

RESIDENT GUIDE TO



Berkeley Housing Authority's

PUBLIC HOUSING REPOSITIONING PROJECT

April 2011

Dear Resident,

The Berkeley Housing Authority (BHA) Public Housing units will be changing ownership in the near future. Although they will remain rental units for large, low-income families, they will not operate as Public Housing units. Eligible families will no longer receive “Public Housing” assistance, but will be transferred to the “Section 8” rental assistance program.

BHA has prepared a Relocation Plan that is the official document describing the obligations/requirements BHA has with regard to assisting all current residents to find replacement housing, including those that choose to continue renting one of the 75 units with their Section 8 assistance.

As we continue to walk this path together, we thought it might be useful if we created a “User Guide” in common, non-technical language, to address a concern many residents have of *exactly what will happen* when there is no more “Public Housing”? In this document we will provide a context for the phase out of Public Housing by answering two basic questions:

1. Will my family continue to have safe, decent, affordable housing? and
2. What will life be like when Public Housing goes away, and I am left with Section 8 assistance?

Staff and consultants remain available to assist you by answering any questions you may have. Overland, Pacific and Cutler, our Relocation Consultant, has extensive experience in the field, and stands ready to provide you the maximum level of assistance required to make your transition from Public Housing to Section 8 rental assistance as smooth as possible.

Will my family continue to have safe, decent, affordable housing?

In a word, Yes! Families that are “income eligible” will receive Section 8 rental assistance; families that are “income ineligible” (those with incomes over 80% Area Median Income, see below), will qualify for a cash rental assistance payment for up to 42 months.

No. People	1	2	3	4	5	6	7	8
Max Annual Income	45,100	51,550	58,000	64,400	69,600	74,750	79,900	85,050

This section contains tools to help you (1) determine if you are income eligible; (2) calculate the level of rental assistance your family will receive (size of voucher); (3) understand how current households are classified; and (4) understand your re-housing options and relocation benefits.

1. Income Calculation

- A. Calculate your annual income. Add together all the income (gross job earnings, TANF, SS or SSI, self employment, unemployment, etc) received each month by everyone in the household and multiply by 12 months.

\$ _____ x 12 = \$ _____

- B. Enter the maximum annual income for your family size \$ _____
From the chart above

Is your household income eligible? Yes No

2. Section 8 Assistance/Voucher Size

Enter the Voucher (number of bedrooms) your family will receive _____
(Use the attached worksheet to determine the size)

Does your household qualify for a 3 or 4 bedroom Voucher? Yes No

BHA Subsidy (Voucher Size) Worksheet

Use this chart to determine your qualifying level of subsidy (Voucher Bedroom Size). Do not skip a line. Enter one name on each line below, until you have entered each household member, *regardless of age, gender, or generation*. BHA does not provide separate bedrooms for opposite genders nor for generations. Once you receive your voucher, it will be up to you to determine where family members will sleep.

			Bedroom For Voucher:
START			
1	_____ and _____ Head of Household Spouse/Partner (if any)		 Enter 1 above
	Plus Next 1 or 2 People <i>regardless of age or gender</i>		
2	_____ and _____		 Enter 1 above
	Plus Next 1 or 2 People <i>regardless of age or gender</i>		
3	_____ and _____		 Enter 1 above
	Plus Next 1 or 2 People <i>regardless of age or gender</i>		
4	_____ and _____		 Enter 1 above
	Plus Next 1 or 2 People <i>regardless of age or gender</i>		
5	_____ and _____		 Enter 1 above
		TOTAL Bedrooms for Voucher = (Add all "1s" above)	
		Number of Bedrooms in the Unit you Currently Occupy =	

3. Classification of current households

Current households fit one of 4-household categories:

<p align="center">Typical Household 1</p> <p>Income eligible for the Section 8 Program AND Qualified for a 3 or 4 bedroom unit</p>	<p align="center">Typical Household 2</p> <p>Income eligible for the Section 8 Program AND Qualified for a 1 or 2 bedroom unit</p>
<p align="center">Typical Household 3</p> <p>Over income for the Section 8 Program AND Qualified for a 3 or 4 bedroom unit</p>	<p align="center">Typical Household 4</p> <p>Over income for the Section 8 Program AND Qualified for a 1 or 2 bedroom unit</p>

Which category best described your household? [] 1 [] 2 [] 3 [] 4

4. Re-housing options and eligibility for relocation benefits

<p align="center">Section 8 Eligible/Qualified for a 3-4 Bedroom Unit (Household 1)</p>	<p align="center">Section 8 Eligible/Qualified for a 1-2 Bedroom Unit (Household 2)</p>
<p>Family may elect to continue renting one of the 3-4 bedroom units with Section 8 Project Based rental assistance. If the family must move out while work is performed, they will receive temporary relocation benefits. Family rent will be 30% of adjusted monthly income.</p>	<p>Family may elect to continue renting one of the 3-4 bedroom units. If the family must move out while work is performed, they will receive temporary relocation benefits.</p> <p>Section 8 program rules forbid a family from paying more than 40% of adjusted income for rent. Because the family is voluntarily choosing to remain in an “over-sized” unit, the family will not qualify for a differential payment between 30 and 40% of adjusted monthly income.</p> <p>This <u>may</u> necessitate the family moving to another privately owned rental unit with and in order to preserve the Section 8 Tenant based rental assistance. Family will receive financial assistance for moving expenses and referrals to new housing, if desired.</p>

Section 8 Eligible/Qualified for a 3-4 Bedroom Unit (Household 1)-Cont	Section 8 Eligible/Qualified for a 1-2 Bedroom Unit (Household 2)-Cont
<p>Family may elect to move to other privately owned rental housing (including a unit in another part of the Country) with Section 8 Tenant Based rental assistance. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. In addition, if the unit selected (bedroom size) matches the bedroom size of the voucher, and the family rent share is between 30 and 40% of adjusted income (for example, to meet the rent requested by the owner), BHA will pay the amount between 30 and 40% for the family for 42 months.</p>	<p>Family may elect to move to other privately owned rental housing (including a unit in another part of the Country) with Section 8 Tenant Based rental assistance. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. If the unit selected (bedroom size) matches the bedroom size of the voucher, and the family rent share is between 30 and 40% of adjusted income (for example, to meet the rent requested by the owner), BHA will pay the amount between 30 and 40% for the family for 42 months.</p>
<p>Family may elect to move to other privately owned rental housing (including a unit in another part of the Country) with Section 8 rental assistance. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. If the unit selected (bedroom size) is greater than the bedroom size of the voucher provided, and the family rent share is between 30 and 40% of adjusted income (for example, to meet the rent requested by the owner), BHA will not cover the portion over 30%, and the family may have to continue the search for housing.</p>	<p>Family may elect to move to other privately owned rental housing (including a unit in another part of the Country) with Section 8 Tenant Based rental assistance. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. If the unit selected (bedroom size) is greater than the bedroom size of the voucher, and the family rent share is between 30 and 40% of adjusted income (for example, to meet the rent requested by the owner), BHA will not cover the portion over 30%, and the family may have to continue the search for housing.</p>

Ineligible Section 8/Qualified for a 3-4 Bedroom Unit (Household 3)	Ineligible Section 8/Qualified for a 1-2 Bedroom Unit (Household 4)
<p>Family may elect to continue renting one of the 3-4 bedroom units without Section 8 rental assistance. If the family must move out while work is performed, they will receive temporary relocation benefits. The family will be eligible for rental assistance equal to the difference of 30% of adjusted monthly household income and the new rent established for the unit.</p>	<p>Family may elect to continue renting one of the 3-4 bedroom units without Section 8 rental assistance. If the family must move out while work is performed, they will receive temporary relocation benefits.</p> <p>Family will be required to pay the rent established for the unit, and because it is over-housed, will not qualify for a differential payment.</p>
<p>Family may elect to move permanently to other privately owned housing. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. In addition, if the rent the family must pay for the replacement housing is higher than the lesser of 30% of adjusted income (current income) and its rent at the time of moving (30% of income based on the then current income or Flat Rent), the family will be eligible for a differential payment for a maximum of 42 months. The differential is based on the difference between the comparable rent as stated in the Notice of Eligibility and the current rent. If the family chooses to rent a unit with a higher rent amount, they will not receive additional rental assistance.</p>	<p>Family may elect to move permanently to other privately owned housing. Family will receive financial assistance for moving expenses and referrals to new housing, if desired. In addition, if the family moves to a unit with the number of bedrooms it would qualify for (based on BHA standards) and the rent the family must pay for the replacement housing is higher than the lesser of 30% of adjusted income (current income) and its rent at the time of moving (30% of income based on the then current income or Flat Rent), the family will be eligible for a differential payment for a maximum of 42 months (. The differential is based on the difference between the comparable rent as stated in the Notice of Eligibility and the current rent. If the family chooses to rent a unit with a higher rent amount, they will not receive additional rental assistance.</p>
	<p>If the family chooses to move to a home that has more bedrooms than the family would qualify for (based on BHA standards), including continuing to rent one of the 3-4 bedroom units, the family will not qualify for the 42 months of rent differential payments.</p>

What will life be like when Public Housing goes away, and I am left with Section 8 assistance?

The BHA Public Housing Program is coming to an end. The units will convert to a project-based assistance, and all the eligible families will receive rental assistance through the Section 8 rental assistance program.

This section will focus on the primary similarities and significant differences between the rental assistance you receive as a “Resident” in the Public Housing Program, and the rental assistance you will receive as a “Participant” in the Section 8 Voucher Program.

I. Similarities

	Public Housing	Section 8 Voucher
What is an “Affordable Rent”?	No difference. Rent is deemed “affordable” when set at 30% of adjusted monthly income.	
What is the minimum income required for assistance?	No difference. There is no minimum income requirement. A family with \$0 household income can qualify for assistance in either program.	
How does BHA determine Household Income?	No difference. Household income is calculated considering all income received by all household members.	
What are the eligible deductions and/or allowances?	No difference. A \$400 deduction is granted if the head of household or spouse is 62 years or older or disabled. A \$480 deduction is given for every minor (under 18) as well as any disabled adult who is a dependent (except the head of household or spouse).	
How is the size of the unit/subsidy determined (Occupancy Standard)?	No difference. One bedroom is provided for head of household (and spouse if any) and one additional bedroom is provided for every additional two people, regardless of age, sex or generation.	
Can special circumstances of disabled family members be taken into consideration when assigning occupancy standards?	No difference. BHA has a “Reasonable Accommodation” policy that allows us to grant additional bedrooms, as necessary, to accommodate the needs of a disabled family member, including providing a bedroom for a live-in aide, as verified by an appropriate professional.	

II. Differences

	Public Housing	Section 8 Voucher
What choice do I have about where I live?	Limited choice. The family could only select an appropriate size unit from available units in the BHA housing portfolio (61 LIPH or 14 RHCP units)	Complete choice. The family may select a unit (any size as long as it is not so small as to result in overcrowding) in the City of Berkeley or any City/County where a Section 8 program is administered.
How is eligibility determined?	The BHA is/was required to recertify the family for continued eligibility every year, <u>or</u> every three years if the family had elected to pay a “Flat Rent” versus an “Income based rent”.	The BHA is required to recertify the family at least once every year; no exception.
What “screening” is done of applicants?	Because BHA is/was owner/administrator, it was responsible for screening families for program eligibility (including criminal history) and suitability as a tenant.	BHA screens families for program eligibility, and checks criminal history. The owner is responsible for screening for tenancy.
What requirements are there beyond reporting household income, paying rent and complying with the rental lease?	Every household member 18 or older was required to perform 8 hours of community service each month except those that were exempt: (a) employed; (b) elderly/disabled; or (c) required to care for a minor child.	None.

	Public Housing	Section 8 Voucher
How does BHA determine the unit meets minimum standards?	The BHA is/was required to inspect the unit at least once every 12 months. In addition, units were subject to an additional inspection (REAC) by a HUD appointed inspector.	The BHA is required to inspect the unit at least once every 12 months.
How much is the rent for my unit?	There is/was no “rent” established for the units. The family paid 30% of adjusted income for rent or the Flat Rent (75% of the S8 Payment standard for the bedroom size) whichever is less.	The owner sets the “contract rent”; BHA reviews the request and determines if that amount requested is comparable to rent for similar units rented without S8 assistance. Owners may request an increase once a year (no limit), but the amount must remain comparable to the market.
Are there instances where BHA will pay a “premium” for a unit?	Not applicable.	The BHA can request approval of an “exception” payment standard, allowing it to pay more subsidy for a unit that meets the special needs of a family with a disabled member (i.e. ramps, large open space, lowered counters, etc).
How much is the security deposit?	The BHA security deposit was \$1,000 for a 3-bedroom unit and \$1,200 for a 4-bedrom unit	The amount is set by each landlord, and is typically equal to one month contract rent
Are families allowed to have pets?	BHA policy allowed small pets, but required a separate pet deposit	At the owners discretion. Certified trained service animals must be allowed.

	Public Housing	Section 8 Voucher
How much rent does the family pay to the owner?	A family paid <u>no more</u> than 30% of adjusted monthly income for rent.	A family must pay <u>at least</u> 30% of monthly adjusted income for rent; <u>may pay</u> up to 40% of adjusted monthly income when moving to a new unit if so desired; and family rent <u>can</u> increase above 40% after the first year
Is there an upper limit on family rent to owner?	The <u>most</u> a family would pay was 30% of adjusted income. The family had the option of paying the “Flat Rent”, if it was less than 30% of adjusted monthly income.	Family rent is always <u>at least</u> 30% of adjusted monthly income, and can rise as high as 100% of the rent to the owner if family has adequate income.
What happens if my household changes and I need a smaller or larger unit?	If the portfolio included a wider range of bedroom sizes (1 or 2 bedroom units) BHA would have placed the family on a transfer list and required relocation to an appropriate size unit within the project, when/if one became available. Absent appropriately sized units, families were allowed to remain “over-housed”.	The family has the option of (a) remaining in the unit and possibly paying a larger share of the rent, or (b) moving, with rental assistance, to a unit of appropriate size in the City of Berkeley or any city where a Section 8 voucher program is administered
What happens if I or a member of my household needs wheel chair accessibility or other modification to address a disability?	BHA has a small number of wheelchair accessible units; families needing the accessibility features had first preference for the units. BHA also had an obligation, within reason, to modify a unit (at BHA expense) to accommodate the needs of the disabled resident.	Owners have an obligation to allow a family to make modifications (at the family expense) to the unit. Families also have the ability to move with assistance to another unit that better meets the needs of the disabled family member.

	Public Housing	Section 8 Voucher
How much is the allowance for basic utilities?	By HUD regulation, the allowance is based upon average cost for “low-income” residents in the jurisdiction.	By HUD regulation, the allowance is based on the average rate in the community at large.
	In both programs, a family may qualify for a utility reimbursement (monthly payment from BHA to the family to help with payment for basic utilities) if adjusted monthly income is less than the utility allowance.	
Who is responsible for maintenance/repairs?	Maintenance is/was the responsibility of the BHA. HUD monitors/evaluates BHA based on 24-hour response time for emergencies and 72-hour response time for all other repairs.	Maintenance is the responsibility of the owner. Life safety fail items must be corrected within 24-hours. Other repairs must be corrected within 30-days.
Who is responsible for property management?	BHA is/was responsible for managing the rental assistance, and managing the property.	The landlord is responsible for managing the property, including addressing any concerns raised by residents, neighbors, etc.
What rights do families have in resolving grievances/appeals?	A family has/had two opportunities for an administrative resolution of grievances. The first is a Settlement Conference, followed by an Informal Hearing.	There is one level of appeal: the Informal Hearing.
Is there a limit on how many years I can be assisted?	No term limits. A family may continue to receive assistance as long as they remain income eligible, and comply with all program requirements.	No term limits, however, to continue receiving assistance a family must comply with all program requirements, and qualify for at least \$1 monthly subsidy. The family is terminated from the program if the family rent portion equals the total contract rent for 6 consecutive months.

	Public Housing	Section 8 Voucher
What happens when assistance is terminated?	Termination from Public Housing ends the rental subsidy AND necessitates the family vacating the unit.	Termination of the Section 8 Housing Choice Voucher terminates rental assistance, but the family can only be evicted from the property by the landlord, in accordance with the Good Cause for Eviction ordinance.

For more information go to the BHA website www.cityofberkeley.info/BHA or contact Kathleen Sims, Project Manager at (510) 428-1227.