



Berkeley Housing Authority

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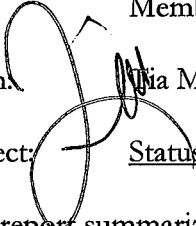
Office of the Executive Director

Item 4B

MEMORANDUM

Date: February 14, 2013

To: Honorable Chairperson and
Members of the Berkeley Housing Authority Board

From:  Nia M. Ingram, Executive Director

Subject: Status of Berkeley Housing Authority Operations

This report summarizes the highlights of our current activities:

I. ADMINISTRATIVE

1. HUD Reporting (as of January 31, 2013)

Section 8 Voucher Program

50058% (95% required)	Units Leased (1,822 ACC units)	Late Annual Recert	Late Annual Insp
99.94%	1,782	8	17

Low Income Public Housing Program

50059% (95% required)	Units Leased	HUD arrived at the sub-par 92.5% based on 40 required 50058's (including 3 EOP's) in the program; our records reflect 37 required 50058's (including 3 that late, in process or include a SS# discrepancy that we are resolving).
92.5%	40	

2. HUD: Other:

A. PHAS Appeal. We continue to await acknowledgement and/or response to our appeal of the "substandard physical" determination for Fiscal Year 2012.

B. MOU. The quarterly report was submitted on January 16, 2013 as required. We await acknowledgement and/or response to the January 2013 report and the October 2012 reports.

C. Energy Audit. We requested a waiver to the requirement to perform an energy audit (and performance plan) on our LIPH units, based on the pending disposition project. We continue to await acknowledgement and/or response to our June 27, 2012 communication.

- D. Family Self Sufficiency. In April 2010 we obtained a three year waiver to the requirement to implement a FSS program (serving a minimum of 37 households). The three year waiver is up this year. We are developing the program outline, for submission to HUD by April 2013 as required. Given the competing demands of the disposition project, we may see if the waiver can be extended for at least six months.

II. OPERATIONS

1. Current Industry Development

Attached is the agenda (Attachment 1) from the annual Executive Directors' retreat held in Oakland January 24-26, 2013. As you can see, many of the issues that our small staff of 14 is grappling with are the same for the much larger agencies.

- A. A huge unknown is HUD funding – and the funding reductions under sequestration. There was considerable discussion about how to make up for the reduction in funding.
- B. How to value and maximize our most valuable resource. Rightsizing the organization, and how to address morale while implementing necessary changes that have a direct impact on staff.
- C. Section 8 Project Based Vouchers. There is consensus that the program is critical to the creation of affordable rental units, and likewise – recognition of the incremental increase in administrative responsibility for the Authority.

2. Human Resources

- A. Labor Negotiations. The employee labor contracts expired in June 2012; we remain in negotiations with SEIU 1021 and Local One. The Board will be apprised of the current status during the closed session.
- B. Staffing. We experienced a resignation in January, 2013. The Housing Specialist position remains vacant, pending recruitment. In the interim, the caseload (approximately 490 households) has been reassigned to the remaining four Housing Specialists. This will, by necessity, reduce the service level we can provide – at a time when we are experiencing a peak in demand for special case management services (see below). We are working diligently to avoid careless mistakes that may create hardships for our clients and/or reduced scoring under the annual SEMAP certification.
- C. Employee Benefits. We are yet to complete the transition to the independent BHA contract with CalPERS for employee retirement benefits. We don't have information regarding any specific problem, yet we remain unable to make contributions on behalf of our employees (another Bay Area Housing Authority is experiencing similar delays).

3. Office Lease

BHA has occupied the current office since 1997; the current lease expires in December 2013. At their urging, we have resumed talks with the City regarding vacant office space in downtown Berkeley. Our preliminary assessment is that the option meets our needs in terms of adequate space for staff; accessibility for staff and clients via public transit (bus and BART); meeting rooms; and space to accommodate "Related" management staff for their planned Berkeley presence. We are pursuing this option along with negotiations with our current landlord.

4. SECTION 8 VOUCHER PROGRAM

- i. Streamlined Procedures. HUD recently released a notice that has the potential of reducing the administrative procedures for certain “eligibility factors” (income verification). This is good news, particularly given our temporary reduction in staff. We are careful however to ensure that there is adequate documentation for our case files, for any future audit or file review.
- ii. Wait List Processing. We held the first briefing of 2013 on January 23 for 13 prequalified households from the wait list. A total of 8 households appeared and 4 vouchers were issued; the remaining households will receive a second invitation to attend a briefing and receive assistance.

On February 1st we scheduled in-take appointments for the next 121 families on the Section 8 wait list – to gather the required documents to complete the application, and confirm eligibility for admission. 59 of the households appeared; second notice will be mailed to the 62 that provided an alternate address (mailing or email). If no alternate address was provided, or if there is no response to the second mailing, the household will be removed from the wait list.

- iii. Owner Retention. We remain concerned about the number of units included in our “Available Unit Listing” report. We continue to (a) talk with active landlords in our program to identify and respond to their concerns, and to seek their continuation in the program; (b) search on line sites to identify units that may be available to assisted households; and (c) promote the Section 8 Voucher program with owners/managers of developments in the City with “Below Market Rate” (BMR) units.
- iv. Electronic “HAP” Payments. Our Finance unit staff, under the direction of Jesy Yturalde, has concluded planning – and we are ready to launch our first electronic processing of rental subsidy payments! We will test the system with our February mid-month check run (much smaller than the 1st of the month). The transition to electronic payments is one of the cost savings/efficiency measures long planned for the Authority.
- v. Opt-Out. We recently discovered that the HUD provision in the HUD regulations (24 CFR 982.455) that expressly gave landlords the option of “opting out” of the Housing Assistance Payment (HAP) Contract – and terminating their participation in the program on a unit-by-unit basis, was removed from the section in 1999. We need to explore more fully exactly what this means – terminating of the HAP contract may trigger compliance with the State Hawkins-Costa Act. Staff will need to investigate this more fully and confer with HUD staff and the Rent Stabilization Program staff. Note-we are aware of six assisted tenancies where the owner has, with BHAs consent, initiated the process (including providing written notice to the residents) of opting-out of the program. We are acting quickly to come up to speed with what is, and is not possible – and preparing general notice that we can include with the March rental subsidy payments to landlords.
- vi. Project Based Voucher Program. There is general discussion among Housing Authorities that HUD and/or the HUD Inspector General’s office may be initiating a round of audits of the Project Based Voucher program. BHA has made 17 awards totaling 307 units (including the 23 for Strawberry Creek Lodge recommended for approval this evening and the 75 PBVs for BHA/Related deal) which includes 7 projects that were awarded while BHA was under the auspices of the City of Berkeley. We are confident that our records, especially those for the awards made under your leadership, are sufficient to withstand any

audit. The timing of the audits may be good – as we contemplate changes to our policies/procedures.

vii. Case Management. The Quadel report made several references to the high level of service – and the need to restrict staff efforts to the HUD required tasks. Despite our efforts to strive for this goal, we continue to be challenged by situations that warrant heightened service. Note these examples from this past month:

a. Domestic Violence. A situation where a Mother and her adult son (autistic) are assisted. The Mother claims domestic violence at the hands of her son, but insists that both she and the son be allowed to transfer the voucher assistance to another jurisdiction where they can both be safe. We have responded to the family, legal advocates, and other officials that the family has consulted with. We are yet to reach resolution, and the case continues to demand a lot of attention from the Housing Specialist and Executive Director.

We have another instance where there is documentation (Police reports) of domestic violence at the hands of a former spouse. The impacted individual contacts our office with desperate appeals for her safety (and that of her children) – then fails to follow through by providing the documentation necessary to receive the transfer voucher. The concern remains that we act (and document) every action initiated to try to address this potentially violent situation.

b. Opt-Out. There is a situation where the owner is seeking to “opt-out” of four assisted tenancies (see discussion above). Staff is involved with each of the four households – all of whom are disabled (including two that require an accessible unit) – and are experiencing major health problems at the thought of being homeless (with S8 assistance) in the next 90-days. The very real emotional needs of these households must be addressed with considerable hand-holding.

c. Council Referral. “This family has a S8 voucher, yet is homeless.” Follow up revealed a single person household with S8 assistance (a 2-bedroom voucher) for herself and medical equipment wanting a 3-bedroom voucher so that she can move (prior to completion of her first year of the lease), and have her mother join her in the unit as her Live In Aide. No amount of explanation to the family is reducing the number of calls she places (almost daily) to anyone/everyone at the Authority.

d. Tenant Safety. Call from concerned resident – that is wheelchair bound – and concerned about (assisted) egress from the hi-rise building in the event of a fire or other emergency. The call from one resident escalated to multiple calls to the property manager: (i) asking that someone contact the client, and (ii) ongoing calls from the resident for BHA staff to provide confirmation that adequate protections are in place.

e. Voucher suspension. Situation began with reports of nuisance behavior and drug activity associated with an unsupervised assisted unit. Some investigation revealed that the assisted individual was hospitalized (rehab facility), and that the unit was in fact, under the control of someone who had the keys, but no authority to occupy the unit. Termination of the assistance was not the preferred option. Rather, staff worked in concert with the owner to terminate the contract, while suspending the voucher so the disabled individual would have access to housing (with rental assistance) upon completion of the program.

These situations are illustrative of the challenges staff encounters on a daily basis. We recognize the importance of the rental subsidy, we are also compelled to help the households respond to these kinds of situations as they occur.

III. AUTHORITY OWNED HOUSING

1. Occupancy. We are experiencing an increase in families exercising their right to choose a new home for their family! As of January 31, 2012, 17 families have completed their move.

Site	# Units	# Vacant Units
Fairview Street	3	3
7 th Street	3	2
Ward Street	12	7
8 th Street	2	1
Virginia Street	7	4
Francisco Street	16	10
Dwight Way / Valley Street	4	1
Alcatraz Street	4	1
Stuart Street	3	1
Sojourner Truth Court	7	1

2. Rent Collection. Rent is due on the 1st and late if not received by the 6th. Rent collection is subpar this month, with 32 of 39 households with a positive rent portion paid (excludes the 5 households with \$0 or negative rent); seven families are late including one that has been referred to legal for eviction, and six households that historically pay late every month (we assess late fees to their accounts).
3. Maintenance. No significant maintenance issues to report.

CONTACT PERSON

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Attachments:

1. Agenda for Executive Director's Retreat Jan. 2013



2013 CAHA Annual Conference Agenda
January 24-26, 2013
Oakland, California

Thursday, January 24, 2013

AFTERNOON

3:00 - 5:00 Optional tour of Oakland Housing Authority developments (tour bus will leave from the Waterfront Hotel)

6:30 Opening dinner at the Waterfront Hotel

Friday, January 25, 2013

MORNING

MODERATOR

8:00 - 8:30 Breakfast

8:30 - 10:00 Welcome and introductions around the room (introduce yourself and talk about something--either a challenge or something to highlight--going on in your agency)

Lisa Baker

10:00 - 10:30 *Legislative Focus* and plan for Hill visits on March 19 during NAHRO Legislative Conference in Washington DC

Chris Gouig and Mary Ellen Shay

10:30 - 10:45 Break

10:45 - 11:15 Federal budget overview: sequestration, Continuing Resolution, impact of possible debt ceiling stalemate

TBD

11:15 - 12:00 Overview of State issues (budget, Cap and Trade, RDA 2.0, CEQA reform, Permanent Source for affordable housing)

Mary Ellen Shay

AFTERNOON

12:00 - 2:00 Lunch Speaker: Velma Navarro, PIH Director, SF HUD Office

2:00 - 3:30 Shared services discussion (Alameda, Contra Costa and San Mateo Counties; Butte, Sutter and Yolo Counties)

TBD

3:30 - 5:00 Concurrent Sessions

Session 1: Surviving negative publicity (San Francisco and Stanislaus County)

Henry Alvarez and Bill Fagan

Session 2: Issues in Section 8 Project Based Voucher Administration

Bill Lowell

6:30 Dinner at Bocanova (very short walk)



2013 CAHA Annual Conference Agenda

January 24-26, 2013
Oakland, California

Saturday, January 26, 2013

MORNING

8:00	Breakfast	
8:30 - 9:30	Best practices in resident and participant services (Oakland, San Bernardino County, Fresno)	TBD
9:30 - 10:30	Staffing: right sizing, turnover, training, morale and succession planning	TBD
10:30 - 10:45	Break	
10:45 - 11:30	Regroup: Top 2 take-aways from attendees for their agency and future CAHA agendas	Lisa Baker
11:30 – Noon	CAHA meeting; HARRP meeting (to elect one director)	Lisa Baker and Bill Fagan