

Senate Moves Ahead to Mark-Up THUD Bill

Public Housing Feels Impact of Flat Funding

In a break with tradition, FY 2017 Appropriations bills are starting in the Senate this session. The House, the chamber that typically begins work on spending bills has reached an impasse in its Budget Committee after weeks of internal debate over the spending levels in the proposed 2017 budget resolution. That impasse has not allowed the House Budget Committee to establish a top-line number for overall FY 2017 discretionary spending that, once agreed to by the Senate, guides the spending for each chambers' 12 appropriations committees.

Congress agreed to the Bipartisan Budget Agreement (BBA) of 2015 that set top-line spending levels for fiscal years 2016 and 2017 at \$1.070 trillion. But in spite of that agreement, a group of fiscal hawks in the House have taken a hard-line stance against the agreed-to spending levels and to efforts to pass a budget resolution at that level. These fiscal conservatives would like to see deeper cuts to non-Defense discretionary spending. They appear willing to hold the appropriations process "hostage" until their demands are met. This internal House debate has stymied efforts to restore "regular order" to the Appropriations after several years of bruising budget fights. Rather than wait any longer for the House, the Senate decided to begin work on its spending bills based on the top-line spending numbers provided by the BBA. The Senate is also concerned about this year's shortened legislative calendar. Both political parties have scheduled their presidential-election conventions in the middle of summer, so spending bills will necessarily need to be completed and passed through their full committees by July.

Senate THUD

With no budget resolution as new guidance, the Senate made its own decisions about how to stretch the \$1.070 trillion cap among

On the Hill



NAHRO President Steve Merritt and PHADA President Nancy Walker flank U.S. Senator Deb Fischer (R-NE) at an April 12 Senate briefing on SHARP. The event, along with a similar briefing on the House side, was held during NAHRO's recent legislative conference. Senator Fischer is a lead sponsor of the legislation. See page 2 for more information.

top priorities in its 12 appropriations committees. The Senate distribution saw a funding reduction of \$827 million in the THUD budget below the level made available for FY 2016. This funding gap could be ameliorated by a higher than expected level of FHA receipts of approximately \$400 million. This leaves an approximate \$300 million funding shortfall for FY '17 that when added to the anticipated higher

See "THUD Bill" continued on page 12

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CONVENTION &
EXHIBITION**

May 22–25, 2016
Las Vegas, Nevada
Planet Hollywood Hotel

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See page 8 for
convention details.



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511 Capitol Court NE, Washington, DC 20002
Phone: 202-546-5445 Fax: 202-546-2280
www.phada.org

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Executive Director
Laurinburg Housing Authority
1300 Woodlawn Street/POB 1437
Laurinburg, NC 28353
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POB 153
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315 789 8010

Secretary
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Niagara Falls Housing Authority
744 Tenth Street
Niagara Falls, NY 14301
(716) 285-6961

Parliamentarian
Bernadine H. Spears
Executive Director
HA of the City of Odessa
124 E 2nd Street
Odessa, TX 79761
(432) 333-1088

Sergeant at Arms
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Houston Housing Authority
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Contributing Writers: Jim Armstrong • Tim Kaiser • Kathi Whalen • Crystal Wojciechowski
Jonathan Zimmerman

President's Forum: A Report on Recent Washington Visits

SHARP Legislation, Burdensome Regulations the Major Focus



PHADA President Nancy Walker with
the SHARP bill's lead House sponsor,
Rep. Steven Palazzo (R-MS).

Like hundreds of other housing professionals, I was in Washington the week of April 10 for NAHRO's productive and timely Legislative Conference. I was glad to be able to connect with NAHRO President Steve Merritt (Norwood, MA) on a couple of matters of mutual concern to our organizations, and was able to use the time to meet with some key lawmakers and congressional staff, as well as HUD officials including Principal Deputy Assistant Secretary Lourdes Castro Ramirez.

What follows is a brief report on my time in Washington.

SHARP Events on Capitol Hill

NAHRO and PHADA worked jointly to coordinate forums to showcase the Small Housing Reform Proposal (SHARP) legislation in separate Senate and House events held on Tuesday, April 12. In the Senate, we heard from the lead sponsor, Senator Deb Fischer (R-NE), who is sponsoring the bill, S. 2292, on behalf of Nebraska HAs that have told her they desperately need relief from burdensome regulations that are exacerbated by persistent budget cuts. We also heard from the lead housing staffer for Senator Jon Tester (D-MT), another key Senate co-sponsor. I want to thank former PHADA President Cindy Naber (York NE) and all the other Nebraska HAs that worked to secure Senator Fischer's support. Similarly, we greatly appreciate the work of NAHRO's Montana delegation, who worked closely with Senator Tester.

Later in the day, there was a similar event on the House side where we were pleased to hear from the lead sponsor of the new House bill, HR 4816. Rep. Steven Palazzo (R-MS) is well suited to advocate for our cause in the House, having served as a housing agency CFO and a Deputy Director at the Biloxi, Mississippi HA. I enjoyed the chance to sit down and talk more with the Congressman about the budgetary and regulatory problems troubling our program at this particular time.

We are hoping the Capitol Hill events will help draw attention to the need for Congress to act on a SHARP bill before the end of this session, and we will be following up with the Hill staff that attended. I want to acknowledge and thank NAHRO staffer John Bohm and PHADA's Kathleen Whalen for their good efforts to produce the two

See "President's Forum" continued on page 10

HUD Issues Guidance on Final Streamlining Rule & Self-Certification of Community Service Requirements

Small Agencies Unlikely to Benefit From Purported CSSR Flexibilities

On March 8, 2016, the Department of Housing and Urban Development issued a long-awaited final streamlining rule. PHADA has reported in detail on the final streamlining rule in previous editions of the Advocate. In the final rule, HUD made it very clear that they intended to issue guidance related to many provisions. On April 7, 2016, the Department's Office of Public and Indian Housing (PIH) issued two notices that include extensive guidance on all of the mandatory and discretionary streamlining provisions in the final rule.

- PIH Notice 2016-05 – Streamlining Administrative Regulations for Programs Administered by Public Housing Agencies (“Streamlining Provision Notice”)
- PIH Notice 2016-06 – Administering the Self-Certification Flexibility when Verifying Community Service and Self-Sufficiency Requirement (CSSR) Compliance (“CSSR Notice”)

The Streamlining Provision Notice is straightforward and agencies should find it helpful. Each streamlining provision includes its own attachment in the notice that details the regulation, the program(s) to which the provision applies, a description of the change, background information, the effective date and whether the provision is mandatory or discretionary. Some of the attachments also provide some helpful examples as to how the provision could be implemented.

Per the Department, housing authorities (HA) should begin the process of adopting all mandatory provisions as soon as possible. Discretionary provisions may be adopted at any time in the future. After further discussion with the Department, based on the types of revisions required to implement any of the streamlining provisions, agencies will be required to update Administrative Plans, Admission and Continued Occupancy Policies (ACOP) and revise Annual and 5-Year Plans. As a result, agencies are required to be in compliance with the amendment provisions located in 24 CFR 903.21. Those provisions require, among others obligations, the solicitation of public comment and consultation with resident advisory boards. Due to this, it may be practical for agencies to implement all mandatory and elected discretionary provisions together at one time, rather than duplicate efforts at a later date.

In addition to the Streamlining Provision Notice, the Department provided guidance to the tenant self-certification for Community Service and Self-Sufficiency Requirement (CSSR) in a separate notice, PIH Notice 2016-06. The CSSR Notice cross references another notice

issued by the Department on August 13, 2015, PIH Notice 2015-12, entitled, “Administering the Community Service and Self-Sufficiency Requirement.” PIH Notice 2015-12 deals specifically with the administration of the CSSR requirement, while PIH Notice 2016-06 provides guidance specifically on administering the self-certification flexibility authorized by the final streamlining rule.

The final streamlining rule, by amending 24 CFR Subpart F, 960.605 and 960.607, permits, but does not require agencies to accept resident self-certifications for compliance with CSSR. HAs that come to a decision to implement this discretionary provision are required to:

1. Notify residents of the resident's ability to submit a self-certification; and,
2. Validate a sample of the self-certifications annually.

The Department includes examples of such notifications in the CSSR Notice.

Administration of Self-Certification Flexibility

As discussed in PIH Notice 2015-12, at annual recertifications, individual non-exempt family members present a

signed certification on a standardized form provided by the agency to detail compliance with CSSR activities performed over the previous twelve (12) months. The form includes places for signature confirmation by supervisors, instructors, and/or counselors certifying the number of hours contributed.

If a PHA elects to permit self-certifications, the Department states in the CSSR Notice that the standardized form must now include the following additional information:

- A statement (subject to penalties of perjury) that the resident has completed the number of hours listed;
- The number of hours and type of activity (community service or self-sufficiency) that the resident completed;
- The name of the organization or person for which the activity was completed;
- The address of the organization or person;
- The phone number of the organization or person; and,
- A contact person in the organization or the person for which the activity was completed.

If a resident completes their CSSR obligation for more than one organization or person during the course of a year, the resident must

While this flexibility will be very beneficial to larger agencies, it may not reduce administrative and regulatory burdens at all for others. It is extremely unfortunate, even unfair, that small agencies will not be able to benefit as much, or at all in some cases, in the streamlining provisions related to CSSR.

complete one self-certification for each organization or person for which the resident performed the CSSR activity.

Timing of Implementation of CSSR Flexibility

Implementation of these CSSR self-certification policies may not take place until ACOPs have been updated and Annual and 5-Year Plans have been revised. Once these necessary steps have occurred, agencies may begin accepting resident self-certifications. HAs must review annual compliance and obtain third-party verifications for residents under lease at the time policies were amended. However, for any subsequent lease cycles beginning after the agency has adopted

the policy change, the PHA may accept resident self-certifications for those periods.

HUD states that HAs may not accept resident self-certifications for tenants subject to a work-out agreement until the resident has completed, and the HA has verified through a third party, that the resident has completed the required hours.

Sampling Methodology of Self-Certifications

The flexibilities afforded by the self-certification of CSSR provision in the final streamlining rule could be extremely beneficial to agencies hoping to decrease administrative and regulatory burdens. PHADA was pleased to see that this provision was retained in the final rule. However, the Department's guidance related to the required validation sample is disappointing. Section 6 of the CSSR Notice provides great detail as to how the Department expects agencies to validate a "statistically valid, random sample." Attachment C (there is a typo in the notice which states Attachment D, but it is actually Attachment C) in the notice gives further details. Attachment C includes a chart that designates the required sample size that an agency should validate (see the table above).

For example, a small agency with less than 250 age eligible residents would be required to validate, through third party verification, a sample size of 54 self-certifications. A larger HA of greater than or equal to 7,000 age eligible residents would be required to validate 68 self-certifications. While this flexibility will be very beneficial to larger agencies, it may not reduce administrative and regulatory burdens at all for others. It is extremely unfortunate, even unfair, that small agencies will not be able to benefit as much, or at all in some cases, in the streamlining provisions related to CSSR. Particularly due to the fact that this is one of the only provisions that could actually provide a measure of relief to agencies, the modest provisions of the streamlining rule have become even more unremarkable.

It is unclear how the Department arrived at the sample size numbers listed above; 24 CFR § 960.605 and § 960.607 both discuss the validation of a sample of self-certifications, but do not define what kind of sample is required. The definition of "quality control sample" is defined in the Housing Choice Voucher Program very clearly. For example, per 24 CFR § 985.2, annually, within a universe of 50 or less files or records drawn and reviewed, an agency is only required to sample five. Further, the PHAS Interim Rule defines "Statistically Valid Sample" as a "scientific sampling performed in a rigorous, random manner." Neither regulation leads PHADA to believe that an agency with 50 age eligible residents, would be required to complete a sample size of 29, or 58 percent of the universe of eligible residents. The sample as detailed in the Department's guidance is so excessive in some cases that it negates any potential streamlining of administrative burdens. PHADA intends to follow up with the Department regarding its method to arrive at the sample sizes included in Attachment C. The Association will continue to urge the Department and Congress to streamline program requirements and further deregulate agencies through such efforts at the Moving to Work (MTW) program and the Small Housing Authority Reform Proposal (SHARP) due to the harsh budget realities now and likely into the future. ■

Universe Size	Sample Size AT LEAST
≤10	All
15	13
20	16
25	19
30	21
35	24
40	26
50	29
60	33
100	41
150	47
200	51
250	54
300	56
350	57
400	58
450	59
500	60
600	61
700	62
800	63
900	63
1000	64
1500	65
2500	66
3500	67
4000	67
5000	67
6000	67
6500	67
≥7000	68

PHADA and Other National Groups Meet with Senior Senate Staff in Support of HOTMA

On February 2, 2016, the U.S. House of Representatives approved the Housing Opportunity Through Modernization Act of 2015 (H.R. 3700) by a unanimous vote of 427–0. The bill contains five titles covering a range of programs including but not limited to: Public Housing, Section 8 tenant-based voucher and Project-Based Section 8 Rental Assistance, HUD-Veterans Affairs Supportive Housing (HUD-VASH), Family Unification Program (FUP), Continuum of Care, Emergency Solution Grants, and rural housing programs.

On March 16, PHADA and 31 other national organizations sent a letter urging Senate passage of the bill to Sen. Richard Shelby, Chairman of the Senate Committee on Banking, Housing and Urban Affairs, Sen. Sherrod Brown, Ranking Member of the Committee and to Senate Majority Leader, Mitch McConnell, and Senate Minority Leader, Harry Reid.

On April 7, PHADA joined a host of other national organizations and met with senior staff both in the majority and minority on the Senate Banking, Housing and Urban Affairs Committee in support of the Housing Opportunities through Modernization Act” (H.R. 3700).

The joint-letter states, “Our nation faces tremendous housing needs. This legislation is an important step forward to address a number of significant items that have enjoyed broad consensus over the years. There is more to be done to address housing and community development needs, but H.R. 3700 represents solid progress in the right direction. If enacted, this bipartisan bill would build on the effectiveness of federal rental assistance while achieving some modest savings.” HAs are encouraged to sign onto a similar letter in their respective States to send to their U.S. Senators.

Related Resources

- PHADA’s Detailed Summary of the Housing Opportunity Through Modernization Act of 2015 (H.R. 3700) as amended and passed by the U.S. House of Representatives on February 2, 2016 (<http://bit.ly/1WKVAuJ>)
- *House of Reps. Pass Housing Opportunity Through Modernization Act of 2015* (www.phada.org/news.php?id=2429) ■

PHADA’s Detailed Summary of the <i>Housing Opportunity Through Modernization Act of 2015</i> (HR 3700) as amended and passed by the U.S. House of Representatives on February 2, 2016		
Sec 102	Income reviews	<p><u>Definition of Annual Adjusted Income:</u></p> <ul style="list-style-type: none"> • <u>Elderly/Disabled Household Allowance</u> - raises the standard deduction for elderly and disabled families from \$400 to \$525 a year and indexed for inflation in \$25 increments • <u>Dependent Deduction</u> - the standard dependent deduction for (each minor, full-time student, or person who is 18 years or older with disabilities) would remain at \$480 a year and would be indexed for inflation in \$25 increments • <u>Threshold for Unreimbursed Medical and Handicap Expenses</u> - raises the threshold for calculating unreimbursed health / medical and handicapped assistance expense deductions in order to count such expenses from over 3% to over 10% of gross household income • <u>Unreimbursed Childcare Expenses</u> - All unreimbursed child care expenses for preschool-age children, for before- and after care for children in school, and for other child care would be credited to households as an expense deduction <p><u>Earnings Excluded from Rent Calculations Until a Household’s Next Certification Period - Interim Recertifications, Transfers of Units and Port-Ins</u></p> <ul style="list-style-type: none"> • <u>Increases</u> – Except for first-time admission households, at any time a households’ income <u>increases</u> or deductions / allowances change by an amount estimated to be 10 percent <i>or more</i> in annual adjusted income, their <u>earned</u> income increase must be excluded for rent calculation purposes until their next certification period. The exception to this rule is that a household’s <u>earned</u> income may be considered for rent calculation purposes, if the increase corresponds to previous decreases requested and reported by the

<p>Sec 102</p>	<p>Income reviews</p>	<p>household for interim recertification purposes. An HA may elect not to conduct this review in the last three months of a certification period. Interim recertifications, transfer of units, and port-in certifications of income and rent based on a household's <u>increase</u> in <u>non-wage</u> income or changes in deductions / allowances of 10 percent <i>or more</i>, would be required for rent calculation purposes, except that an HA may elect not to conduct such review in the last three 10 months of a certification period</p> <ul style="list-style-type: none"> • <u>Decreases</u> - Except for first-time admission households, at any time a households' income <u>decreases</u> or deductions / allowances change by an amount estimated to be 10 percent <i>or more</i> in annual adjusted income, HAs' would be required to lower their rent accordingly for an interim recertifications, transfer of units, and port-in certifications of income and rent until their next certification period. The exception to this rule is that a household's <u>earned</u> income may be considered for rent calculation purposes, if the household's requested and reported income decrease and change in deductions / allowances corresponds to previous <u>earned</u> income excluded by the HA as described above for interim recertifications, transfer of units, and port-in certifications. Additionally, interim recertifications, transfer of units, and port-in certifications of income and rent based on a household's <u>decrease</u> in <u>non-wage</u> income or changes in deductions / allowances of 10 percent <i>or more</i>, would be required for rent calculation purposes • <u>Interim Recertifications for Fixed-Income Households:</u> Provides for interim recertifications only if a family requests a recertification if its income or deductions is estimated to result in a decrease in annual adjusted income of 10 percent or more (or such lesser amount as the HA may establish) or if annual income or deductions is estimated to result in a change in annual adjusted income increase by 10 percent or more. HAs may elect not to conduct such a review for income decreases of 10 percent or more in the last three months of a household's annual recertification • <u>Use of Prior Year Income:</u> In determining a household's income if 90 percent or more of a household's income is fixed ("fixed income" families), during annual recertifications or recertifications every three years at the election of an HA or owner, an HA or owner is required to use the household's income as determined by the HA or owner for the preceding year, after taking into consideration any redetermination of household income during such preceding year from interim re-examinations where their income and/or deductions resulted in a decrease or increase of 10 percent or more. • <u>Annual Recertifications for Households with Earned Income:</u> For households' annual recertifications, the bill would require HAs to use households' prior year earned income to determine their rent share for the coming year • <u>HAs' Discretion to Lower Thresholds for Household Income Decreases:</u> The bill provides HAs and owners with the discretion to set <u>lower</u> income (and deduction) thresholds for interim recertifications (than the one described above) resulting from income decreases • <u>Earned Income Disregard for Public Housing Households:</u> The bill's authors state that it would eliminate the existing Earned Income Disregard (EID) for Public Housing households
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<p>Sec 102</p>	<p>Income reviews</p>	<ul style="list-style-type: none"> • <u>Excluded Income from Department of Veteran Affairs:</u> Deferred disability benefits from the Department of Veterans Affairs that are received in a lump sum amount or in prospective monthly amounts are excluded from household income. In addition, any expenses for necessary regular aid and attendance to veterans (under Section 1521 of title 38 of US Code) from payments of pension are excluded amounts from HAs' income and rent calculations • <u>Education Incentives:</u> Exempts income of minors (except for heads of households or their spouses) and of adult dependents that are full time students, and exempts grant-in-aid or scholarship amounts used for tuition or books. Exempts income from Coverdell education accounts under Section 530 and qualified tuition programs under Section 529. Exempts student savings accounts from income as it relates to program eligibility and rent calculations • <u>Safe Harbor:</u> HAs may use other means-tested Federal programs to determine gross income • <u>Hardship Exemptions:</u> Requires HUD to promulgate regulations regarding hardship exemptions for elderly and disabled households with medical and disability expenses as well households with children who have unreimbursed childcare expenses. Under the hardship exemption, HUD's regulations must deal with impacted households who demonstrate an inability to pay calculated rents because of financial hardship. HUD's regulations must include a requirement to notify tenants regarding any changes to the determination of adjusted income based on the determination of the family's claim of financial hardship exemptions. These regulations must be promulgated in consultation with tenant organizations, industry, participants, and Health and Human Services with an adequate comment period provided for interested parties <p><u>Impact of Income and Rent Provisions on Federal Rental Assistance Programs</u></p> <ul style="list-style-type: none"> • The bill allows but does not require HUD to make appropriate adjustments to an HA's Public Housing Operating Fund formula income if the income and rent provisions (described above) result in a material and disproportionate reduction in the rental income of an HA during the first year of implementation. The Voucher program's Housing Assistance Payments is excluded from similar treatment in the bill. • The bill requires HUD to submit to Congress, in the first two years after enactment, reports identifying and calculating the impact of these income and rent provisions on costs and revenues for: 1) public housing program's; 2) Section 8 Housing Choice Voucher program and 3) Section 8 Project-Based Rental Assistance (PBRA). If such report identifies a material reduction in the net income of HAs nationwide or a material increase in the costs of funding for Section 8 Voucher or PBRA programs, HUD must include in its report to Congress the Department's recommendations for legislative changes to reduce or eliminate such a reduction
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Hotel

Planet Hollywood Hotel Las Vegas, Nevada

Overlooking the Las Vegas Strip, this high-rise hotel is a five-minute walk from the Bellagio fountains and 1.2 miles from Madame Tussauds Las Vegas wax museum. Colorful rooms feature famous movie memorabilia. Planet Hollywood offers lots of dining options which include an upscale steakhouse, casual restaurants and bars. After a day of learning and sharing information with colleagues when you are not in the educational sessions or the exhibit hall, you will be able to enjoy other hotel amenities. For more information on Planet Hollywood, visit: www.caesars.com/planet-hollywood.

Reservations & Room Rates

Register for the conference first and receive a conference code to make your hotel reservations. Reservations will not be accepted without a code.

Important Change in Registration/Hotel Accommodations Process

Hotel Reservation Policy for PHADA's 2016 Annual Convention and Exhibition **Register first then reserve your room!** Due to the unique city and venue, conference registration is required prior to making a reservation in the PHADA room block. Any reservation in the PHADA room block without a corresponding conference registration may be canceled without notice. This policy is designed to give priority to registered conference attendees and provide them with greater access to the discounted hotel room rates. Once your registration is confirmed, you will receive a code to reserve your hotel accommodations in the room block. Requests for reservations at the PHADA group rate will be accepted for registered conference attendees on a space available basis through April 15 or until the PHADA room block is sold out.

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Cut-off date: April 15*

All reservations made via the telephone call center will be assessed a fee by the hotel of \$15 per reservation.

**Based on availability*



Agenda

**Agenda items and times are subject to change*

Friday, May 20

7:00 am–8:00 am	EDEP Registration
8:00 am–5:00 pm	EDEP: Legal Issues

Saturday, May 21

7:00 am–8:00 am	EDEP Registration
8:00 am–5:00 pm	EDEP: Procurement and Contract Management

Sunday, May 22

7:30 am–6:00 pm	Conference Registration
8:00 am–9:30 am	Legislative/Regulatory Briefing
9:40 am–10:40 am	Small PHA Committee Meeting
10:50 am–11:50 am	Bollinger Committee Meeting
10:50 am–12:20 pm	Housing Committee Meeting
1:00 pm–2:30 pm	Professional Development Committee Meeting
2:30 pm–4:00 pm	Legislative Committee Meeting
4:10 pm–5:30 pm	Membership Committee Meeting
5:30 pm–7:30 pm	Welcome Reception in Exhibit Hall

Monday, May 23

7:30 am–6:00 pm	Conference Registration
7:30 am–8:15 am	Continental Breakfast in Exhibit Hall
8:15 am–10:15 am	Annual Business Session
10:15 am–5:00 pm	Exhibition Hall Open
10:30 am–12:00 pm	Education Sessions
12:05 pm–1:05 pm	Personnel Committee Meeting
1:30 pm–3:00 pm	Education Sessions
2:15 pm–3:15 pm	Finance Committee Meeting
3:15 pm–4:45 pm	Education Sessions
5:00 pm–7:00 pm	Reception in Exhibit Hall

Tuesday, May 24

7:30 am–3:00 pm	Conference Registration
7:30 am–8:15 am	Continental Breakfast in Exhibit Hall
7:30 am–12:00 pm	Exhibition Hall Open
8:00 am–9:30 am	Executive Board Meeting
8:30 am–10:00 am	Education Sessions
10:15 am–11:45 am	Education Sessions
12:00 pm–1:30 pm	Bollinger Scholarship Luncheon
1:45 pm–3:15 pm	Education Sessions
3:15 pm–conclusion	Board of Trustees Meeting
3:30 pm–5:00 pm	Education Sessions

Wednesday, May 25

7:30 am–12:00 pm	Conference Registration
7:30 am–8:15 am	Continental Breakfast
8:15 am–9:45 am	Education Session
9:45 am–11:15 am	Education Session
11:15 am–12:45 pm	Education Session
6:00 pm–8:00 pm	Closing Dinner

PHADA'S 2016 ANNUAL CONVENTION & EXHIBITION



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Reservations at the Hotel:

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(Please fill out a separate form for each registrant, including spouses)

Name	First Name for Name Badge
Housing Authority	Title
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City/State/Zip	Phone
Email address (to receive a confirmation)	

Is this your first PHADA meeting? ☐ YES ☐ NO

Do you plan to attend the Bollinger Scholarship luncheon (included in registration fee) on Tuesday, May 24? ☐ YES ☐ NO

Do you plan to attend the closing dinner (included in registration fee) on Wednesday, May 25? ☐ YES ☐ NO

☐ Please check this box if you require special services or assistance because of a disability.

Executive Director Education Program (EDEP) Registration <i>(conference registration is included)</i>	PHADA Conference Registration Only <i>(for those not taking EDEP classes)</i>	
<input type="checkbox"/> Option 1: Friday, May 20: Legal Issues—\$995 <input type="checkbox"/> Option 2: Saturday, May 21: Procurement and Contract Management—\$995 <input type="checkbox"/> Option 3: Both classes—\$1,560	After April 15 <input type="checkbox"/> Member: \$465 <input type="checkbox"/> Nonmember: \$575 <input type="checkbox"/> Spouse: \$180	On-site <input type="checkbox"/> Member: \$490 <input type="checkbox"/> Nonmember: \$600 <input type="checkbox"/> Spouse: \$190

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*Cancellations received in writing before April 15 will be refunded less a \$100.00 administrative fee. Substitutions are welcome if notified in writing. There will be no refunds after April 15. No refunds are given for no-shows.

BY SUBMITTING THIS REGISTRATION FORM YOU ARE AGREEING TO PHADA'S CANCELLATION POLICY.

EDEP registrants please note: On-site registrations are **not** accepted for the EDEP program, and class size is limited to 40 participants. You will receive confirmation of your EDEP registration from Rutgers University. If you do not receive a Rutgers confirmation, please contact the PHADA office at 202-546-5445. Refunds will only be issued to registrants who withdraw on or before April 15.

...“President’s Forum”

Continued from page 2

important Capitol Hill meetings. If you have not already done so, please ask your Representative and two Senators to sign on to the bills (S.2292 and HR 4816).

Meetings at HUD

PHADA staff and I also had a couple of meetings at the Department, focusing on some of our key regulatory concerns. When we met with officials from the Voucher Operations Division, one of the main topics we discussed was the Department’s plan to phase out Housing Quality Standards (HQS) and shift to a UPCS-type inspection program in assisted housing.

PHADA has several concerns about this new approach, the first being that this is a time of continuing deep proration of HCV admin fees, causing uncertainty and limiting capacity at many agencies. This change to a new very different inspection system could create more upheaval. We also fear that some landlords may drop out of the program if HQS is replaced with a more stringent or complicated inspection program that could increase owner repair costs. In a subsequent meeting with the Assistant Secretary, I mentioned our concerns about the level of the complexity being introduced to the inspection process. I noted that, in my home community, the rental marketplace is economically depressed with a limited number of available properties. In order to lease up units, we often have to conduct multiple inspections, which could become more problematic and create further delays if a new inspections protocol is too onerous or complicated.

HUD has shared its UPCS-V inspections protocol with the industry and we are analyzing it now. Later this month, PHADA and other representatives will be meeting with HUD REAC officials to discuss that protocol, which will also be the subject of a 250 agency demonstration program in the coming months. All this ensures that you will be hearing much more about this initiative as the year progresses.

PHADA also discussed our proposal to allow for fungibility between HAP and admin fees. Our data indicates there are about 140,000 vouchers going unused, in part, because HAs do not have sufficient resources to run the HCV program. While we are working to try and secure additional funding for administrative fees, it seems unlikely that Congress will appropriate sufficient sums due to strict caps on domestic spending. Fungibility would help address the problem and would not cost more money.

Related to this matter, we asked HUD to defer implementation of its new administrative fee formula to well beyond next January. One concern is that the new formula would create dozens of new “decliners and gainers” at a time when the whole voucher program is so unstable. The Department says it has made several changes in the rule, which may be made public in the next few months. Nevertheless, we think it would be a mistake for HUD to press the issue at this time, especially since Congress is likely to prorate the admin fee anyway (vastly lowering the number of supposed “gainers.”)

Regarding the onerous the Section 3 proposed rule, we pointed out the disconnect between small and often economically depressed areas and major metropolitan cities that have more employment sources and community partners to reach Section 3 numbers and



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goals. HUD's complex regulation unfortunately does not take this factor (and many others) into consideration. Similarly, we raised concerns about the Fair Housing Rule and Tool. We noted that small towns do not typically have public transportation, multiple schools or community resources. Still, HUD's tool requires HAs to develop plans to promote access to these types of services. PHADA's members are also very concerned about HUD's IT capacity to handle thousands of AFH submissions that will be sent in via a web-based reporting system.

We took the opportunity to brief HUD on the status of the SHARP bill, noting the legislation would free up the Department staff since they could now focus limited resources on higher risk agencies. At the very least, we asked that the Department not oppose the SHARP legislation.

Lastly, in the wake of recent HUD issuances asking HAs to consider admitting more residents with criminal backgrounds, we touched on the enhanced lease enforcement and screening that has made public housing an affordable place for families that is also safe and secure. Many of us are concerned that the recent guidance might reverse this positive trend and drive public housing back to the 1980s when federal preferences and screening limitations made many properties unsafe and undesirable. In discussion with HUD staff, I was assured that this new guidance is not intended to eliminate the ability of agencies to screen and evict those involved in criminal or drug activity but is designed to balance screening

policies with new Fair Housing regulations. Thus, PHADA will closely monitor this matter and follow up with HUD and Congress if there are any detrimental effects felt by HAs.

Conclusion

There is much going on in Washington that will shape the way we operate for quite some time to come. I felt the time spent advancing our positions and concerns was well spent, and I really appreciated the graciousness of Steve Merritt and other NAHRO leaders during the course their recent meeting. I look forward to our continued collaboration on SHARP and other important priorities.

Lastly, I would be remiss if I did not acknowledge the dedicated HUD staff, especially Principal Deputy Assistant Secretary Lourdes Castro Ramirez. We greatly appreciated the time and opportunity to meet with them and discuss the matters I have outlined above. In all of our meetings, the HUD-PIH staff was professional and engaged in open dialogue. I felt they were really listening and will attempt to at least mitigate the concerns we have brought to their attention. Further, these recent discussions reminded me that the Office of Public and Indian Housing is only one part of HUD and the Executive Branch. There is only so much they can do to address our concerns. Accordingly, PHADA will vigorously press these points with other leaders in the Department, within the rest of the Obama Administration, and on Capitol Hill too. ■

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You will receive an agenda and registration form. Keep in mind that 75 percent of the Martha's Vineyard Conference participants attended a previous Martha's Vineyard Conference so return your form soon.
You are welcome to join us in 2016! You may also call: 781-449-1360.

Photo credit: Turlach MacDonagh

...“THUD Bill”

Continued from page 1

needs in the tenant- and project-based rental assistance accounts leaves a total estimated shortfall of \$1.3 billion in the THUD budget. The Senate press release noted that its budget “adheres to the statutory spending caps recently enacted by the Bipartisan Budget Act of 2015.” It went on to state that “subcommittee allocations take into account dozens of technical adjustments across federal agencies, the largest of which include a \$4.6 billion increase in advance appropriations for veterans’ medical care, changes to offsetting receipts and collections... increased expenses to safeguard the nation’s nuclear weapons stockpile, funding necessary to renew existing rental assistance....”

Public Housing Support

The Senate THUD bill continues to draw firm financial distinctions between private and public owners of assisted housing even as those owners serve the same low-income populations, often in the very same neighborhoods. Costs associated with operating affordable housing – like the expense of replacing a broken faucet, or mowing the grass, or preparing a unit for a new tenant are remarkably similar between public housing properties and the private property across the street. The private owner, with a strong contract and opt-out ability gets fully funded for its operating costs each year. Public housing agencies, in contrast, have little more than a negotiated funding formula and no opt-out ability when Congress fails to meet

its funding obligations. This poses an existential threat to a growing number of public housing units.

Operating Fund – \$4.765 B

Senate appropriators delivered the sixth consecutive budget proration for the Operating Fund although the proration was slightly above the FY ’16 level. The FY ’17 THUD bill provides approximately 86 percent of actual need. Deep and ongoing funding prorations mean that public housing properties and the low-income families that reside there continue to be treated very differently than low-income families in other housing assisted by the federal government. Assuming this funding is attached to units per the operating funding formula, over 940,000 public housing units would be fully funded for FY ’17 – leaving another approximately 160,000 “orphaned” units without any federal operating subsidy support.

Capital Fund – \$1.925 B

The Senate apparently had too few funding resources to help slow down the deteriorating conditions at many housing agencies. The proposed funding for FY ’17 provides just 38 percent of the industry’s estimated annual capital need and only 52 percent of the annual accrual. That modest level of funding means the capital backlog continues to grow unabated. The Department’s small and equally underfunded preservation tools are no match for the ever expanding backlog. The funding orphans mentioned above are also at risk of having little of no capital subsidy. The federal government’s decision to not maintain these properties means that they will eventually need to be replaced with some form of housing voucher that



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will require substantially higher per unit costs. These costs will be pushed even higher in tight markets with fast-rising rents. Affordable public housing, once lost, will be replaced by the escalating costs of private rental housing. Poor families will have increased competition for fewer public housing units as well as fewer but more costly vouchers.

Voucher Renewals – \$18.355 B

The voucher renewals typically cover the number of vouchers currently in use. The actual proration will be determined as more program data becomes available. There are a number of carve-outs including VASH, family unification and a new mobility demonstration.

Administrative Fee – \$1.769 B

Appropriators provided slightly higher administrative fee funding bring it to a roughly 83 percent proration. The administrative fee continues to be a chokepoint for many agencies whose programs have been slowed by a combination of extraordinarily high caseloads and too few administrative staffers and inspectors.

Choice Neighborhoods – \$80 M

The Senate kept the Choice Neighborhood Initiative alive with an allocation that will likely allow two implementation grants to be funded.

General Provisions

Rental Assistance Demonstration (RAD) – The RAD program is provided \$4.0 million and the cap is raised from 185,000 units to 250,000 units.

Replacement for Reserves – Includes language again to allow agencies to establish reserves for replacements without the strict Capital Fund obligation and expenditure restrictions that limit how much agencies are able to accumulate to address major capital projects. Both Capital and Operating Funds can be contributed to an agency’s reserve.

PNA – The Senate bill again prohibits HUD from enforcing the PNA.

Salary Cap – The Senate retains the burdensome salary cap that requires enormous amounts of time and paperwork annually on the part of approximately 4,000 agencies to report detailed salary information to HUD. That effort most recently resulted in identifying six (6) agencies with “over the limit” salaries.

Energy Conservation Demonstration – The bill again includes an energy conservation program to provide agencies added incentives to address and reduce energy costs.

Regional Mobility Demonstration – The demonstration has \$11 million in voucher funding but no additional funding for implementation. Participating agencies will contribute some number of their vouchers to a pool for participating families and use their historically-low administrative fees, administrative fee reserves and funds from private entities “to provide mobility-related services.”

The Senate THUD Committee bill is now available. Excerpts are highlighted in the box below. ■

FY 2017 THUD Budget Proposals

	Estimated Need	White House	House (To be determined)	Senate Funding level/approx. proration
Operating Fund	\$5.464 B	\$5.569 B	—	\$4.675 B / 86% of need
Capital Fund	\$5.000 B	\$1.865 B	—	\$1.925 B / 52% of annual accrual or 39% of need
HCV	\$18.447 B	\$18.447 B	—	\$18.355 B / TBD
Admin Fee	\$2.122 B	\$2.077 B	—	\$1.769 B / 83% of need
CNI	\$200 M	\$200 M	—	\$80 M

THUD Bill Report Highlights

Public And Indian Housing

Committee Recommendation

The Committee recommends an appropriation of \$220,500,000 for this account, which is \$432,000 less than the budget request and \$15,000,000 more than the fiscal year 2016 enacted level. The Committee recommendation supports existing personnel, and reflects the establishment of a Working Capital Fund in fiscal year 2016 for shared service costs. The Committee directs HUD to prioritize the hiring of staff to fill critical positions in the following areas: staff for the management and oversight of Moving-to-Work PHAs; financial analysts for the Housing Choice Voucher program; and additional

staff for the Office of Policy, Programs and Legislative Initiatives to create efficiencies in program operations. The Committee directs HUD to inform the House and Senate Committees on Appropriations within 30 days of enactment of this act regarding how it is implementing the Committee’s hiring direction.

Small Public Housing Agencies – The Committee recognizes the growing demand placed on small public housing agencies across the Nation. Given this recognition, the Committee believes that small agencies may face disproportionate regulatory burdens and the Department should simplify monitoring and compliance requirements. The Committee continues to urge HUD to eliminate excessive paperwork requirements and develop opportunities to

achieve new efficiencies in management and operations for small public housing agencies.

Central Office Cost Center Fees – In 2014, the Office of Inspector General [OIG] released an audit of public housing operating and capital fund central office cost center [COCC] fees. The audit raised concerns about these fees and HUD's oversight of them. The OIG recommended that the Department: eliminate the asset management fee, revise the asset management policy to "re-federalize" the fees paid into the COCC, and create policies and procedures for the assessment and monitoring of the fees. HUD disputed the recommendations and has been working with the OIG to resolve these issues. As a result of these discussions and HUD's demonstration of the need that PHAs have for the asset management fee, OIG agreed not to pursue their recommendation to eliminate asset management fees. In addition, HUD will initiate rulemaking to re-federalize fees paid into the COCC with a goal of implementing a final rule by no later than December 2017.

The Committee has decided to take additional action and directs the Department to adhere to the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards," requirements of 2 CFR 200, and to notify the House and Senate Committees on Appropriations quarterly during fiscal year 2017 of any waivers of 2 CFR 200 it requests from the Office of Management and Budget. The Committee shares concerns expressed by HUD's Inspector General that HUD has failed to fully evaluate its fee for service model for public housing operating and capital funds. Accordingly, and consistent with the June 2014 Office of Inspector General report, HUD is directed to evaluate this model to gauge whether it is actually increasing the overall efficiency and effectiveness of administering the program and that the fee structure is reasonable. The Department is further directed to include

any necessary program changes from this evaluation as part of its fiscal year 2019 congressional justifications.

TBRA

Housing Mobility Demonstration – The Committee recommendation includes \$11,000,000 to implement a housing mobility demonstration. This demonstration is designed to help housing choice voucher residents move to lower-poverty areas and expand their access to jobs, better schools, and economic opportunity. A growing body of research highlights how moving to higher opportunity areas can have significant and positive long-term earnings and college attainment outcomes for children, and thereby make inroads at addressing generational poverty. However, many low-income residents face significant barriers to achieve or access this opportunity. Low-income families, including voucher holders, tend to be concentrated in high-poverty neighborhoods where schools may be under resourced, transportation is limited, and well-paying jobs may be scarce. However, there is very little evidence on ways housing and service providers can effectively counsel families on their options to move to low-poverty areas, or limit the barriers that prevent low-income families from moving to low-poverty areas. The recommended funding level will allow PHAs to test new strategies that enable families to successfully move to, and remain in, lower-poverty areas. The Committee expects HUD to use this demonstration to identify regulatory and administrative barriers to housing mobility and cost-effective strategies to facilitate and promote mobility. These funds may be used to deliver mobility services to families, including pre- and post-move counseling, rent deposits, as well as to offset the administrative costs of operating a mobility program.

In Memory of Jim Rice

Former PHADA Vice President and Trustee



Former PHADA Vice President and Trustee Jim Rice.

W. James Rice, 76, was born in New Jersey on July 2, 1939. He died suddenly on Wednesday, April 13, 2016. Mr. Rice held various executive positions in organizations related to community housing. He received his B.S. degree from Central State University, Wilberforce, Ohio in 1961. He was involved in Urban Housing and Development in Waterbury, Connecticut early in his career. His commitment for public service led him to run for state congressman for the State of Connecticut in the 1970s. Mr. Rice was appointed Commissioner of the Department

of Community Affairs for the State of Connecticut by Governor Ella Grasso and served in that capacity from 1975–1979. He was executive Director of the Stamford Housing Authority from 1981–1989. Mr. Rice became CEO of the Meriden Housing Authority in 1990 and held that position until his retirement in 2002. During his tenure at the Meriden Housing Authority, Mr. Rice was responsible for obtaining several million dollars in federal funding for revitalization of subsidized housing developments in Meriden as well as construction of new units to provide housing for low income families. Mr. Rice was known for his strong leadership style and instituted procedures to promote safety in the housing developments to protect the residents living there.

Mr. Rice held prominent memberships in a few housing organizations. He was a member of the National Association of Housing and Redevelopment Officials (NAHRO) and a Trustee of the Public Housing Director's Association (PHADA) for more than two decades, serving as its Vice President for Professional Development for four years. He also served as President of New England NAHRO (NERC), and served twice as President of Connecticut NAHRO (CONN NAHRO). Mr. Rice served on the Board of Directors of HAI Group, providing reliable insurance solutions and related services to the public and affordable housing community. He was Second Vice Chairman in addition to serving on several of their committees.

During his retirement, Mr. Rice continued to be involved in housing activities by serving as a consultant to various organizations. He also served as a Dispute Hearing Officer to resolve issues between housing authorities and their tenants. Mr. Rice remained involved in CONN NAHRO and was chairman of the annual CONN NAHRO conference for several years as a result of urging by other members due to his great organizational skills.

Mr. Rice was a respected advisor and mentor to many in the field of Public Housing. "Jim was well liked by many of his colleagues in PHADA," said the association's Executive Director Tim Kaiser. "Our heartfelt condolences go out to his family and friends."

At Mr. Rice's request, there was no funeral. Condolences may be sent to: The Rice Family, 59 Ansonia Road, Woodbridge, CT 06525. ■

PHADA Congratulates the 2016 Bollinger Scholarship Winner, Catira McCaskill (Charlotte, NC)



Catira Tenise McCaskill, 2016 Bollinger Scholarship winner.

PHADA is pleased to announce the winners of its annual Scholarship Programs. **Catira McCaskill** of Charlotte, NC, has been awarded the 2016 Stephen J. Bollinger Memorial Scholarship. A senior at Rocky River High School and Cadet in the Junior Reserve Officer Training Corps (JROTC), Catira is a resident of the Charlotte Housing Authority. CHA's President/CEO, Fulton Meachem, Jr., states Catira is a "natural born leader who takes pride in augmenting her potential, evidenced in her dedication to making her life and those around her better"

In her accompanying essay, she wrote about overcoming the stigma she felt growing up as a recipient of Section 8 housing: "My negative perception changed when I started high school and began to understand the power of giving; I became involved in leadership and services organizations like [JROTC], Project Unify, and Big Brothers Big Sisters.... In my opinion, The Public Housing Program embodies what I learned in these organizations... the value of giving back and impacting others' lives in a positive manner."

PHADA's 2016 Freedom & Civil Rights Scholarship has been awarded to **Joshua Robinson**, a resident of the Buffalo Municipal



Joshua Robinson, 2016 Freedom & Civil Rights Scholarship winner.

Housing Authority, in Buffalo, NY. Dawn Sanders-Garrett, BMHA Executive Director and PHADA Trustee, recommended Joshua based on his "outstanding academic achievements and excellent recommendations...." Joshua wrote in his essay that the "scholarship would afford me the opportunity to follow in [Stephen J. Bollinger's] footsteps and one day impact people's lives and society in a good way like he did."

Through the generosity of our partner, Scott Accounting & Computer Services, Inc. (SACS Software), PHADA is pleased also to honor **Chaz Colston**, winner of the 2016 SACS Software/Scott Accounting & Computer Services, Inc. Scholarship. Chaz is a resident of the Oakland Public Housing Authority in Oakland, CA, and has been an Honor Roll student at Aspire Golden State Preparatory Academy since 2013, with coursework including advanced placement Calculus. Congratulations to all three winners! ■



Chaz Colston, 2016 SACS Software Scholarship winner.



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PHADA Calendar 2016-2017

<p>May 22-25, 2016 Annual Convention & Exhibition Planet Hollywood Hotel Las Vegas, Nevada <i>EDEP courses will be held May 20-21</i></p>	<p>September 11-13, 2016 Legislative Forum Washington Court Hotel Washington, DC <i>EDEP courses to be held September 9-10</i></p>	<p>January 8-11, 2017 Commissioners' Conference Hilton Orlando, Lake Buena Vista Orlando, Florida <i>EDEP courses to be held January 6-7</i></p>	<p>April 30 - May 3, 2017 Annual Convention & Exhibition Hilton Chicago Chicago, Illinois <i>EDEP courses to be held April 28-29</i></p>
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