



CITY OF POMONA COUNCIL REPORT

September 9, 2019

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: AMENDING THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

RECOMMENDATION:

It is recommended that the City Council, sitting as the Governing Board of the City of Pomona Housing Authority (PHA) adopt the following resolution (Attachment 1):

RESOLUTION NO. 2019-133 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, SITTING AS THE GOVERNING BOARD OF THE POMONA HOUSING AUTHORITY, AMENDING THE POMONA HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

EXECUTIVE SUMMARY

In accordance with 24 CFR 982.54, HUD requires each Housing Authority 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.

FISCAL IMPACT:

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 RELATED ACTION:

On March 19, 2018, the City Council adopted a resolution approving the revised Housing Choice Voucher Program Administrative Plan.

DISCUSSION

The Housing Authority's Administrative Plan must describe the policies that have been adopted in each area where the PHA has discretion. Housing Choice Voucher Program regulations specify the policy areas that must be covered in the Administrative Plan. From time to time, HUD amends these regulations and adds new administrative plan requirements. The Housing Authority is responsible for updating its Administrative Plan to include these additional elements as required. The Housing Authority must also revise its plan whenever local circumstances require a policy change.

In developing administrative policies, the PHA must refer to mandatory references and optional references. Mandatory references are binding and must be followed by all housing authorities. 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 Housing Authorities 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 PHA completed a careful review of HUD regulations, identifying "decision points" and items that need further clarification or interpretation in order to administer the PHA programs in compliance with HUD regulations. Accordingly, the PHA 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 PHA 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 PHA staff and a better understanding of HA decisions by program participants and the public.

The PHA's goals are 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 Administrative Plan revised policies, added wording to show the PHA's compliance and implementations of HUD notices. Revisions are now appropriate in order for the Housing Authority to document key policy revisions initiated on a federal level and revisions proposed locally by Housing Authority Staff.

The revisions made to the Pomona Housing Authority Administrative Plan are identified in Attachment 2. All changes within the Plan are highlighted. A copy of the complete revised PHA Administrative Plan binder is available for review in the City Clerk's office and will be posted on the City's official web site upon approval.

Summary

Presented for the Governing Board's approval is the revised Administrative Plan. Adoption of the resolution (Attachment 1) and approving the revised Administrative Plan (Attachment 2) will place the PHA in compliance with HUD policies, with respect to Program components.

COUNCIL PRIORITIES & GOALS: NONE

Prepare by:

George Montano
Housing Authority Manager

ATTACHMENTS:

Attachment No. 1 – Resolution No. 2019-133
Attachment No. 2 – Administrative Plan