

PHA Name : Housing Authority Of Bergen County

PHA Code : NJ067

MTW Supplement for PHA Fiscal Year Beginning : (MM/DD/YYYY): 4/1/2023

PHA Program Type: Combined

MTW Cohort Number: Landlord Incentives

MTW Supplement Submission Type: Annual Submission

B. MTW Supplement Narrative.

Annually, the Housing Authority of Bergen County (HABC) creates and adopts a Public Housing Authority Annual Plan (PHA Annual Plan) that describes new and ongoing activities that HABC will implement with the federal resources we are awarded. HUD approval is required for the Annual Plan. This supplemental document to our previously approved PHA Annual Plan outlines: the program design and local innovations intended to improve housing and self-sufficiency strategies for low-income families; the activities HABC will implement to improve and incentivize landlord participation; and how these activities and initiatives will be evaluated.

This Supplement outlines the MTW waivers the HABC will implement and the proposed benefits to the Authority or participants for the period from April 1, 2023 through March 31, 2024.

The Housing Authority of Bergen County (HABC) is an HCV only agency and plans on utilizing MTW waivers during this first year that predominantly reduce program operation costs, achieve greater cost effectiveness in federal expenditures and increase housing choice for low-income program participants in our Housing Choice Voucher (HCV) program.

- To achieve greater cost effectiveness in federal funding expenditures and promote greater housing choice for program participants HABC will implement higher payment standards.
- To improve cost effectiveness HABC will perform rent reasonableness determination on PBV units that it owns, manages and/or controls.
- To reduce program operation costs, achieve greater cost effectiveness and incentivize families to become economically self-sufficient HABC will delay household annual recertifications.
- To achieve greater cost effectiveness in federal expenditures HABC will reduce or eliminate asset income reporting requirements allowing families to retain more of their income to help lift households out of poverty or transition off housing assistance.
- To improve program cost efficiencies, achieve greater cost effectiveness, and expand and increase housing choice for program participants HABC will implement vacancy loss payments, damage claims, front-end vacancy loss payments and landlord incentives to promote greater participation of current landlords and increase participation of new landlords.
- To increase program cost efficiencies and expand affordable housing units and choice for low-income households the HABC will expand program opportunities and flexibilities with project based vouchers, increasing the program and project caps and increasing contract length.

C. The policies that the MTW agency is using or has used (currently implement, plan to implement in the submission year, plan to discontinue, previously discontinued).

| 1. Tenant Rent Policies | |
|---|--|
| a. Tiered Rent (PH) | Not Currently Implemented |
| b. Tiered Rent (HCV) | Not Currently Implemented |
| c. Stepped Rent (PH) | Not Currently Implemented |
| d. Stepped Rent (HCV) | Not Currently Implemented |
| e. Minimum Rent (PH) | Not Currently Implemented |
| f. Minimum Rent (HCV) | Not Currently Implemented |
| g. Total Tenant Payment as a Percentage of Gross Income (PH) | Not Currently Implemented |
| h. Total Tenant Payment as a Percentage of Gross Income (HCV) | Not Currently Implemented |
| i. Alternative Utility Allowance (PH) | Not Currently Implemented |
| j. Alternative Utility Allowance (HCV) | Not Currently Implemented |
| k. Fixed Rents (PH) | Not Currently Implemented |
| l. Fixed Subsidy (HCV) | Not Currently Implemented |
| m. Utility Reimbursements (PH) | Not Currently Implemented |
| n. Utility Reimbursements (HCV) | Not Currently Implemented |
| o. Initial Rent Burden (HCV) | Not Currently Implemented |
| p. Imputed Income (PH) | Not Currently Implemented |
| q. Imputed Income (HCV) | Not Currently Implemented |
| r. Elimination of Deduction(s) (PH) | Not Currently Implemented |
| s. Elimination of Deduction(s) (HCV) | Not Currently Implemented |
| t. Standard Deductions (PH) | Not Currently Implemented |
| u. Standard Deductions (HCV) | Not Currently Implemented |
| v. Alternative Income Inclusions/Exclusions (PH) | Not Currently Implemented |
| w. Alternative Income Inclusions/Exclusions (HCV) | Not Currently Implemented |
| 2. Payment Standards and Rent Reasonableness | |
| a. Payment Standards- Small Area Fair Market Rents (HCV) | Plan to Implement in the Submission Year |
| b. Payment Standards- Fair Market Rents (HCV) | Not Currently Implemented |
| c. Rent Reasonableness – Process (HCV) | Not Currently Implemented |
| d. Rent Reasonableness – Third-Party Requirement (HCV) | Plan to Implement in the Submission Year |
| 3. Reexaminations | |
| a. Alternative Reexamination Schedule for Households (PH) | Not Currently Implemented |
| b. Alternative Reexamination Schedule for Households (HCV) | Plan to Implement in the Submission Year |
| c. Self-Certification of Assets (PH) | Not Currently Implemented |
| d. Self-Certification of Assets (HCV) | Plan to Implement in the Submission Year |
| 4. Landlord Leasing Incentives | |
| a. Vacancy Loss (HCV-Tenant-based Assistance) | Plan to Implement in the Submission Year |
| b. Damage Claims (HCV-Tenant-based Assistance) | Plan to Implement in the Submission Year |
| c. Other Landlord Incentives (HCV- Tenant-based Assistance) | Plan to Implement in the Submission Year |
| 5. Housing Quality Standards (HQS) | |
| a. Pre-Qualifying Unit Inspections (HCV) | Not Currently Implemented |
| b. Reasonable Penalty Payments for Landlords (HCV) | Not Currently Implemented |
| c. Third-Party Requirement (HCV) | Not Currently Implemented |
| d. Alternative Inspection Schedule (HCV) | Not Currently Implemented |
| 6. Short-Term Assistance | |
| a. Short-Term Assistance (PH) | Not Currently Implemented |
| b. Short-Term Assistance (HCV) | Not Currently Implemented |
| 7. Term-Limited Assistance | |
| a. Term-Limited Assistance (PH) | Not Currently Implemented |
| b. Term-Limited Assistance (HCV) | Not Currently Implemented |
| 8. Increase Elderly Age (PH & HCV) | |
| | |

| | |
|---|--|
| Increase Elderly Age (PH & HCV) | Not Currently Implemented |
| 9. Project-Based Voucher Program Flexibilities | |
| a. Increase PBV Program Cap (HCV) | Plan to Implement in the Submission Year |
| b. Increase PBV Project Cap (HCV) | Plan to Implement in the Submission Year |
| c. Elimination of PBV Selection Process for PHA-owned Projects Without Improvement, Development, or Replacement (HCV) | Not Currently Implemented |
| d. Alternative PBV Selection Process (HCV) | Not Currently Implemented |
| e. Alternative PBV Unit Types (Shared Housing and Manufactured Housing) (HCV) | Not Currently Implemented |
| f. Increase PBV HAP Contract Length (HCV) | Plan to Implement in the Submission Year |
| g. Increase PBV Rent to Owner (HCV) | Not Currently Implemented |
| h. Limit Portability for PBV Units (HCV) | Not Currently Implemented |
| 10. Family Self-Sufficiency Program with MTW Flexibility | |
| a.PH Waive Operating a Required FSS Program (PH) | Not Currently Implemented |
| a.HCV Waive Operating a Required FSS Program (HCV) | Not Currently Implemented |
| b.PH Alternative Structure for Establishing Program Coordinating Committee (PH) | Not Currently Implemented |
| b. HCV Alternative Structure for Establishing Program Coordinating Committee (HCV) | Not Currently Implemented |
| c.PH Alternative Family Selection Procedures (PH) | Not Currently Implemented |
| c.HCV Alternative Family Selection Procedures (HCV) | Not Currently Implemented |
| d.PH Modify or Eliminate the Contract of Participation (PH) | Not Currently Implemented |
| d.HCV Modify or Eliminate the Contract of Participation (HCV) | Not Currently Implemented |
| e.PH Policies for Addressing Increases in Family Income (PH) | Not Currently Implemented |
| e.HCV Policies for Addressing Increases in Family Income (HCV) | Not Currently Implemented |
| 11. MTW Self-Sufficiency Program | |
| a.PH Alternative Family Selection Procedures (PH) | Not Currently Implemented |
| a.HCV Alternative Family Selection Procedures (HCV) | Not Currently Implemented |
| b.PH Policies for Addressing Increases in Family Income (PH) | Not Currently Implemented |
| b.HCV Policies for Addressing Increases in Family Income (HCV) | Not Currently Implemented |
| 12. Work Requirement | |
| a. Work Requirement (PH) | Not Currently Implemented |
| b. Work Requirement (HCV) | Not Currently Implemented |
| 13. Use of Public Housing as an Incentive for Economic Progress (PH) | |
| Use of Public Housing as an Incentive for Economic Progress (PH) | Not Currently Implemented |
| 14. Moving on Policy | |
| a. Waive Initial HQS Inspection Requirement (HCV) | Not Currently Implemented |
| b.PH Allow Income Calculations from Partner Agencies (PH) | Not Currently Implemented |
| b.HCV Allow Income Calculations from Partner Agencies (HCV) | Not Currently Implemented |
| c.PH Aligning Tenant Rents and Utility Payments Between Partner Agencies (PH) | Not Currently Implemented |
| c.HCV Aligning Tenant Rents and Utility Payments Between Partner Agencies (HCV) | Not Currently Implemented |
| 15. Acquisition without Prior HUD Approval (PH) | |
| Acquisition without Prior HUD Approval (PH) | Not Currently Implemented |
| 16. Deconcentration of Poverty in Public Housing Policy (PH) | |
| Deconcentration of Poverty in Public Housing Policy (PH) | Not Currently Implemented |
| 17. Local, Non-Traditional Activities | |
| a. Rental Subsidy Programs | Not Currently Implemented |
| b. Service Provision | Not Currently Implemented |

C. MTW Activities Plan that Housing Authority Of Bergen County Plans to Implement in the Submission Year or Is Currently Implementing

2.a. - Payment Standards- Small Area Fair Market Rents (HCV)

The HABC is a HUD mandated Small Area Fair Market Rent Authority having adopted and implemented policy establishing payment standards by zip code in 2018. Under our MTW status HABC will adopt policy to implement payment standards between 80% and 150% of the SAFMR. Implementation of this policy is to target assistance to households to improve leasing success (80% or greater) in a very tight housing market, with low vacancy rates, and significant contract rent inflation post COVID.

This MTW activity serves the following statutory objectives:

Cost effectiveness

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

The proposed activity has not been implemented yet. Anticipated program accomplishments during implementation are expected increases in leasing success rate and an increase in the number of new units available to HABC HCV program participants.

This MTW activity requires a Hardship Policy. The Hardship Policy is attached.

Attached Hardship policy applies to:

2.a. - Payment Standards- Small Area Fair Market Rents (HCV);3.b. - Alternative Reexamination Schedule for Households (HCV)}

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

This MTW activity requires an Impact Analysis. The Impact Analysis is attached.

The Impact Analysis that applies to this MTW activity also applies to the following MTW activities:

2.a. - Payment Standards- Small Area Fair Market Rents (HCV);3.b. - Alternative Reexamination Schedule for Households (HCV)

The following describes the payment standards by ZIP code or 'grouped" ZIP codes: HABC is mandated Small Area Fair Market Rent Authority. SAFMRs are established and implemented by zip code. Bergen County has 70 zip codes each with their own payment standards that can be found at

2.d. - Rent Reasonableness – Third-Party Requirement (HCV)

Activity 2022-01 - Payment Standards and Rent Reasonableness

Activity Description

HABC is a HUD mandated Small Area Fair Market Rent authority since 2018. This activity enables HABC to use MTW authority to adopt and implement increased flexibility in payment standards.

- Under MTW HABC will apply the waiver to implement payment standards between 80% and 150% of the SAFMR. Implementation is expected to target assistance to households to improve leasing success in a very tight housing market with low vacancy rates and significant contract rent inflation post COVID. This waiver is expected to increase housing choices for participant families, expand the geographic dispersal of assisted units, deconcentrate locations of assisted units and achieve greater cost effectiveness of program management.

Activity Description

The HABC is authorized to perform rent reasonable determinations on PBV units that it owns, manages, and/or controls.

Metrics/Data Collection

The HABC intends to utilize internal reporting systems to collect and analyze data on the number of households impacted and other relevant information.

Units of Measure – days in housing search, HAP per unit cost (PUC), gross program expenditures, UML utilization rate
Baseline – Monthly PUC, Monthly Utilization Rate, Monthly Street Report, Quarterly Zip Code leasing data, Program Expenditure Success Rate, HUD-50058 Submission Data

Benchmark – increase in cost per household, increase in program cost, improved program expenditure success rate, decreased program reserves, increased leasing success, decreased housing search, increased leasing in areas of opportunity.

This MTW activity serves the following statutory objectives:

Cost effectiveness

This MTW activity has the following cost implications:

Neutral (no cost implications)

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies only to a subset or subsets of assisted households

This MTW activity applies to:

New admissions and currently assisted households

An MTW activity may apply to all family types or to selected family types (i.e., non-elderly/non-disabled, elderly, disabled, other).

The MTW activity applies to all family types

This MTW activity applies to the following housing choice voucher unit types: Only project based units owned,

managed or controlled by the agency participate in this activity.

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

The MTW activity has not been implemented yet.

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

Following will explain quality assurance method:

The HABC ensures impartiality performing rent reasonableness for units owned, managed or controlled by the Authority by utilizing an objective third party software to determine and select comparable units. Internal agency quality control reviews the file to ensure that contract rents do not exceed reasonable rent charged for unassisted units.

See below attachment with excerpt from HABC HCV Administrative Plan on Rent Reasonableness. **and attached for quality assurance method**

**Following will explain rent reasonableness determination method:
and attached for rent reasonableness determination method**

3.b. - Alternative Reexamination Schedule for Households (HCV)

Activity 2022-02 – HCV Reexamination

Activity Description

This activity allows HABC to waive the requirement to conduct a reexamination of family income and composition at least annually. HABC will delay reexaminations for participating households.

- In an effort to maximize administrative efforts and cost effectiveness HABC will permit fixed income senior (62+ years old) or disabled households to recertify their income every three years and all other households to recertify their income every two years. HABC will permit all wage-earning households one interim adjustment annually, at the request of the household, for loss of income 10% or greater of the gross annual income calculated at the last annual recertification. Implementation of the waiver is expected to achieve greater cost effectiveness, increase household earned income and reduce administrative costs. HABC proposes to simplify the recertification process coupled with a reduction in the frequency of annual re-examinations determining a household's income and portion of rent to incentivize participating households to gain employment. Further, eliminating the need for interim income changes allows families to keep more of their income and ensure rent stability; exceptions to the interim examination procedure are Zero Income Households.

Activity Description

This activity allows HABC to waive the requirement to verify all household members assets at least annually.

- The HABC will allow recertifying households to self-certify assets up to \$5,000 annually. Verification of assets, regardless of value, will be completed for all new admissions to established baseline information. These program improvements are expected to improve household income and provide incentive to families to seek gainful employment and increase the share of households moving toward self-sufficiency.

Metrics/Data Collection

The HABC intends to utilize internal reporting systems to collect and analyze data on the number of households impacted and other relevant information.

Units of Measure – staff hours to complete the task, total program costs, cost per household

Baseline – total tenant payment, household earned income,

Benchmark - reduced administrative burden measured by staff time to complete a task, reduced case load per staff member, increased program efficiencies, decreased program errors, increased program cost efficiencies (less overtime).

This MTW activity serves the following statutory objectives:

Cost effectiveness

This MTW activity has the following cost implications:

Decreased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable, the activity has not been implemented

This MTW activity requires a Hardship Policy. The Hardship Policy is attached.

Attached Hardship policy applies to:

2.a. - Payment Standards- Small Area Fair Market Rents (HCV);3.b. - Alternative Reexamination Schedule for Households (HCV)}

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

This MTW activity requires an Impact Analysis. The Impact Analysis is attached.

The Impact Analysis that applies to this MTW activity also applies to the following MTW activities:

2.a. - Payment Standards- Small Area Fair Market Rents (HCV);3.b. - Alternative Reexamination Schedule for Households (HCV)

Recertification Schedule is

Other

At a minimum once every two years for participant households. If we are able to differentiate with our software system,

HABC will recertify fixed income senior and disabled households once every three years and once every two years for all

other households.

Household may request 1 interim recertifications per year.

Household changes due to reduction or increase in household members will be processed regularly, not as the limited interim change.

3.d. - Self-Certification of Assets (HCV)

Activity Description

This activity allows HABC to waive the requirement to verify all household members assets at least annually.

- The HABC will allow recertifying households to self-certify assets up to \$5,000 annually. Verification of assets, regardless

of value, will be completed for all new admissions to established baseline information. These program improvements are expected to improve household income and provide incentive to families to seek gainful employment and increase the share of households moving toward self-sufficiency.

Metrics/Data Collection

The HABC intends to utilize internal reporting systems to collect and analyze data on the number of households impacted and other relevant information.

Units of Measure – staff hours to complete the task, total program costs, cost per household

Baseline – total tenant payment, household earned income,

Benchmark - reduced administrative burden measured by staff time to complete a task, reduced case load per staff member, increased program efficiencies, decreased program errors, increased program cost efficiencies (less overtime).

This MTW activity serves the following statutory objectives:

Cost effectiveness

This MTW activity has the following cost implications:

Decreased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable, the activity has not been implemented

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

The dollar threshold for the self-certification of assets is

\$5,000.

4.a. - Vacancy Loss (HCV-Tenant-based Assistance)

Activity 2022-03 – Cohort Specific Landlord Incentives: Loss and Incentive Payments

Activity Description

The HABC proposes to undertake activities to increase landlord participation in the HCV program through financial and programmatic waiver incentives.

- Implementation of vacancy loss, damage claims, landlord incentives and front-end vacancy loss payments are anticipated to further HABC's efforts to expand and increase housing choices for low-income families. The HABC plans to provide these waiver activities under one HCV leasing initiative to encourage owner participation in the HCV program, attract new landlords, increase inventory of participating landlords and increase inventory of larger size rental units.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units

and landlords participating in the program.

Units of Measure – number of participating landlords, participating landlord inventory, staff hours to lease up or relocate participants, housing search time

Baseline – current number of participating landlords, current number of units

Benchmark – increase staff time for outreach, increase staff time for landlord support, increased leasing success, decreased housing search time, reduction in terminations due to eviction, decrease in voucher extension

This MTW activity serves the following statutory objectives:

Housing choice

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

This policy applies to

To all units

The types of units policy applies to:

Maximum payment to the landlord is

\$One month's contract rent or \$5000, whichever is less..

0 payments were issued under this policy y in the most recently completed PHA fiscal year.

\$0 issued under this policy in the most recently completed PHA fiscal year.

4.b. - Damage Claims (HCV-Tenant-based Assistance)

Activity 2022-03 – Cohort Specific Landlord Incentives: Loss and Incentive Payments

Activity Description

The HABC proposes to undertake activities to increase landlord participation in the HCV program through financial and programmatic waiver incentives.

- Implementation of vacancy loss, damage claims, landlord incentives and front-end vacancy loss payments are anticipated to further HABC's efforts to expand and increase housing choices for low-income families. The HABC plans to

provide these waiver activities under one HCV leasing initiative to encourage owner participation in the HCV program, attract new landlords, increase inventory of participating landlords and increase inventory of larger size rental units.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – number of participating landlords, participating landlord inventory, staff hours to lease up or relocate participants, housing search time

Baseline – current number of participating landlords, current number of units

Benchmark – increase staff time for outreach, increase staff time for landlord support, increased leasing success, decreased housing search time, reduction in terminations due to eviction, decrease in voucher extension

This MTW activity serves the following statutory objectives:

Housing choice

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

This policy applies to

To all units

The types of units policy applies to:

Maximum payment to the landlord is

\$The lesser of the cost of repairs or one month's contract rent after security deposit is first applied to cover damages..

0 payments were issued under this policy y in the most recently completed PHA fiscal year.

\$0 issued under this policy in the most recently completed PHA fiscal year.

4.c. - Other Landlord Incentives (HCV- Tenant-based Assistance)

Activity 2022-03 – Cohort Specific Landlord Incentives: Loss and Incentive Payments

Activity Description

The HABC proposes to undertake activities to increase landlord participation in the HCV program through financial and programmatic waiver incentives.

- Implementation of vacancy loss, damage claims, landlord incentives and front-end vacancy loss payments are anticipated to further HABC’s efforts to expand and increase housing choices for low-income families. The HABC plans to provide these waiver activities under one HCV leasing initiative to encourage owner participation in the HCV program, attract new landlords, increase inventory of participating landlords and increase inventory of larger size rental units.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – number of participating landlords, participating landlord inventory, staff hours to lease up or relocate participants, housing search time

Baseline – current number of participating landlords, current number of units

Benchmark – increase staff time for outreach, increase staff time for landlord support, increased leasing success, decreased housing search time, reduction in terminations due to eviction, decrease in voucher extension

This MTW activity serves the following statutory objectives:

Housing choice

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies to all assisted households

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

This policy applies to To all units (Display selected and additional Pop up is complex logic.)

The types of units policy applies to:

Maximum payment to the landlord is

\$The lesser of one month’s contract rent or \$5000.

0 payments were issued under this policy y in the most recently completed PHA fiscal year.

\$0 issued under this policy in the most recently completed PHA fiscal year.

9.a. - Increase PBV Program Cap (HCV)

Activity 2022-04 – Project Based Voucher Program Flexibilities

Activity Description

The HABC intends to enhance program project based policies to provide additional housing choices for low income households in high opportunity areas, incentivize developers to preserve or create additional affordable housing units, as well as streamline the administration of PBVs owned by the HABC.

- The HABC has a large portfolio of strongly performing project-based voucher (PBV) awards to a broad spectrum of affordable housing projects throughout the County. A significant proportion of the PBV assisted units have been developed by the Authority's affordable housing development affiliate and partner, the Housing Development Corporation of Bergen County (HDC). HABC may increase the number of authorized units receiving project-based assistance to no more than 50% of either the total authorized units or annual budget authority; raise the PBV cap on a project up to 100% and may increase the term length of a PBV HAP contract up to 50 years including extensions. All of these PBV program enhancements are subject to appropriations and the end of HABC's MTW authorization.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – increase in PBV UML, increase in ELI and VLI units

Baseline – current number PBV, current number assisted projects, current number ELI/VLI units

Benchmark – lower PBV vacancy rate, decreased leasing/re-leasing time, increase in ELI and VLI units, longer affordability periods

This MTW activity serves the following statutory objectives:

Cost effectiveness

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies only to a subset or subsets of assisted households

This MTW activity applies to:

New admissions and currently assisted households

An MTW activity may apply to all family types or to selected family types (i.e., non-elderly/non-disabled, elderly, disabled, other).

The MTW activity applies to all family types

The MTW activity applies to all properties with project-based vouchers

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

25.00% of total authorized HCV units will be authorized for project-basing.

9.b. - Increase PBV Project Cap (HCV)

Activity 2022-04 – Project Based Voucher Program Flexibilities

Activity Description

The HABC intends to enhance program project based policies to provide additional housing choices for low income households in high opportunity areas, incentivize developers to preserve or create additional affordable housing units, as well as streamline the administration of PBVs owned by the HABC.

- The HABC has a large portfolio of strongly performing project-based voucher (PBV) awards to a broad spectrum of affordable housing projects throughout the County. A significant proportion of the PBV assisted units have been developed by the Authority's affordable housing development affiliate and partner, the Housing Development Corporation of Bergen County (HDC). HABC may increase the number of authorized units receiving project-based assistance to no more than 50% of either the total authorized units or annual budget authority; raise the PBV cap on a project up to 100% and may increase the term length of a PBV HAP contract up to 50 years including extensions. All of these PBV program enhancements are subject to appropriations and the end of HABC's MTW authorization.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – increase in PBV UML, increase in ELI and VLI units

Baseline – current number PBV, current number assisted projects, current number ELI/VLI units

Benchmark – lower PBV vacancy rate, decreased leasing/re-leasing time, increase in ELI and VLI units, longer affordability periods

This MTW activity serves the following statutory objectives:

Housing choice

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies only to a subset or subsets of assisted households

This MTW activity applies to:

New admissions and currently assisted households

An MTW activity may apply to all family types or to selected family types (i.e., non-elderly\non-disabled, elderly, disabled, other).

The MTW activity applies to all family types

The MTW activity applies to all properties with project-based vouchers

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

9.f. - Increase PBV HAP Contract Length (HCV)

Activity 2022-04 – Project Based Voucher Program Flexibilities

Activity Description

The HABC intends to enhance program project based policies to provide additional housing choices for low income households in high opportunity areas, incentivize developers to preserve or create additional affordable housing units, as well as streamline the administration of PBVs owned by the HABC.

- The HABC has a large portfolio of strongly performing project-based voucher (PBV) awards to a broad spectrum of affordable housing projects throughout the County. A significant proportion of the PBV assisted units have been developed by the Authority's affordable housing development affiliate and partner, the Housing Development Corporation of Bergen County (HDC). HABC may increase the number of authorized units receiving project-based assistance to no more than 50% of either the total authorized units or annual budget authority; raise the PBV cap on a project up to 100% and may increase the term length of a PBV HAP contract up to 50 years including extensions. All of these PBV program enhancements are subject to appropriations and the end of HABC's MTW authorization.

Metrics/Data Collection

The HABC intends to utilize internal financial reporting systems to collect and analyze data on the number of assisted units and landlords participating in the program.

Units of Measure – increase in PBV UML, increase in ELI and VLI units

Baseline – current number PBV, current number assisted projects, current number ELI/VLI units

Benchmark – lower PBV vacancy rate, decreased leasing/re-leasing time, increase in ELI and VLI units, longer affordability periods

This MTW activity serves the following statutory objectives:

Housing choice

This MTW activity has the following cost implications:

Increased expenditures

An MTW activity may apply to new admissions only, to currently assisted households only, or to both new admissions and currently assisted households.

The MTW activity applies only to a subset or subsets of assisted households

This MTW activity applies to:

New admissions and currently assisted households

An MTW activity may apply to all family types or to selected family types (i.e., non-elderly\non-disabled, elderly, disabled, other).

The MTW activity applies to all family types

The MTW activity applies to all properties with project-based vouchers

Based on the Fiscal Year goals listed in the activity's previous Fiscal Year's narrative, provide a description about what has been accomplished or changed during the implementation.

Not applicable

No hardship were requested in the most recent fiscal year.

In the prior year, under this activity, Housing Authority Of Bergen County MTW agency

Received 0 hardship requests

Approved hardship requests

Denied hardship requests

There is\are hardship requests pending.

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| D. | Safe Harbor Waivers. |
| D.1 | Safe Harbor Waivers seeking HUD Approval: No Safe Harbor Waivers are being requested. |

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| E. | Agency-Specific Waiver(s). |
| E.1 | Agency-Specific Waiver(s) for HUD Approval: The MTW demonstration program is intended to foster innovation and HUD encourages MTW agencies, in consultation with their residents and stakeholders, to be creative in their approach to solving affordable housing issues facing their local communities. For this reason, Agency-Specific Waivers may be requested. No Agency-Specific Waivers are being requested. |
| E.2 | Agency-Specific Waiver(s) for which HUD Approval has been Received: MTW Agency does not have approved Agency-Specific Waivers |

| | |
|------------|--|
| F. | Public Housing Operating Subsidy Grant Reporting. |
| F.1 | Total Public Housing Operating subsidy amount authorized, disbursed by 9/30, remaining, and deadline for disbursement, by Federal Fiscal Year for each year the PHA is designated an MTW agency. |

| Federal Fiscal Year (FFY) | Total Operating Subsidy Authorized Amount | How Much PHA Disbursed by the 9/30 Reporting Period | Remaining Not Yet Disbursed | Deadline |
|----------------------------------|--|--|------------------------------------|-----------------|
|----------------------------------|--|--|------------------------------------|-----------------|

| | | |
|------------|---|---|
| G. | MTW Statutory Requirements. | |
| G.1 | 75% Very Low Income – Local, Non-Traditional. HUD will verify compliance with the statutory requirement that at least 75% of the households assisted by the MTW agency are very low-income for MTW public housing units and MTW HCVs through HUD systems. The MTW PHA must provide data for the actual families housed upon admission during the PHA's most recently completed Fiscal Year for its Local, Non-Traditional program households. | |
| | Income Level | Number of Local, Non-Traditional Households Admitted in the Fiscal Year* |
| | 80%-50% Area Median Income | 0 |
| | 49%-30% Area Median Income | 0 |
| | Below 30% Area Median Income | 0 |
| | Total Local, Non-Traditional Households | 0 |

*Local, non-traditional income data must be provided in the MTW Supplement form until such time that it can be submitted in IMS-PIC or other HUD system.

| | |
|--|---|
| G.2 | Establishing Reasonable Rent Policy. |
| <p>MTW agency did not established a rent reform policy to encourage employment and self-sufficiency The HABC seeks to measure the success and effects of the identified MTW activities the agency proposes to undertake in order to determine a) if rent reform and self-sufficiency policy is warranted, b) which households are to be targeted and c) how the HABC will implement the policy.</p> | |

| | |
|---|---|
| G.3 | Substantially the Same (STS) – Local, Non-Traditional. |
| The total number of unit months that families were housed in a local, non-traditional rental subsidy for the prior full calendar year. | 0 # of unit months |
| The total number of unit months that families were housed in a local, non-traditional housing development program for the prior full calendar year. | 0 # of unit months |

Number of units developed under the local, non-traditional housing development activity that were available for occupancy during the prior full calendar year:

| PROPERTY NAME/ ADDRESS | 0/1 BR | 2 BR | 3 BR | 4 BR | 5 BR | 6+ BR | TOTAL UNITS | POPULATION TYPE* | if 'Population Type' is Other | # of Section 504 Accessible (Mobility)** | # of Section 504 Accessible (Hearing/ Vision) | Was this Property Made Available for Initial Occupancy during the Prior Full Calendar Year? | What was the Total Amount of MTW Funds Invested into the Property? |
|------------------------|--------|------|------|------|------|-------|-------------|------------------|-------------------------------|--|---|---|--|
|------------------------|--------|------|------|------|------|-------|-------------|------------------|-------------------------------|--|---|---|--|

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| G.4 | Comparable Mix (by Family Size) – Local, Non-Traditional. |
| To demonstrate compliance with the statutory requirement to continue serving a 'comparable mix" of families by family | |

size to that which would have been served without MTW, the MTW agency will provide the number of families occupying local, non-traditional units by household size for the most recently completed Fiscal Year in the provided table.

| Family Size: | Occupied Number of Local, Non-Traditional units by Household Size |
|--------------|---|
| 1 Person | 0 |
| 2 Person | 0 |
| 3 Person | 0 |
| 4 Person | 0 |
| 5 Person | 0 |
| 6+ Person | 0 |
| Totals | 0 |

| H. | Public Comment |
|----|----------------|
|----|----------------|

Attached you will find a copy of all of the comments received and a description of how the agency analyzed the comments, as well as any decisions made based on those comments.

No additional public hearing was held for an Agency-Specific Waiver and/or Safe Harbor waiver

| I. | Evaluations. |
|----|--------------|
|----|--------------|

No known evaluations.

MTW Hardship Policy

Any participant who is adversely affected by any implemented HABC MTW activity may request for hardship exemption. Participant will need to demonstrate how MTW activity is adversely affecting their participation compared to previous non-MTW activity. The request can be made to either the Voucher Programs Director or Executive Director. A decision will be made within 2 weeks from received date of request. HABC will suspend the MTW activity beginning the next month after the request until the agency has determined if the request is warranted.

Grievance Procedure

In the event hardship request is denied participant may make an appeal for an informal hearing within ten (10) business days of denial date.

Reasonable Accommodations

Reasonable Accommodations for persons with disabilities are considered in accordance with the HABC Administrative Plan. [\(Please see HABC Administrative Plan Ch. 2 Section 2: POLICIES RELATED TO PERSONS WITH DISABILITIES\)](#)

Recordkeeping

HABC will keep record of all hardship requests, hardship approvals and denials
[\(Please see HABC Administrative Plan Ch. 16 Section 6: RECORD KEEPING\)](#)



Moving to Work Supplement Plan 2022 IMPACT ANALYSIS

The Housing Authority of Bergen County is a HUD approved Cohort 4 “Landlord Leasing Incentives” Moving to Work (MTW) agency. Cohort 4 seeks to incentivize and attract new Landlords to participate in the Section 8 Housing Choice Voucher (HCV) program. Of the eleven (11) new activities HABC is proposing to implement, two (2) activities require an Impact Analysis.

This written analysis attempts to identify the various impacts of the proposed MTW activity on HABC finances, the affordability of housing costs for affected families, the HABC’s waitlist, program termination rate, the HCV program utilization rate, the HABC’s ability to meet the MTW statutory goals and requirements, as well as identify the anticipated effect on hardship requests and the protected classes.

The activities HABC proposes to implement requiring impact analysis are:

- Payment Standards between 80%-150% of the Small Area Fair Market Rent (SAFMR); and
- Alternative Reexamination Schedules for HCV Households, including Self Certification of Assets.

ACTIVITY IMPACT

2A. PAYMENT STANDARDS – SMALL AREA FAIR MARKET RENTS

The HABC will set HCV program payment standards between 80%-150% of the Small Area Fair Market Rent (SAFMR). Current Non-MTW program payment standards are set between 90%-110% of the SAFMR, though the HABC has a COVID approved waiver to implement payment standards up to 120% of the SAFMR.

Implementing higher payment standards, will initially increase per unit costs (PUC) and increase agency expenditures while significantly improving leasing success and utilization rate, improve agency ability to consistently house applicants on the wait list and enable wait list opening with regularity. In many cases, participant cost will decrease, at least initially. Implementation of the change in payment standard in conjunction with Landlord Leasing Incentives is expected to increase and improve mobility to areas of opportunity, improve apartment quality standards and reduce relocations. These improvements, in conjunction with the HABCs implementation of Landlord Incentives, are expected to improve leasing success, operating expenditures and maximize cost effectiveness of Federal funding.

Data Collection Process and Measurement of Progress/Performance

PUC – Two Year Tool*

Agency Expenditures – Two Year Tool*

Leasing Success – Internal Monthly Issuance to Lease Up Report

Utilization Rate – Two Year Tool*

Wait List – Internal Wait List Success Report

Housing Choice Success – Quarterly Zip Code Report

Disparate Impact – Hardship and Reasonable Accommodation Request

ACTIVITY IMPACT

3B. ALTERNATIVE REEXAMINATION SCHEDULE FOR HCV HOUSEHOLDS

The HABC proposes to conduct annual income reexaminations once every three years for fixed income senior (62+ years old) or disabled households, and all other households to recertify annual income once every two years. In order to effectively manage the program HABC will permit all wage earning households one interim adjustment annually, at the request of the household, for losses of income greater than 10% of the gross annual income calculated at the last annual recertification.

Implementation of the waiver is expected effect agency finances to achieve greater cost efficiencies in program administration and decrease HAP payments overtime. The HABC anticipates affordability of housing costs to increase for participating families, though substantially no change on wait list wait times. Participant terminations are expected to decrease and utilization rates are expected to hold steady. Hardship requests would be expected from households experiencing multiple income losses between reexamination periods.

The proposed activity would give incentives to participating households to increase income potential for the household and become economically self-sufficient. It will also reduce costs and achieve greater cost effectiveness in Federal expenditures, increasing household choice for participants.

Data Collection Process and Measurement of Progress/Performance

PUC – Two Year Tool*

Agency Expenditures – Two Year Tool*

Utilization Rate – Two Year Tool

Family Self Sufficiency – Zero HAP Terminations, Income/Wages Report

Housing Choice Success – Quarterly Zip Code Report*

Disparate Impact – Hardship and Reasonable Accommodation Request

**Activities can not be separated to determine individual effect on success/performance measure.*

Ch. 8 Section 3: RENT REASONABLENESS

8.3.A. OVERVIEW

No HAP contract can be approved until the HABC has determined that the rent for the unit is reasonable. The purpose of the rent reasonableness test is to ensure that a fair rent is paid for each unit rented under the HCV program.

HUD regulations define a reasonable rent as one that does not exceed the rent charged for comparable, unassisted units in the same market area. HUD also requires that owners not charge more for assisted units than for comparable units on the premises. This part explains the method used to determine whether a unit's rent is reasonable.

HABC-owned Units [24 CFR 982.352(b)]

In cases where an HCV family is receiving assistance in a HABC-owned unit, the HABC must ensure impartiality, determine rent reasonableness in accordance with program requirements, and assist the family in negotiating the contract rent when the family requests assistance. An HABC-owned unit is defined as a unit that is owned by the HABC that administers the assistance under the consolidated ACC (including a unit owned by an entity substantially controlled by the HABC). The Assisted Housing Specialist must communicate the results of the rent reasonableness determination to the family and document the comparables utilized in the participant file. Supervisory review and approval of HABC owned PBV units is completed prior to finalization and files undergo Quality Control reviews monthly.

8.3.B. WHEN RENT REASONABLENESS DETERMINATIONS ARE REQUIRED

Owner-initiated Rent Determinations

The HABC must make a rent reasonableness determination at initial occupancy and whenever the owner requests a rent adjustment.

The owner and family first negotiate the rent for a unit. At initial occupancy, the HABC must determine whether the proposed rent is reasonable before a HAP Contract is signed. The owner must not change the rent during the initial lease term. Subsequent requests for rent adjustments must be consistent with the lease between the owner and the family. Rent increases will not be approved unless any failed items identified by the most recent HQS inspection have been corrected.

After the initial occupancy period, the owner may request a rent adjustment annually in conjunction with the annual recertification of the tenant household and accordance with the owner's lease. For rent increase requests after initial lease-up, the HABC may request owners to provide information about the rents charged for other units on the premises, if the premises include more than 4 units. In evaluating the proposed rents in comparison to other units on the premises the HABC will consider unit size and length of tenancy in the other units.

The HABC will determine whether the requested increase is reasonable within 10 business days of receiving the request from the owner. The owner will be notified of the determination in writing.

All rents adjustments will be effective the first of the month following 60 days after the HABC's receipt of the owner's request or on the date specified by the owner, whichever is later.

HABC- and HUD-Initiated Rent Reasonableness Determinations

HUD requires the HABC to make a determination of rent reasonableness (even if the owner has not requested a change) if there is a 5 percent decrease in the Fair Market Rent that goes into effect at least 60 days before the contract anniversary date. HUD also may direct the HABC to make a determination at any other time. The HABC may decide that a new determination of rent reasonableness is needed at any time.

In addition to the instances described above, the HABC will make a determination of rent reasonableness at any time after the initial occupancy period if: (1) the HABC determines that the initial rent reasonableness determination was in error or (2) the HABC determines that the information provided by the owner about the unit or other units on the same premises was incorrect.

8.3.C. HOW COMPARABILITY IS ESTABLISHED

Factors to Consider

HUD requires HABCs to take into consideration the factors listed below when determining rent comparability. The HABC may use these factors to make upward or downward adjustments to the rents of comparison units when the units are not identical to the HCV-assisted unit.

- Location and age
- Unit size including the number of rooms and square footage of rooms
- The type of unit including construction type (e.g., single family, duplex, garden, low-rise, high-rise)
- The quality of the units including the quality of the original construction, maintenance and improvements made
- Amenities, services, and utilities included in the rent

Units that Must Not be Used as Comparables

Comparable units must represent unrestricted market rents. Therefore, units that receive some form of federal, state, or local assistance that imposes rent restrictions cannot be considered comparable units. These include units assisted by HUD through any of the following programs: Section 8 project-based assistance, Section 236 and Section 221(d)(3) Below Market Interest Rate (BMIR) projects, HOME or Community Development Block Grant (CDBG) program-assisted units in which the rents are subsidized; units subsidized through federal, state, or local tax credits; units subsidized by the Department of Agriculture rural housing programs, and units that are rent-controlled by local ordinance.

Note: Notice PIH 2011-46, issued August 17, 2011, provides further guidance on the issue of what constitutes an assisted unit.

Rents Charged for Other Units on the Premises

The Request for Tenancy Approval (HUD-52517) requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.

By accepting the HABC payment each month the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises. If asked to do so, the owner must give the HABC information regarding rents charged for other units on the premises.

8.3.D. HABC RENT REASONABLENESS METHODOLOGY

How Market Data is Collected

The HABC will collect and maintain data on market rents in the HABC's jurisdiction. HABC primary resource for rent reasonableness is the software, GoSection8. Information sources include newspapers, realtors, market surveys, inquiries of owners and other available sources. The data will be maintained by bedroom size and market areas. Market areas may be defined by zip codes, census tract, neighborhood, and identifiable natural or man-made boundaries. The data will be updated on an ongoing basis and rent information that is more than 12 months old will be eliminated from the database.

How Rents are Determined

The rent for a unit proposed for HCV assistance will be compared to the rent charged for comparable units in the same market area. The HABC will develop a range of prices for comparable units by bedroom size within defined market areas. Units proposed for HCV assistance will be compared to the units within this rent range. Because units may be similar, but not exactly like the unit proposed for HCV assistance, the HABC may adjust the range of prices to account for these differences.

The adjustment must reflect the local market. Not all differences in units require adjustments (e.g., the presence or absence of a garbage disposal may not affect the rent in some market areas).

Adjustments may vary by unit type (e.g., a second bathroom may be more valuable in a three-bedroom unit than in a two-bedroom).

The adjustment must reflect the rental value of the difference—not its construction costs (e.g., it might cost \$20,000 to put on a new roof, but the new roof might not make any difference in what a tenant would be willing to pay because rental units are presumed to have functioning roofs).

When a comparable project offers rent concessions (e.g., first month rent-free, or reduced rent) reported monthly rents will be adjusted accordingly. For example, if a comparable project reports rents of \$500/month but new tenants receive the first month's rent free, the actual

rent for the unit would be calculated as follows: $\$500 \times 11 \text{ months} = 5500 / 12 \text{ months} = \text{actual monthly rent of } \488 .

The HABC will notify the owner of the rent the HABC can approve based upon its analysis of rents for comparable units. The owner may submit information about other comparable units in the market area. The HABC will confirm the accuracy of the information provided and consider this additional information when making rent determinations. The owner must submit any additional information within 5 business days of the HABC's request for information or the owner's request to submit information.

MTW CERTIFICATIONS OF COMPLIANCE**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF PUBLIC AND INDIAN HOUSING****Certifications of Compliance with Regulations:
Board Resolution to Accompany the MTW Supplement to the Annual PHA Plan**

Acting on behalf of the Board of Commissioners of the Moving to Work Public Housing Agency (MTW PHA) listed below, as its Chairperson or other authorized MTW PHA official if there is no Board of Commissioners, I approve the submission of the MTW Supplement to the Annual PHA Plan for the MTW PHA Fiscal Year beginning (_____), hereinafter referred to as "the MTW Supplement", of which this document is a part and make the following certifications and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the MTW Supplement and implementation thereof:

- (1) The PHA made the proposed MTW Supplement 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 MTW Supplement and invited public comment.
- (2) The MTW PHA took into consideration public and resident comments (including those of its Resident Advisory Board(s) or tenant associations, as applicable) before approval of the MTW Supplement by the Board of Commissioners or Board of Directors in order to incorporate any public comments into the annual MTW Supplement.
- (3) The MTW PHA certifies that the Board of Directors has reviewed and approved the budget for the Capital Fund Program grants contained in the Capital Fund Program Annual Statement/Performance and Evaluation Report, form HUD-50075.1 (or successor form as required by HUD).
- (4) The MTW PHA will carry out the MTW Supplement 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), and title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) all regulations implementing these authorities; and other applicable Federal, State, and local civil rights laws.
- (5) The MTW Supplement is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located.
- (6) The MTW Supplement 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 to Fair Housing Choice, for the MTW PHA's jurisdiction and a description of the manner in which the MTW Supplement is consistent with the applicable Consolidated Plan.
- (7) The MTW PHA will affirmatively further fair housing, which means that it will: (i) take meaningful actions to further the goals identified by the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR 5.150-5.180 and 903.15; (ii) take no action that is materially inconsistent with its obligation to affirmatively further fair housing; and (iii) address fair housing issues and contributing factors in its programs, in accordance with 24 CFR 903.7(o)(3) and 903.15(d). Note: Until the PHA is required to submit an AFH, and that AFH has been accepted by HUD, the PHA must follow the certification requirements of 24 CFR 903.7(o) in effect prior to August 17, 2015. Under these requirements, the PHA will be considered in compliance with the certification requirements of 24 CFR 903.7(o)(1)-(3) and 903.15(d) if it: (i) examines its programs or proposed programs; (ii) identifies any impediments to fair housing choice within those programs; (iii) addresses those impediments in a reasonable fashion in view of the resources available; (iv) works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and (v) maintains records reflecting these analyses and actions.
- (8) The MTW PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975 and HUD's implementing regulations at 24 C.F.R. Part 146.
- (9) In accordance with 24 CFR 5.105(a)(2), HUD's Equal Access Rule, the MTW PHA will not make a determination of eligibility for housing based on sexual orientation, gender identity, 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.
- (10) The MTW 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.
- (11) The MTW 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.
- (12) The MTW PHA will comply with requirements with regard to a drug free workplace required by 24 CFR Part 24, Subpart F.
- (13) The MTW PHA will comply with requirements with regard to compliance with restrictions on lobbying required by 24 CFR Part 87, together with disclosure forms if required by this Part, and with restrictions on payments to influence Federal Transactions, in accordance with the Byrd Amendment.
- (14) The MTW 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.

- (15) The MTW PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
- (16) The MTW PHA will provide HUD or the responsible entity any documentation needed to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58. Regardless of who acts as the responsible entity, the MTW PHA will maintain documentation that verifies compliance with environmental requirements pursuant to 24 Part 58 and 24 CFR Part 50 and will make this documentation available to HUD upon its request.
- (17) With respect to public housing and applicable local, non-traditional development the MTW 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.
- (18) The MTW PHA will keep records in accordance with 2 CFR 200.333-200.337 and facilitate an effective audit to determine compliance with program requirements.
- (19) The MTW PHA will comply with the Lead-Based Paint Poisoning Prevention Act and 24 CFR Part 35.
- (20) The MTW PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200.
- (21) The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of housing quality standards as required in PIH Notice 2011-45, or successor notice, for any local, non-traditional program units. The MTW PHA must fulfill its responsibilities to comply with and ensure enforcement of Housing Quality Standards, as defined in 24 CFR Part 982, for any Housing Choice Voucher units under administration.
- (22) The MTW PHA will undertake only activities and programs covered by the Moving to Work Operations Notice in a manner consistent with its MTW Supplement and will utilize covered grant funds only for activities that are approvable under the Moving to Work Operations Notice and included in its MTW Supplement. MTW Waivers activities being implemented by the agency must fall within the safe harbors outlined in Appendix I of the Moving to Work Operations Notice and/or HUD approved Agency-Specific or Safe Harbor Waivers.
- (23) All attachments to the MTW Supplement have been and will continue to be available at all times and all locations that the MTW Supplement is available for public inspection. All required supporting documents have been made available for public inspection along with the MTW Supplement and additional requirements at the primary business office of the PHA and at all other times and locations identified by the MTW PHA in its MTW Supplement and will continue to be made available at least at the primary business office of the MTW PHA.

MTW PHA NAME

MTW PHA NUMBER/HA CODE

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

NAME OF AUTHORIZED OFFICIAL

TITLE



SIGNATURE

DATE

*** Must be signed by either the Chairperson or Secretary of the Board of the MTW PHA's legislative body. This certification cannot be signed by an employee unless authorized by the MTW PHA Board to do so. If this document is not signed by the Chairperson or Secretary, documentation such as the by-laws or authorizing board resolution must accompany this certification.**