

<b>5-Year PHA Plan (for All PHAs)</b>	<b>U.S. Department of Housing and Urban Development Office of Public and Indian Housing</b>	<b>OMB No. 2577-0226 Expires: 02/29/2016</b>
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**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-50075-5Y is to be completed once every 5 PHA fiscal years by all PHAs.

**A. PHA Information.**

A.1 PHA Name: Municipal Housing Authority for the City of Yonkers, New York (MHACY) PHA Code: NY003

PHA Plan for Fiscal Year Beginning: (MM/YYYY): 07/2020

PHA Plan Submission Type:  **Revised 5-Year Plan Submission**  5-Year Plan Submission

**Availability of Information.** In addition to the items listed in this form, PHAs must have the elements listed below 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. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. 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 websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.

**The Five-Year Plan (approved by HUD) and all policies contained or referenced in the Plan, will be available on the MHACY website and a copy will be provided to each Resident Council.**

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. 5-Year Plan.** Required for all PHAs completing this form.

B.1 **Mission.** 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. **The mission of the MHACY is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.**

B.2

**Goals and Objectives.** Identify the PHA’s quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. **As stated on its website, “the Municipal Housing Authority for the City of Yonkers (MHACY) is the largest provider/manager of affordable housing in the city. The MHACY has an unparalleled commitment to redeveloping, managing and administering its housing stock to provide low-income families, sustainable housing that improves the quality of the residents’ lives, fosters their economic success and allows them to serve as integral members of communities in which they live.”** During the next five (5) years (2020-2024), the MHACY will continue to implement the goals and objectives previously established in the (FY 2015-2019) Five-Year Plan to include the following:

- The MHACY will continue to utilize the Dru Sjodin National Sex Offender Database.
- The MHACY will assume that assets earn income based on the FDIC rate.
- The MHACY will streamline re-certification for households on fixed-income.
- The Pet Policy was revised (September 2018) to clarify the language needed per RAD, Low-Income Housing Tax Credit, and NY State. Service and Assistance Animals can be denied based on being classified as out of control; not house broken; pose a direct threat to others; Test is “does the animal perform the assistance or provide the benefit needed by the person with disabilities” and Pets shall be maintained within the units and on a leash or carried outside and not in common areas.
- The MHACY is considering the possibility of waiving security deposits for all units if approved by Management Agreements, as applicable.
- The MHACY will not offer grievance hearings for criminal activity that threatens life, health, or safety.
- If household income exceeds 120% of median income for two (2) years, the MHACY will terminate tenancy or the rent will be set at the higher of Fair Market Rent (FMR) or subsidy.
- The MHACY will utilize all of the updated required Violence Against Women Act (VAWA ) forms.
- The MHACY intends to review and amend its policies and procedures to assure compliance with its Fair Housing obligations, as they are defined by HUD, Low-Income Tax Credit, NY State, and Federal law.
- The Administrative (Admin) Plan and the Admissions and Continued Occupancy Policy (ACOP) will be revised as needed, based on mandated updates from HUD, Low-Income Housing Tax Credit and New York State requirements in areas conducive for more effective administration.
- Rent determinations and structure will also be based as applicable on HUD, Low-Income Housing Tax Credit and New York State requirements.
- Continue the redevelopment of the Cottage Gardens site using disposition authority under Section 18/ Demolition and Disposition rules of the Act.
- Pursue Safety and Security Grants.
- The MHACY disposed of the remaining surplus Mulford Gardens Property to the City of Yonkers Public Schools System to construct a school on the remaining site.
- The 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.
- Resident services will continue to be a priority. Currently, the MHACY has one (1) Resident Opportunity for Self Sufficiency (ROSS) grant which provides for two (2) Service Coordinators (SCs). Although the four (4) previously received ROSS grants have expired, the remaining three (3) SCs are still being retained through independent, non-grant funding. In total, there are five (5) SCs providing services to twelve (12) sites.
- The MHACY was selected as a CONNECTHOMEUSA portal in September 2019. Two sites (Calcagno Homes and Loehr Court) were designated as the demonstration sites. Each household at the designated sites is eligible to receive a free tablet with T-Mobile service to provide internet access. Services will continue to be expanded to provide more families with internet-based accessibility.

**B.2  
Cont.**

- The MHACY has implemented a revised Property Management operational and organization staff structure based on the applicable requirements per HUD, Low-Income Housing Tax Credit and New York State.
- Based on the HUD final rule issued March 8, 2015 “Streamlining Administrative Regulations for Public Housing, Housing Choice Voucher, Multifamily Housing and Community Planning and Development Programs,” 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: Grievance Procedures. The MHACY has revised the grievance procedures to ensure compliance and consistency with HUD, Low-Income Tax Credit and New York State requirements.
- Conduct a fund-raising campaign to benefit Resident Service Initiatives.
- The MHACY will pursue additional funding opportunities to expand affordable housing and social service options to targeted and special populations, i.e., Federal Home Loan Bank.
- To the extent necessary, the MHACY may request units remain vacant for modernization, conversion to RAD or redevelopment to minimize resident impact and enable design professionals to assess the rehabilitation needs and requirements.
- MHACY may also request approval to re-occupy units approved for demolition or disposition on a temporary basis to allow for temporary relocation of residents during redevelopment.
- The MHACY’s Definitions of Substantial Deviation and Significant Amendment or Modification will not consider changes to its Annual Plan, Admissions and Continuing Occupancy Policy (ACOP) and Administrative Plan (Admin) and other policies based upon compliance and consistency with NY State Homes and Community Renewal, Tax Credit investor and lender requirements for its properties a Substantial Deviation. and or a Significant Amendment to the Five-Year or Annual Plan. Further commentary is included in Substantial Deviation: Section B.5.
- The MHACY may consider submitting a Rental Assistance Demonstration (RAD) application or Section 18/Demolition/Disposition Application for its remaining ACC properties.

**All properties considered for RAD have been converted to include:**

- Seven Townhomes, LP. (Scattered Sites) closed on November 16, 2017.
- Yonkers Senior Apartments, LLC. (Curran Court, Hall Homes, & Martinelli Homes)) closed on December 26, 2017.
- Yonkers Preservation, LLC. (Flynn Manor, Schlobohm Houses, and Walsh Road) closed on March 5, 2018.
- Troy Kristensen, L.P. (Troy Manor and Kris Kristensen) closed on March 20, 2019

The following properties were removed from the Public Housing Inventory either by Section 18: Demo/Dispo Applications other forms of funding or restructuring options.

- Calcagno Homes and Loehr Court closed on March 31, 2020.

Based on the participation in the RAD program and Section 18 Demolition/Disposition redevelopment initiatives, optional financial tools are being explored to preserve the affordable housing units in Yonkers, NY. The MHACY is also pursuing options to ensure long-lasting viability of its housing stock. Some of the options include:

- Potentially including over income families in development plans for the redevelopment of MHACY properties
- Different financial alternatives (State Housing Programs) for Over-Income Families.
- Continue the redevelopment of the Cottage Gardens site using disposition authority under Section 18 of the Act. In addition, the MHACY may use RHF/DDTF, CFP funds and reserves for improvements and development initiatives in the remaining public housing property of the portion of Cottage Place Gardens that has not been redeveloped.
- After the RAD conversions, if a Co-developer Partner, Developer, Investor, State, or Federal Agency, chooses to revise the lease or any procedural and/or process documents, subject to the existing agreements, the MHACY will ensure the revisions comply with all fair housing and civil rights requirements and the residents will not be negatively impacted by the conversion activities.

**B.2  
Cont.**

- MHACY has submitted a request to HUD to allow it to accumulate all of its Replacement Housing Factor / Demolition or Disposition Transition Funds (RHF/DDTF) funds these funds will be utilized to fund pre-development expenses in their entirety.
- 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. 76 ACC units (Grant Park and Croton Heights).

**SEE ATTACHMENT B.2 FOR RAD, SECTION 18 DEMOLITION/DISPOSITION OR OTHER VOLUNTARY CONVERSION SUMMARY**

The PUBLIC HEARINGS for the FY 2020-2024 Five-Year Plan were held on Monday, March 23, 2020. Following the Executive Orders of Governor Cuomo, to minimize the spread of the coronavirus (COVID-19), the MHACY posted a sign on the front doors of the scheduled, public hearing sites (Curran Court and Calcagno Homes) with a conference call number and access code. The only participants that called in were Carlos Laboy, Deputy Director and Denise Wesley, Compliance Monitor. Also, there were no actual participants that physical attended the two (2) public hearings as well. The information pertaining to the scheduled hearings was also posted on the MHACY website in English and Spanish.

**B.3**

**Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.

Through the maximization of resources, the MHACY has demonstrated significant progress in meeting the mission and goals identified in the previous Five (5) Year, FY (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 (2020-2024) are a continuation of efforts and identified goals. More specifically, all activities in FY (2020-2024) will be directed towards continued improvement of all management systems, procedures, and the administrative structure of the Agency.

The previous Five-Year FY (2015-2019) Goals and Objectives included HUD and MHACY-Specific Directives, many of which were accomplished during the specified time frame to include:

**HUD Strategic Goal: Increase the availability of decent, safe, and affordable housing.**

**PHA Goal: Expand the supply of assisted housing through the following objectives:**

- ✓ Apply for additional rental vouchers
- ✓ Reduce public housing vacancies
- ✓ Leverage private or other public funds to create additional housing opportunities
- ✓ Acquire or build units or development
- ✓

**PHA Goal: Improve the quality of assisted housing through the following objectives:**

- ✓ Improve public housing management
- ✓ Improve voucher management
- ✓ Reduce audit findings and physical inspection violations
- ✓ Increase customer satisfaction
- ✓ Concentrate on efforts to improve specific management functions to include unit turnaround and more timely completion of work orders
- ✓ Renovate or modernize public housing units through RAD conversion
- ✓ Demolish or dispose of obsolete public housing
- ✓ Provide replacement vouchers

**PHA Goal: Increase assisted housing choices through the following objectives:**

- ✓ Provide voucher mobility counseling
- ✓ Conduct outreach efforts to potential voucher landlords

**HUD Strategic Goal: Improve community quality of life and economic vitality**

**PHA Goal: Provide an improved living environment through the following objectives:**

- ✓ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments
- ✓ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments
- ✓ Implement public housing security improvements

**HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals**

**PHA Goal: Promote self-sufficiency and asset development of assisted households through the following objectives:**

- ✓ Continue to offer resident initiatives designed to foster self-sufficiency
- ✓ Continue to implement initiatives through the ROSS Grants
- ✓ Continue the partnership between the MHACY and the Resident Advisory Board and Resident Councils
- ✓ Increase the number and percentage of employed persons in assisted families
- ✓ Provide or attract supportive services to improve assistance recipients' employability

B.3  
Cont.

**HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans**

**PHA Goal: Ensure equal opportunity and affirmatively further fair housing through the following objectives:**

- ✓ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability
- ✓ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability

**Other Goals and Objectives for MHACY in FY (2015-2019) that were accomplished included:**

- ✓ Continue to implement and enforce the smoke-free policy established by the MHACY Board of Commissioners for housing units and buildings
- ✓ Revise the Admissions and Continuing Occupancy Policy (ACOP), Admissions Plan (Admin Plan) as applicable to include, required regulatory changes and any changes designed to improve effective administration
- ✓ Pursue the option of site-based wait lists for the public housing program
- ✓ Address all requirements through the Rental Assistance Demonstration (RAD) Program if designated
- ✓ Provide access to services to promote self-sufficiency, to include service coordination through the ROSS grants
- ✓ Pursue grant applications for security enhancements and resident initiatives
- ✓ Explore the option and implement if applicable, paperless rent statements

**The Certification HUD-50077-St-HCV-HP signed by the Chairperson of the MHACY Bord of Commissioners, is included as Attachment B.3.**

**The Five-Year Plan (2020-2024) with the Annual Plan (2020) was approved by the MHACY Board of Commissioners on Thursday, March 26, 2020.**

B.4

**Violence Against Women Act (VAWA) Goals.** *Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.*

The MHACY has addressed the VAWA Goals and is implementing comprehensive procedures to include: Notwithstanding the provisions of the MHACY Public Housing Lease, or any other provisions contained within other leases as they are subject to certain restrictions herein, the following shall not be considered violations of the Lease constituting defaults and bases for terminating the tenancy or occupancy rights of a victim of domestic violence:

- ✓ An incident or incidents of actual or threatened domestic violence, dating violence, or stalking perpetrated against the victim.
- ✓ Criminal activity directly relating to domestic violence, dating violence or stalking, engaged in by a member of the Tenant's Household or any Guest or Other Person under the Tenant's Control, if the Tenant or immediate member of the Tenant's Household is a victim of that domestic violence, dating violence, or stalking; provided, however, landlord may divide this Lease for the purpose of evicting, removing or terminating the occupancy rights of a Household member, whether or not such Household member is a signatory to this Lease, who engages in criminal acts of physical violence against Family members or others, without evicting, removing or otherwise penalizing the victim of such violence, who is also a Tenant or lawful occupant of the Unit. The foregoing exceptions shall not apply unless the victim delivers to the landlord a certification on one of the following forms:
  - a) A HUD-approved form supplied by MHACY attesting that she/he is a victim of domestic violence, dating violence, or stalking and that the incident(s) in question are bona fide violations of such actual or threatened abuse; or
  - b) Documentation signed by an employee, agent or volunteer of a victim service provider, an attorney, or a medical professional from whom the victim has sought assistance in addressing domestic violence, dating violence, stalking, or the effects of the abuse, in which the professional states under penalty of perjury that the professional's belief that the incident(s) in question are bona fide incidents of abuse and the victim has signed or attests to the documentation; or
  - c) A state, or local police report or court record describing the crime or incident(s).

**B.4  
Cont.**

The MHACY has addressed the VAWA Goals and is implementing comprehensive procedures to include:

The victim must deliver the certification to the landlord within fourteen (14) business days after landlord requests the certification. If the victim does not deliver the certification to landlord within the aforesaid period, landlord may terminate the tenancy of the Tenant or any lawful occupant of the Unit including the victim. The foregoing exceptions, however, shall not limit the authority of the landlord to (i) honor court orders addressing rights of access or control of property, including civil protection orders issued to address the distribution or possession of property among Household members, (ii) evict a Tenant for any violation of this Lease not based on or connected with the act or acts of violence in question against the Tenant or member of Tenant's Household, provided that such victim is not held to a more demanding standard than other Tenants, and (iii) evict any Tenant if landlord can demonstrate an actual and imminent threat to other Tenants or those employed at or providing service to the property if that Tenant is not evicted.

The MHACY will post the following information regarding VAWA on its Web site. It will also make the information readily available to anyone who requests it.

- ✓ A summary of the rights and protections provided by VAWA to housing choice voucher program applicants and participants who are or have been victims of domestic violence, dating violence, or stalking
- ✓ The definitions of domestic violence, dating violence, and stalking provided in VAWA)
- ✓ An explanation of the documentation that the PHA may require from an individual who claims the protections provided by VAWA
- ✓ A copy of form HUD-50066, Certification of Domestic Violence, Dating Violence, or Stalking
- ✓ A statement of the PHA's obligation to keep confidential any information that it receives from a victim unless (a) the PHA has the victim's written permission to release the information, (b) it needs to use the information in an eviction proceeding, or (c) it is compelled by law to release the information; and
- ✓ The National Domestic Violence Hot Line: 1-800-799-SAFE (7233) or 1-800-787-3224 (TTY) (included in Exhibits 16-1 and 16-2)

**B.5 Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.**

The MHACY's Definitions of Substantial Deviation and Significant Amendment or Modification will not consider changes to its Annual Plan, Admissions and Continuing Occupancy Policy (ACOP) and Administrative Plan (Admin) and other policies based upon compliance and consistency with NY State Homes and Community Renewal, Tax Credit investor and lender requirements for its properties a Substantial Deviation. However, as a component of the Rental Assistance Demonstration (RAD) and the decision to convert to PBV, the MHACY redefined 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 FY 2017, FY 2018 and FY 2019 Annual Plans and are being included in the FY 2020-2024 Five-Year Plan.

- 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.

**B.6**

**Resident Advisory Board (RAB) Comments.**

(a) Did the RAB(s) provide comments to the 5-Year PHA Plan?

Y N

(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.

**The Resident Advisory Board (RAB) comments were received and are included as Attachment B.6.** The RAB discussed the proposed Five-Year Plan on Friday, February 7, 2020 and on Friday, March 6, 2020. After a review of the comments received from the RAB which included “wish lists”, the MHACY did not make any changes to the FY 2020-2024 Five-Year Plan as many of the RAB comments are already included in the future redevelopment or operational, implementation plans.

**B.7**

**Certification by State or Local Officials. PLEASE SEE ATTACHMENT B.7**

[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.



**ATTACHMENT B.2**

**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>
<b>NY003</b>	<b>Municipal Housing Authority for the City of Yonkers</b>	<b>July 1, 2020</b>

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 and FY17 Annual Plans as it was a successful applicant in the Rental Assistance Demonstration (RAD) Program. The information included in this Attachment B.1 is an update for the FY 2020-2024 Five-Year Plan as MHACY is still converting some of its inventory 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 any conversion activities. After the RAD or other conversions, if a Co-developer Partner, Developer, Investor or State or Federal Agency, chooses to revise the lease or any procedural and/or process documents, the MHACY will ensure the revisions are in compliance with all fair housing and civil rights requirements and the residents will not be negatively impacted by the conversion activities.

MHACY requested Section 18 disposition approval for up to 25 percent of its Low-Income Public Housing (LIPH) units pursuant to HUD PIH Notice 2018-04 and requested additional, Project-Based Vouchers (PBVs) for the units approved for disposition. The MHACY will also continue to utilize the 5% de minimis provisions under the RAD notice previously approved in the FY2016, FY2017, FY2018, and FY2019 Annual Plans. The MHACY utilized the Demolition/Section 18 disposition rules for Calcagno Homes and Loehr Court. In addition, the MHACY will use the RHF and CFP funds for improvements and development initiatives in these two (2) properties as applicable.

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 per project to the extent available of FY20 Capital Funds (CFP) and Demolition Disposition Transition Funding (DDTF) Funds (in an amount to be determined if applicable) towards the conversion. Public Housing Units were utilized to factor this calculation of funds for commitment as units were demolished at Cottage Place Gardens. MHACY had debt under an Energy Performance Contract but was able to pay that debt off in the Calcagno/Loehr Court closing.

In the FY 2019 Annual Plan, the MHACY included 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 (2020-2024) Five-Year Plan and FY 2020 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 hearings held on Monday, March 23, 2020 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 and the estimated impact of those activities.

As previously stated, the MHACY will also continue to utilize the 5% de minimis provisions under the RAD notice previously approved in the FY 2016, FY 2017, FY 2018, FY 2019 Annual Plans. As part of its strategy to convert its public housing units to Section 8, the MHACY will bundle Section 18 vouchers from HUD with MHACY's PBVs for the disposition of RAD units. PIH 2018-04, Sec 3.4.3.c permits properties converting under RAD to receive Section 18 approval and vouchers, which is subject to appropriations, and conditioned on a strategy to replace and redevelop the units.

#### **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 FY2017, FY2018, FY2019 Annual Plan and are being included in FY2020-2024 Five-Year Plan and FY 2020 Annual Plan.

- 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

Once a development has closed per the RAD requirements, the applicable site is no longer included on the MHACY charts. **The following MHACY sites have been converted to RAD:**

- Seven Townhomes, LP. (Scattered Sites) closed on November 16, 2017;
- Yonkers Senior Apartments, LLC. (Curran Court, Hall Homes, & Martinelli Homes) closed on December 26, 2017;
- Yonkers Preservation, LLC. (Flynn Manor, Schlobohm Houses and Walsh Road) closed on March 5, 2018; and
- Troy Kristensen, L.P. (Troy Manor and Kris Kristensen) closed on March 20, 2019.

The following properties were removed from the Public Housing Inventory either by Section 18: Demo/Dispo Applications other forms of funding or restructuring options.

- Calcagno Homes and Loehr Court closed on March 31, 2020.

The specific information related to the Public Housing Developments selected for RAD (not closed) 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. The MHACY intends to request Section 18 disposition approval for up to 25 percent of its RAD units pursuant to HUD PIH Notice 2018-04 and request additional, Project-Based Vouchers (PBVs) for the units approved for disposition. The MHACY will also continue to utilize the 5% de minimis provisions under the RAD notice previously approved in the FY 2016 Annual Plan.
  - c. 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 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:**

**PIC Development ID:**

**Conversion type:**  
Section 18/Demo/Dispo  
Or RAD  
PBV

**Transfer of Assistance:**

None

**Cottage Place Gardens**

**NY 003000050**

**Total Units:**

57

**Pre- Section 18/Demo/Dispo RAD Unit Type (i.e., Family, Senior, etc.):**

Family

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

Family

**Capital Fund allocation of Development:**

(Annual Capital Fund Grant, divided by the total number of public housing units in PHA, multiplied by the total number of units in the project)

**MHACY does not intend to spend CFP or accumulated RHF funds**

**Bedroom Type**

**Number of Units Pre-Conversion**

57

**Number of Units Post-Conversion**

57

**Change in Number of Units per Bedroom Type and Why**

**(De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)**

**Studio/Efficiency**

**One Bedroom**

24

24

**Two Bedroom**

24

24

**Three Bedroom**

9

9

**Four Bedroom**

**Five Bedroom**

**Six Bedroom**

(If performing a Transfer of Assistance)

(Explain how transferring waiting list)

**NOT APPLICABLE**

**Development #2**

Name of Public Housing Development:

PIC Development ID:

Conversion type:  
Section 18/Demo/Dispo  
Or RAD  
PBV

Transfer of Assistance:

Schoolhouse  
Terrace

NY 003000160

None

<b>Total Units:</b>	<b>Pre- Section 18/Demo/Dispo RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by the total number of public housing units in PHA, multiplied by the total number of units in the project) <b>MHACY does not intend to spend CFP or accumulated RHF funds</b>
26	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>	13	13	
<b>Two Bedroom</b>	13	13	
<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 #3**

Name of Public Housing Development:

Grant Park

PIC Development ID:

NY003000150

Conversion type:

Section 18/Demo/Dispo  
Or RAD  
PBV

Transfer of Assistance:

None

<b>Total Units:</b>	<b>Pre- Section 18/Demo/Dispo RAD Unit Type (i.e., Family, Senior, etc.):</b>	<b>Post-Unit Type if different (i.e., Family, Senior, etc.)</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by the total number of public housing units in PHA, multiplied by the total number of units in the project) <b>MHACY does not intend to spend CFP or accumulated RHF funds</b>
32	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 (De Minimis Reduction, Transfer of Assistance, Unit Reconfigurations, NONE)</b>
	32	32	
<b>Studio/Efficiency</b>			
<b>One Bedroom</b>	9	9	
<b>Two Bedroom</b>	17	17	
<b>Three Bedroom</b>	6	6	
<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 #4**

Name of Public Housing Development:

Croton Heights

PIC Development ID:

NY003000140

Conversion type:

Section 18/Demo/Dispo  
Or RAD  
PBV

Transfer of Assistance:

None

<b>Total Units:</b>  <b>18</b>	<b>Pre- Section 18/Demo/Dispo RAD Unit Type (i.e., Family, Senior, etc.):</b>  <b>Family</b>	<b>Post-Unit Type if different (i.e., Family, Senior, etc.)</b>  <b>Family</b>	<b>Capital Fund allocation of Development:</b> (Annual Capital Fund Grant, divided by the total number of public housing units in PHA, multiplied by the total number of units in the project) <b>MHACY does not intend to spend CFP or accumulated RHF funds</b>
<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>	<b>9</b>	<b>9</b>	
<b>Two Bedroom</b>	<b>8</b>	<b>8</b>	
<b>Three Bedroom</b>	<b>1</b>	<b>1</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>		



## 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 FY 2020-2024 Five-Year Plan submission (April 2020), 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, FY 2017, FY2018 and FY2019 Annual Plans and is also included in the FY2020-2024 Five-Year Plan and FY 2020 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. 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

**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 <sup>x</sup> 5-Year and/or <sup>x</sup> Annual PHA Plan for the PHA fiscal year beginning FY2020, 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).

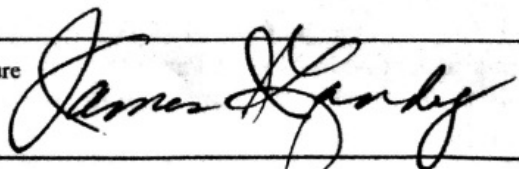
The Municipal Housing Authority for the City of Yonkers  
 PHA Name

NY003  
 PHA Number/HA Code

Annual PHA Plan for Fiscal Year 2020

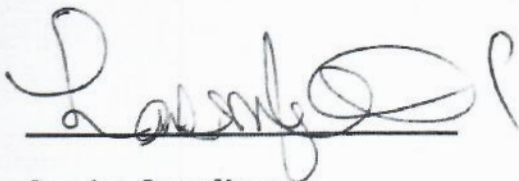
5-Year PHA Plan for Fiscal Years 2020 - 2024

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 James L. Landy	Title Chairperson
Signature 	Date March 26, 2020

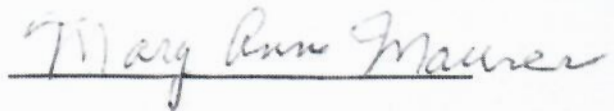
**Troy Manor 2020 Tenant Wish List**

- **Better Security**
  - **Cameras to monitor hallways and stairwells to the roof.**
- **Managers to keep the voicemail clear so that messages can be left.**
- **The antenna on the roof of Troy to remain. It provides people with free channels to save money.**
- **Empty units to be checked regularly to avoid borders/trespassers**
- **Nice patio area for enjoying the outdoors**
- **Working Intercom system**
- **More colors in the units. Everything is white.**
- **I wish they would have asked what we wanted before they did the work.**



**Service Coordinator**

**Larksmey Wilson**

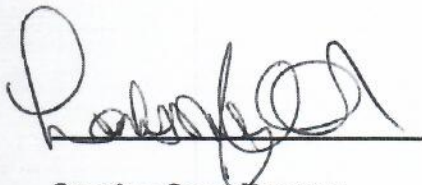


**Tenant Council Representative**

**Mary Ann Maurer**

**Loehr Court 2020 Tenant Wish List**

- **New, better boiler system**
- **Better locks on the front doors**
- **Better lighting outside of all buildings**
- **Better, bigger, more accessible mailboxes**
- **Gutter cleaning**
- **Completely new Community Room**
- **New Laundry room**
- **More table and chairs in the community room**
- **Better access to the community room and the laundry room. They are very hard to get to for people who have mobility issues**
- **Functional doorbell and intercom system**
- **Shingle repair in building 80**



**Service Coordinator**

**Larksmey Wilson**

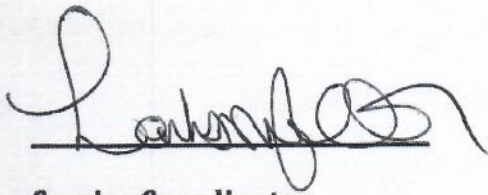
Signed for Rosendo Figueroa by Larksmey Wilson (SI) Verbal agreement provided 3/19/20  
**Tenant Council Representative**

**Rosendo Figueroa**



**Flynn Manor 2020 Tenant Wish List**

- Fully equipped exercise room
- Ping Pong table in the Community Room
- 2 more round tables in the Community Room for playing cards or games
- Large coffee maker
- 50" or 60" TV for the Community Room
- Microphone and mic stand
- The idea is to have a recreation room
- Backdrops for photographs/selfie opportunities, holiday themed.
- Pool table
- Small amplifier and a base
- Student desk chairs for people that want to work on private projects/work
- 2 replacement long, rectangular tables



**Service Coordinator**

**Larksmey Wilson**

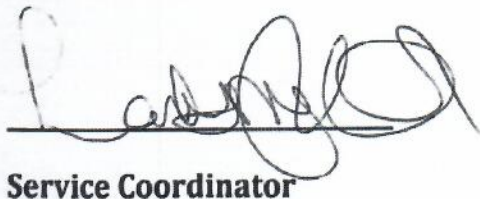
Signed for Pedro Melendez by Larksmey  
Wilson (SC). Verbal agreement provided 5/6/2020

**Tenant Council Representative**

**Pedro Melendez**

**Kris Kristensen 2020 Tenant Wish List**

- **Better security system**
- **Better locks on the doors**
- **Keep the nearby trees on the streets trimmed**
- **A full sized kitchen in the community room**
- **Remove the sewer from underneath the building and put it elsewhere so it doesn't cause such a bad odor**
- **Better maintenance and cleaning of the building and grounds**
- **Donations to the Arts and Crafts group to keep it going**



**Service Coordinator**

**Larksmey Wilson**

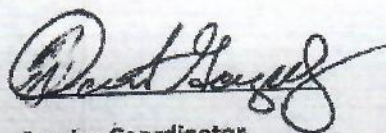
Signed for Sarah Haughton by  
Larksmey Wilson (SC) verbal agreement  
**Tenant Council Representative** provided 3/6/20  
**Sarah Haughton**





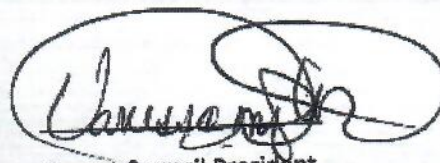
Calcagno 2020 Tenant Wish list

1. After school program
2. Sports program
3. A park for the children
4. Speed bumps
5. Mobile food service
6. Food program for children



Service Coordinator

David Gonzalez



Tenant Council President

Vanessa Lugo

Martinelli Manor Tenant Council

5YR Wish List

2020

1. Cable TV for community room and new TV
2. New Microwave to fit in kitchen space
3. AC or fan in laundry room
4. New Plants on patio
5. More funding for social outings – trip to museum or play
6. Visitor parking
7. Vans to take seniors to outings within the community

Lucille Aquilato, Tenant Representative

Signed for Lucille Aquilato by Sade Glover, Service Coordinator  
verbal agreement provided 3/9/2020 via phone.

Sade Glover, Service Coordinator

Sade Glover 3/6/2020

Hall Homes Tenant Council

5YR Wish List

2020

1. Funding for social outings, trips to NYC for residents
2. Updated machines in the laundry room
3. Computer Room
4. TV for community room
5. Grills added to picnic area
6. Afterschool program for youth

Michael Stephens, Tenant Representative

*signed for Michael Stephens by Sade Glover, Service Coordinator  
verbal agreement provided 3/12/2020 via phone.*

Sade Glover, Service Coordinator

*S Glover 3/6/2020*

Curran Ct Tenant Council

5YR Wish List

2020

1. Public Address System with portable mic for Community Room
2. A new or reconditioned piano with bench or adjustable stool
3. An indoor ping-pong game table or a permanently erected game table  
outdoor accessories
4. Raffle spin wheel
5. Barbeque grills in picnic area
6. Gazebo for Buildings 1 & 3 rear
7. Outdoor swimming pool
8. Availability of a bus contracted for local and distant group trips for  
recreational events and activities
9. Indoor and or outdoor shuffle board game table with accessories

Susan Striplin, Tenant Representative

SS Striplin 3/6/2020

Sade Glover, Service Coordinator

SGlover 3/6/2020

## Cottage 2020 Tenant Wish list

1. After school program
2. Sports program
3. A park for the children



Service Coordinator

David Gonzalez



Tenant Council President

Randy McNair



## Palisade Towers 2020 Tenant Wish List

- Community Garden
- Pool transportation/ Pass plus swimming lessons
- First Aid CPR/ AED Training / Certification for residents
- Swing set in the park
- More light by the mailboxes
- Flat screen TV's
- Cell phone back-up
- Storage bins
- Bigger laundry room
- Computer room
- Keep the good maintenance workers
- Change security
- BBQ area
- Afterschool activities
- Walk place for animals/ dog park
- Adult activities
- Better intercom system



Service Coordinator

Paul Merriweather




• Tenant Council President

Elizabeth Owens

## Townhomes Five Year Wish List 2020

- Common meeting area
- More activities at sites
- Visitor parking
- Better guest speakers
- Fences in backyards that don't have fences
- Bigger and more visible "no parking" signs
- Peepholes in doors (not the glass)



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Service Coordinator  
Yaxayra Bermeo



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Tenant Council President  
Marisel Fontan

## Walsh Rd. Five Year Wish List 2020

- Better Parking-Visitor Parking
- Pool Table in the community room
- More Games available in the community room
- More Laundry Room Hours
- Storage room for community room (with a lock)
- Water Cooler!!!
- Kitchen Utensils (towels, silverware)
- BBQ area with grills in each set of buildings
- Better landscaping in outdoor area between building (flowers)
- Bulletin boards in lobbies



Service Coordinator  
Yaxayra Bermeo



Tenant Council President  
Louise Simmons



**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 Albano Deputy Commissioner of Planning & Development  
*Official's Name* *Official's Title*

certify that the 5-Year PHA Plan and/or Annual PHA Plan of the Municipal Housing Authority  
for the City of Yonkers, New York (MHACY)

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, New York pursuant to 24 CFR Part 91.  
*Local Jurisdiction Name*

The Municipal Housing Authority for the City of Yonkers (MHACY), FY 2020-2024 Five Year Plan is consistent with the City of Yonkers Consolidated Plan and Analysis of Impediments (AI) to the Fair Housing Choice factors in addressing the 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 in partnership with the City of Yonkers to assist in meeting the needs of persons affected by the lack of 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	Title
<u>Louis J. Albano</u>	<u>DEP. COMMISSIONER</u>
Signature	Date
<u>[Signature]</u>	<u>03/25/2020</u>