



CITY OF POMONA COUNCIL REPORT

March 6, 2017

To: Honorable Mayor and Members of the City Council sitting as the Governing Board for the City of Pomona Housing Authority

From: Linda Lowry, Executive Director

Submitted by: Benita DeFrank, Neighborhood Services Director

Subject: **Adopting a Resolution Amending the Section 8 Housing Choice Voucher Program Administrative Plan**

OVERVIEW

Recommendations - That the City Council, sitting as the Governing Board of the City of Pomona Housing Authority:

1. Adopt a resolution approving the amendments to the Section 8 Housing Choice Voucher Program Administrative Plan.

Fiscal Impact – The U.S. Department of Housing and Urban Development (HUD) funds the Section 8 Housing Choice Voucher Program annually. Approving the submission of the revised City of Pomona Housing Authority Administrative Plan does not commit the City to the expenditure of any additional funds. Therefore, there is no fiscal impact associated with this action.

Previous Council Action – On February 6, 2017, the City Council adopted a resolution authorizing the acceptance of thirty vouchers for the Project Based Voucher - Veteran Affairs Supportive Housing (PBV-VASH) Program, for a 15-year contract period. April 7, 2014, the City Council adopted a resolution approving the revised Housing Choice Voucher Program Administrative Plan.

EXECUTIVE SUMMARY

In accordance with 24 CFR 982.54, HUD requires each Housing Authority (HA) overseeing a Section 8 Housing Choice Voucher program to periodically update and adopt a written Administrative Plan that is in compliance with HUD's approach to monitoring and policy development. The Administrative Plan establishes local policies for administration of the program in accordance with HUD requirements.

The Pomona HA submitted its current Administrative Plan to HUD on April 7, 2014. Since that time, the HA was awarded thirty project-based vouchers to operate the Pomona Project Based Voucher (PBV), Veteran Affairs Supportive Housing (VASH) Program, effective July 1, 2017. In order to administer a PBV program, the Pomona HA must include in its Administrative plan HUD regulations and HA policies related to the PBV program. The changes proposed in the draft plan are the addition of Chapter 17-Project Based Vouchers describing HUD regulations and HA policies in the administration of the PBV program.

DISCUSSION

In developing administrative policies, the Pomona HA must refer to mandatory references and optional references. Mandatory references are binding and must be followed by all HAs. These include HUD handbooks, statutes, the Code of Federal Regulations, current notices from the Office of Public and Indian Housing, including those that have been extended or reinstated, forms required by regulations and opinions or rulings of HUD's Office of General Counsel. Optional references are non-binding and may include, but are not limited to, guidebooks, notices, and recommendations from individual HUD staff.

HUD recommends HAs develop policies that are consistent with optional references when there are no mandatory references available. In so doing, this creates a "safe harbor" for the HA. HUD has already determined that the recommendations and suggestions contained in these optional references (guidebooks, notices, and recommendations from individual HUD staff) are consistent with applicable requirements. If the HA decides to use a policy or procedure that is different from HUD's guidance, it is not protected by the safe harbor concept and must make its own determination of consistency with applicable requirements.

The Pomona HA completed a careful review of HUD regulations, identifying "decision points" and items that need further clarification or interpretation in order to administer the Pomona HA programs in compliance with HUD regulations. Accordingly, the Pomona HA consulted and received training from HUD staff and Nan McKay and Associates; a leading expert in professional housing training, in preparing the Pomona HA's revised Administrative Plan.

The revised Administrative Plan contains language recommended by Nan McKay for each area in which the Pomona HA has discretion or flexibility to adopt its own policies. The development of policies addressing these decision points ensures a more consistent application of policies by the Pomona HA staff and a better understanding of HA decisions by program participants and the public.

The Administrative Plan addition of "Chapter 17 – Project Based Vouchers" shows Pomona HA's compliance with HUD's requirements. There are no other substantive changes to default policies, nor expanded policies, on existing program administration at this time.

The Pomona HA's goal is to provide quality service, maintain a successful administration of the Section 8 Housing Choice Voucher Program, ensure that it has the most up-to-date information, and be compliant with Federal mandate requirements.

The revisions made to the Pomona HA Administrative Plan are identified in Attachment 3. A copy of the complete revised PHA Administrative Plan binder is available for review in the City Clerks office and will be posted on the City's official web site upon approval.

Attachment 1 - Resolution

Attachment 2 - Table of Revisions to the PHA Administrative Plan

Attachment 3 – Table of Contents (TOC) Admin Plan 3-17

Attachment 4 –Admin Plan - Chapter 17- Project Based Vouchers