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| <b>PHA 5-Year and Annual Plan</b> | <b>U.S. Department of Housing and Urban Development<br/>Office of Public and Indian Housing</b> | <b>OMB No. 2577-0226<br/>Expires 4/30/2011</b> |
|-----------------------------------|---|--|

|            |   |          |                                      |                               |                              |
|------------|---|----------|--------------------------------------|-------------------------------|------------------------------|
| <b>1.0</b> | <b>PHA Information</b><br>PHA Name: <u>Metropolitan Council Housing and Redevelopment Authority</u> PHA Code: <u>MN163</u><br>PHA Type: <input type="checkbox"/> Small <input checked="" type="checkbox"/> High Performing <input type="checkbox"/> Standard <input type="checkbox"/> HCV (Section 8)<br>PHA Fiscal Year Beginning: (MM/YYYY): <u>1/1/2015</u>  |          |                                      |                               |                              |
| <b>2.0</b> | <b>Inventory</b> (based on ACC units at time of FY beginning in 1.0 above)<br>Number of PH units: <u>0</u> Number of HCV units: <u>6204</u>   |          |                                      |                               |                              |
| <b>3.0</b> | <b>Submission Type</b><br><input checked="" type="checkbox"/> 5-Year and Annual Plan <input type="checkbox"/> Annual Plan Only <input type="checkbox"/> 5-Year Plan Only  |          |                                      |                               |                              |
| <b>4.0</b> | <b>PHA Consortia</b> <input type="checkbox"/> PHA Consortia: (Check box if submitting a joint Plan and complete table below.)   |          |                                      |                               |                              |
|            | Participating PHAs  | PHA Code | Program(s) Included in the Consortia | Programs Not in the Consortia | No. of Units in Each Program |
|            |   |          |                                      |                               | PH      HCV                  |
|            | PHA 1:  |          |                                      |                               |                              |
|            | PHA 2:  |          |                                      |                               |                              |
|            | PHA 3:  |          |                                      |                               |                              |
| <b>5.0</b> | <b>5-Year Plan.</b> Complete items 5.1 and 5.2 only at 5-Year Plan update.  |          |                                      |                               |                              |
| <b>5.1</b> | <b>Mission.</b> State the PHA's Mission for serving the needs of low-income, very low-income, and extremely low income families in the PHA's jurisdiction for the next five years:<br><br><i>The Metro HRA mission is to assist low-income families throughout the Metropolitan area to obtain decent, affordable housing, particularly in areas where there are no concentrations of poverty; stabilize families in suitable housing so that they may become more economically self-sufficient; upgrade and revitalize the region's housing stock; and collaborate with other governmental units, community-based agencies and corporations to make efficient use of public resources.</i> |          |                                      |                               |                              |

|            |  |
|------------|--|
| <p>5.2</p> | <p><b>Goals and Objectives.</b> Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low-income and very low-income, and extremely low-income families for the next five years. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <p>The Metropolitan Council HRA’s (Metro HRA) goals for 2015-2019 and a plan to accomplish the goals are as follows:</p> <p>Maintain/increase the availability of decent, safe and affordable housing and be responsible stewards of the region’s finite resources</p> <ul style="list-style-type: none"> <li>• Maximize utilization of Section 8 Housing Choice Voucher program funds and vouchers</li> <li>• Apply for additional Vouchers if made available</li> <li>• Administer the Project -Based Voucher program</li> <li>• Continue to own and operate 150 Council-owned affordable housing units in suburban locations</li> <li>• Maintain high performer Section 8 Management Assessment Program (SEMAP) status</li> <li>• Continue to assess HRA operations, evaluate current policies and procedures to ensure the agency is operating at its optimal level</li> </ul> <p>Increase assisted housing choices for all residents across race, ethnicity and income</p> <ul style="list-style-type: none"> <li>• Conduct landlord outreach to unit owners in high opportunity areas</li> <li>• Conduct regular landlord briefings</li> <li>• Present information to educate landlords and property owners about the Section 8 program at various landlord groups</li> <li>• Maintain HRA Web Page providing program information to potential landlords</li> <li>• Circulate Housing Views, an owner newsletter</li> </ul> <p>Encourage movement to non-concentrated areas of race and poverty</p> <ul style="list-style-type: none"> <li>• Provide mobility counseling services to educate and encourage movement to non-concentrated areas of poverty and race</li> <li>• Educate participants on potential outcomes of making a move to a higher opportunity area near good schools with lower crime and along the region’s transit routes</li> <li>• Adopt a data-driven approach to measure progress and learn from results to guide policy refinement</li> </ul> <p>Administer programs to encourage integrated settings to provide rental assistance for persons with disabilities</p> <ul style="list-style-type: none"> <li>• Administer the Bridges program serving disabled households with rental assistance in cooperation with MN Housing throughout Anoka, Hennepin and Ramsey under which case management services are provided to ensure success</li> <li>• Administer the Non-Elderly Disabled program, providing Section 8 rental assistance to disabled families and individuals</li> <li>• Administer the Continuum of Care program, a program wherein the Metro HRA provides the shelter through rent assistance and the County case management system provides supportive services to ensure success in independent living for disabled households.</li> </ul> <p>Contribute to the State of MN goal of ending long-term homelessness and the Federal strategic plan to prevent and end homelessness</p> <ul style="list-style-type: none"> <li>• Administer a Veteran’s Affairs Supportive Housing (VASH) Program</li> <li>• Provide PBV assistance to units that serve homeless populations</li> <li>• Administer a Continuum of Care program to house homeless persons with disabilities using the Housing First model</li> </ul> <p>Promote self-sufficiency</p> <ul style="list-style-type: none"> <li>• Administer a Family Self-Sufficiency Program</li> <li>• Provide PBVs in supportive housing projects</li> </ul> |
|            | <p>Ensure equal opportunity and affirmatively further fair housing</p> <ul style="list-style-type: none"> <li>• Participate in the Fair Housing Implementation Council (FHIC)</li> <li>• Ensure equal access to assisted housing regardless of race, color, religion, national origin, sex, age, familial status, disability, sexual orientation, gender identity, marital status and the reliance on public assistance in the development and administration of MetroHRA housing programs</li> <li>• Provide reasonable accommodations for person with disabilities in accordance with the Administrative Plan.</li> </ul> <p><u>Progress in meeting goals and objectives described in the previous Five-Year Plan:</u></p> <p>See Section 10.0</p>   |

**PHA Plan Update**

(a) Identify all PHA Plan elements that have been revised by the PHA since its last Annual Plan submission:

The Section 8 Administrative Plan has been updated to include regulation changes and clarifications. The Section 8 Administrative Plan 2014 is Attachment A to the PHA Plan.

1. Eligibility, Selection and Admissions Policies:

See Attachment A, Section 8 Administrative Plan, Chapters 3 and 4

The following is the only material change to the eligibility, selection and admission policies:

Chapter 4 – Application, Waiting List and Tenant Selection  
4-III.C. Selection Method. Local Preferences

Removed Policy:

*Preference will be given to Section 8 Applicants with a Minneapolis address for 70% of the Metropolitan Council owned Project-Based Vouchers (PBV) Family Affordable Housing Program units.*

2. Financial Resources

See Attachment B, 2015 proposed Operating Budget

3. Rent Determinations

See Attachment A, Section 8 Administrative Plan, Chapters 6 and 16  
Section 8 rent determination policies remain unchanged.

4. Operations and Maintenance

The Metropolitan Council owns 150 Project Based Vouchers housing units. A professional property management company, Kingwood Management, will continue to provide day-to-day management and maintenance services for the units. The Council continues to provide asset management and oversight to ensure the units are well-maintained.

5. Grievance Procedures

See Attachment A, Section 8 Administrative Plan, Chapter 16.III, Informal Reviews and Hearings. Policies remain unchanged

6. Designated Housing for Elderly and Disabled Persons

N/A Section 8 only agency

7. Community Service and Self Sufficiency

N/A Section 8 only agency

8. Safety and Crime Prevention

N/A Section 8 only agency

9. Pets

N/A Section 8 only agency

10. Civil Rights Certification

See Attachment C

11. Fiscal Year Audit

See Attachment D

12. Asset Management

N/A Section 8 only agency

13. Violence Against Women Act (VAWA)

See Attachment E

(b) Identify the specific location(s) where the public may obtain copies of the 5-Year and Annual PHA Plan. For a complete list of PHA Plan elements, see Section 6.0 of the instructions.

- Main administrative office of the PHA: Metropolitan Council Housing and Redevelopment Authority  
390 Robert Street North  
St. Paul, MN 55101
- PHA website, <http://www.metrocouncil.org/housing/publications-resources.aspx>

**Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers.** *Include statements related to these programs as applicable.*

N/A

8.0

**Capital Improvements.** Please complete Parts 8.1 through 8.3, as applicable.

N/A

|     |  |
|-----|--|
| 8.1 | <p><b>Capital Fund Program Annual Statement/Performance and Evaluation Report.</b> As part of the PHA 5-Year and Annual Plan, annually complete and submit the <i>Capital Fund Program Annual Statement/Performance and Evaluation Report</i>, form HUD-50075.1, for each current and open CFP grant and CFFP financing.<br/>N/A</p>   |
| 8.2 | <p><b>Capital Fund Program Five-Year Action Plan.</b> As part of the submission of the Annual Plan, PHAs must complete and submit the <i>Capital Fund Program Five-Year Action Plan</i>, form HUD-50075.2, and subsequent annual updates (on a rolling basis, e.g., drop current year, and add latest year for a five year period). Large capital items must be included in the Five-Year Action Plan.<br/>N/A</p>   |
| 8.3 | <p><b>Capital Fund Financing Program (CFFP).</b><br/> <input type="checkbox"/> Check if the PHA proposes to use any portion of its Capital Fund Program (CFP)/Replacement Housing Factor (RHF) to repay debt incurred to finance capital improvements.<br/>N/A</p>   |
| 9.0 | <p><b>Housing Needs.</b> Based on information provided by the applicable Consolidated Plan, information provided by HUD, and other generally available data, make a reasonable effort to identify the housing needs of the low-income, very low-income, and extremely low-income families who reside in the jurisdiction served by the PHA, including elderly families, families with disabilities, and households of various races and ethnic groups, and other families who are on the public housing and Section 8 tenant-based assistance waiting lists. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.</p> <p>Review of the following Plans confirms the strong need for affordable housing:</p> <ul style="list-style-type: none"> <li>• State of MN Consolidated Plan for Housing and Community Development</li> <li>• Ramsey County Consolidated Plan</li> <li>• Hennepin County Consortium Consolidated Plan</li> <li>• Anoka County Consolidated Plan</li> </ul> <p>All documents identified a common need to provide additional affordable housing. All project the need will continue to increase.</p> |

The Metro HRA Section 8 Waiting List has been closed since May 2007. When the Metro HRA re-opens its waiting list, outreach activities will be conducted to all populations across race, ethnicity and income including disabled, elderly, LEP, families with children and individuals.

**Total Households on Waitlist 679**

| Race of Head of Household | # of families | % of total families |
|---------------------------|---------------|---------------------|
| White                     | 263           | 39%                 |
| Black                     | 384           | 57%                 |
| Asian                     | 20            | 3%                  |
| American Indian           | 12            | 1%                  |

| Ethnicity    |     |     |
|--------------|-----|-----|
| Hispanic     | 18  | 3%  |
| Non-Hispanic | 661 | 97% |

| Family Status |     |     |
|---------------|-----|-----|
| Disabled      | 174 | 36% |
| Elderly       | 28  | 6%  |

9.1

| Household Size | Extremely Low Income | Very Low Income | Low Income | Total      | Extremely Low % | Very Low % | Low % |
|----------------|----------------------|-----------------|------------|------------|-----------------|------------|-------|
| 1              | 257                  | 37              | 3          | 297        | 87%             | 12%        | 1%    |
| 2              | 130                  | 25              | 2          | 157        | 83%             | 16%        | 1%    |
| 3              | 81                   | 19              | 2          | 102        | 79%             | 19%        | 2%    |
| 4              | 44                   | 12              | 1          | 57         | 77%             | 21%        | 2%    |
| 5              | 35                   | 4               | 2          | 41         | 85%             | 10%        | 5%    |
| 6              | 7                    | 3               | 0          | 10         | 70%             | 30%        | 0%    |
| 7              | 8                    | 3               | 0          | 11         | 73%             | 27%        | 0%    |
| 8              | 2                    | 0               | 0          | 2          | 100%            | 0%         | 0%    |
| 10             | 1                    | 0               | 0          | 1          | 100%            | 0%         | 0%    |
| 11             | 1                    | 0               | 0          | 1          | 100%            | 0%         | 0%    |
| <b>Total</b>   | <b>566</b>           | <b>103</b>      | <b>10</b>  | <b>679</b> |                 |            |       |

**Strategy for Addressing Housing Needs.** Provide a brief description of the PHA’s strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **Note: Small, Section 8 only, and High Performing PHAs complete only for Annual Plan submission with the 5-Year Plan.**

The Metro HRA will do the following to address local housing needs:

- Maximize utilization of all available Section 8 Housing Choice Voucher program funds and vouchers
- Apply for additional Vouchers if made available
- Continue participation in HUD’s enhanced voucher program and applying for funding opportunities as they become available including special purpose vouchers such as the Veteran’s Affairs Supportive Housing (VASH) program.
- Metro HRA will continue to administer rental assistance programs from other funding sources to increase/maintain the supply of affordable housing options.
- Continue to develop marketing strategies that promote landlord participation in the Section 8 programs;
- Make available Project Based Vouchers as a tool in the development of affordable housing.

**Additional Information.** Describe the following, as well as any additional information HUD has requested.

(a) Progress in Meeting Mission and Goals. Provide a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year Plan.

The Metro HRA continues to carry out its mission of assisting low income families to obtain safe, decent and affordable housing, particularly in areas where there are not concentrations of poverty and race. The HRA provides nearly 7,000 individuals and families with rental assistance through local, state and federal programs. Successful program design and implementation has resulted in efficient use of resources and effective collaborations among social service agencies and local units of government.

The Council continues to be a responsible steward of its finite resources evidenced by maintaining a high performer SEMAP score since 2004, maximizing utilization of available vouchers and funding, continuing to assess HRA operations and refine policies to ensure efficient operation, continued participation in HUD's enhanced voucher program and applying for funding opportunities as they become available including special purpose vouchers such as the Veteran's Affairs Supportive Housing (VASH) program.

In order to expand the choice and supply of affordable housing, the HRA has implemented a number of strategies that include providing competitive payment standards for all communities, conducting landlord briefings and outreach/ information sessions to educate property owners on the Section 8 program, distributing a quarterly landlord newsletter, maintaining an owner handbook and providing positive interactions with property owners and managers. Program briefing materials include maps that indicate areas of poverty and minority concentration, transit route information, school district resources and a Metro HRA jurisdiction map which includes nearly 100 communities in 4 counties.

10.0

The Council owns 150 scattered site units that are operated under the Section 8 Project Based Voucher program, throughout Anoka, Hennepin and Ramsey counties. All units are located in non-concentrated areas of race and poverty. The Council contracts with an outside management company, Kingwood Management to provide the day-to-day management and maintenance services. Additional tools developed to assist in the management of the properties include a Residential Lease and Resident Handbook and a newly developed resident video to educate home occupants on being successful renters and home maintenance.

The Council continues to take steps to maintain and improve the quality of assisted housing and improve the living environment by creating a positive, supportive environment for HRA staff, program participants and landlords to discuss and resolve issues of mutual concern. Through the ongoing work of the HRA inspectors, assisted units are regularly inspected and necessary repairs communicated to landlords in order to maintain safe and suitable housing for program participants.

Self-sufficiency is encouraged through a variety of programs administered by the Metro HRA. The Family Self-Sufficiency Program is available to all Section 8 participants and includes the opportunity to establish a savings account that escrows the increased earning capacity of families as they become more economically self sufficient. In addition, the Council administers several state, county and locally funded rent subsidy programs with supportive service organizations in order to maintain independence for persons with disabilities.

The Council continues to ensure equal access and equal opportunity in housing through the administration of all Metro HRA programs. The Council is a member of the Fair Housing Implementation Council which coordinates the Regional Analysis of Impediments to Fair Housing study for several jurisdictions in the metropolitan area. This study results in the identification of barriers to fair housing in the public, private and non-profit sectors, as well as short- and long-term solutions to address these issues

**(b) Significant Amendment and Substantial Deviation/Modification. Provide the PHA's definition of "significant amendment" and "substantial deviation/modification"**

A modification or change to the PHA Plan will be considered a "significant amendment" or a "substantial deviation / modification" if the modification or change significantly changes the mission of the PHA as stated in section 5.1, Mission, above, which would impact or change the PHA goals as stated in section 5.2 Goals and Objectives.

11.0

**Required Submission for HUD Field Office Review.** In addition to the PHA Plan template (HUD-50075), PHAs must submit the following documents. Items (a) through (g) may be submitted with signature by mail or electronically with scanned signatures, but electronic submission is encouraged. Items (h) through (i) must be attached electronically with the PHA Plan. **Note:** Faxed copies of these documents will not be accepted by the Field Office.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations* (which includes all certifications relating to Civil Rights)
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace* (PHAs receiving CFP grants only)
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions* (PHAs receiving CFP grants only)
- (d) Form SF-LLL, *Disclosure of Lobbying Activities* (PHAs receiving CFP grants only)
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet* (PHAs receiving CFP grants only)
- (f) Resident Advisory Board (RAB) comments. Comments received from the RAB must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the recommendations and the decisions made on these recommendations.
- (g) Challenged Elements
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report* (PHAs receiving CFP grants only)
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan* (PHAs receiving CFP grants only)

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced 5-Year and Annual PHA Plans. 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, and informs HUD, families served by the PHA, and members of the public of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form is to be used by all PHA types for submission of the 5-Year and Annual Plans to HUD. Public reporting burden for this information collection is estimated to average 12.68 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.

**Privacy Act Notice.** 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

## Instructions form HUD-50075

**Applicability.** This form is to be used by all Public Housing Agencies (PHAs) with Fiscal Year beginning April 1, 2008 for the submission of their 5-Year and Annual Plan in accordance with 24 CFR Part 903. The previous version may be used only through April 30, 2008.

### 1.0 PHA Information

Include the full PHA name, PHA code, PHA type, and PHA Fiscal Year Beginning (MM/YYYY).

### 2.0 Inventory

Under each program, enter the number of Annual Contributions Contract (ACC) Public Housing (PH) and Section 8 units (HCV).

### 3.0 Submission Type

Indicate whether this submission is for an Annual and Five Year Plan, Annual Plan only, or 5-Year Plan only.

### 4.0 PHA Consortia

Check box if submitting a Joint PHA Plan and complete the table.

### 5.0 Five-Year Plan

Identify the PHA's Mission, Goals and/or Objectives (24 CFR 903.6). Complete only at 5-Year update.

**5.1 Mission.** A statement of the mission of the public housing agency for serving the needs of low-income, very low-income, and extremely low-income families in the jurisdiction of the PHA during the years covered under the plan.

**5.2 Goals and Objectives.** Identify quantifiable goals and objectives that will enable the PHA to serve the needs of low income, very low-income, and extremely low-income families.

**6.0 PHA Plan Update.** In addition to the items captured in the Plan template, PHAs must have the elements listed below readily available to the public. Additionally, a PHA must:

- (a) Identify specifically which plan elements have been revised since the PHA's prior plan submission.
- (b) Identify where the 5-Year and Annual Plan may be obtained by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on its official website. PHAs are also encouraged to provide each resident council a copy of its 5-Year and Annual Plan.

#### PHA Plan Elements. (24 CFR 903.7)

1. **Eligibility, Selection and Admissions Policies, including Deconcentration and Wait List Procedures.** Describe the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for both public housing and HCV and unit assignment policies for public housing; and procedures for maintaining waiting lists for admission to public housing and address any site-based waiting lists.

2. **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA Operating, Capital and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support public housing or tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources.
3. **Rent Determination.** A statement of the policies of the PHA governing rents charged for public housing and HCV dwelling units.
4. **Operation and Management.** A statement of the rules, standards, and policies of the PHA governing maintenance management of housing owned, assisted, or operated by the public housing agency (which shall include measures necessary for the prevention or eradication of pest infestation, including cockroaches), and management of the PHA and programs of the PHA.
5. **Grievance Procedures.** A description of the grievance and informal hearing and review procedures that the PHA makes available to its residents and applicants.
6. **Designated Housing for Elderly and Disabled Families.** With respect to public housing projects owned, assisted, or operated by the PHA, describe any projects (or portions thereof), in the upcoming fiscal year, that the PHA has designated or will apply for designation for occupancy by elderly and disabled families. The description shall include the following information: **1)** development name and number; **2)** designation type; **3)** application status; **4)** date the designation was approved, submitted, or planned for submission, and; **5)** the number of units affected.
7. **Community Service and Self-Sufficiency.** A description of: **(1)** Any programs relating to services and amenities provided or offered to assisted families; **(2)** Any policies or programs of the PHA for the enhancement of the economic and social self-sufficiency of assisted families, including programs under Section 3 and FSS; **(3)** How the PHA will comply with the requirements of community service and treatment of income changes resulting from welfare program requirements. **(Note: applies to only public housing).**
8. **Safety and Crime Prevention.** For public housing only, describe the PHA's plan for safety and crime prevention to ensure the safety of the public housing residents. The statement must include: (i) A description of the need for measures to ensure the safety of public housing residents; (ii) A description of any crime prevention activities conducted or to be conducted by the PHA; and (iii) A description of the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities.

9. **Pets.** A statement describing the PHAs policies and requirements pertaining to the ownership of pets in public housing.
10. **Civil Rights Certification.** A PHA will be considered in compliance with the Civil Rights and AFFH Certification if: it can document that it examines its programs and proposed programs to identify any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction.
11. **Fiscal Year Audit.** The results of the most recent fiscal year audit for the PHA.
12. **Asset Management.** A statement of how the agency will carry out its asset management functions with respect to the public housing inventory of the agency, including how the agency will plan for the long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs for such inventory.
13. **Violence Against Women Act (VAWA).** A description of: 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 a PHA 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 a public housing agency to prevent domestic violence, dating violence, sexual assault, and stalking, or to enhance victim safety in assisted families.

**7.0 Hope VI, Mixed Finance Modernization or Development, Demolition and/or Disposition, Conversion of Public Housing, Homeownership Programs, and Project-based Vouchers**

- (a) **Hope VI or Mixed Finance Modernization or Development.** 1) A description of any housing (including project number (if known) and unit count) for which the PHA will apply for HOPE VI or Mixed Finance Modernization or Development; and 2) A timetable for the submission of applications or proposals. The application and approval process for Hope VI, Mixed Finance Modernization or Development, is a separate process. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/programs/ph/hope6/index.cfm>
- (b) **Demolition and/or Disposition.** With respect to public housing projects owned by the PHA and subject to ACCs under the Act: (1) A description of any housing (including project number and unit numbers [or addresses]), and the number of affected units along with their sizes and accessibility features) for which the PHA will apply or is currently pending for demolition or disposition; and (2) A timetable for the demolition or disposition. The application and approval process for demolition and/or disposition is a separate process. See guidance on HUD's website at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/index.cfm](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/index.cfm)  
**Note:** This statement must be submitted to the extent that approved and/or pending demolition and/or disposition has changed.
- (c) **Conversion of Public Housing.** With respect to public housing owned by a PHA: 1) A description of any building or buildings (including project number and unit count) that the PHA is required to convert to tenant-based assistance or

that the public housing agency plans to voluntarily convert; 2) An analysis of the projects or buildings required to be converted; and 3) A statement of the amount of assistance received under this chapter to be used for rental assistance or other housing assistance in connection with such conversion. See guidance on HUD's website at: <http://www.hud.gov/offices/pih/centers/sac/conversion.cfm>

- (d) **Homeownership.** A description of any homeownership (including project number and unit count) administered by the agency or for which the PHA has applied or will apply for approval.
- (e) **Project-based Vouchers.** If the PHA wishes to use the project-based voucher program, a statement of the projected number of project-based units and general locations and how project basing would be consistent with its PHA Plan.

**8.0 Capital Improvements.** This section provides information on a PHA's Capital Fund Program. With respect to public housing projects owned, assisted, or operated by the public housing agency, a plan describing the capital improvements necessary to ensure long-term physical and social viability of the projects must be completed along with the required forms. Items identified in 8.1 through 8.3, must be signed where directed and transmitted electronically along with the PHA's Annual Plan submission.

**8.1 Capital Fund Program Annual Statement/Performance and Evaluation Report.** PHAs must complete the *Capital Fund Program Annual Statement/Performance and Evaluation Report* (form HUD-50075.1), for each Capital Fund Program (CFP) to be undertaken with the current year's CFP funds or with CFFP proceeds. Additionally, the form shall be used for the following purposes:

- (a) To submit the initial budget for a new grant or CFFP;
- (b) To report on the Performance and Evaluation Report progress on any open grants previously funded or CFFP; and
- (c) To record a budget revision on a previously approved open grant or CFFP, e.g., additions or deletions of work items, modification of budgeted amounts that have been undertaken since the submission of the last Annual Plan. The Capital Fund Program Annual Statement/Performance and Evaluation Report must be submitted annually.

Additionally, PHAs shall complete the Performance and Evaluation Report section (see footnote 2) of the *Capital Fund Program Annual Statement/Performance and Evaluation* (form HUD-50075.1), at the following times:

1. At the end of the program year; until the program is completed or all funds are expended;
2. When revisions to the Annual Statement are made, which do not require prior HUD approval, (e.g., expenditures for emergency work, revisions resulting from the PHAs application of fungibility); and
3. Upon completion or termination of the activities funded in a specific capital fund program year.

**8.2 Capital Fund Program Five-Year Action Plan**

PHAs must submit the *Capital Fund Program Five-Year Action Plan* (form HUD-50075.2) for the entire PHA portfolio for the first year of participation in the CFP and annual update thereafter to eliminate the previous year and to add a new fifth year (rolling basis) so that the form always covers the present five-year period beginning with the current year.

**8.3 Capital Fund Financing Program (CFFP).** Separate, written HUD approval is required if the PHA proposes to pledge any

portion of its CFP/RHF funds to repay debt incurred to finance capital improvements. The PHA must identify in its Annual and 5-year capital plans the amount of the annual payments required to service the debt. The PHA must also submit an annual statement detailing the use of the CFFP proceeds. See guidance on HUD's website at:

<http://www.hud.gov/offices/pih/programs/ph/capfund/cffp.cfm>

**9.0 Housing Needs.** Provide a statement of the housing needs of families residing in the jurisdiction served by the PHA and the means by which the PHA intends, to the maximum extent practicable, to address those needs. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

**9.1 Strategy for Addressing Housing Needs.** Provide a description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list in the upcoming year. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**

**10.0 Additional Information.** Describe the following, as well as any additional information requested by HUD:

- (a) **Progress in Meeting Mission and Goals.** PHAs must include (i) a statement of the PHAs progress in meeting the mission and goals described in the 5-Year Plan; (ii) the basic criteria the PHA will use for determining a significant amendment from its 5-year Plan; and a significant amendment or modification to its 5-Year Plan and Annual Plan. **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan).**
- (b) **Significant Amendment and Substantial Deviation/Modification.** PHA must provide the definition of "significant amendment" and "substantial deviation/modification". **(Note: Standard and Troubled PHAs complete annually; Small and High Performers complete only for Annual Plan submitted with the 5-Year Plan.)**

- (c) PHAs must include or reference any applicable memorandum of agreement with HUD or any plan to improve performance. **(Note: Standard and Troubled PHAs complete annually).**

**11.0 Required Submission for HUD Field Office Review.** In order to be a complete package, PHAs must submit items (a) through (g), with signature by mail or electronically with scanned signatures. Items (h) and (i) shall be submitted electronically as an attachment to the PHA Plan.

- (a) Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*
- (b) Form HUD-50070, *Certification for a Drug-Free Workplace (PHAs receiving CFP grants only)*
- (c) Form HUD-50071, *Certification of Payments to Influence Federal Transactions (PHAs receiving CFP grants only)*
- (d) Form SF-LLL, *Disclosure of Lobbying Activities (PHAs receiving CFP grants only)*
- (e) Form SF-LLL-A, *Disclosure of Lobbying Activities Continuation Sheet (PHAs receiving CFP grants only)*
- (f) Resident Advisory Board (RAB) comments.
- (g) Challenged Elements. Include any element(s) of the PHA Plan that is challenged.
- (h) Form HUD-50075.1, *Capital Fund Program Annual Statement/Performance and Evaluation Report (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.1.
- (i) Form HUD-50075.2, *Capital Fund Program Five-Year Action Plan (Must be attached electronically for PHAs receiving CFP grants only)*. See instructions in 8.2.

**Attachment A**

**Administrative Plan for the  
Section 8 Housing Choice Voucher Program  
DRAFT 2014**

Is located on the PHA Website:

<http://www.metrocouncil.org/housing/publications-resources.aspx>



**ATTACHMENT B  
HRA UNIT BUDGET SUMMARY 2015  
DRAFT**

| FUND                 | 222                          | 223                 | 224     | 225     | 227       | 228                     | 230     | 232             | 233                       | 234              | 238           | 271   | 272   | CURRENT      | 2014             | 237        | 2014                           | 2015                           | 2014             |            |
|----------------------|------------------------------|---------------------|---------|---------|-----------|-------------------------|---------|-----------------|---------------------------|------------------|---------------|-------|-------|--------------|------------------|------------|--------------------------------|--------------------------------|------------------|------------|
| Organization         | 23150                        | 24070               | 25010   | 25020   | 24090     | 25005                   | 24080   | 24040           | 24050                     | 23005            | 25040         | 25050 | 25060 | YEAR ADOPTED | BUDGET           | 26020      | BUDGET                         | TOTAL HRA                      | BUDGET           |            |
| Account              | Description                  | HUD Voucher Program | RAAC    | S+C 3   | S+C 4     | MHFA Bridges Program #1 | S+C 1   | MHFA RAFS \$250 | Ramsey County GLD Program | MHFA HAP3        | HRA Misc Fund | S+C 5 | S+C 2 | S+C 6        | HRA              | HRA        | Family Affordable Housing Prog | Family Affordable Housing Prog | YEAR ADOPTED     |            |
| 5700                 | Capital Outlay-\$1,000       | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | -                | -          | -                              | -                              | -                |            |
| <b>TOTAL EXPENSE</b> |                              | -                   | -       | -       | -         | -                       | -       | -               | -                         | <b>4,492,826</b> | -             | -     | -     | -            | <b>4,492,826</b> | 4,020,231  | 1,445,000                      | 1,442,900                      | <b>5,937,826</b> | 5,462,178  |
|                      | <b>Surplus (Deficit)</b>     | 3,900,000           | 29,160  | 61,057  | 153,014   | 120,000                 | 18,416  | -               | -                         | 297,414          | (4,447,826)   | -     | -     | -            | 131,235          | 197,116    | 305,000                        | 307,100                        | 436,235          | 505,169    |
| 5900                 | Allocations - Direct         | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | 1,315,477     | -     | -     | -            | 1,315,477        | 600,623    | -                              | -                              | 1,315,477        | 600,623    |
| 5901                 | Allocations - Residual       | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | -                | -          | -                              | -                              | -                | -          |
|                      |                              | 3,900,000           | 29,160  | 61,057  | 153,014   | 120,000                 | 18,416  | -               | -                         | 297,414          | (5,763,303)   | -     | -     | -            | (1,184,242)      | (403,507)  | 305,000                        | 307,100                        | (879,242)        | (95,454)   |
| 4702                 | US Dept of HUD-Subsidy       | 50,000,000          | -       | 740,000 | 1,900,000 | -                       | 225,000 | -               | -                         | 600,000          | -             | -     | -     | -            | 53,465,000       | 56,000,000 | -                              | -                              | 53,465,000       | 56,000,000 |
| 4731                 | MHFA-Subsidy                 | -                   | 250,000 | -       | -         | 1,600,000               | -       | -               | -                         | -                | -             | -     | -     | -            | 1,850,000        | -          | -                              | -                              | 1,850,000        | 1,382,915  |
| 4737                 | MN State Rev-HRA Subsidy     | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | -                | -          | -                              | -                              | -                | -          |
| 4760                 | Local/Other Subsidy Payments | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | -                | -          | -                              | -                              | -                | -          |
|                      | <b>PASS THRU REVENUE</b>     | 50,000,000          | 250,000 | 740,000 | 1,900,000 | 1,600,000               | 225,000 | -               | -                         | 600,000          | -             | -     | -     | -            | 55,315,000       | 57,382,915 | -                              | -                              | 55,315,000       | 57,382,915 |
| 5601                 | Housing Assist Pmts/Subsidy  | 50,000,000          | -       | 740,000 | 1,900,000 | -                       | 225,000 | -               | -                         | -                | -             | -     | -     | -            | 52,865,000       | 56,000,000 | -                              | -                              | 52,865,000       | 56,000,000 |
| 5822                 | MHFA Loan/Grant Payments     | -                   | 250,000 | -       | -         | 1,300,000               | -       | -               | -                         | 600,000          | -             | -     | -     | -            | 2,150,000        | 1,382,915  | -                              | -                              | 2,150,000        | 1,382,915  |
|                      | <b>PASS THRU EXPENSE</b>     | 50,000,000          | 250,000 | 740,000 | 1,900,000 | 1,300,000               | 225,000 | -               | -                         | 600,000          | -             | -     | -     | -            | 55,015,000       | 57,382,915 | -                              | -                              | 55,015,000       | 57,382,915 |
|                      | <b>TOTAL PASS THRU</b>       | -                   | -       | -       | -         | 2,900,000               | -       | -               | -                         | -                | -             | -     | -     | -            | 2,900,000        | -          | -                              | -                              | 2,900,000        | -          |
| 4850                 | Transfer From Other Funds    | 757,000             | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | 757,000          | -          | -                              | -                              | 757,000          | -          |
| 5922                 | Transfers to Other Funds     | -                   | -       | -       | -         | -                       | -       | -               | -                         | -                | -             | -     | -     | -            | -                | -          | -                              | -                              | -                | -          |
|                      |                              | 3,900,000           | 29,160  | 61,057  | 153,014   | 420,000                 | 18,416  | -               | -                         | 297,414          | (5,763,303)   | -     | -     | -            | (884,242)        | (403,507)  | 305,000                        | 307,100                        | (122,242)        | (95,454)   |

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|--|
| <b>PHA Certifications of Compliance<br/>with PHA Plans and Related<br/>R e g u l a t i o n s</b> |
|--|

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 08/30/2011

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**PHA Certifications of Compliance with the PHA Plans and Related Regulations:  
Board Resolution to Accompany the PHA 5-Year and Annual PHA Plan**

*Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the \_\_\_ 5-Year and/or \_\_\_ Annual PHA Plan for the PHA fiscal year beginning, hereinafter referred to as "the Plan", 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 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.
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 to Fair Housing Choice, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan.
3. The PHA certifies that there has been no change, significant or otherwise, to the Capital Fund Program (and Capital Fund Program/Replacement Housing Factor) Annual Statement(s), since submission of its last approved Annual Plan. The Capital Fund Program Annual Statement/Annual Statement/Performance and Evaluation Report must be submitted annually even if there is no change.
4. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Board or Boards in developing the Plan, and considered the recommendations of the Board or Boards (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.
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 Plan in conformity with Title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990.
7. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identify any impediments to fair housing choice within those programs, address those impediments in a reasonable fashion in view of the resources available and work with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and maintain records reflecting these analyses and actions.
8. For PHA Plan that includes 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 2006-24);
  - 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 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 waiting list is consistent with affirmatively furthering fair housing;
  - 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 part 903.7(c)(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. 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.
11. 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.
12. 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.

13. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
14. 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.
15. 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.
16. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
17. 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.
18. The PHA will comply with the policies, guidelines, and requirements of OMB Circular No. A-87 (Cost Principles for State, Local and Indian Tribal Governments), 2 CFR Part 225, and 24 CFR Part 85 (Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments).
19. 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.
20. 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.
21. 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.
22. The PHA certifies that it is in compliance with all applicable Federal statutory and regulatory requirements.

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

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

5-Year PHA Plan for Fiscal Years 20 - 20

Annual 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 Authorized Official | Title |
| Signature                   | Date  |

**Attachment D**  
**2015-2019 PHA PLAN**

**Metropolitan Council**  
**Comprehensive Annual Financial Report**

**Fiscal Year Ended December 31, 2012**

**<http://www.metrocouncil.org/About-Us/Publications-And-Resources/Metropolitan-Council-2012-Comprehensive-Annual-Fin.aspx>**

**Attachment E**  
**2015 PHA PLAN**

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| <b>NOTICE TO HOUSING CHOICE VOUCHER APPLICANTS AND TENANTS<br/>REGARDING THE VIOLENCE AGAINST WOMEN ACT (VAWA)</b> |
|--|

A federal law that went into effect in 2006 protects individuals who are victims of domestic violence, dating violence, and stalking. The name of the law is the Violence against Women Act, or “VAWA.” This notice explains your rights under VAWA.

**Protections for Victims**

If you are eligible for a Section 8 voucher, the housing authority cannot deny you rental assistance solely because you are a victim of domestic violence, dating violence, sexual assault or stalking.

If you are the victim of domestic violence, dating violence, sexual assault or stalking, you cannot be terminated from the Section 8 program or evicted based on acts or threats of violence committed against you. Also, criminal acts directly related to the domestic violence, dating violence, or stalking that are caused by a member of your household or a guest can't be the reason for evicting you or terminating your rental assistance if you were the victim of the abuse.

**Reasons You Can Be Evicted**

You can be evicted and your rental assistance can be terminated if the housing authority or your landlord can show there is an *actual* and *imminent* (immediate) threat to other tenants or employees at the property if you remain in your housing. Also, you can be evicted and your rental assistance can be terminated for serious or repeated lease violations that are not related to the domestic violence, dating violence, or stalking committed against you. The housing authority and your landlord cannot hold you to a more demanding set of rules than it applies to tenants who are not victims.

**Removing the Abuser from the Household**

Your landlord may split the lease to evict a tenant who has committed criminal acts of violence against family members or others, while allowing the victim and other household members to stay in the assisted unit. Also, the housing authority can terminate the abuser's Section 8 rental assistance while allowing you to continue to receive assistance. If the landlord or housing authority chooses to remove the abuser, it may not take away the remaining tenants' rights to the unit or otherwise punish the remaining tenants. In removing the abuser from the household, your landlord must follow federal, state, and local eviction procedures.

**Moving to Protect Your Safety**

The housing authority may permit you to move and still keep your rental assistance, even if your current lease has not yet expired. The housing authority may require that you be current on your rent or other obligations in the housing choice voucher program. The housing authority may ask you to provide proof that you are moving because of incidences of abuse.

## **Proving that You Are a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking**

The housing authority and your landlord can ask you to prove or “certify” that you are a victim of domestic violence, dating violence, or stalking. The housing authority and your landlord must give you at least 14 business days (i.e. Saturdays, Sundays, and holidays do not count) to provide this proof. The housing authority and your landlord are free to extend the deadline. There are three ways you can prove that you are a victim:

- Complete the certification form given to you by the housing authority or your landlord. The form will ask for your name, and the following information if it known and safe to provide: the name of your abuser, the abuser’s relationship to you, the date, time, and location of the incident of violence, and a description of the violence.
- Provide a statement from a victim service provider, attorney, or medical professional who has helped you address incidents of domestic violence, dating violence, sexual assault or stalking. The professional must state that he or she believes that the incidents of abuse are real. Both you and the professional must sign the statement, and both of you must state that you are signing “under penalty of perjury.”
- Provide a police or court record, such as a protective order.

If you fail to provide one of these documents within the required time, the landlord may evict you, and the housing authority may terminate your rental assistance.

## **Confidentiality**

The housing authority and your landlord must keep confidential any information you provide about the violence against you, unless:

- You give written permission to the housing authority or your landlord to release the information.
- Your landlord needs to use the information in an eviction proceeding, such as to evict your abuser.
- A law requires the housing authority or your landlord to release the information.

If release of the information would put your safety at risk, you should inform the housing authority and your landlord.

## **VAWA and Other Laws**

VAWA does not limit the housing authority’s or your landlord’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.

VAWA does not replace any federal, state, or local law that provides greater protection for victims of domestic violence, dating violence, or stalking.

### **For Additional Information**

If you have any questions regarding VAWA, please contact your Section 8 Coordinator at 651-602-1428.

For help and advice on escaping an abusive relationship, call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY).

### **Definitions**

For purposes of determining whether a tenant may be covered by VAWA, the following list of definitions applies:

VAWA defines *domestic violence* to include felony or misdemeanor crimes of violence committed by any of the following:

- A current or former spouse of the victim
- A person with who the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies
- 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

VAWA defines *dating violence* as 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:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

VAWA defines *stalking* as (A)(i) to follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate another person OR (ii) to place under surveillance with the intent to kill, injure, harass, or intimidate another person AND (B) in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of the death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person, (ii) a member of the immediate family of that person, or (iii) the spouse or intimate partner of that person.

## Legal Services

**Southern Minnesota Legal Services** (Ramsey, Washington, Dakota and Scott/Carver Counties): intake # (651) 224-7301

**Mid Minnesota Legal Services or Central Minnesota Legal Services** (Hennepin County): intake # (612) 334-5970

**Judicare of Anoka County** (Anoka): intake # (763) 783-4970 or **Central Minnesota Legal Services** (Anoka): intake # (612) 746-3710

## Hotline Numbers

If you are not safe because of domestic violence call: 1(800) 223-1111

If you are not safe because of sexual assault call: 1 (800) 656-4673

## Battered Women's Shelters in the Twin Cities Metro Area

| Shelter   | City  | Phone                                  |
|---|---|--|
| Alexandra House                                 | Blaine                                      | (763) 780-2330                         |
| Asian Women United of MN/House of Peace Shelter | St. Paul and Minneapolis                    | (651) 646-2118                         |
| B. Robert Lewis House                           | Eagan                                       | (651) 452-7288<br>(651) 405-9455 (TTY) |
| B. Robert Lewis House                           | Hastings                                    | (651) 437-1291<br>(651) 437-2838 (TTY) |
| Casa de Esperanza                               | St. Paul                                    | (651) 772-1611                         |
| Cornerstone Advocacy Services                   | Bloomington, Edina, Richfield, Eden Prairie | (952) 884-0330                         |
| Eagle's Nest Shelter/Women of Nations           | St. Paul                                    | (651) 251-1621                         |
| Home Free                                       | Plymouth                                    | (763) 559-9008                         |
| Sojourner Project                               | Hopkins                                     | (952) 933-7433                         |
| Tubman Family Alliance                          | Hennepin, Ramsey, and Washington Counties   | (612) 825-0000                         |
| Women's Advocates                               | St. Paul                                    | (651) 227-8284                         |

|  |
|--|
| <b>Battered Women's Advocacy Programs in the Twin Cities Metro Area:</b> |
|--|

| <b>Program</b>   | <b>City</b>     | <b>Phone</b>            |
|--|-----------------|-------------------------|
| African Women's Resource Center  | St. Paul        | (651) 646-5657          |
| Aurora Center- University of Minnesota                                   | Minneapolis     | (612) 626-2929          |
| Battered Women's Legal Advocacy Project                                  | Minneapolis     | (612) 343-9842          |
| Communications Services for the Deaf (CSD) MN- Domestic Violence Program | St. Paul        | (651) 487-8867 (TTY)    |
| Domestic Abuse Project   | Minneapolis     | (612) 379-6363          |
| Hennepin County Domestic Abuse Service Center                            | Minneapolis     | (612) 348-5073          |
| International Self-Reliance Agency for Women                             | Minneapolis     | (612) 692-8840          |
| Jewish Domestic Abuse Collaborative                                      | St. Paul        | (651) 698-0767          |
| Minnesota Coalition Against Sexual Assault                               | St. Paul        | (651) 209-9993          |
| Minnesota Indian Women's Sexual Assault Coalition                        | St. Paul        | (651) 646-4800          |
| Minnesota Network on Abuse in Later Life                                 | Roseville       | (651) 636-5311          |
| OutFront Minnesota   | Minneapolis     | (612) 822-0127, ext 101 |
| Project P.E.A.C.E.   | Brooklyn Center | (763) 533-0733          |
| SEWA-AIFW (Asian Indian Family Wellness)                                 | Fridley         | (763) 234-3491          |
| Southern Valley Alliance for Battered Women                              | Belle Plaine    | (952) 873-4214          |
| St. Paul Domestic Abuse Intervention Project                             | St. Paul        | (651) 645-2824          |

**Attachment F**  
**2015-2019 PHA Plan**  
**Resident Advisory Board (RAB) Comments**

**May 22, 2014 RAB Meeting**

- In the past, landlords had units for Section 8 only; conditions not as good as for other tenants.
- Issue with annualizing income. Can't afford to pay the amount

**June 12, 2014 RAB Meeting**

- Most landlords not taking Section 8 right now
- Hard to move with the reduced subsidy standards
- How and when will the waiting list open
- How to apply for a Family Affordable Housing Program unit

**June 25, 2014 RAB Meeting**

- Mobility Counseling background and plan – Landlord outreach
  - Have an advocate available to show participants areas and neighborhoods when searching for a new unit.
  - Too expensive to have an advocate – don't take subsidy away to have an advocate



MID-MINNESOTA LEGAL AID  
MINNEAPOLIS OFFICE  
Dorinda L. Wider ▪ (612) 746-3762 ▪ dlwider@mylegalaid.org

August 15, 2014

**Attachment G: Challenged Elements**  
2015-2019 PHA Plan

Ms. Terri Smith  
Metro HRA  
390 Robert St.  
St. Paul, MN 55101

**RE: Metro HRA FY2014-2015 Annual Plan and FY2014-2015 Administrative Plan for the Section 8 Housing Choice Voucher Program**

Dear Ms. Smith:

Mid-Minnesota Legal Aid of Minneapolis assists many low-income residents of Hennepin County. Many of our clients apply to and participate in Metro HRA (Metro) housing programs. Metro's housing programs are valuable resources in our community. As such, we are writing to you on behalf of our clients about Metro's FY2014-2015 Annual Plan and FY2014-2015 Administrative Plan for the Section 8 Housing Choice Voucher Program. We also reviewed the material on the Metro website and have included suggestions regarding changes needed in materials posted there.

We encourage Metro to make the following changes to its Plans and related policies and documents to both enhance its current policies to better serve applicants, participants and owners; as well as to comply with applicable laws.

**DRAFT FY 2014-2015 5-YEAR AND ANNUAL PLAN**

**5.2.**

The Metro goals should recognize the MN Olmstead Plan and specify how Metro will actively participate in Olmstead Planning by aligning its policies, practices and new programs to the goals of the MN Olmstead Plan. The only mention of the housing needs of people with disabilities is in the reference to administering a Continuum of Care program for housing homeless people with disabilities. Metro should also be partnering with the MN Housing Finance Agency and the Department of Human Services on the Olmstead Plan programs and policies.

**Response: The Metro HRA participates in a 3 programs specifically designed to provide rental assistance and services to person with disabilities. This encourages the provision of rental assistance in community settings for persons with disabilities. The programs**

administered in conjunction with HUD, MN Housing and County case management services include Bridges, Continuum of Care and Non-Elderly Disabled Vouchers. A paragraph was added to section 5.2 of PHA Plan to clarify.

### **6.0 – 13.**

Attachment E needs the revisions noted below to comply with current law.

### **9.0-9.1.**

In addition to reviewing the documents noted in this section to establish housing needs in Metro's jurisdiction, we urge Metro to also review the documentation of needs of people with disabilities that is part of the MN Olmstead Plan. These data can be found at:

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=opc\\_home](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=opc_home)

The housing needs data in this section of Metro's Plan provides race and income of the 679 households on Metro's waiting list. There is no data showing the housing needs of Metro's jurisdiction as required by 24 C.F.R. § 903.7 (2013) and the Plan form instructions, at page 3. What is required is identifying the needs of low and very-low income people in Metro's jurisdiction as well as other families on Metro's waiting list. In planning, Metro particularly must look beyond just those people on its waiting list since the list has been closed since May 2007. This complete identification of needs then should inform the strategies articulated in this section of the Annual Plan. While it is correct, it is also insufficient only to conclude that additional affordable housing is needed and that the need will increase. Metro is required by 24 C.F.R. § 903.7 (a)(2) (2013) to "address issues of affordability, supply, quality, accessibility, size of units and location" and to describe the ways that Metro intends to address those issues and Metro's "reasons for choosing its strategy."

Response: Metro HRA existing Section 8 participant demographics include 35% disabled households. The current waiting list, although old, reflects 36% disabled applicants. The Metro HRA administers three programs that serve disabled households, two of which serve individuals referred to the Metro HRA from County Mental Health divisions. These include Bridges which currently serves 170 participants and Continuum of Care which currently serves 358 households. There are currently 221 households on Metro HRA's Non-Elderly Disabled (NED) program. Section 8 disabled waiting list applicants are targeted for this program.

As a matter of ongoing policy and process related to the adoption of payment standards for its rent assistance programs, the Metro HRA examines all the ideas cited above including affordability, supply, quantity, accessibility, size and location. It does this to ensure the housing needs of all populations are best served by Metro HRA programs.

## **ATTACHMENT E**

Attachment E is taken from the Notice previously obtained from the National Housing Law Project. That Notice has been revised to incorporate the changes in the Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 14043e et seq. (2013) (VAWA 2013), effective March 7, 2013. We have attached a copy of that updated NHLP Notice and urge Metro to adopt it as Attachment E for its Annual Plan rather than revising the Attachment E in the Draft Plan since revisions would have to be made to nearly every paragraph to incorporate the new protections in VAWA 2013. The resource list in Attachment E, pages 4 and 5, should be retained and provided to Metro applicants, participants and owners with the updated VAWA Notice.

[Response:](#) Thank you for your suggestions. Metro HRA will continue to comply with VAWA law and regulation.

## **DRAFT FY2014-2015 ADMINISTRATIVE PLAN FOR THE SECTION 8 HOUSING CHOICE VOUCHER PROGRAM**

### **3-I.F.**

The Draft deletes “deduction from annual income” and replaces it with “dependent allowance” here; and replaces “deduction” with “allowance” at other places in the Draft. There has been no change in the federal regulations, 24 C.F.R. Part 5 (2013), reflecting a deletion of the term “deduction” with replacement by “allowance” by HUD or an act of Congress. The change is unnecessary and can be misleading or confusing. The proposed change in this language should not be made throughout the Draft Plan.

[Response:](#) Thank you for your suggestions.

### **3-I.G.**

*See 3-1.F supra.*

[Response:](#) Thank you for your suggestions.

### **3-I.H.**

*See 3-1.F supra.*

[Response:](#) Thank you for your suggestions.

### **3-I.I.**

*See 3-1.F supra.*

[Response:](#) Thank you for your suggestions.

### **3-I.J.**

“Visitor” is not a term used in the law. *See* 24 C.F.R. § 5.100. The correct term is “guest”.

[Response:](#) Thank you for your suggestions.

### **3-I.M.**

The Draft incorrectly states how the income of a live-in aide, as defined by 24 C.F.R. § 5.403 (2013), is handled in determining the household income. A live-in aide’s income is not included in annual income. *See* 24 C.F.R. § 5.609 (c) (2013).

[Response:](#) Section 3-I.M. already states the income of a live-in aide is not counted in the calculation of annual income for the participant family.

### **3-III.D.**

The confidentiality paragraph on pg. 3-24 regarding VAWA must be revised to add “sexual assault” as required by VAWA 2013, 42 U.S.C. § 14043e-11 (c)(4) (2013).

[Response:](#) Revised as suggested.

### **3-III.G.**

In 2013 Metro agreed to revise this section at page 3-26 to include victims/survivors of “sexual assault” within the coverage of the VAWA reflecting the provisions of Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54 Sec 3 (a) (29) (March 7, 2013). This revision was missed in the FY 2014 Draft.

[Response:](#) Revised as suggested.

### **3-III.G.**

At page 3-27 the requirements regarding “Perpetrator Documentation” must be deleted as a violation of the VAWA. Metro is prohibited from imposing a higher standard upon a victim protected by VAWA than is used with other applicants or participants. 42 U.S.C. § 14043e-11 (b)(3)(C)(ii) (2013). Unless Metro is prepared to require every crime victim provide similar documentation about the perpetrator of the crime then, this requirement may not be imposed on victims of domestic violence. If Metro plans to keep the Draft language it must require every crime victim provide this information and the Plan must be revised in other areas accordingly.

Since Metro intends to comply with VAWA law, at page 3-27 and at every other point that Metro’s policies involve identification of the perpetrator of domestic or sexual violence by a survivor asserting her/his rights pursuant to VAWA, Metro’s policy may only require that the survivor name the perpetrator only if the name is known and the victim determines it is safe to reveal the name. 42 U.S.C. § 14043e-11 (c)(3)(A)(iii) (2013).

[Response:](#) Thank you for your comment. The Metro HRA will continue to comply with VAWA law and regulation.

### **5-I.B.**

In 2013 Metro said it would consider including in the briefing packet the form the Metro HRA uses for a LEP person to request a free interpreter. This is important to reinforce with LEP participants that Metro will provide free interpreter services. At pages 5-3 and 5-4 this form is still not included in the briefing packet. We continue to urge Metro to add it to the briefing packet.

[Response:](#) The Metro HRA includes a language block on all letters sent to participants that states in five languages:

*The Metro HRA provides free interpreter services upon request.*

An interpreter form is also sent in the five languages informing applicants how to request an interpreter. This block is on all letters including selection, appointment, briefing, inspection and recertification letters. We have found this to be a more effective way to offer interpreter services rather than including in an already 75 page document, the briefing packet. We will re-consider adding the form with a future revision.

### **6-I.B.**

Metro’s policy regarding a caretaker for children when the parent or designated guardian receiving assistance is no longer in the unit must be revised to include the situation covered by VAWA 2013 provisions regarding remaining family members. See 42 U.S.C. § 14043e-11 (b)(3)(ii) (2013).

[Response:](#) Thank you for your comment. The Metro HRA will continue to comply with VAWA law and regulation.

### **6.I.M.**

The most current mandated exclusions from income appear at 70 Fed. Reg. 28938 (May 20, 2014). The citation and listing in the Draft must be updated.

Response: The Metro HRA contracts with an agency for Administrative Plan template guidance. The timing of the PHA Plan completion and the receipt of the template guidance, which includes law and regulation changes, do not always coincide. Law and regulation change will always prevail through the guidance provided by HUD.

**6-II.B.**

*See 3-1.F supra.*

Response: Thank you for your suggestions.

**7-II.A.**

Metro's Draft proposes to require school records for verification of legal identity for children be certified. Attorneys and advocates who work exclusively with children on their legal needs report that most K-12 schools do not have the ability or the procedures in place to provide certified records. Making the proposed change appears to erect a barrier that is an impossibility and pose delays for families and Metro. Metro applicants and participants would be better served if Metro did not require certification of records that cannot be certified. If Metro receives a school record that raises doubts about authenticity Metro has the option of verifying with the school or requiring one or more of the other forms of verification listed.

Response: Revised as suggested.

**9-I.A.**

The limitation on Metro reporting to landlords information provided to Metro as part of VAWA documentation must be revised to add "sexual assault" as required by VAWA 2013, 42 U.S.C. § 14043e-11 (c)(4) (2013).

Response: Revised as suggested.

**9-I.F.**

Metro's policy of trying to negotiate with a landlord when a unit is not approvable due to the rent is beneficial to participants. It would be more useful to participants when issues related to alleged unpaid rent or issues of illegal side payments demanded if these negotiations were consistently documented in participants' files.

Response: Thank you for your comment.

**12-II.D.**

This section on pages 12-9 and 12-10 must be revised to include survivors of "sexual assault" to comply with 42 U.S.C. § 14043e et seq. (2013) (VAWA 2013).

Response: Revised as suggested.

**12-III.B.**

This section on pages 12-15 must be revised to include survivors of "sexual assault" to comply with 42 U.S.C. § 14043e et seq. (2013) (VAWA 2013).

Response: Revised as suggested.

**12-III.B.**

Owners are not only subject to the Protecting Tenants at Foreclosure Act but are also subject to the provisions of the Minnesota equivalent of foreclosure protections. *See* Minn. Stat. §

504B.285, Subd. 1a. (2013). These additional state obligations should be included in this section.

[Response:](#) Thank you for your comment.

## **STATEMENT OF RESPONSIBILITIES**

At page 12-19 the Draft proposes to make continued participation in Metro's programs contingent upon the compliance of participating household's members' and their guests with the Statement of Responsibilities. If the Statement's obligations are supported by statute or regulation, then the household is bound by them. However, a household's guest cannot be bound by the Statement of the participant's responsibilities. At most, Metro could require in the Statement that the participating household be held responsible for the conduct of its guests as stated in relevant statute and regulations. The proposed broad language must be revised if Metro hopes to enforce any action against a participant for the misconduct of its guest.

[Response:](#) Revised language to state "participants are responsible for the conduct of their guests".

At page 12-20 the Draft uses the term "visitors". "Visitor" is not a term used in the law, *see* 24 C.F.R. § 5.100. The correct term is "guest".

[Response:](#) Thank you for your comment.

At page 12-28 the Draft continues to conflate Reasonable Accommodation and VAWA protections. Although the outcome of exercising one's VAWA rights might result in action by Metro that varies from the usual policy application if VAWA were not involved, the request for VAWA protections and the compliance with VAWA by Metro is not an accommodation. This paragraph should be separated into two separate paragraphs, one about reasonable accommodations and one about VAWA. The standard of reasonableness of one's request, the essence of an accommodation based on disability, is irrelevant to actions required in a situation in which VAWA applies. Metro's statement that each applicant, when selected, and each participant, at annual recertification, receives information on their VAWA rights does not correct the problems that this section presents.

[Response:](#) Section title changed to "Rule Exceptions" to make clear that Metro HRA will make exceptions as a result of VAWA or as a reasonable accommodation for disabled persons.

### **13-I.C.**

Owner's responsibilities listing regarding VAWA must be revised to include the citation to VAWA 2013, 42 U.S.C. § 14043e et seq. (2013), so that owners are aware of the coverage for survivors of sexual assault and the expanded programs covered by VAWA 2013.

[Response:](#) Thank you for your comment.

### **13-II.G.**

Owners are not only subject to the Protecting Tenants at Foreclosure Act but are also subject to the provisions of the Minnesota equivalent of foreclosure protections, *see* Minn. Stat. § 504B.285, Subd. 1a. (2013). These additional state obligations should be included in this section.

[Response:](#) Thank you for your comment.

### **16-III.C.**

The link to the “Metropolitan Council Policy Procedure – Data Practices 4-1-1a.” provided here to tell a participant how they will be allowed to copy documents related to her Informal Hearing did not work when we tried to use it. A link to a website, even a working link, is not an effective way to tell a participant involved in an Informal Hearing how she will be allowed to copy Metro HRA documents that will be part of her hearing. The information should be provided to the participant in the body of the Plan.

[Response:](#) Thank you for your comment.

### **16-IV.B.**

The repayment agreement policy at page 16-23 should be revised to require that the repayment agreement be translated for a LEP family or a certificate of translation be executed by Metro’s free interpreter who does the oral translation. The certification of translation should be retained in the family’s file with a copy of the agreement. The terms of a repayment agreement include the serious consequence of termination for breach so Metro should pay particular attention to ensure the family understands its obligations. The certification would serve to allay later complaints that the document was not translated or not translated by a competent, professional interpreter.

[Response:](#) The Metro HRA includes a language block on all correspondence to participants, including repayment agreement letters, that states in five languages:

*The Metro HRA provides free interpreter services upon request.*

An interpreter form is also sent in the five languages informing applicants how to request an interpreter. The Metro HRA does its best to ensure program participants and applicants understand their obligations.

The list of provisions mandated by HUD in PIH 2010-19, at page 16-24, must be revised to include the limitation on the amount of the monthly payment. “The monthly retroactive rent payment plus the amount of rent the tenant pays at the time the repayment agreement is executed should be affordable and not exceed 40 percent of the family’s monthly adjusted income.” PIH 2010-19, Paragraph 16 (May 17, 2010), extended in PIH 2013-23 (June 1, 2013).

[Response:](#) Thank you for your comments.

### **16-VI.B.**

At page 16-31 the Draft must be revised to include victims/survivors of “sexual assault” within the coverage of the VAWA reflecting the provisions of Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54 Sec3 (a) (29) (March 7, 2013). This revision was recognized as required in 2013 but was missed.

[Response:](#) Revised as suggested.

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

The law has changed since VAWA 2005 and the citation must be changed as well as the substance of Part IX to incorporate the changes in the Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 14043e et seq. (2013), effective March 7, 2013.

[Response:](#) The Metro HRA contracts with an agency for Administrative Plan template guidance. The timing of the PHA Plan completion and the receipt of the template guidance, which includes law and regulation changes, do not always coincide. Law and regulation change will always prevail through the guidance provided by HUD.

### **16-IX.B.**

Add the definition of “sexual assault” at page 16-36. *See* Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54, Sec 3 (a) (29) (March 7, 2013).

At page 16-37 the Draft refers to certification form HUD 50066. This form was revised July 31 2014 and its title changed to “Certificate of Domestic Violence, Dating Violence, Sexual Assault or Stalking”. This change needs to be included in the Draft.

At page 16-37 the list of records that may be used for certification must be revised to include “administrative record”. *See* 42 U.S.C. § 14043e-11 (c)(3)(C) (2013).

At page 16-37 the list of third parties who may document VAWA eligibility must be revised to include “a mental health professional” from whom the survivor has sought assistance relating to domestic or sexual violence or the effects of the violence. Metro has stated that it considers mental health professional synonymous with medical professional but many people, including Congress in the text of the statute do not. *See* 42 U.S.C. § 14043e-11 (c)(3)(B) (2013).

At page 16-37 the list of ways to document VAWA eligibility must be revised to include “the applicant or participant”. *See* 42 U.S.C. § 14043e-11 (c)(3)(B) (2013).

At page 16-38 “sexual assault” must be added to the PHA Policy paragraph to reflect the coverage of VAWA 2013. *See* Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54, Sec 3 (a) (29) (March 7, 2013).

At page 16-39 the PHA policy paragraph regarding acceptance of an individual’s statement or other corroborating evidence must be revised to include “sexual assault” to accurately reflect the coverage of VAWA 2013. *See* Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54, Sec 3 (a) (29) (March 7, 2013).

[Response:](#) The Metro HRA contracts with an agency for Administrative Plan template guidance. The timing of the PHA Plan completion and the receipt of the template guidance, which includes law and regulation changes, do not always coincide. Law and regulation change will always prevail through the guidance provided by HUD.

#### **Exhibit 16-1.**

The Exhibit at page 16-40 must be updated to incorporate the provisions of VAWA 2013. In our comments on Attachment E *supra* we note that the National Housing Law Project has been revised to incorporate the changes in the Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 14043e et seq. (2013) (VAWA 2013), effective March 7, 2013. We have attached a copy of that updated NHLP Notice and urge Metro to adopt it as Exhibit 16-1.

[Response:](#) The Metro HRA contracts with an agency for Administrative Plan template guidance. The timing of the PHA Plan completion and the receipt of the template guidance, which includes law and regulation changes, do not always coincide. Law and regulation change will always prevail through the guidance provided by HUD.

#### **Exhibit 16-2.**

The Exhibit at page 16-44 must be updated to incorporate the provisions of VAWA 2013, 42 U.S.C. § 14043e et seq. (2013) (VAWA 2013), effective March 7, 2013, including the revisions noted *supra* for Exhibit 16-1.

[Response:](#) The Metro HRA contracts with an agency for Administrative Plan template guidance. The timing of the PHA Plan completion and the receipt of the template guidance, which includes law

and regulation changes, do not always coincide. Law and regulation change will always prevail through the guidance provided by HUD.

#### **17-V.D.**

The preference for applicants with a Minneapolis address for 70% of Metro's PBV units must be removed to be consistent with its removal previously in the Draft Admin Plan and the Draft Annual Plan statement that the preference has ended.

[Response:](#) Revised as suggested.

#### **17-VI.G.**

The limitation on Metro reporting to landlords information provided to Metro as part of VAWA documentation must be revised to add "sexual assault" as required by VAWA 2013, Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54, Sec 3 (a) (29) (March 7, 2013).

[Response:](#) Revised as suggested.

#### **Glossary**

The VAWA citation at page GL-2 must be revised to also include Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 14043e et seq. (2013), effective March 7, 2013.

A definition of "affiliated individual" from VAWA 2013 (it appears elsewhere in the Draft) should be added on page GL-3. *See* 42 U.S.C. § 14043e-11 (a)(1) (2013).

A definition of "sexual assault" from VAWA 2013 should be added on page GL-13. *See* Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113-4, Title VI, 127 Stat. 54, Sec 3 (a)(29) (March 7, 2013).

[Response:](#) Thank you for your comments.

#### **VIEWS – METRO HRA NEWSLETTER FOR HOUSING OWNERS – SUMMER 2014**

The Summer 2014 edition of Metro's Owners Newsletter still places the VAWA information parallel to Minn. Stat. § 504B.206 regarding ending a lease under state law. This confuses and misinforms an Owner. The rights of a Section 8 participant to end the Section 8 lease in a situation covered by VAWA are found in federal regulations at 24 C.F.R. § 982.353(b) (2012). The process outlined in Minn. Stat. § 504B.206 applies to **private** market tenancies but does not apply to landlords participating in Metro's Section 8 program. Federal law preempts the state law, and 504B.206 specifically recognizes that if a federal statute or regulation permitting termination of a federally-subsidized tenancy conflicts with the Minnesota statute, the landlord must comply with the federal statute, regulation, or handbook. Minn. Stat. § 504B.206, Subd. 7 (2014). We raised a similar point in 2013. We understand Metro's goal is providing useful information to landlord's in its Section 8 Program. The Newsletter leads a landlord to believe that Minn. Stat. § 504B.206 applies to their Section 8 tenancies and it clearly does not. Correction in the next Newsletter would serve both participants and owners in Metro's Section 8 Program.

[Response:](#) Thank you for your comments.

We hope that these comments will be used to revise the Metro HRA FY2014-2015 Annual Plan and FY2014-2015 Administrative Plan for the Section 8 Housing Choice Voucher Program before it is approved by the Metropolitan Council. If you have any questions regarding the points we have raised, please contact me.

Sincerely,

Dorinda L. Wider  
Attorney at Law

DLW:nh

Enc.

cc: Erika Finkler, MN HUD FHEO

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**MID-MINNESOTA LEGAL AID**  
**MINNEAPOLIS OFFICE**  
Dorinda L. Wider ▪ (612) 746-3762 ▪ [dlwider@mylegalaid.org](mailto:dlwider@mylegalaid.org)

September 3, 2014

Terri Smith  
Metro HRA  
Assistant Manager  
390 Robert St N  
St. Paul, MN 55101

**RE: Metro HRA FY2014-2015 Annual Plan and FY2014-2015 Administrative Plan for the Section 8 Housing Choice Voucher Program and HUD Notice PIH 2014-20 (August 20, 2014)**

Dear Ms. Smith:

Shortly after the comment period for the Metro HRA FY2015 Annual Plan (“Annual Plan”) and FY2014-2015 Section 8 Administrative Plan (“Admin Plan”) ended, HUD issued PIH 2014-20 (August 20, 2014). We want to make sure that these planning documents are immediately revised as necessary to comply with this very recent Notice before submission to HUD:

- Paragraph 4.a. of the Notice requires that Metro update the next Annual Plan submitted subsequent to the August 20, 2014 HUD Notice, which would be the Draft on which we commented on August 15, 2014, so the section on eligibility, selection and admissions reflects the changes in family definitions and the requirement to provide equal access

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August 15, 2014  
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regardless of sexual orientation, gender identity or marital status outlined in the Notice reflecting changes in the federal regulations.

- Paragraph 4.b. of the Notice similarly directs revision to Metro's Admin Plan to reflect the changes in family definitions and family composition outlined in the Notice reflecting changes in the federal regulations.

In addition, the Notice directs PHA's interactions with applicants and participants concerning issues covered by the Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity Rule (77 F.R. 5662 (Feb. 3, 2012)). We assume that Metro HRA has made or immediately will make all changes in internal policies, practices, procedure and protocols to comply with the Notice.

Response: Administrative Plan already includes the following language under definition of family, Page 3-2:

*Family* as defined by HUD includes, but is not limited to the following, regardless actual or perceived sexual orientation, gender identity, or marital status, a single person family may be an elderly person, a disabled person, near-elderly person, or any other single person; or a group of persons residing together. . . . . *Gender Identity* means actual or perceived gender characteristics. *Sexual orientation* means homosexuality, heterosexuality, or bisexuality.

Sincerely,

Dorinda L. Wider  
Attorney at Law

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