

# Annual PHA Plan (Standard PHAs and Troubled PHAs)

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

OMB No. 2577-0226  
Expires: 02/29/2016

**Purpose.** The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families.

**Applicability.** Form HUD-50075-ST is to be completed annually by **STANDARD PHAs** or **TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small PHA, HCV-Only PHA or Qualified PHA do not need to submit this form.

## Definitions.

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

A. PHA Information.					
<b>A.1</b> PHA Name: <u>Municipal Housing Authority for the City of Yonkers, New York (MHACY)</u> PHA Code: <u>NY003</u> PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>07/01/2017</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units: <u>2,070 includes Croton Heights, Grant Park I and School House Terrace</u> Number of Housing Choice Vouchers (HCVs): <u>3,249 vouchers available of which 371 are being utilized as Project-Based Vouchers.</u> Total Combined Units/Vouchers <u>5,319</u> .  PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission  Availability of Information. PHAs must have the elements listed below in sections B and C readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. <input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)					
Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
				PH	HCV
Lead PHA:					

B.	Annual Plan Elements
B.1	<p><b>Revision of PHA Plan Elements.</b></p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Rent Determination.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Operation and Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Grievance Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Community Service and Self-Sufficiency Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Asset Management.</p> <p><input type="checkbox"/> <input type="checkbox"/> Substantial Deviation.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):</p> <ol style="list-style-type: none"> <li>1. <b>Deconcentration, and Other Policies that Govern Eligibility, Selection and Admissions and Operation and Management.</b> The MHACY has revised its waiting list policies from utilizing a centralized (<b>one list</b>) to site-based waiting list. This revision ensures that each applicant on the waiting list will have an opportunity to reside in a community of choice versus one of determined selection. Also, as the MHACY is converting to RAD Project-Based Vouchers (PBV) this type of waiting list is more conducive for effective implementation of housing selection. <p>The MHACY will revise the Admissions and Continued Occupancy Plan (ACOP) during the upcoming FY17 Fiscal Year based on mandated updates from HUD and in areas conducive for more effective administration.</p> </li> <li>2. Based on the HUD final rule issued March 8, 2015 "<i>Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing and Community Planning and Development Programs</i>", the MHACY will consider options to reduce administrative burden and enable more efficient use of scarce resources through reviewing and revising as applicable, the following: <ul style="list-style-type: none"> <li>• Tenant rental payments, rent determination processes, verification of Social Security numbers for children of applicants, frequency of utility reimbursement payments, verification of assets and community service completion, grievance procedures, unit inspections and utility payment schedules.</li> </ul> </li> <li>3. <b>Substantial Amendment/Modification.</b> Attachments 1 and 1A (Certification) are included with the FY 2017 Annual Plan that summarizes all of the elements revised since the <b>5 Year 2015-2019</b> Plan submission in April 2015 as the MHACY is a FY July 1<sup>st</sup> PHA. Although the MHACY did include in the 5-Year Plan submission specific language for the RAD conversion, the HUD-format Significant Deviation Chart was included with the FY 2016 and FY 2017 Annual Plans as some of the activities in the communities designated for RAD have changed since the 5 Year Plan submission in April 2015..</li> </ol> <p>(c) The PHA must submit its Deconcentration Policy for Field Office review. <b>THE MHACY will submit a Deconcentration Plan upon RAD conversion to be approved by the Field Office.</b></p>

<p><b>B.2</b></p>	<p><b>New Activities.</b></p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y    N</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Designated Housing for Elderly and/or Disabled Families.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Occupancy by Over-Income Families.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Occupancy by Police Officers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Non-Smoking Policies.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project-Based Vouchers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p>Six (6) elements were checked yes to include; Hope VI or Choice Neighborhoods, Mixed Finance Modernization or Development, Demolition and/or Disposition, Designated Housing for Elderly and/or Disabled Families, Conversion of Public Housing to Project-Based Assistance under RAD, and Project-Based Vouchers. The MHACY has applied to the RAD program for designated sites, as listed in Attachment 1. At the time of the FY 2016 Annual Plan submission, CHAP letters have been received for some of the properties. Based on the participation in this program, optional financial tools are being explored to preserve the affordable housing units in Yonkers, NY. Some of the options include:</p> <ul style="list-style-type: none"> <li>• Use of Section 18 at the Scattered Sites Townhouses (Disposition)</li> <li>• Designated housing for Elderly and/or Disabled Families</li> <li>• Conversion of Public Housing to Project-Based Assistance under RAD</li> <li>• Different financial alternatives (State Housing Programs) for Over-Income Families.</li> <li>• Occupancy of units by Maintenance Staff</li> <li>• Pursue Choice Neighborhoods Grants for the redevelopment of the Cottage Gardens site and the continued application of disposition under Section 18 of the Act.</li> </ul> <p>The following elements were included in the 5-Year (2015-2019) plan submission and continue to be a priority in FY2017 as pertains to implementation:</p> <ul style="list-style-type: none"> <li>• MHACY will continue planning for the redevelopment of Cottage Gardens to include, completion of an inventory removal application or RAD application for all or part and use of replacement housing factor funds for redevelopment.</li> <li>• MHACY has submitted a request to HUD to allow it to accumulate all of its Replacement Housing Factor (RHF) funds.</li> <li>• It is the MHACY's intention to convert all of its ACC units into PBV units pursuant to the RAD program with the exception of units being submitted for demolition and disposition approval.</li> <li>• The MHACY received a HOPE VI Revitalization Grant for Mulford Gardens Development (NY 3-1) in 2004. The revitalization effort redeveloped the former Mulford Gardens public housing development and several off-site parcels donated by the City of Yonkers to create a mixed-income development. The MHACY is currently completing grant close-out activities as close-out has been approved by the HOPE VI program office.</li> <li>• MHACY has continued to meet with potential stakeholders, report and communicate progress to all parties and gather feedback from the community and affected residents. MHACY also is currently conducting extensive community development, capacity building, and planning activities in concert with the City of Yonkers.</li> </ul>
<p><b>B.3</b></p>	<p><b>Civil Rights Certification.</b></p> <p>Form HUD-50077, <i>PHA Certifications of Compliance with the PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan. <b>(Attachment 2)</b></p>

<b>B.4</b>	<p><b>Most Recent Fiscal Year Audit.</b></p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N  <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(a) If yes, please describe: <b>((ATTACHMENT 3) The Audit Report attached is FYE 06/30/15.</b></p> <p>(b)</p>
<b>B.5</b>	<p><b>Progress Report.</b></p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan.</p> <p>Through the maximization of resources, the MHACY is continuing to demonstrate significant progress in meeting the mission and goals identified in the 5-Year (2015-2019) Plan. The MHACY will continue to strive toward meeting the needs of the residents through continued accomplishment of the targeted goals, as all strategies in FY 2017 are consistent with the 2010-2015 Plan as they are a continuation of efforts and identified goals. More specifically, all activities in FY 2017 will be directed towards continued improvement of all management systems, procedures, and the administrative structure of the Agency. The MHACY's Definitions of Substantial Deviation and Significant Amendment or Modification are still identified as (1) changes to rent or admissions policies or organization of the waiting list and additions of non-emergency work items (items not intended in the current Annual Statement) any change with regard to demolition or disposition, designation, homeownership programs or conversion activities.</p> <p><b>Although planned Conversion Activities were addressed in the 5 Year (2015-2019) Plan but as some of the targeted development numbers for conversion have changed, a summary of the projected RAD conversion is included.</b></p>
<b>B.6</b>	<p><b>Resident Advisory Board (RAB) Comments.</b></p> <p>(a) Did the RAB(s) provide comments to the PHA Plan?</p> <p>Y N <b>(Attachment 4)</b>  <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(c) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>
<b>B.7</b>	<p><b>Certification by State or Local Officials. (Attachment 5)</b></p> <p><i>Form HUD-50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan.</i></p>
<b>B.8</b>	<p><b>Troubled PHA.</b></p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place?</p> <p>Y N N/A  <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p>
<b>C.</b>	<p><b>Statement of Capital Improvements. Required for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</b></p>
<b>C.1</b>	<p><b>Capital Improvements.</b> Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p> <p><b>The 5-Year Action Plan (HUD-50075.2) submitted in April 2016 was approved by HUD in August 2016. Also, the MHACY is complying with the HUD requirement to submit CFP information through EPIC.</b></p>

**Attachment 1-Rental Assistance Demonstration (RAD)  
Requirements for RAD-Specific PHA Plan and/or Significant Amendment to the PHA Plan  
Submission**

<b>Housing Authority #</b>	<b>Housing Authority Name</b>	<b>Fiscal Year Begin Date</b>
NY003	Municipal Housing Authority for the City of Yonkers	July 1, 2017

The Municipal Housing Authority for the City of Yonkers, New York (MHACY) amended its FY 2015-2019 Five (5) Year Plan in May 2016 by including additional information in the FY 2016 Annual Plan as it was a successful applicant in the Rental Assistance Demonstration (RAD) Program. The information included in this Attachment 1 is an update for the FY 2017 Annual Plan as MHACY is still projecting to convert to Project Based Voucher (PBV) Assistance under the guidelines of PIH Notice 2012-32, REV-1 and any successor Notices.

Upon conversion to PBV, the Authority will adopt the resident rights, participation, waiting list and grievance procedures listed in Section 1.6 of PIH Notice 2012-32, REV-2; and Joint Housing PIH Notice H-2014-09/PIH-2014-17). These resident rights, participation, waiting list and grievance procedures are included or appended with this Attachment. Additionally, MHACY is currently compliant with all fair housing and civil rights requirements and is **not** under a Voluntary Compliance Agreement (VAC), therefore, compliance will not be negatively impacted by conversion activities.

RAD was designed by HUD to assist in addressing the capital needs of public housing by providing MHACY with access to private sources of capital to repair and preserve its affordable housing assets. Please be aware that upon conversion, the Authority's Capital Fund Budget will be reduced by the pro rata share of Public Housing Developments converted as part of the Demonstration, and that MHACY may also borrow funds to address their capital needs.

MHACY may contribute Operating Reserves in the amount of up to \$100,000 to the extent available and FY17 Capital Funds (CFP) and Replacement Housing Factor (RHP) Funds in the amount of up to \$3,230,707 towards the conversion. A total of 1,661 Public Housing Units were utilized to factor this calculation of funds for commitment as 35 units were demolished at Cottage Place Gardens. The MHACY currently has debt under an Energy Performance Contract and will be working with Honeywell and Bank of America to address outstanding debt issues, which may result in additional reductions of capital or operating funds.

The MHACY is including as **Attachment 1A** a certification statement on Agency letterhead certifying that the RAD conversion complies with all applicable site selection and neighborhood reviews standards and that all appropriate procedures have been followed. All other required information and certifications necessary to submit the PHA FY 2017 Annual Plan, including Resident Advisory Board comments and responses to include challenged elements are included as the applicable attachments referenced in the form **HUD-50075-ST**.

Additionally, in accordance with 24 CFR Part 903, the MHACY during the public hearing held on Tuesday, April 11, 2017 performed the following actions in regards to their Capital Funds:

- Notified the public that the current and future Capital Fund Program Grants Budgets, will be reduced as a result of any projects converting to RAD and any potential budget cuts from HUD.
- Provided an estimate of the amount of the current Capital Fund grant that is associated with the proposed project(s) and discussed the impact on the PHA's current Five-Year PHA Plan and Five-Year Capital Fund Action Plan.
- Provided a discussion as pertains to the current Energy Performance Contract (EPC) and how the RAD conversion will have an impact.
- Provided a proposal to utilize Replacement Housing Factor (RHF) funds to facilitate conversion the estimated impact of those activities.

**Significant Amendment Definition:**

As a component of the Rental Assistance Demonstration (RAD) and the decision to convert to PBV, the MHACY is redefining the definition of a substantial deviation from the approved FY 2015-2019 Five Year Plan to exclude the following RAD-specific items. These substantial amendment definitions were stated in the approved FY2016 Annual Plan and are being included in FY2017.

- Changes to the Capital Fund Budgets produced as a result of each approved RAD conversion, regardless of whether the proposed conversion will include use of additional Capital Funds;
- Changes to the construction and/or rehabilitation plan for each approved RAD conversion; and
- Changes to the financing structure for each approved RAD conversion.

## SPECIFIC DEVELOPMENT DATA

The specific information related to the Public Housing Developments selected for RAD is included in chart form or in subsequent narrative:

1. A description of the units to be converted. The description should include the following:
  - a. The number of units;
  - b. The bedroom distribution of units, and
  - c. The type of units (e.g., family, elderly/disabled, or elderly-only).
2. Any change in the number of units that is proposed as part of the conversion, including:
  - a. De minimis unit reductions;
  - b. Unit reductions that are exempt from the de minimis cap; and
  - c. Any change in the bedroom distribution of units that is proposed as part of the conversion.
3. Changes in the policies that govern eligibility, admission, selection, and occupancy of units at the project after it has been converted.
  - a. If Converting to PBV: This includes any waiting list preferences that will be adopted for the converted project as well as the Resident Rights and Participation, Tenant Protections for residents stated in Section 1.6, Attachment 1B of this Notice and the Joint Housing/PIH Notice H-2014-09/ PIH-2014-17. **MHACY is converting to PBV.**
  - b. If Converting to PBRA: This includes any waiting list preferences that will be adopted for the converted project as well as the Resident Rights and Participation, Tenant Protections for residents stated in Section 1.7 and Attachment 1B of this Notice and the Joint Housing PIH Notice H-2014-09/ PIH-2014-17.
4. If there will be a transfer of assistance at the time of conversion, the significant amendment must include:
  - a. The number of units to be transferred;
  - b. The bedroom distribution of the units in the new building(s);
  - c. The type of units, if changed (e.g., family, elderly/disabled, or elderly-only);
  - d. Any reduction or change in the number of units and what reduction category they fall under (i.e. de minimis); and
  - e. How the waiting list will be transferred and how households will be selected for the An indication of whether the PHA is currently under a voluntary compliance agreement, consent order or consent decree or final judicial ruling or administrative ruling or decision and an assurance that compliance will not be negatively impacted by conversion activities.

**Development #1**

**Name of Public Housing Development:**  
William Schlobohm Houses

**PIC Development ID:**

NY003-000030

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project) <b>585,589 CFP</b> <b>0 RHF</b>
411	Family	Family	

<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why</b> (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
<b>Studio/Efficiency</b>			
<b>One Bedroom</b>	37	37	
<b>Two Bedroom</b>	196	196	
<b>Three Bedroom</b>	147	147	
<b>Four Bedroom</b>	31	31	
<b>Five Bedroom</b>			
<b>Six Bedroom</b>			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		



**Development #2****Name of Public Housing****Development:**

William Walsh

**PIC Development ID:**

NY 003-000040

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)</b>
299	Senior	Senior	418,278 CFP 0 RHF

<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations,</b>
Studio/Efficiency	97	97	
One Bedroom	202	202	
Two Bedroom			
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		

**Development #3****Name of Public Housing****Development:**

Kris Kristensen

**PIC Development ID:**

NY 003-000040

**Conversion type:**

PBV

**Transfer of Assistance:**

None

**Total Units:**

32

**Pre- RAD Unit Type (i.e.,  
Family, Senior, etc.):**

Senior

**Post-RAD Unit Type if  
different (i.e., Family,  
Senior, etc.)**

Senior

**Capital Fund allocation of  
Development:**(Annual Capital Fund Grant,  
divided by total number of public  
housing units in PHA, multiplied by  
total number of units in project)

55,771 CFP

0 RHF

**Bedroom Type****Number of Units Pre-  
Conversion****Number of Units Post-  
Conversion****Change in Number of Units per  
Bedroom Type and Why  
(De Minimis Reduction,  
Transfer of Assistance, Unit  
Reconfigurations,****Studio/Efficiency****One Bedroom**

32

32

**Two Bedroom****Three Bedroom****Four Bedroom****Five Bedroom****Six Bedroom**(If performing a Transfer  
of Assistance)

(Explain how transferring waiting list)

**NOT APPLICABLE**

**Development #4****Name of Public Housing****Development:**

Calcagno Homes

**PIC Development ID:**

NY 003-000050

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
278	Family	Family	390,392 CFP 0 RHF
<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why</b> (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
Studio/Efficiency	0	0	
One Bedroom	67	67	
Two Bedroom	157	157	
Three Bedroom	42	42	
Four Bedroom	12	12	
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		

**Development #5**

**Name of Public Housing Development:**  
Charles Curran Court

**PIC Development ID:**

NY003-000060

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
186	Senior	Senior	331,967 CFP 290,739 RHF

<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why</b> (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
<b>Studio/Efficiency</b>			
<b>One Bedroom</b>	186	186	
<b>Two Bedroom</b>			
<b>Three Bedroom</b>			
<b>Four Bedroom</b>			
<b>Five Bedroom</b>			
<b>Six Bedroom</b>			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) NOT APPLICABLE		

**Development #6****Name of Public Housing****Development:**

Martinelli Manor

**PIC Development ID:**

NY 003-000060

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)</b>
45	Senior	Senior	73,771 CFP 67,094 RHF
<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)</b>
<b>Studio/Efficiency</b>			
<b>One Bedroom</b>	45	45	
<b>Two Bedroom</b>			
<b>Three Bedroom</b>			
<b>Four Bedroom</b>			
<b>Five Bedroom</b>			
<b>Six Bedroom</b>			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		

**Development #7****Name of Public Housing  
Development:**

John E. Flynn

**PIC Development ID:**

NY 003-000070

**Conversion type:**

PBV

**Transfer of Assistance:**

None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)</b>
139	Senior	Senior	195,197 CFP 0 RHF
<b>Bedroom Type</b>	<b>Number of Units Pre- Conversion</b>	<b>Number of Units Post- Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)</b>
Studio/Efficiency	81	81	
One Bedroom	58	58	
Two Bedroom			
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		

**Development #8**

Name of Public Housing  
Development:  
Troy Manor

PIC Development ID:

NY 003-000070

Conversion type:

PBV

Transfer of Assistance:

None

Total Units:	Pre- RAD Unit Type (i.e., Family, Senior, etc.):	Post-RAD Unit Type if different (i.e., Family, Senior, etc.)	Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
55	Senior	Senior	83,655 CFP 0 RHF

Bedroom Type	Number of Units Pre- Conversion	Number of Units Post- Conversion	Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
Studio/Efficiency			
One Bedroom	55	55	
Two Bedroom			
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) NOT APPLICABLE		

**Development #9**

Name of Public Housing  
Development:  
Loehr Court

PIC Development ID:

NY 003-000070

Conversion type:

PBV

Transfer of Assistance:

None

Total Units:	Pre- RAD Unit Type (i.e., Family, Senior, etc.):	Post-RAD Unit Type if different (i.e., Family, Senior, etc.)	Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
80	Senior	Senior	111,541 CFP 0 RHF

Bedroom Type	Number of Units Pre- Conversion	Number of Units Post- Conversion	Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
Studio/Efficiency			
One Bedroom	80	80	
Two Bedroom			
Three Bedroom			
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) NOT APPLICABLE		



**Development #10**

**Name of Public Housing Development:**  
James E. Hall Homes

**PIC Development ID:**  
NY 003-000111

**Conversion type:**  
PBV

**Transfer of Assistance:**  
None

<b>Total Units:</b>	<b>Pre- RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-RAD Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
48	Family	Family	76,771 CFP 74,549 RHF

<b>Bedroom Type</b>	<b>Number of Units Pre-Conversion</b>	<b>Number of Units Post-Conversion</b>	<b>Change in Number of Units per Bedroom Type and Why</b> (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
<b>Studio/Efficiency</b>			
<b>One Bedroom</b>	16	16	
<b>Two Bedroom</b>	20	20	
<b>Three Bedroom</b>	8	8	
<b>Four Bedroom</b>	4	4	
<b>Five Bedroom</b>			
<b>Six Bedroom</b>			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) <b>NOT APPLICABLE</b>		

**Development #11**

Name of Public Housing

PIC Development ID:

Conversion type:

Transfer of Assistance:

Development:

NY 003-000111

PBV

None

Townhouses

Total Units:	Pre- RAD Unit Type (i.e., Family, Senior, etc.):	Post-RAD Unit Type if different (i.e., Family, Senior, etc.)	Capital Fund allocation of Development: (Annual Capital Fund Grant, divided by total number of public housing units in PHA, multiplied by total number of units in project)
200	Family	Family	372,852 CFP 313,104 RHF

Bedroom Type	Number of Units Pre-Conversion	Number of Units Post-Conversion	Change in Number of Units per Bedroom Type and Why (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)
Studio/Efficiency			
One Bedroom			
Two Bedroom	160	160	
Three Bedroom	40	40	
Four Bedroom			
Five Bedroom			
Six Bedroom			
(If performing a Transfer of Assistance)	(Explain how transferring waiting list) NOT APPLICABLE		

## **PROJECT-BASED VOUCHER ASSISTANCE (PBV)**

**Project-Based Voucher Requirements for Resident Rights, Participation, Waiting List and Grievance Procedures Converting to PBV:** Section 1.6 of PIH Notice 2012-32, REV-2 and the Joint Housing PIH Notice H-2014-09/PIH-2014-17.

### **PBV Resident Rights and Participation**

1. **No Rescreening of Tenants upon Conversion.** Pursuant to the RAD statute, at conversion, current MHACY households are not subject to rescreening, income eligibility, or income targeting provisions. Consequently, current households will be grandfathered for conditions that occurred prior to conversion but will be subject to any ongoing eligibility requirements for actions that occur after conversion. For example, a unit with a household that was over-income at time of conversion would continue to be treated as an assisted unit. Thus, based on 24 CFR § 982.201 concerning eligibility and targeting, will not apply for current households. Once that remaining household moves out, the unit must be leased to an eligible family. **MHACY will comply with the regulation.**
2. **Right to Return.** Any MHACY resident that may need to be temporarily relocated to facilitate rehabilitation or construction will have a right to return to the development once an assisted unit at the development once rehabilitation or construction is completed. Where the transfer of assistance to a new site is warranted and approved, (on conditions warranting a transfer of assistance), residents of the converting development will have the right to reside in an assisted unit at the new site once rehabilitation or construction is complete. Residents of a development undergoing conversion of assistance may voluntarily accept a MHACY or Owner's offer to permanently relocate to another assisted unit, and thereby waive their right to return to the development after rehabilitation or construction is completed. **MHACY will comply with the regulation.**
3. **Renewal of Lease:** Since the release of the publication of the PIH Notice 2012-32 Rev 1, the regulations under 24 CFR 983.257 (b) (3) have been amended requiring Project Owners to renew all leases upon lease expiration, unless cause exists. **MHACY will comply with the regulation.**
4. **Phase-in of Tenant Rent Increases.** If a resident's monthly rent increases by more than the greater of 10 percent or \$25 purely as a result of conversion, the rent increase will be phased in over three (3) years, which a PHA may extend to five (5) years. To implement this provision, HUD is waiving section 3(a) (1) of the Act, as well as 24 CFR § 880.201 (definition of "total tenant payment"), to the limited extent necessary to allow for the phase-in of tenant rent increases. A PHA create a policy and set the length of the phase-in period to be three years, five years or a combination depending on circumstances. For example, a PHA may create a policy that uses a three year phase-in for smaller increases in rent and a five year phase-in for larger increases in rent. This policy must be in place at conversion and may not be modified after conversion. **MHACY has selected the three year phase-in for any tenant rent increases.**

The below method explains the set percentage-based phase-in an owner must follow according to the phase-in period established. For purposes of this section "Calculated Multifamily TTP" refers to the TTP calculated in accordance with regulations at 24 CFR §5.628 and the "most recently paid TTP" refers to the TTP recorded on line 9j of the family's most recent HUD Form 50058. If a family in a project converting from Public Housing to PBV was paying a flat rent immediately prior to conversion, the PHA should use the flat rent amount to calculate the phase-in amount for Year 1, as illustrated below.

**Three Year Phase-in:**

- **Year 1:** Any recertification (interim or annual) performed prior to the second annual recertification after conversion - 33% of difference between most recently paid Total Tenant Payments (TTP) or flat rent and the standard TTP.
- **Year 2:** Year 2 Annual Recertification (AR) and any Interim Recertification (IR) prior to Year 3 AR - 66% of difference between most recently paid TTP and the standard TTP.
- **Year 3:** Year 3 A R and all subsequent recertifications - Full standard TTP.

In either the three year phase-in or the five year phase-in, once standard TTP is equal to or less than the previous TTP, the phase-in ends and tenants will pay full TTP from that point forward.

- 5. Public Housing Family Self-Sufficiency (PH FSS) and Resident Opportunities and Self Sufficiency (ROSS- SC) programs.** Current Public Housing residents that are FSS participants will continue to be eligible for FSS once their housing is converted under RAD. And PHAs will be allowed to use any remaining PH FSS funds, to serve those FSS participants who live in units converted by RAD. Due to the program merger between PH FSS and HCV FSS that took place pursuant to the FY14 Appropriations Act (and was continued in the FY15 Appropriations Act), no special provisions are required to continue serving FSS participants that live in public housing units converting to PBV under RAD.

However, PHAs should note that there are certain FSS requirements (e.g. escrow calculation and escrow forfeitures) that apply differently depending on whether the FSS participant is a participant under the HCV program or a public housing resident, and PHAs must follow such requirements accordingly. All PHAs will be required to administer the FSS program in accordance with FSS regulations at 24 CFR Part 984, the participants' contracts of participation, and the alternative requirements established in the "Waivers and Alternative Requirements for the FSS Program" Federal Register notice, published on December 29, 2014, at 79 FR 78100. Further, upon conversion to PBV, already escrowed funds for FSS participants shall be transferred into the HCV escrow account and be considered TBRA funds, thus reverting to the HAP account if forfeited by the FSS participant.

Current ROSS-SC grantees will be able to finish out their current ROSS-SC grants once their housing is converted under RAD. However, once the property is converted, it will no longer be eligible to be counted towards the unit count for future ROSS-SC grants, nor will its residents be eligible to be served by future ROSS-SC grants, which, by statute, can

only serve public housing residents. **MHACY will ensure that all sites with ROSS grants, to include the grants funded to the Tenant Councils will follow the established HUD policies.**

6. **Resident Participation and Funding.** In accordance with Attachment 1B, residents of Covered Projects with converted PBV assistance will have the right to establish and operate a resident organization for the purpose of addressing issues related to their living environment and be eligible for resident participation funding. **All twelve (12) MHACY Resident Councils and the Resident Advisory Board will continue to exist under the conversion to RAD.**
7. **Resident Procedural Rights.** The following items must be incorporated into both the Section 8 Administrative Plan and the Project Owner's lease, which includes the required tenancy addendum, as appropriate. Evidence of such incorporation may be requested by HUD for purposes of monitoring the program. **MHACY will comply with the regulation and submit the required information to HUD for monitoring purposes.**

**Termination Notification.** HUD is incorporating additional termination notification requirements to comply with section 6 of the Act for public housing projects that convert assistance under RAD. In addition to the regulations at 24 CFR § 983.257 related to Project Owner termination of tenancy and eviction (which MTW agencies may not alter) the termination procedure for RAD conversions to PBV will require that PHAs provide adequate written notice of termination of the lease which shall not be less than:

- a. A reasonable period of time, but not to exceed 30 days:
  - If the health or safety of other tenants, PHA employees, or persons residing in the immediate vicinity of the premises is threatened; or
  - In the event of any drug-related or violent criminal activity or any felony conviction;
- b. 14 days in the case of nonpayment of rent; and
- c. 30 days in any other case, except that if a State or local law provides for a shorter period of time, such shorter period shall apply.

**Grievance Process.** Pursuant to requirements in the RAD Statute, HUD is establishing additional procedural rights to comply with section 6 of the Act.

For issues related to tenancy and termination of assistance, program rules require the Project Owner to provide an opportunity for an informal hearing, as outlined in 24 CFR § 982.555. RAD will specify alternative requirements for 24 CFR § 982.555(b) in part, which outlines when informal hearings are not required, to require that:

- a. In addition to reasons that require an opportunity for an informal hearing given in 24 CFR § 982.555(a)(1)(i)-(vi), an opportunity for an informal hearing must be given to residents for any dispute that a resident may have with respect to a Project Owner action in accordance with the individual's lease or the contract administrator in accordance with RAD. PBV requirements that adversely affect the resident's rights, obligations, welfare, or status.

1. For any hearing required under 24 CFR § 982.555(a)(1)(i)-(vi), the contract administrator will perform the hearing, as is the current standard in the program. The hearing officer must be selected in accordance with 24 CFR 982.555(e)(4)(i).
2. For any additional hearings required under RAD, the Project Owner will perform the hearing.
- b. There is no right to an informal hearing for class grievances or to disputes between residents not involving the Project Owner or contract administrator.
- c. The Project Owner gives residents notice of their ability to request an informal hearing as outlined in 24 CFR § 982.555(c)(1) for informal hearings that will address circumstances that fall outside of the scope of 24 CFR § 982.555(a)(1)(i)-(vi).
- d. The Project Owner provides opportunity for an informal hearing before an eviction.

Current PBV program rules require that hearing procedures must be outlined in the PHA's Section 8 Administrative Plan. **MHACY will comply with the regulation and submit the required information to HUD for monitoring purposes.**

8. **Earned Income Disregard (EID).** Tenants who are employed and are currently receiving the EID exclusion at the time of conversion will continue to receive the EID after conversion, in accordance with regulations at 24 CFR § 5.617. Upon the expiration of the EID for such families, the rent adjustment shall not be subject to rent phase-in, as described in Section 1.6.C.4; instead, the rent will automatically rise to the appropriate rent level based upon tenant income at that time.

Under the Housing Choice Voucher program, the EID exclusion is limited only to persons with disabilities (24 CFR § 5.617(b)). In order to allow all tenants (including non-disabled persons) who are employed and currently receiving the EID at the time of conversion to continue to benefit from this exclusion in the PBV project, the provision in section 5.617(b) limiting EID to disabled persons is waived. The waiver, and resulting alternative requirement, apply only to tenants receiving the EID at the time of conversion. No other tenant (e.g., tenants who at one time received the EID but are not receiving the EID exclusion at the time of conversion e.g., due to loss of employment; tenants that move into the property following conversion, etc.) is covered by this waiver. **MHACY will comply with the regulation.**

9. **Jobs Plus.** Jobs Plus grantees awarded FY14 and future funds that convert the Jobs Plus target projects(s) under RAD will be able to finish out their Jobs Plus period of performance at that site unless significant re-location and/or change in building occupancy is planned. If either is planned at the Jobs Plus target project(s), HUD may allow for a modification of the Jobs Plus work plan or may, at the Secretary's discretion, choose to end the Jobs Plus program at that project. **MHACY does not have a Jobs Plus Program.**

**10. When Total Tenant Payment Exceeds Gross Rent.** Under normal PBV rules, the PHA may only select an occupied unit to be included under the PBV HAP contract if the unit's occupants are eligible for housing assistance payments (24 CFR §983.53(d)). Also, a PHA must remove a unit from the contract when no assistance has been paid for 180 days because the family's TTP has risen to a level that is equal to or greater than the contract rent, plus any utility allowance, for the unit (i.e., the Gross Rent)) (24 CFR §983.258). Since the rent limitation under this Section of the Notice may often result in a family's TTP equaling or exceeding the gross rent for the unit, for current residents (i.e. residents living in the public housing property prior to conversion), HUD is waiving both of these provisions and requiring that the unit for such families be placed on and/or remain under the HAP contract when TTP equals or exceeds than the Gross Rent. Further, HUD is establishing the alternative requirement that the rent to owner for the unit equal the family's TTP until such time that the family is eligible for a housing assistance payment. HUD is waiving as necessary to implement this alternative provision, the provisions of Section 8(o)(13)(H) of the Act and the implementing regulations at 24 CFR 983.301 as modified by Section 1.6.B.5 of this Notice. In such cases, the resident is considered a participant under the program and all of the family obligations and protections under RAD and PBV apply to the resident. Likewise, all requirements with respect to the unit, such as compliance with the HQS requirements, apply as long as the unit is under HAP contract. Assistance may subsequently be reinstated if the tenant becomes eligible for assistance. The PHA is required to process these individuals through the Form- 50058 submodule in PIC.

Following conversion, 24 CFR §983.53(d) applies, and any new families referred to the RAD PBV project must be initially eligible for a HAP payment at admission to the program, which means their TTP may not exceed the gross rent for the unit at that time. Further, a PHA must remove a unit from the contract when no assistance has been paid for 180 days. If units are removed from the HAP contract because a new admission's TTP comes to equal or exceed the gross rent for the unit and if the project is fully assisted, HUD is imposing an alternative requirement that the PHA must reinstate the unit after the family has vacated the property; and, if the project is partially assisted, the PHA may substitute a different unit for the unit on the HAP contract in accordance with 24 CFR §983.207 or, where "floating" units have been permitted, Section 1.6.B.10 of this Notice. **MHACY will comply with the regulation as applicable based on conversion to PBV.**

**11. Under-Occupied Unit.** If a family is in an under-occupied unit under 24 CFR 983.259 at the time of conversion, the family may remain in this unit until an appropriate-sized unit becomes available in the Covered Project. When an appropriate sized unit becomes available in the Covered Project, the family living in the under- occupied unit must move to the appropriate-sized unit within a reasonable period of time, as determined by the administering Voucher Agency. In order to allow the family to remain in the under-occupied unit until an appropriate-sized unit becomes available in the Covered Project, 24 CFR 983.259 is waived. **MHACY will comply with the regulation as applicable based on conversion to PBV.**

### **C. PBV: Other Miscellaneous Provisions**

- 1. Access to Records, including Requests for Information Related to Evaluation of Demonstration.** PHAs must agree to any reasonable HUD request for data to support program evaluation, including but not limited to project financial statements, operating data, Choice-Mobility utilization, and rehabilitation work. **MHACY will comply with the regulation.**
- 2. Additional Monitoring Requirement:** The PHA's Board must approve the operating budget for the Covered Project annually in accordance with HUD requirements. **MHACY will comply with the regulation.**
- 3. Davis-Bacon Act and Section 3 of the Housing and Urban Development Act of 1968 (Section 3).** The Davis- Bacon Act (prevailing wages, the Contract Work Hours and Safety Standards Act, and other related regulations, rules, and requirements) and Section 3 (24 CFR Part 135) apply to all initial repairs that are identified in the Financing Plan to the extent that such repairs qualify as construction or rehabilitation. (The Davis-Bacon Act only applies for projects with nine or more units.) **MHACY will comply with the regulation.**
- 4. Establishment of Waiting List.** 24 CFR § 983.251 sets out PBV program requirements related to establishing and maintaining a voucher-wide, PBV program-wide, or site-based waiting list from which residents for the Covered Project will be admitted. These provisions will apply unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies. The PHA shall consider the best means to transition applicants from the current public housing waiting list, including:
  - Transferring an existing site-based waiting list to a new site-based waiting list. If the PHA is transferring the assistance to another neighborhood, the PHA must notify applicants on the wait-list of the transfer of assistance, and on how they can apply for residency at the new project site or other sites. Applicants on a project-specific waiting list for a project where the assistance is being transferred shall have priority on the newly formed waiting list for the new project site in accordance with the date and time of their application to the original project's waiting list.
  - Informing applicants on the site-based waiting list on how to apply for a PBV program-wide or HCV program-wide waiting list.
  - Informing applicants on a public housing community-wide waiting list on how to apply for a voucher-wide, PBV program-wide, or site-based waiting list. If using a site-based waiting list, PHAs shall establish a waiting list in accordance with 24 CFR § 903.7(b)(2)(ii)-(iv) to ensure that applicants on the PHA's public housing community-wide waiting list have been offered placement on the converted project's initial waiting list. In all cases, PHAs have the discretion to determine the



most appropriate means of informing applicants on the public housing community-wide waiting list given the number of applicants, PHA resources, and admissions requirements of the projects being converted under RAD. A PHA may consider contacting every applicant on the public housing waiting list via direct mailing; advertising the availability of housing to the population that is less likely to apply, both minority and non-minority groups, through various forms of media (e.g., radio stations, posters, newspapers) within the marketing area; informing local non-profit entities and advocacy groups (e.g., disability rights groups); and conducting other outreach as appropriate. Applicants on the agency's public housing community-wide waiting list who wish to be placed onto the newly-established site-based waiting list must be done so in accordance with the date and time of their original application to the centralized public housing waiting list. Any activities to contact applicants on the public housing waiting list must be conducted in accordance with the requirements for effective communication with persons with disabilities at 24 CFR § 8.6 and with the obligation to provide meaningful access for persons with limited English proficiency (LEP).

A PHA must maintain any site-based waiting list in accordance with all applicable civil rights and fair housing laws and regulations unless the project is covered by a remedial order or agreement that specifies the type of waiting list and other waiting list policies.

To implement this provision, HUD is specifying alternative requirements for 24 CFR § 983.251(c)(2). However, after the initial waiting list has been established, the PHA shall administer its waiting list for the converted project in accordance with 24 CFR § 983.251(c).

**MHACY will utilize the existing project-specific waiting list.**

- **Waiting List Preferences:** As of the date of the Annual Plan submission (April 2017), for the project-specific waiting list MHACY has established preferences (other than date of application), in order of priority, as follows:
  - 1A. Involuntary Displacement by Government Action:
  - 1B. Involuntary Displacement due to Natural Disaster.
  - 1C. Involuntary Displacement/Physical/Domestic Violence-Resident of Yonkers.
  - 2A. Working Family and Elderly/Disabled-Resident of Yonkers.
  - 2B. Working Family and Elderly/Disabled-Non-Resident of Yonkers.
  - 3A. Non-Working Family - Resident of Yonkers.
  - 3B. Non-Working Family - Not a Resident of Yonkers.
  - 4A. Near Elderly Family-Resident of Yonkers.
  - 4B. Near Elderly Family-Not a Resident of Yonkers.

Applicants will be selected from the waiting list based on the highest number of preference points and based on the date their application was received by MHACY. Preferences are cumulative. For applications with no preference indicated the applicants will be placed on the waiting list by date received by MHACY. Applications equal in date received will be ranked by MHACY's current computer software program.

5. **Mandatory Insurance Coverage.** The project shall maintain at all times commercially available property and liability insurance to protect the project from financial loss and, to the extent insurance proceeds permit, promptly restore, reconstruct, and/or repair any damaged or destroyed property of a project, except with the written approval of HUD to the contrary. **MHACY will comply with the regulation.**
6. **Agreement Waiver.** For public housing conversions to PBV, there will be no Agreement to Enter into a Housing Assistance Payments (AHAP) contract. Therefore, all regulatory references to the Agreement (AHAP), including regulations under 24 CFR Part 983 Subpart D. are waived.
7. **Future Refinancing.** Project Owners must receive HUD approval for any refinancing or restructuring of permanent debt during the HAP contract term, to ensure the financing is consistent with long-term preservation. (Current lenders and investors are also likely to require review and approval of refinancing of the primary permanent debt.) **MHACY will comply with the regulation.**
8. **Administrative Fees for Public Housing Conversions during Transition Period.** For the remainder of the Calendar Year in which the HAP Contract is effective (i.e. "transition period"), RAD PBV projects will be funded with public housing funds. For example, if the project's assistance converts effective July 1, 2015, the public housing Annual Contributions Contract (ACC) between the PHA and HUD will be amended to reflect the number of units under HAP contract, but will be for zero dollars, and the RAD PBV contract will be funded with public housing money for July through December 2015. Since TBRA is not the source of funds, PHAs should not report leasing and expenses into VMS during this period, and PHAs will not receive section 8 administrative fee funding for converted units during this time.

For fiscal years 2014 and 2015, PHAs operating HCV program received administrative fees for units under a HAP contract, consistent with recent appropriation act references to "section 8(q) of the [United States Housing Act of 1937] and related appropriations act provisions in effect immediately before the Quality Housing and Responsibility Act of 1998" and 24 CFR § 982.152(b). During the transition period mentioned in the preceding paragraph, these provisions are waived, and PHAs will not receive section 8 ongoing administrative fees for PBV RAD units. After this transition period, the section 8 ACC will be amended to include section 8 funding that corresponds to the units covered by the section 8 ACC. At that time, the regular section 8 administrative fee funding provisions will apply. **MHACY will comply with the regulation.**

9. **Choice-Mobility.** One of the key features of the PBV program is the mobility component, which provides that if the family has elected to terminate the assisted lease at any time after the first year of occupancy in accordance with program requirements, the PHA must offer the family the opportunity for continued tenant-based rental assistance, in the form of either assistance under the voucher program or other comparable tenant-based rental assistance.

If as a result of participation in RAD a significant percentage of the PHA's HCV program becomes PBV assistance, it is possible for most or all of a PHA's turnover vouchers to be used to assist those RAD PBV families who wish to exercise mobility. While HUD is committed to ensuring mobility remains a cornerstone of RAD policy, HUD recognizes that it remains important for the PHA to still be able to use tenant-based vouchers to address the specific housing needs and priorities of the community. Therefore, HUD is establishing an alternative requirement for PHAs where, as a result of RAD, the total number of PBV units (including RAD PBV units) under HAP contract administered by the PHA exceeds 20 percent of the PHA's authorized units under its HCV ACC with HUD.

The alternative mobility policy provides that an eligible voucher agency would not be required to provide more than three-quarters of its turnover vouchers in any single year to the residents of Covered Projects. While a voucher agency is not required to establish a voucher inventory turnover cap, if such a cap is implemented, the voucher agency must create and maintain a waiting list in the order in which the requests from eligible households were received. In order to adopt this provision, this alternative mobility policy must be included in an eligible PHA's administrative plan.

To effectuate this provision, HUD is providing an alternative requirement to Section 8(o)(13)(E) and 24 CFR part 983.261(c). Please note that this alternative requirement does not apply to PBVs entered into outside of the context of RAD. MTW agencies may not alter this requirement. **MHACY will comply with the regulation.**

**10. Reserve for Replacement.** The Project Owner shall establish and maintain a replacement reserve in an interest-bearing account to aid in funding extraordinary maintenance and repair and replacement of capital items in accordance with applicable regulations. The reserve must be built up to and maintained at a level determined by HUD to be sufficient to meet projected requirements. For FHA transactions, Replacement Reserves shall be maintained in accordance with the FHA Regulatory Agreement. For all other transactions, Replacement Reserves shall be maintained in a bank account covered under a General Depository Agreement (HUD- 51999) or similar instrument, as approved by HUD, where funds will be held by the Project Owner or mortgagee and may be drawn from the reserve account and used subject to HUD guidelines and as directed by HUD. **MHACY will comply with the regulation.**

**11. Site Selection and Neighborhood Standards Review:** This review is not applicable to the MHACY selected developments targeted for RAD conversion.

**12. Relocation Plans:** MHACY has not developed the final Relocation Plans. The Plans will be developed as applicable and submitted with the Financing Plan.

**13. Resident Advisory Board:** The Resident Advisory Board which is comprised of representatives from each of the twelve (12) MHACY Tenant Councils is excited and looking forward to all of the changes that will occur based on the RAD conversion. Meetings have been held at every MHACY affected site and the Tenant Councils representing those sites have been included in every component of the process. All of the

Tenant Councils and the RAB will be continuously updated on the progress of the RAD conversion as required.

**14. Impact on Current Five-Year Plan:** The MHACY's RAD conversion narrative was previously addressed included in the Authority's Five Year (2015-2019) Plan. As this submission was included with the MHACY FY2016 Annual Plan and is also included in the FY2017 Annual Plan it does not constitute a Significant Amendment.

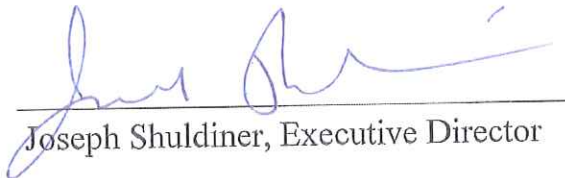
**15. Resident Notification:** Prior to submitting an application to participate in the Demonstration, HUD requires a PHA to:

- Notify residents of projects proposed for conversion and legitimate resident organizations of the PHA's intent to pursue a conversion. **The letters were sent to all Tenants through the OSG Billing Services that issues rent statements. The letter was also sent (Bilingual) as a direct mailing to ensure all MHACY residents received the applicable notification.**
- Conduct at least two meetings with residents of projects proposed for conversion to discuss conversion plans and provide opportunity for comment. **Meetings were held with the Resident Advisory Board and at the applicable sites.**
- Prepare comprehensive written responses to comments received in connection with the required resident meetings on the proposed conversion to be submitted with the RAD Application. **MHACY will comply with the regulation.**
- Once a PHA is selected to participate in the Demonstration, it must have at least one more meeting with residents before HUD will execute a HAP contract. In addition, a PHA must have an additional meeting with residents if there is a substantial change to the conversion plans. A substantial change includes, but is not limited to:
  1. Transfer of assistance or ownership;
  2. Change in the number of assisted units; or
  3. A substantial change in the scope of work.
- Upon issuance of the RAD Conversion Commitment (see Section 1.12 of this Notice), the PHA must notify each affected household that conversion of the project has been approved, and inform households of the specific rehabilitation or construction plans and any impact the conversion may have on them. Households in the affected project(s) who do not want to transition to a new program may be offered, if available, the opportunity to move to other public housing

## ATTACHMENT 1A: Certification of Compliance

The Municipal Housing Authority for the City of Yonkers, New York (MHACY) certifies that the Rental Agreement Demonstration (RAD) conversion complies with all applicable site selection and neighborhood reviews standards and that all appropriate procedures have been followed as per the applicable regulations.

SIGNATURE:



\_\_\_\_\_  
Joseph Shuldiner, Executive Director

DATE:

April 12, 2017

**Certifications of Compliance with  
PHA Plans and Related Regulations  
(Standard, Troubled, HCV-Only, and  
High Performer PHAs)**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 02/29/2016

**PHA Certifications of Compliance with the PHA Plan and Related Regulations including  
Required Civil Rights Certifications**

*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 X Annual PHA Plan for the PHA fiscal year beginning 07/01/2017, 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 has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA 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.
5. 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.
6. The PHA will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those programs, addressing 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 by maintaining records reflecting these analyses and actions.
7. For PHA Plans 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 2010-25);
  - The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
  - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
  - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing;
  - 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).
8. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
9. 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.
10. 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.
11. 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.

12. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
13. 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.
14. 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.
15. The PHA will keep records in accordance with 24 CFR 85.20 and facilitate an effective audit to determine compliance with program requirements.
16. 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.
17. 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).
18. 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.
19. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).


The Municipal Housing Authority  
 For the City of Yonkers  
 PHA Name

NY003  
 PHA Number/HA Code

☒ Annual PHA Plan for Fiscal Year 2017

☐ 5-Year PHA Plan for Fiscal Years 20\_\_\_\_ - 20\_\_\_\_

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

Name of Authorized Official Joseph Shuldiner	Title Executive Director
Signature 	Date April 12, 2017

MUNICIPAL HOUSING AUTHORITY  
FOR THE CITY OF YONKERS  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)  
FOR THE YEAR ENDED JUNE 30, 2015

**B. FINDINGS— FINANCIAL STATEMENTS AUDIT FINDINGS**

Prior Year –

2014-001     Finding – During our testing of controls over expenditures it was found that out of the group of 40 items reviewed there were 4 items where the invoice predated the purchase order. Similar finding noted below.

Current Year –

2015-001     Finding – During our testing of controls over expenditures it was found that out of the group of 40 items reviewed there were 9 items where the invoice predated the purchase order and 2 with no purchase order.

Criteria – The Authority has an established procedure for requesting a purchase.

Cause of Condition – The established procurement procedure was not adhered to.

Effect of Condition – Potential misappropriations of Authority assets.

Recommendation – Review the established procedures with the parties involved with an emphasis on compliance.

PHA Response and Corrective Action Plan – The issue has been noted and is currently being addressed with the appropriate individuals.

PHA Contact and Resolution Date

Patricia Duffy, Chief Housing Accountant, June 30, 2016

2015-002     Finding – During our review of credit card purchases we noted 5 transaction that were deemed to be personal.

Criteria – The Authority has an established credit card policy that prohibits personal use.

Cause of Condition – Upon completion of Authority related business trips extra days were spent in the area and personal charges were paid with the Authority's credit card.

Effect of Condition – Potential misappropriations of Authority assets.

Recommendation – Adhere to the established policy at all times.

PHA Response and Corrective Action Plan – The expenses noted were during Housing Authority travel and the charges were paid directly to American Express for those expenses which were not the responsibility of the Authority.

PHA Contact and Resolution Date

Patricia Duffy, Chief Housing Accountant, June 30, 2016



MUNICIPAL HOUSING AUTHORITY  
FOR THE CITY OF YONKERS  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)  
FOR THE YEAR ENDED JUNE 30, 2015

**C. FINDINGS AND QUESTIONS COSTS— MAJOR FEDERAL AWARDS PROGRAMS  
AUDIT**

Prior Year -

- 2014-002 Finding – (Low Rent Public Housing (14.850)) - During our review of fixed assets it was noted that no physical inventory had been performed in the last 2 years. This finding has been cleared.
- 2014-003 Finding - (Public Housing Capital Fund (14.872)) - During our review of fixed assets it was noted that no physical inventory had been performed in the last 2 years. This finding has been cleared.
- 2014-004 Finding – (Housing Choice Voucher (14.871)) - During the review of 40 tenant files it was found that 2 files did not contain a properly completed Form 9886. Similar finding noted below.
- 2014-005 Finding – (Low Rent Public Housing (14.850)) - During the review of 40 tenant files we noted that 1 file had a lease that was not signed by the tenant, and 1 file did not have an inspection performed 30 days after first fail. Similar finding noted below.

Current Year –

- 2015-003 Finding – (Housing Choice Voucher (14.871)) - During the review of 40 tenant files it was found that 1 files did not contain a properly completed Form 9886.

Criteria – Federal program guidelines require updated and completed forms for recertification.

Cause of Condition – Adequate follow up of file documentation was not completed.

Effect of Condition – The Authority is out of compliance.

Recommendation – Improve follow up procedures to ensure that all documents are present and properly completed.

PHA Response and Corrective Action Plan – We will review the procedures in place and make improvements where needed.

PHA Contact and Resolution Date

Maryann Cariello, Human Resources Manager, June 30, 2016

MUNICIPAL HOUSING AUTHORITY  
FOR THE CITY OF YONKERS  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)  
FOR THE YEAR ENDED JUNE 30, 2015

**C. FINDINGS AND QUESTIONS COSTS— MAJOR FEDERAL AWARDS PROGRAMS  
AUDIT (CONTINUED)**

2015-004      Finding – (Low Rent Public Housing (14.850) - During the review of 40 tenant files we noted that 2 file had a lease that was not signed by the tenant, 1 did not have all tenant signatures on form 9886, and 1 recertification was not completed in a timely manner.

Criteria – During the recertification process all necessary documentation should be checked for accuracy.

Cause of Condition – Adequate follow up of file documentation was not completed.

Effect of Condition – The Authority is out of compliance with program requirements and could be open to possible sanctions by HUD.

Recommendation – Improve follow up procedures to ensure that all documents are present and properly completed.

PHA Response and Corrective Action Plan – We will inspect all documents signed by the tenants to insure that they are filled out correctly and create a checklist of items that must be retained in the file as well as a checklist of items required for recertification that can be updated annually.

PHA Contact and Resolution Date

Brenda Grey, Senior Tenant Supervisor, June 30, 2016

**REQUIRED SUBMISSION**  
**ATTACHMENT 4: RESIDENT ADVISORY BOARD (RAB) COMMENTS**

The Resident Advisory Board (RAB) for the Municipal Housing Authority for the City of Yonkers, New York (MHACY) has twelve (12) sites represented. The next election is scheduled for October 2017. In an effort to ensure that all sites were represented, the Resident Representatives from each site were asked to provide their site comments i.e. their "wish lists" to MHACY. **The FY 2017 Annual Plan did not need to be revised after final resident comments were reviewed.** The comments received per site are as follows:

**TROY MANOR:** Security cameras on all floors, repave parking lots, professional hallway cleaning and break rooms, keep front door locks fixed, update and clean elevator, repair or replace front fencing in front of building, put a dog run in backyard or play area, receive a fifteen (15) passenger van to assist getting tenants to shopping and medical appointments and replace all windows.

**SCATTERED SITES:** Have a meeting area that is centrally located for all tenant council meetings and parties, better lighting, play area, sites need complete overhauls, more money for budget so all scattered sites can have celebrations, parties, etc.

**CURRAN COURT:** Hallways cleaned and washed regularly, walk in showers and new kitchen in the community room.

**WALSH ROAD:** New mail boxes, cameras in all hallways and elevators, new elevators and security guards need to check more often in buildings.

**FLYNN MANOR:** Gym in the community room (exercise bike, treadmill, elliptical machine, barbells, dumbbells), more washing machines instead of the current three, new windows, more security after 11pm (24 hour), entertainment center (television, play station,) in the community room, hidden cameras on each floor, faster working elevators, bigger community room closet, leather sofa (couch) in the community room, working microwave in the community room, cappuccino maker in the community room and more money in the tenant council budget.

**CALGANO:** More police, swimming pool, on-site person for building repairs for elevators, computer lab, cameras in elevators, more plants and flowers.

**COTTAGE PLACE GARDENS:** Fenced in playground area for children, walk-in bathtubs for seniors, a webcam video where you can actually see the person who rings your bell, community room to be updated, update and repair laundry rooms, windows/ceiling/doors need to be replaced or fixed, need window shades, kitchen storage rooms, new washers/dryers in building #8, check all benches and tables in all buildings to see if repairs can be completed on them.

**SCHLOBOHM:** Handicapped accessibility in front of building, railings in all of the stairwells, automatic doors, brighter lights, more maintenance staff and secured doors that are not easily broken.

**JAMES E. HALL HOMES:** Clean laundry room, tenants need to dispose of their garbage better, clean vestibules and hallways, clean up after your pet, tenants need to respect each other and add garbage cans to common areas,

**MARTINELLI MANOR:** Exercise facility with an exercise or swimming pool, more parking places, lounge and vending machines.

**LOEHR COURT/WESTERN AVENUE:** Entrance door locks replaced, up-dated interior to include painting and walk-in bathtubs.

**KRIS KRISTENSEN:** New security front and side entry doors, paint all residents' front doors, new windows and new camera systems.

**Certification by State or Local  
Official of PHA Plans Consistency  
with the Consolidated Plan or  
State Consolidated Plan  
(All PHAs)**

U. S Department of Housing and Urban Development  
Office of Public and Indian Housing  
OMB No. 2577-0226  
Expires 2/29/2016

**Certification by State or Local Official of PHA Plans  
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Louis J. Arbaso, the Deputy Commissioner Dept of  
*Official's Name* *Official's Title* Planning

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the

Municipal Housing Authority for the City of Yonkers (MHACY)  
*PHA Name*

is consistent with the Consolidated Plan or State Consolidated Plan and the Analysis of

Impediments (AI) to Fair Housing Choice of the

City of Yonkers, NY

*Local Jurisdiction Name*

pursuant to 24 CFR Part 91.

Provide a description of how the PHA Plan is consistent with the Consolidated Plan or State  
Consolidated Plan and the AI.

MHACY FY 2017 Annual Plan is consistent with the City of Yonkers Consolidated Plan, New York State  
Consolidated Plan and the AI in addressing issues of affordable housing. Regardless of tenure, income or  
household size, the most common problem affecting all households is cost burden. The MHACY will  
continue to work in partnership with The City of Yonkers to assist in meeting the needs of persons needing  
affordable housing.

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 <u>Louis J. Arbaso</u>	Title <u>Deputy Commissioner</u>
Signature <u>[Signature]</u>	Date <u>04/17/2017</u>