




Berkeley Housing Authority

1901 Fairview St., Berkeley, CA 94703
Telephone: (510) 981 5470 Fax: (510) 981 5480

Office of the Executive Director

Item 5D
NEW BUSINESS
December 13, 2012

To: Honorable Chairperson and
Members of the Berkeley Housing Authority

From: Tia M. Ingram, Executive Director 

Subject: Authorizing the Executive Director to appoint a Resident Advisory Board for the
2013 Annual Plan Process

RECOMMENDATION

Approve a resolution authorizing the Executive Director to solicit interest, and appoint up to three public housing residents, and up to one Section 8 program participant to the Resident Advisory Board (RAB) for the 2012-2013 Annual Plan process, and affirming a \$15 stipend for meeting attendance.

BACKGROUND

The Housing Authority is required to develop and submit an Annual Plan (Plan) to the U.S. Department of Housing and Urban Development (HUD) annually. For Housing Authorities with a fiscal year ending June 30th, the "Plan" must be submitted by April 17th, 75 days before the commencement of the next Fiscal Year.

In the Annual Plan process the Housing Authority reviews, and as appropriate, revises its discretionary policies for the Section 8 Voucher Program (the Administrative Plan), the Low Income Public Housing Program (the Admissions and Continued Occupancy Policy), and capital improvements projects it plans to initiate in the Public Housing Program (both an Annual Statement and a 5-year projection).

BHA is required to make all the documents available for public review by any interested party for 45-days prior to a public hearing where the Annual Plan is adopted by the Board. BHA is further required to appoint, and consult with a Resident Advisory Board consisting of individuals who represent the interest of the current and future participants served in the Section 8 and Public Housing programs.

The "Annual Plan" process is different this year because:

- A. The Authority has received approval from the U.S. Department of Housing and Urban Development (HUD) to dispose (reposition) the units.
- B. While both the Admissions and Continued Occupancy Policy (Public Housing Program) and Administrative Plan (Section 8 Program) will be reviewed and revised, the ACOP will only govern the rental assistance for a finite period. As the disposition project moves forward, and households are transitioned to Section 8 rental assistance, it will be the Section 8 Administrative Plan that governs.

- C. The Capital Plan component, where BHA would identify capital (modernization) activities it would undertake in the upcoming year, will reflect (a) no modernization activities, and (b) 100% of the funds allocated to management/administration.

I. The Resident Advisory Board

The regulation guiding appointment of the Resident Advisory Board is found in Title 24 Housing and Urban Development Code of Federal Regulations, Section 903.13 (Attachment 2). In brief:

1. A Resident Advisory Board is required to provide input and comment on elements of the Plan;
We used the December Public Housing Newsletter to extend an invitation to every family in the LIPH and RHCP program soliciting interest in serving their community by partnering with the Housing Authority to review policies, plans and priorities (Attachment 3).
2. The Housing Authority is required to appoint a RAB “whose membership consists of individuals who adequately reflect and represent the residents assisted by the PHA”;
This year we have an opportunity to engage Public Housing residents in discussion about the Administrative Plan – providing them yet another opportunity to learn more about the S8 program, and how their rental assistance will be different moving forward.
3. If there is a jurisdiction-wide resident council that complies with the tenant participation regulations in CFR part 964, the PHA shall appoint the members to the RAB;
There has not been a functioning Resident Council for at least four years. Rather, we have appointed a RAB on a situational (annual) basis.
4. If the PHA has a tenant-based assistance (Section 8 Voucher) program, they shall have representation on the RAB.
Our practice has been to ask staff to nominate participants from the Section 8 Program who have expressed an interest in commenting on policies and procedures. At least one seat on the RAB has been allowed.

II. Annual Plan Process

The next step for staff (over the next 30-days) is to review the existing policies – in the Administrative Plan and Admissions and Continued Occupancy Policy (ACOP) for possible changes. The changes proposed will reflect (a) changes in BHA operations and most importantly, (b) any changes required in response to new HUD regulations. BHA will notice (in Oakland Tribune and El Mensajero) the opportunity to comment on the proposed changes and the proposed changes will be “published” and made available for the mandatory 45-day comment period, and shared with (1) all public housing residents; (2) legal advocates, including East Bay Community Law Center and Bay Area Legal Aid, (3) disability rights advocates, including the Center for Independent Living and Disability Rights California; (4) the City of Berkeley; and (5) at BHA’s office and website. Comments will be received, and there will be at least one opportunity for individuals to meet with staff to address any comments/concerns. All comments received will be acknowledged, and as appropriate, reflected in the final plans that are submitted to the Board for adoption.

The final “Plan” documents, including the Administrative Plan and Admissions and Continued Occupancy Policy, and the capital plan, are due to HUD by April 17, 2013.

III. Meeting Stipend

Federal regulations governing the Annual Plan process and the Resident Advisory Board in particular, do not require that a stipend be provided to residents for their service. However, BHA has a long-standing practice of providing a stipend for meeting attendance. The stipend is not intended to pay the participant for his/her service, but rather is a modest payment that can be used to off-set the expense for attending (i.e. transportation or child care). BHA has in the past, offered residents a \$15 per meeting stipend as a means of encouraging participation and as a token of appreciation. The financial impact is insignificant, and we recommend continuing the practice.

STATUS

We anticipate significant progress towards completion of the disposition project during the last six months of this Fiscal Year (January – June 2013) and the first six months of the new Fiscal Year (July – December 2013). If we are successful, we will close out the Public Housing Program, and all of our discretionary policies will be compiled in a single document, the Administrative Plan.

Attachments:

1. Resolution
2. Title 24 Housing and Urban Development Code of Federal Regulations, Section 903.13
3. LIPH Newsletter (December 2012)
4. Resident Advisory Board Nomination Form

BERKELEY HOUSING AUTHORITY
RESOLUTION NO. 12-_____

AUTHORIZING THE EXECUTIVE DIRECTOR TO IDENTIFY AND APPOINT UP TO THREE PUBLIC HOUSING RESIDENTS, AND ONE SECTION 8 PROGRAM PARTICIPANT TO THE RESIDENT ADVISORY BOARD FOR THE 2013 ANNUAL PLAN PROCESS AND AFFIRMING A \$15 STIPEND FOR MEETING ATTENDANCE

WHEREAS Housing Authorities that operate Low Income Public Housing Programs are required to submit an Annual Plan to the U.S. Department of Housing and Urban Development; and

WHEREAS, the Plan process requires appointment of a Resident Advisory Board; and

WHEREAS, the Resident Advisory Board must be appointed by the Housing Authority Board of Commissioners; and

WHEREAS, the Housing Authority has an obligation to appoint representatives who reasonably reflect and represent the interests of current program participants; and

WHEREAS, the Executive Director has identified a reasonable and fair process to identify individuals to serve on the Resident Advisory Board.

NOW THEREFORE BE IT RESOLVED THAT the Executive Director is authorized to identify and appoint up to three Public Housing residents, and up to one participant from the Section 8 Housing Choice Voucher Program to the Resident Advisory Board for the 2013 Annual Plan Process; and

FURTHER RESOLVED THAT a stipend of \$15 per meeting is authorized for Resident Advisory Board meeting attendance, for a maximum of \$30 per month per each attendee.

The foregoing Resolution was adopted by the Board of the Berkeley Housing Authority on December 13, 2012 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest: _____

Tia M. Ingram, Secretary

ELECTRONIC CODE OF FEDERAL REGULATIONS**e-CFR Data is current as of December 4, 2012**

Title 24: Housing and Urban Development
PART 903—PUBLIC HOUSING AGENCY PLANS
Subpart B—PHA Plans

§ 903.13 What is a Resident Advisory Board and what is its role in development of the Annual Plan?

(a) A Resident Advisory Board refers to a board or boards, as provided in paragraph (b) of this section, whose membership consists of individuals who adequately reflect and represent the residents assisted by the PHA.

(1) The role of the Resident Advisory Board (or Resident Advisory Boards) is to assist and make recommendations regarding the development of the PHA plan, and any significant amendment or modification to the PHA plan.

(2) The PHA shall allocate reasonable resources to assure the effective functioning of Resident Advisory Boards. Reasonable resources for the Resident Advisory Boards must provide reasonable means for them to become informed on programs covered by the PHA Plan, to communicate in writing and by telephone with assisted families and hold meetings with those families, and to access information regarding covered programs on the internet, taking into account the size and resources of the PHA.

(b) Each PHA must establish one or more Resident Advisory Boards, as provided in paragraph (b) of this section.

(1) If a jurisdiction-wide resident council exists that complies with the tenant participation regulations in part 964 of this title, the PHA shall appoint the jurisdiction-wide resident council or the council's representatives as the Resident Advisory Board. If the PHA makes such appointment, the members of the jurisdiction-wide resident council or the council's representatives shall be added or another Resident Advisory Board formed to provide for reasonable representation of families receiving tenant-based assistance where such representation is required under paragraph (b)(2) of this section.

(2) If a jurisdiction-wide resident council does not exist but resident councils exist that comply with the tenant participation regulations, the PHA shall appoint such resident councils or their representatives to serve on one or more Resident Advisory Boards. If the PHA makes such appointment, the PHA may require that the resident councils choose a limited number of representatives.

(3) Where the PHA has a tenant-based assistance program of significant size (where tenant-based assistance is 20% or more of assisted households), the PHA shall assure that the Resident Advisory Board (or Boards) has reasonable representation of families receiving tenant-based assistance and that a reasonable process is undertaken to choose this representation.

(4) Where or to the extent that resident councils that comply with the tenant participation regulations do not exist, the PHA shall appoint Resident Advisory Boards or Board members as needed to adequately reflect and represent the interests of residents of such developments; provided that the PHA shall provide reasonable notice to such residents and urge that they form resident councils with the tenant participation regulations.

(c) The PHA must consider the recommendations of the Resident Advisory Board or Boards in preparing the final Annual Plan, and any significant amendment or modification to the Annual Plan, as provided in § 903.21 of this title.

(1) In submitting the final plan to HUD for approval, or any significant amendment or modification to the plan to HUD for approval, the PHA must include a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the PHA addressed these recommendations.

(2) Notwithstanding the 75-day limitation on HUD review, in response to a written request from a Resident Advisory Board claiming that the PHA failed to provide adequate notice and opportunity for comment, HUD may make a finding of good cause during the required time period and require the PHA to remedy the failure before final approval of the plan.

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Public Housing News December 2012

BHA Office Closure

The BHA Offices will be closed the following days in December: (a) Fridays, December 14 and 28 and (b) office shut Down: Dec. 24 – 27, 2012. As a reminder, BHA Offices are closed every Friday and all holidays. The Berkeley Housing Authority office are open Monday through Thursday 8:15AM to 4:30PM.

Berkeley Holiday Events!

Tots Winter Carnival: December 8th/11:00 am – 12:30 pm/Live Oak Social Hall/1301 Shattuck Ave/\$2.00 per child/Ages 2-4.

Parents Day Off: Shop While Your Kids Play: December 15th/9:00 am – 2:00 pm/James Kenney Community Room/1720 8th Street/\$5.00 per child/Ages 5-11/Pre-registration required deadline December 13th.

Winter Crafts Faire: December 21st/5:00 pm -6:30 pm /James Kenney Community Room/1720 8th Street/All ages/Free.

Visit From Santa: December 21st/11:00 am – 1:00 pm/Frances Albrier Social Hall/2800 Park Street/Ages 0-5/Free.

Looking for a Few Good Residents! Resident Advisory Board

The Berkeley Housing Authority is interested in your input and comments for the upcoming 2013 Administrative Plan (Section 8) and Admissions and Continued Occupancy Policy (Public Housing) update process. We would like to extend an invitation for up to three Public Housing residents to serve on the Resident Advisory Board and work with BHA forming and reviewing proposed policies, plans and priorities. If you are interested in participating; please complete the attached form, responding by January 15, 2013 to David Solis, Property Manager.

Tenant Based Voucher

If you are income eligible for admission to the Section 8 Voucher Program – you can move to a different unit of your choosing with a 1, 2, 3 or 4 bedroom tenant based voucher (based on your household composition) – where you will continue to pay 30% of your adjusted monthly income for rent. Please note that BHA is waiving the standard 30-day notice requirement to move from your current unit. If you received a voucher, it has an expiration date. If the voucher has expired, but you are interested in moving off site, contact Tilda Barnes at 510-981-5489 for an extension. If you are one of the few households that hasn't yet signed for or received a Voucher, contact David Solis and we will arrange a group or one-on-one orientation (briefing) just for you! Please remember that all recertification paperwork must be completed before receiving a voucher.

Additional Food For Your Table

As we continue in this economy, with rising cost of living expenses, and decreasing income, you may need the additional assistance to help feed you and your family. Check out the available programs and services offered by the Alameda County Food Bank: it is a toll free call at 1-80-870-3663. Someone is available to assist Monday through Friday, 9:00AM to 4:00 PM or you may visit them on the web at www.acofb.com.

For additional assistance you may contact:

- The Berkeley Food Pantry, 1600 Sacramento Street Berkeley (510) 525-4965.
- Berkeley Food and Housing Project, 2362 Bancroft Way Berkeley (510) 649-4980

- Berkeley Drop In Center, 3234 Adeline Avenue Berkeley (510) 653-3808

Cleanliness of Common Areas

We all desire clean living areas for our family and friends to enjoy. Twice a month our scattered sites are visited by a landscaper to clean and trim overgrowth in the common areas and parking lots. Please take the time to help us keep our sites free of litter and unwanted debris. Consider organizing with your neighbors a weekly or monthly clean up of your street and start to see the difference *by making a difference*. You are responsible for keeping your back yard or patio free of debris and trash; remember to recycle frequently to prevent rodent intrusion or health and safety concerns. Should you need larger recycling cans, please call David Solis, Property Manager, at 510-981-5484 to fulfill your request.

Time to check the Batteries

Take a few minutes to ensure the safety of your family over this holiday season. Please confirm that every smoke detector in your home has a working battery: you can press the "test" button on each device to confirm alarm sounds occur. You will have to endure a few minutes of listening to an uncomfortable noise, but think of the security you'll feel knowing your family will be alerted in case of fire or carbon monoxide leak. Beeping smoke and carbon monoxide detectors indicate new batteries are required.

Household Maintenance

As the holidays are already upon us, and we invite friends and family into our homes, please take the time to report any household appliances or other items that may not be functioning properly so that it does not interrupt your holiday festivities. As you already know, BHA units do not have a garbage disposal, so please prevent clogged pipes by not letting food waste down your kitchen sink. Please note that appliances including toasters, microwave ovens, and space heaters should not be plugged into wall outlets or powered through extension cords. Computers and printers should be powered via surge protectors.

Although it rarely happens, you can be charged a maintenance fee if we determine a repair is "resident caused" beyond normal wear and tear. Even if you are charged – you have an opportunity to appeal the charge. Prompt reporting of maintenance requests minimizes damage to the unit, and preserves the safety of you and your family.

You may contact K and S Company at 510-528-1900 to create a service request for your home, including any emergency issues that may arise over the holidays, or you may contact David Solis, Property Manager, at 510-981-5484 for any assistance during normal business hours.

Rent and Late Fees

As a reminder, rent is due on the first (1st) of the month and your rent is late if received after the fifth (5th) of the month. If we receive your rent late, a \$40.00 late fee will be added to your account. Partial payments will not be accepted. Avoid late fees by making all payments on or before the 5th of the month.

The Berkeley Housing Authority would like to wish you and your family Very Happy Holidays and Wonderful New Year in 2013!!!



**Berkeley Housing Authority**

1901 Fairview St., Berkeley, CA 94703 • bha@cityofberkeley.info • www.cityofberkeley.info/bha
Tel: (510) 981 5470 • Relay: dial 711 then (510) 981-5485 • Fax: (510) 981 5480

RESIDENT ADVISORY BOARD NOMINATION FORM
PLEASE COMPLETE & SUBMIT
BY JANUARY 15, 2013
(MAIL OR PERSONAL DELIVERY)

Name _____

Address _____
Berkeley, CA

E-mail _____

Home Phone _____

Cell phone _____

Check all that apply:

- Yes! I would like to be considered to serve on the Resident Advisory Board.
- I understand that by agreeing to serve my community in an official capacity, my attendance will be required for at least one meeting, perhaps an additional meeting thereafter.
- I understand that if appointed to the Resident Advisory Board, I will be eligible to receive a stipend of \$15 per meeting. This income IS NOT included in the calculation of family income.
- At this time I am not available to serve on the Resident Advisory Board.

Signature_____
Date

Please return to BHA, 1901 Fairview, Berkeley (either hand deliver or mail)
on/before Jan. 15, 2013.

Thank you for considering service to your community.

