violence, sexual assault, or stalking, unless the submitted documentation contains conflicting information.

If the owner makes a written request for documentation, the owner may require submission of that documentation within 14 business days after the date that the individual received the written request for documentation. (24 CFR 5.2007(a)(2)). The owner may extend this time period at its discretion. During the 14 business day period and any granted extensions of that time, no adverse actions, such as evictions or terminations, can be taken against the individual requesting VAWA protection.

Once a victim provides documentation of domestic violence, dating violence, sexual assault, or stalking, the owner is encouraged to acknowledge receipt of the documentation in a timely manner.

If the applicant or tenant fails to provide documentation that meets the criteria in 24 CFR 5.2007 within 14 business days after receiving the written request for that documentation or within the designated extension period, nothing in VAWA Final Rule may be construed to limit the authority of the covered housing provider to:

- e. Deny admission by the applicant or tenant to the housing or program;
- f. Deny assistance under the covered housing program to the applicant or tenant;
- g. Terminate the participation of the tenant in the covered housing program; or
- h. Evict the tenant, or a lawful occupant that commits a violation of a lease.

An individual's failure to timely provide documentation of domestic violence, dating violence, sexual assault, or stalking does not result in a waiver of the individual's right to challenge the denial of assistance or termination, nor does it preclude the individual's ability to raise an incident of domestic violence, dating violence, sexual assault, or stalking at eviction or termination proceedings.

## **Moves**

A victim of domestic violence, dating violence, sexual assault, or stalking may move in violation of their lease if the move is required to protect their safety. If a move results in the termination of the Housing Assistance Payment Contract, the lease is automatically terminated.

## **Lease Bifurcation**

Owners may choose to bifurcate a lease, or remove a household member from a lease in order to evict, remove, terminate occupancy rights, or terminate assistance to such member who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual. (See 24 CFR 5.2009(a).) If an owner chooses to bifurcate the lease, the owner must comply with the reasonable time to establish eligibility under the covered housing program or find alternative housing following lease bifurcation provision in 24 CFR 5.2009(b). VAWA protections, including bifurcation, do not apply to guests or unreported members of a household or anyone else residing in a household who is not a tenant.



Eviction, removal, termination of occupancy rights, or termination of assistance must be effected in accordance with the procedures prescribed by federal, state, or local law for termination of leases.

To avoid unnecessary delay in the bifurcation process, HUD recommends that owners seek court-ordered eviction of the perpetrator pursuant to applicable laws. This process results in the underlying lease becoming null and void once the owner regains possession of the unit. The owner would then execute a new lease with the victim.

### **Evictions Due to “Actual and Imminent Threat” or Violations Not Premised on Abuse**

The VAWA Final Rule generally prohibits eviction on the basis or as a direct result of the fact that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for assistance, participation or occupancy. (See 24 CFR 5.2005.)

However, the VAWA Final Rule does not prohibit an owner from evicting a tenant for any violation not premised on an act of domestic violence, dating violence, sexual assault, or stalking that is in question against the tenant or an affiliated individual of the tenant. Nor does the VAWA Final Rule prohibit an owner from evicting a tenant if the owner can demonstrate an actual and imminent threat to other tenants or those employed at or providing services to property of the owner would be present if that tenant or lawful occupant is not evicted or terminated from assistance. (See 5.2005(d)(2) and (3).)

In order to demonstrate an actual and imminent threat to other tenants or employees at the property, the covered housing provider must have objective evidence of words, gestures, actions, or other indicators that meet the standards in the following definition:

Actual and imminent threat refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include:

- The duration of the risk;
- The nature and severity of the potential harm;
- The likelihood that the potential harm will occur; and
- The length of time before the potential harm would occur.

(See 24 CFR 5.2003 and 5.2005(d)(2).)

### **Confidentiality**

Any information submitted to a covered housing provider under 24 CFR 5.2007, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking, must be maintained in strict confidence by the covered housing provider. (See 24 CFR 5.2007(c).)

Employees of the owner (or those within their employ, e.g., contractors) must not have access to the information unless explicitly authorized by the owner for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law (e.g., the information is needed by an employee to provide the VAWA protections to the victim).

The owner must not enter this information into any shared database, or disclose this information to any other entity or individual, except to the extent that disclosure is:

- d. Requested or consented to in writing by the individual (victim) in a time-limited release;

- e. Required for use in an eviction proceeding or hearing regarding termination of assistance from the covered program; or
- f. Otherwise required by applicable law.

When communicating with the victim, owners must take precautions to ensure compliance with these confidentiality requirements.

### **Service Providers**

RRHA has extensive relationships with local service providers. RRHA staff are available to provide referrals to shelters, counselors, and advocates. These resources are also provided in RRHA's Annual and 5-Year Plan, Administrative Plan, VAWA Notice of Occupancy Rights, and Emergency Transfer Plan. A list of local service providers is attached to this Notice.

### **Definitions**

**Actual and imminent threat** refers to a physical danger that is real, would occur within an immediate time frame, and could result in death or serious bodily harm. In determining whether an individual would pose an actual and imminent threat, the factors to be considered include: the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the length of time before the potential harm would occur.

**Affiliated individual**, with respect to an individual, means:

- 3. A spouse, parent, brother, sister, or child of that individual, or a person to whom that individual stands in the place of a parent or guardian (for example, the affiliated individual is a person in the care, custody, or control of that individual); or
- 4. Any individual, tenant, or lawful occupant living in the household of that individual.

**Bifurcate** means to divide a lease as a matter of law, subject to the permissibility of such process under the requirements of the applicable HUD-covered program and State or local law, such that certain tenants or lawful occupants can be evicted or removed and the remaining tenants or lawful occupants can continue to reside in the unit under the same lease requirements or as may be revised depending upon the eligibility for continued occupancy of the remaining tenants and lawful occupants.

**Dating violence** means violence committed by a person:

- 3. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 4. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - iv. The length of the relationship;
  - v. The type of relationship; and
  - vi. The frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. The term "spouse or intimate partner of the victim" includes a person who is or has been in a social relationship of a romantic or intimate

nature with the victim, as determined by the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

**Sexual assault** means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

3. Fear for the person's individual safety or the safety of others; or
4. Suffer substantial emotional distress.

**VAWA** means the Violence Against Women Act of 1994, as amended (42 U.S.C. 13925 and 42 U.S.C. 14043e et seq.).

**Attached:**

Legal services and the domestic violence resources for the Metro area

Form HUD-5382 Certification of Domestic Violence, Dating Violence, Sexual Assault, or Stalking

RRHA VAWA Notice of Occupancy Rights

AGENCY	ADDRESS	PHONE	CONTACT	SERVICE
Turning Point	815 Salem Ave. SW Roanoke VA 24016	(540) 345-0400	Digna Marrero Domestic Violence (DV) Case Worker	Battered Women's Shelter
Sabrina's Place	120 Kirk Ave. Roanoke VA 24011	(540) 777-3799	Melody Robinson/ DV Coordinator	Supervised visitation and safe exchange
Rke. City Police Dept.	348 Campbell Ave Roanoke, VA 24016	(540) 853-6889	Pamela Gold DV Specialist	DV assistance with protective orders, warrants, resources, etc.
Family Services	360 Campbell Ave Roanoke VA 24016	(540) 563-5316	Luann Leffler/ Intake Coordinator	Individual and group counseling for batterers
TAP Women's Resource Center	145 Campbell Ave Roanoke VA 24016	(540) 283-4813	Debbie Anderson/ DV Case Manager/Court Advocate	Help clients find other DV resources and accompany them to court
TAP DV Hotline	145 Campbell Ave Roanoke VA 24016	540-580-0775	Shirleen Dungee	Domestic Violence Hotline
Rke. City DSS	1510 Williamson Rd Roanoke VA 24012	(540) 853-2591 ext 853528	Gwendolyn Colman DV Social Worker	Help clients find other DV resources
Rke. Co. DSS	220 East Main St. Salem VA 24153	(540) 387-6087	No Designated Caseworker	Rke. County refers all DV to TAP Women's Resource Center

Carilion Clinic	1906 Belleview Ave Roanoke VA 24014	(540) 266-2025 (o) 981-7337 (urgent)	Melissa Ratcliff- Harper/Lead Forensic	Forensic Nurses with DV expertise
Legal Aid	132 Campbell Ave Roanoke VA 24011	(540) 344-2088	No designated contact. All referrals must fill out an Application first	Assistance with cases that involve domestic violence
Probation & Parole – Dist. 15	305 Electric Rd Salem, VA 24153	(540) 387-6702	Chief Paul Kaiser	Supervisor with DV expertise

# Section K

## **Attachment K: PHA Plan Element – Pets**

*(Chapter 10, Pets, pages 10-1 through 10-11, RRHA Admissions and Continued Occupancy Policy, approved by the RRHA Board of Commissioners on September 24, 2018)*

### **10-I.A. OVERVIEW**

This part discusses situations under which permission for a service animal or an assistance animal may be denied, and also establishes standards for the care of service and assistance animals.

Notice FHEO 2013-01 was published April 25, 2013. The notice explains the difference between service animals and assistance animals. While the ADA applies to the premises of public housing agencies and to “public accommodations” such as stores and movie theaters, it does not apply to private-market rental housing. Therefore, in public housing RRHA must evaluate a request for a service animal under both the ADA and the Fair Housing Act. Service animals are limited to trained dogs.

Neither service animals nor assistance animals are pets, and thus, are not subject to RRHA’s pet policies described in Parts II through IV of this chapter [24 CFR 5.303; 960.705; Notice FHEO 2013-01].

### **10-I.B. APPROVAL OF SERVICE ANIMALS AND ASSISTANCE ANIMALS**

Notice FHEO 2013-01 states that RRHA should first evaluate the request as a service animal under the ADA. RRHA may only ask whether the dog is a service animal required due to a disability, and what tasks the animal has been trained to perform

RRHA cannot require proof of training or certification for a service animal, even if the disability and or tasks performed are not readily apparent. If the disability and /or tasks performed are not readily apparent, no further inquiries may be made.

RRHA may only deny a request for a service animal in limited circumstances;

- The animal is out of control and the handler does not take effective action to control it
- The animal is not housebroken, or
- The animal poses a direct threat to health or safety that cannot be eliminated or reduced by a reasonable modification of other policies

A service animal must be permitted in all areas of the facility where members of the public are allowed.

If the animal does not qualify as a service animal under the ADA, RRHA must next determine whether the animal would qualify as an assistance animal under the reasonable accommodation provisions of the Fair Housing Act. Such assistance animals may include animals other than dogs.

A person with a disability is not automatically entitled to have an assistance animal. Reasonable accommodation requires that there is a relationship between the person’s disability and his or her need for the animal [PH Occ GB, p. 179].

RRHA may not refuse to allow a person with a disability to have an assistance animal merely because the animal does not have formal training. Some, but not all, animals that assist persons

with disabilities are professionally trained. Other assistance animals are trained by the owners themselves and, in some cases, no special training is required. The question is whether or not the animal performs the assistance or provides the benefit needed by the person with the disability [PH Occ GB, p. 178].

RRHA's refusal to permit persons with a disability to use and live with an assistance animal that is needed to assist them, would violate Section 504 of the Rehabilitation Act and the Fair Housing Act unless [PH Occ GB, p. 179]:

- There is reliable objective evidence that the animal poses a direct threat to the health or safety of others that cannot be reduced or eliminated by a reasonable accommodation
- There is reliable objective evidence that the animal would cause substantial physical damage to the property of others

RRHA has the authority to regulate Service animals and assistance animals under applicable federal, state, and local law [24 CFR 5.303(b)(3); 960.705(b)(3)].

For an animal to be excluded from the pet policy and be considered a service animal, it must be a trained dog, and there must be a person with disabilities in the household who requires the dog's services.

For an animal to be excluded from the pet policy and be considered an assistance animal, there must be a person with disabilities in the household, and the family must request and RRHA approve a reasonable accommodation in accordance with the policies contained in Chapter 2.

## **10-I.C. CARE AND HANDLING**

HUD regulations do not affect any authority RRHA may have to regulate service animals and assistance animals under federal, state, and local law [24 CFR 5.303; 24 CFR 960.705].

Residents must care for service animals and assistance animals in a manner that complies with state and local laws, including anti-cruelty laws.

Residents must ensure that service animals and assistance animals do not pose a direct threat to the health or safety of others, or cause substantial physical damage to the development, dwelling unit, or property of other residents.

When a resident's care or handling of a service animal or assistance animal violates these policies, RRHA will consider whether the violation could be reduced or eliminated by a reasonable accommodation. If RRHA determines that no such accommodation can be made, RRHA may withdraw the approval of a particular service or assistance animal.

## **PART II: PET POLICIES FOR ALL DEVELOPMENTS [24 CFR 5, Subpart C; 24 CFR 960, Subpart G ]**

### **10-II.A. OVERVIEW**

The purpose of a pet policy is to establish clear guidelines for ownership of pets and to ensure that no applicant or resident is discriminated against regarding admission or continued occupancy because of ownership of pets. It also establishes reasonable rules governing the keeping of common household pets. This part contains pet policies that apply to all developments.



## **10-II.B. MANAGEMENT APPROVAL OF PETS**

### **Registration of Pets**

Pets must be registered with RRHA before they are brought onto the premises.

Registration includes documentation signed by a licensed veterinarian or state/local authority that the pet has received all inoculations required by state or local law, and that the pet has no communicable disease(s) and is pest-free. This registration must be renewed annually and will be coordinated with the annual reexamination date.

Pets will not be approved to reside in a unit until completion of the registration requirements.

### **Refusal to Register Pets**

RRHA will refuse to register a pet if:

- The pet is not a *common household* pet as defined in Section 10-II.C. below
- Keeping the pet would violate any pet restrictions listed in this policy
- The pet owner fails to provide complete pet registration information, or fails to update the registration annually
- The applicant has previously been charged with animal cruelty under state or local law; or has been evicted, had to relinquish a pet or been prohibited from future pet ownership due to pet rule violations or a court order
- RRHA reasonably determines that the pet owner is unable to keep the pet in compliance with the pet rules and other lease obligations. The pet's temperament and behavior may be considered as a factor in determining the pet owner's ability to comply with provisions of the lease.

If RRHA refuses to register a pet, a written notification will be sent to the pet owner within 10 business days of RRHA's decision. The notice will state the reason for refusing to register the pet and will inform the family of their right to appeal the decision in accordance with RRHA's grievance procedures.

### **Pet Agreement**

Residents who have been approved to have a pet must enter into a pet agreement with RRHA, or the approval of the pet will be withdrawn.

The pet agreement is the resident's certification that he or she has received a copy of RRHA's pet policy and applicable house rules, that he or she has read the policies and/or rules, understands them, and agrees to comply with them.

The resident further certifies by signing the pet agreement that he or she understands that noncompliance with RRHA's pet policy and applicable house rules may result in the withdrawal of RRHA approval of the pet or termination of tenancy.

## **10-II.C. STANDARDS FOR PETS [24 CFR 5.318; 960.707(b)]**

RRHA may establish reasonable requirements related to pet ownership including, but not limited to:

- Limitations on the number of animals in a unit, based on unit size

- Prohibitions on types of animals that RRHA classifies as dangerous, provided that such classifications are consistent with applicable state and local law
- Prohibitions on individual animals, based on certain factors, including the size and weight of the animal
- Requiring pet owners to have their pets spayed or neutered

RRHA may not require pet owners to have any pet's vocal cords removed.

RRHA may not require pet owners to obtain or carry liability insurance.

RRHA may not require that cats be declawed.

### **Definition of "Common Household Pet"**

There is no regulatory definition of common household pet for public housing programs, although the regulations for pet ownership in both elderly/disabled and general occupancy developments use the term. The regulations for pet ownership in elderly/disabled developments expressly authorize RRHA to define the term [24 CFR 5.306(2)].

*Common household pet* means a domesticated animal, such as a dog, cat, bird, or fish that is traditionally recognized as a companion animal and is kept in the home for pleasure rather than commercial purposes.

The following animals are not considered common household pets:

- Reptiles
- Rodents
- Insects
- Arachnids
- Wild animals or feral animals
- Pot-bellied pigs
- Animals used for commercial breeding

### **Pet Restrictions**

The following animals are not permitted:

- Any animal whose adult weight will exceed 20 pounds
- Dogs of the Pit Bull, Rottweiler, Chow, or Boxer breeds
- Ferrets or other animals whose natural protective mechanisms pose a risk to small children of serious bites or lacerations
- Any animal not permitted under state or local law or code

### **Number of Pets**

Residents may own a maximum of 2 pets, only 1 of which may be a dog.

In the case of fish, residents may keep no more than can be maintained in a safe and healthy manner in a tank holding up to 10 gallons. Such a tank or aquarium will be counted as 1 pet.

## **Other Requirements**

Dogs and cats must be spayed or neutered at the time of registration or, in the case of underage animals, within 30 days of the pet reaching 6 months of age. Exceptions may be made upon veterinary certification that subjecting this particular pet to the procedure would be temporarily or permanently medically unsafe or unnecessary.

Pets must be licensed in accordance with state or local law. Residents must provide proof of licensing at the time of registration and annually, in conjunction with the resident's annual reexamination.

## **10-II.D. PET RULES**

Pet owners must maintain pets responsibly, in accordance with RRHA policies, and in compliance with applicable state and local public health, animal control, and animal cruelty laws and regulations [24 CFR 5.315; 24 CFR 960.707(a)].

### **Pet Area Restrictions**

Pets must be maintained within the resident's unit. When outside of the unit (within the building or on the grounds) dogs and cats must be kept on a leash or carried. They must be under the control of the resident or other responsible individual at all times.

Pets other than dogs or cats must be kept in a cage or carrier when outside of the unit.

Pets are not permitted in common areas including lobbies, community rooms and laundry areas except for those common areas which are entrances to and exits from the building.

Pet owners are not permitted to exercise pets or permit pets to deposit waste on project premises outside of the areas designated for such purposes.

### **Designated Pet/No-Pet Areas [24 CFR 5.318(g), PH Occ GB, p. 182]**

With the exception of common areas as described in the previous policy, RRHA has not designated any buildings, floors of buildings, or sections of buildings as no-pet areas. In addition, RRHA has not designated any buildings, floors of buildings, or sections of buildings for residency of pet-owning tenants.

### **Cleanliness**

The pet owner shall be responsible for the removal of waste from the common areas outside by placing it in a sealed plastic bag and disposing of it in a container provided by RRHA.

The pet owner shall take adequate precautions to eliminate any pet odors within or around the unit and to maintain the unit in a sanitary condition at all times.

- Litter box requirements:
  - Pet owners must promptly dispose of waste from litter boxes and must maintain litter boxes in a sanitary manner.
  - Litter shall not be disposed of by being flushed through a toilet.
  - Litter boxes shall be kept inside the resident's dwelling unit.

### **Alterations to Unit**

Pet owners shall not alter their unit, patio, premises or common areas to create an enclosure for any animal.

Installation of pet doors is prohibited.

### **Noise**

Pet owners must agree to control the noise of pets so that such noise does not constitute a nuisance to other residents or interrupt their peaceful enjoyment of their housing unit or premises. This includes, but is not limited to loud or continuous barking, howling, whining, biting, scratching, chirping, or other such activities.

### **Pet Care**

Each pet owner shall be responsible for adequate care, nutrition, exercise and medical attention for his/her pet.

Each pet owner shall be responsible for appropriately training and caring for his/her pet to ensure that the pet is not a nuisance or danger to other residents and does not damage RRHA property.

No animals may be tethered or chained inside or outside the dwelling unit at any time.

### **Responsible Parties**

The pet owner will be required to designate two responsible parties for the care of the pet if the health or safety of the pet is threatened by the death or incapacity of the pet owner, or by other factors that render the pet owner unable to care for the pet.

A resident who cares for another resident's pet must notify RRHA and sign a statement that they agree to abide by all of the pet rules.

### **Pets Temporarily on the Premises**

Pets that are not owned by a tenant are not allowed on the premises. Residents are prohibited from feeding or harboring stray animals.

This rule does not apply to visiting pet programs sponsored by a humane society or other non-profit organizations, and approved by RRHA.

### **Pet Rule Violations**

All complaints of cruelty and all dog bites will be referred to animal control or an applicable agency for investigation and enforcement.

If a determination is made on objective facts supported by written statements, that a resident/pet owner has violated the pet rules, written notice will be served.

The notice will contain a brief statement of the factual basis for the determination and the pet rule(s) that were violated. The notice will also state:

- That the pet owner has 10 business days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation
- That the pet owner is entitled to be accompanied by another person of his or her choice at the meeting

- That the pet owner's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to remove the pet, or to terminate the pet owner's tenancy

### **Notice for Pet Removal**

If the pet owner and RRHA are unable to resolve the violation at the meeting or the pet owner fails to correct the violation in the time period allotted by RRHA, RRHA may serve notice to remove the pet.

The notice will contain:

- A brief statement of the factual basis for RRHA's determination of the pet rule that has been violated
- The requirement that the resident /pet owner must remove the pet within 30 calendar days of the notice
- A statement that failure to remove the pet may result in the initiation of termination of tenancy procedures

### **Pet Removal**

If the death or incapacity of the pet owner threatens the health or safety of the pet, or other factors occur that render the owner unable to care for the pet, the situation will be reported to the responsible party designated by the pet owner.

If the responsible party is unwilling or unable to care for the pet, or if RRHA after reasonable efforts cannot contact the responsible party, RRHA may contact the appropriate state or local agency and request the removal of the pet.

### **Termination of Tenancy**

RRHA may initiate procedures for termination of tenancy based on a pet rule violation if:

- The pet owner has failed to remove the pet or correct a pet rule violation within the time period specified
- The pet rule violation is sufficient to begin procedures to terminate tenancy under terms of the lease

### **Emergencies**

RRHA will take all necessary steps to ensure that pets that become vicious, display symptoms of severe illness, or demonstrate behavior that constitutes an immediate threat to the health or safety of others, are immediately removed from the premises by referring the situation to the appropriate state or local entity authorized to remove such animals.

If it is necessary for RRHA to place the pet in a shelter facility, the cost will be the responsibility of the pet owner.

If the pet is removed as a result of any aggressive act on the part of the pet, the pet will not be allowed back on the premises.

## **PART III: PET DEPOSITS AND FEES IN ELDERLY/DISABLED DEVELOPMENTS**

### **10-III.A. OVERVIEW**

This part describes RRHA's policies for pet deposits and fees in elderly, disabled and mixed population developments. Policies governing deposits and fees in general occupancy developments are described in Part IV.

### **10-III.B. PET DEPOSITS**

#### **Payment of Deposit**

Pet owners are required to pay a pet deposit of \$300.00 for a dog or a cat and \$75.00 for a bird or fish aquarium, in addition to any other required deposits. This deposit is in addition to any other financial obligation generally imposed on tenants of the project [24 CFR 5.318(d)(1)].

The pet deposit is not part of the rent payable by the resident [24 CFR 5.318(d)(5)].

The pet owner must pay at least \$50.00 for a dog or a cat, and \$25.00 for a bird or fish, of the pet deposit at the time the pet is brought on the premises. The remainder of the deposit may be paid in the amount of \$10.00 per month until the balance has been paid in full.

#### **Refund of Deposit [24 CFR 5.318(d)(1)]**

RRHA may use the pet deposit only to pay reasonable expenses directly attributable to the presence of the pet, including (but not limited to) the costs of repairs and replacements to, and fumigation of, the tenant's dwelling unit. RRHA will refund the unused portion of the pet deposit to the tenant within a reasonable time after the tenant moves from the project or no longer owns or keeps a pet in the unit.

RRHA will refund the pet deposit to the resident, less the costs of any damages caused by the pet to the dwelling unit, within 30 days of move-out or removal of the pet from the unit.

The resident will be billed for any amount that exceeds the pet deposit.

RRHA will provide the resident with a written list of any charges against the pet deposit within 10 business days of the move-out inspection. If the resident disagrees with the amount charged to the pet deposit, RRHA will provide a meeting to discuss the charges.

### **10-III.C. OTHER CHARGES**

#### **Pet-Related Damages During Occupancy**

All reasonable expenses incurred by RRHA as a result of damages directly attributable to the presence of the pet in the project will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit
- Fumigation of the dwelling unit
- Repairs to common areas of the project

The expense of flea elimination shall also be the responsibility of the resident.

If the resident is in occupancy when such costs occur, the resident shall be billed for such costs in accordance with the policies in Section 8-I.G, Maintenance and Damage Charges. Pet deposits will not be applied to the costs of pet-related damages during occupancy.

Charges for pet-related damage are not part of rent payable by the resident.

#### **Pet Waste Removal Charge**

A separate pet waste removal charge of \$10.00 per occurrence will be assessed against pet owners who fail to remove pet waste in accordance with this policy.

Notices of pet waste removal charges will be in accordance with requirements regarding notices of adverse action. Charges are due and payable 14 calendar days after billing. If the family requests a grievance hearing within the required timeframe, RRHA may not take action for nonpayment of the charge until the conclusion of the grievance process.

Charges for pet waste removal are not part of rent payable by the resident.

### **PART IV: PET DEPOSITS AND FEES IN GENERAL OCCUPANCY DEVELOPMENTS**

#### **10-IV.A. OVERVIEW**

This part describes RRHA's policies for pet deposits and fees for those who reside in general occupancy developments.

#### **10-IV.B. PET DEPOSITS**

RRHA may require a refundable pet deposit to cover additional costs attributable to the pet and not otherwise covered [24 CFR 960.707(b)(1)].

A PHA that requires a resident to pay a pet deposit must place the deposit in an account of the type required under applicable State or local law for pet deposits, or if there are no such requirements, for rental security deposits, if applicable. RRHA will comply with such laws as to retention of the deposit, interest, and return of the deposit to the resident, and any other applicable requirements [24 CFR 960.707(d)].

##### **Payment of Deposit**

Pet owners are required to pay a pet deposit of \$300 for a dog or a cat, and \$75.00 for a bird or a fish aquarium, in addition to any other required deposits. The deposit must be paid in full before the pet is brought on the premises.

The pet deposit is not part of rent payable by the resident.

##### **Refund of Deposit**

RRHA will refund the pet deposit to the resident, less the costs of any damages caused by the pet to the dwelling unit, within 30 days of move-out or removal of the pet from the unit.

The resident will be billed for any amount that exceeds the pet deposit.

RRHA will provide the resident with a written list of any charges against the pet deposit within 10 business days of the move-out inspection. If the resident disagrees with the amount charged to the pet deposit, RRHA will provide a meeting to discuss the charges.

#### **10-IV.C. NON-REFUNDABLE NOMINAL PET FEE**

RRHA requires pet owners to pay a non-refundable nominal pet fee.

This fee is intended to cover the reasonable operating costs to the project relating to the presence of pets. Reasonable operating costs to the project relating to the presence of pets include, but are not limited to:

- Landscaping costs
- Pest control costs
- Insurance costs
- Clean-up costs

The pet fee of \$10.00 will be billed on a monthly basis, and payment will be due 14 calendar days after billing.

Charges for the non-refundable pet fee are not part of rent payable by the resident.

#### **10-IV.D. OTHER CHARGES**

##### **Pet-Related Damages During Occupancy**

All reasonable expenses incurred by RRHA as a result of damages directly attributable to the presence of the pet in the project will be the responsibility of the resident, including:

- The cost of repairs and replacements to the resident's dwelling unit
- Fumigation of the dwelling unit
- Repairs to common areas of the project

The expense of flea elimination shall also be the responsibility of the resident.

If the resident is in occupancy when such costs occur, the resident shall be billed for such costs in accordance with the policies in Section 8-I.G, Maintenance and Damage Charges. Pet deposits will not be applied to the costs of pet-related damages during occupancy.

Charges for pet-related damage are not part of rent payable by the resident.

##### **Pet Waste Removal Charge**

The regulations do not address RRHA's ability to impose charges for house pet rule violations. However, charges for violation of RRHA pet rules may be treated like charges for other violations of the lease and RRHA tenancy rules.

A separate pet waste removal charge of \$10.00 per occurrence will be assessed against pet owners who fail to remove pet waste in accordance with this policy.

Such charges will be due and payable 14 calendar days after billing. Charges for pet waste removal are not part of rent payable by the resident.



# Section L

## **Attachment L: PHA Plan Element – Substantial Deviation and Significant Amendment/Modification**

RRHA defines the following criteria for substantial deviations and significant amendments/modifications:

1. Discretionary changes in the plans or policies of the housing authority that fundamentally change the mission, goals, objectives, or plans of the agency and which require formal approval of the Board of Commissioners.
2. Revisions to the following policies: rent, screening and admission, or organization of the waiting list.

An exception to this definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements; HUD does not consider such changes to be significant amendments.