




**Berkeley Housing Authority**

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*Office of the Executive Director*

ITEM 6A  
ACTION CALENDAR  
July 23, 2010

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

From: Tia M. Ingram, Executive Director 

Subject: Approving a resolution authorizing the Executive Director to execute the Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD) establishing performance standards for three issues identified in the Confirmatory Review of our Fiscal Year 2008-09, Section Eight Management Assessment Program (SEMAP) certification

RECOMMENDATION

Approve a resolution authorizing the Executive Director to execute the Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development (HUD) establishing performance standards for three issues identified in the Confirmatory Review of our Fiscal Year 2008-09, Section Eight Management Assessment Program (SEMAP) certification.

BACKGROUND

The HUD Field Office, as part of the Confirmatory Review last November, required Berkeley Housing Authority (BHA) to execute a Corrective Action Plan (CAP) to address three findings/observations by the reviewers.

Our review of 24 Code of Federal Regulations (985.107(c)), attached, confirms that a CAP is required for a *troubled* Authority and that the CAP is to be signed by the Board Chair and Executive Director; there is no mention of a requirement for a Board resolution. BHA is not an Authority with a *troubled performance rating*.

As required by the Field Office, staff developed the draft CAP and submitted it by the February 2, 2010 deadline. The CAP includes the three categories identified, all of which have been addressed. We will report progress, and request that the CAP be closed in the first report after the CAP is fully executed.

On June 23, 2010 we received email notification from the HUD Field Office that the draft CAP submitted in February was approved by HUD, subject to submission of a Board resolution.

FISCAL IMPACTS OF RECOMMENDATION

None.

CONTACT PERSON

Tia Ingram, Executive Director, 981-5471

Rachel Gonzales-Levine, Management Analyst – 981-5488

Attachments:

1. Resolution
2. 24 CFR, 985.107
3. Corrective Action Plan

BERKELEY HOUSING AUTHORITY  
RESOLUTION NO. 10-\_\_

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CORRECTIVE ACTION PLAN (CAP) WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ESTABLISHING PERFORMANCE STANDARDS FOR THREE ISSUES IDENTIFIED IN THE CONFIRMATORY REVIEW OF OUR FISCAL YEAR 2008-09, SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION

WHEREAS, the Berkeley Housing Authority self-certified to "Standard performer" in the SEMAP certification for Fiscal Year ending June 30, 2009; and

WHEREAS, following a Confirmatory Review by the U.S. Department of Housing and Urban Development (HUD), BHA was certified a "Standard Performer" in its Section 8 Housing Choice Voucher Program; and

WHEREAS, the HUD Field Office required a new Corrective Action Plan (CAP) addressing three issues from the Confirmatory Review; and

WHEREAS, Berkeley Housing Authority developed and submitted a draft Corrective Action Plan (CAP) for HUD review and approval in February 2010; and

WHEREAS, the Field Office advised on June 23, 2010, that the CAP is approved as drafted, subject to submission of a Board resolution.

NOW THEREFORE, BE IT RESOLVED, that the Executive Director is authorized to execute the Corrective Action Plan with the U.S. Department of Housing and Urban Development, identified as Exhibit A, and attached hereto.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on July 23, 2010, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: \_\_\_\_\_  
Tia M. Ingram, Secretary



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e-CFR

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## Title 24: Housing and Urban Development

PART 985—SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP)

Subpart B—Program Operation

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### § 985.107 Required actions for PHA with troubled performance rating.

(a) *On-site reviews* —(1) *Required reviews for troubled PHAs.* Except as provided in paragraph (a)(2) of this section, HUD will conduct an on-site review of PHA program management for any PHA assigned an overall performance rating of troubled to assess the magnitude and seriousness of the PHA's noncompliance with performance requirements.

(2) *On-site reviews for small PHAs.* Notwithstanding paragraph (a)(1) of this section, HUD may elect not to conduct an on-site review of a troubled PHA, if:

(i) The PHA has less than 250 assisted units; and

(ii) HUD determines that an on-site review is unnecessary to determine the needs of the PHA and the actions required to address the program deficiencies.

(b) *HUD written report.* HUD must provide the PHA a written report of its on-site review containing HUD findings of program management deficiencies, the apparent reasons for the deficiencies, and recommendations for improvement.

(c) *PHA corrective action plan.* Upon receipt of the HUD written report on its on-site review, the PHA must write a corrective action plan and submit it to HUD for approval. The corrective action plan must:

(1) Specify goals to be achieved;

(2) Identify obstacles to goal achievement and ways to eliminate or avoid them;

(3) Identify resources that will be used or sought to achieve goals;

(4) Identify an PHA staff person with lead responsibility for completing each goal;

(5) Identify key tasks to reach each goal;

(6) Specify time frames for achievement of each goal, including intermediate time frames to complete each key task; and

(7) Provide for regular evaluation of progress toward improvement.

(8) Be signed by the PHA board of commissioners chairperson and by the PHA executive director. If the PHA is a unit of local government or a state, the corrective action plan must be signed by the Section 8 program director and by the chief executive officer of the unit of government or his or her designee.

(d) *Monitoring.* The PHA and HUD must monitor the PHA's implementation of its corrective action plan to ensure performance targets are met.

(e) *Use of administrative fee reserve prohibited.* Any PHA assigned an overall performance rating of troubled may not use any part of the administrative fee reserve for other housing purposes (see 24 CFR 982.155(b)).

(f) *Upgrading poor performance rating.* HUD shall change an PHA's overall performance rating from troubled to standard or high performer if HUD determines that a change in the rating is warranted because of improved PHA performance and an improved SEMAP score.

(Information collection requirements in this section have been approved by the Office of Management and Budget under control number 2577-0215)

[63 FR 48555, Sept. 10, 1998, as amended at 68 FR 37672, June 24, 2003]

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**Indicator 1: Selection from Waiting List**

**SEMAP '08/09 Confirmatory Finding #1:** Concern that WL did not meet the requirement at 24 CFR 982.204(b), Organization of Wait List. The preferences and disability status could not be identified on the Wait List.

**SEMAP '08/09 Confirmatory Finding #2:** BHA did not use correct universe for this Indicator.

<b>Program Deficiency</b>	<b>Key Tasks to be Completed</b>	<b>Completion Target Date</b>	<b>Actual Completion Date</b>	<b>Lead Person(s) Accountable for Action Item Completion</b>	<b>Deliverable/Implementation Progress/Resources/Comments</b>
WL did not meet requirement at 24 CFR 982.204(b). Preferences & disability status could not be identified on the Wait List.  Correct universe not used.	1. Amend Admin. Plan to include "Selection from the Wait List"	08/31/10		Tia Ingram, Executive Director & Rachel Gonzales-Levine, Management Analyst	1. Purchased NanMcKay master guide as basic for new Admin Plan (1/29/10)
	2. Provide HUD with amended Admin. Plan.	08/31/10			
	3. Develop strategy to determine correct SEMAP universe for Indicator 1.	07/30/10			
	4. Receive training on correct universe; BHA may request such training from HUD Field Office.	02/01/10	02/01/10		4. Attended NorCal NAHRO session, SEMAP Universe and QC sampling
	5. Generate new S8 Wait List	06/30/10			
	6. BHA must refer to 24 CFR 982.204(b) to reorganize its waitlist in accordance with HUD regulations.				

**Indicator 2: Reasonable Rent**

**SEMAP '08/09 Confirmatory Finding #3:** BHA's SEMAP universe for this indicator was incorrect. The housing authority's sample files were selected using the Excel Application random selection tool, therefore its sample files were selected in an unbiased manner as required by SEMAP regulations.

Program Deficiency	Key Tasks to be Completed	Completion Target Date	Actual Completion Date	Lead Person(s) Accountable for Action Item Completion	Deliverable/Implementation Progress/Resources/Comments
Correct universe not used.	1. Develop strategy to determine correct SEMAP universe for Indicator 2.  2. Receive training on correct universe; BHA may request such training from HUD Field Office.	07/30/10  02/01/10	02/01/10	Tia Ingram, Executive Director & Rachel Gonzales-Levine, Management Analyst	2. Attended NorCal NAHRO session, SEMAP Universe and QC sampling



**Berkeley Housing Authority**

**Indicator 6: HQS Enforcement**

**SEMAP '08/09 Confirmatory Finding #4:** The housing authority has procedures in place to track 24 hour failed inspections that would assist in meeting the requirements for this indicator. The housing authority needs to carefully monitor and track this indicator.

Program Deficiency	Key Tasks to be Completed	Completion Target Date	Actual Completion Date	Lead Person(s) Accountable for Action Item Completion	Deliverable/Implementation Progress/Resources/Comments
<p>BHA needs to carefully and regularly monitor and track this indicator.</p> <p>Correct universe not used.</p>	<p>1. Develop strategy to determine correct SEMAP universe for Indicator 6. The system must provide:</p> <ul style="list-style-type: none"> <li>• Unit address</li> <li>• Date of orig. Failed Inspec.</li> <li>• T/O responsib. for Fail</li> <li>• Date of reinspection</li> <li>• Results of reinspection</li> <li>• Date O notified of abate</li> <li>• Actual date of abate</li> <li>• Any extensions to date</li> <li>• Initial termination of any termination</li> <li>• Status of any termination</li> </ul> <p>2. Receive training on correct universe; BHA may request such training from HUD Field Office.</p> <p>3. Refine electronic system for ongoing tracking of data</p>	07/30/10	02/01/10	Tia Ingram, Executive Director & Rachel Gonzales-Levine, Management Analyst	2. Attended NorCal NAHRO session, SEMAP Universe and QC sampling