



Boards of Commissioners Meeting

August 23, 2016

AGENDA

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Regular Joint Meeting of the Boards of Commissioners of the Fresno Housing Authority

5pm August 23, 2016

1331 Fulton Mall, Fresno, CA 93721

Interested parties wishing to address the Boards of Commissioners regarding this meeting's Agenda Items, and/or regarding topics not on the agenda but within the subject matter jurisdiction of the Boards of Commissioners, are asked to complete a "Request to Speak" card which may be obtained from the Board Secretary (Tiffany Mangum) at 4:45 p.m. You will be called to speak under Agenda Item 3, Public Comment.

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made at least one (1) full business day prior to the meeting. Please call the Board Secretary at (559) 443-8475, TTY 800-735-2929.

5pm Board Meeting

PAGE #

1. Call to Order and Roll Call

2. Approval of agenda as posted (or amended)

3. Public Comment

This is an opportunity for the members of the public to address the Boards of Commissioners on any matter within the subject matter jurisdiction of the Boards of Commissioners that is not listed on the Agenda. At the start of your presentation, please state your name, address and/or the topic you wish to speak on that is not on the agenda. Presentations are limited to a total of three (3) minutes per speaker.

4. Potential Conflicts of Interest – *Any Commissioner who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (Gov. Code section 87105)*

5. Acknowledgement of Dr. Jorge Aguilar	
6. Consent Agenda	
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11. Closed Session	
a. Public Employment Pursuant to Government Code §54597	
b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Pursuant to Government Code § 54956.9 (b), 1 case)	
12. Report on Closed Session Matters	
13. Adjournment	

Minutes of the Regular Joint Meeting
Of the Boards of Commissioners of the
HOUSING AUTHORITIES OF THE CITY AND COUNTY OF FRESNO

Tuesday, July 26, 2016

5:00 P.M.

The Boards of Commissioners of the Housing Authorities of the City and County of Fresno met in a regular joint session on Tuesday, July 26, 2016, at the offices of HACCF, located at 1331 Fulton Mall, Fresno, California.

1. The meeting was called to order at 5:04 p.m. by Board Chair, Commissioner Jones of the Board of Commissioners of the Housing Authority of the City of Fresno. Roll call was taken by Monique Narciso, Administrative Assistant, and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: ADRIAN JONES, Chair
 RUEBEN SCOTT, Vice Chair
 STEVEN BEDROSIAN
 KARL JOHNSON
 STACY VAILLANCOURT

COMMISSIONERS ABSENT: CRAIG SCHARTON
 JORGE AGUILAR

The meeting was called to order at 5:04 p.m. by Board Chair, Commissioner Sablan, of the Board of Commissioners of the Housing Authority of Fresno County. Roll call was taken by Monique Narciso, Administrative Assistant, and the Commissioners present and absent were as follows:

COMMISSIONERS PRESENT: STACY SABLAN, Chair
 RENEETA ANTHONY, Vice Chair
 JIM PETTY
 NANCY NELSON
 LEE ANN EAGER
 VENILDE MILLER
 JOEY FUENTES

COMMISSIONERS ABSENT: None.

Also, in attendance were the following: Preston Prince, CEO/Executive Director; Tracewell Hanrahan, Deputy Executive Director; Ken Price, Baker Manock and Jensen - General Counsel; and Tiffany Mangum, Special Assistant to the CEO/Executive Director.

2. APPROVAL OF AGENDA AS POSTED (OR AMENDED)

No action taken; meeting was conducted as posted on the agenda.

3. PUBLIC COMMENT

There was no public comment.

4. POTENTIAL CONFLICTS OF INTEREST

This was the time for any Commissioner who had a potential conflict of interest to identify the item and recuse themselves from discussing and voting on the matter per Government Code section 87105.

There was no conflict of interest at this time.

5. CONSENT AGENDA

- a. Consideration of the minutes of June 21, 2016
- b. Consideration of Contract Extension – Enterprise Management Systems

Commissioner Petty asked a question regarding Commissioner Scott's request for a status update on housing residents with a criminal background. Commissioner Petty asked Staff if there would be further detail on the subject.

Tracewell Hanrahan, Deputy Executive Director, responded acknowledging that Staff will be presenting related items in upcoming Board Meetings.

Commissioner Johnson motioned for the City Board's approval of the consent agenda. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the consent agenda was approved.

Commissioner Anthony motioned for the County Board's approval of the consent agenda. This action was seconded by Commissioner Eager, and by unanimous vote of the Board of Commissioners for the County, the consent agenda was approved.

6. INFORMATIONAL

- a. HAP Pacing Report – 2nd Quarter 2016

Juan Lopez, Senior Analyst-Quality Assurance, presented the HAP Pacing Report for the 2016 second quarter. Mr. Lopez's overview consisted of the voucher utilization, the HAP utilization, the HAP reserves, and the 2016 leasing. Mr. Lopez acknowledged that staff is working diligently to increase 2016 leasing and establish strong initial leasing rates for 2017.

There was further discussion on payment standards and the fair market standard in Fresno County. Tracewell Hanrahan elaborated on the Agency processes in assessing current payment standards.

Commissioner Petty requested a Board Retreat to discuss HAP, HQS, and other HCV programs and processes in detail. Commission Anthony agreed and suggested the Board Chair add the Board Retreat discussion to the Executive Committee agenda.

Preston Prince, CEO/Executive Director gave a brief history of how the Agency developed the current payment standards.

Juan Lopez continued his presentation and acknowledged the recent public notice regarding the waitlist closure that was posted.

Commissioner Anthony requested for further detail on how the public notice was posted. Brandi Johnson, Communications Manager, gave a brief overview of the process in which the public notice was posted for the public.

Juan Lopez concluded his presentation.

b. 1st Quarter 2016 Financial Results

Emily De La Guerra, Director of Finance and Administration, presented the financial results as of March 31, 2016. Ms. De La Guerra briefly explained the Agency's operation budget and the first quarter operating results. The operating results included the operating income, the operating expenses, the non-operating expenses, the net income, and cash flows. Ms. De La Guerra concluded her presentation with the housing assistance payments and the HAP results.

c. Real Estate Development Update

Staff recommended reordering the agenda due to time constraints of guest speakers and to ensure a full quorum for the Boards. The Board Chair approved and reordered the agenda.

Note: This was item 6(f) of the posted Agenda.

Christina Husbands, Senior Manager of Planning and Community Development, provided the Boards with the real estate development update. Ms. Husbands began her presentation with giving the Boards an overview of the Yosemite Village Permaculture and Community Garden Project

Christina Husbands introduced Tom Matott, Community Food Systems Project Manager for Fresno Metro Ministry. Tom Matott provided the Boards with additional information regarding the Yosemite Village Permaculture and Community Garden Project.

There was an extensive discussion between Board Members, Staff, and Mr. Matott regarding details and funding for the project.

Keith Bergthold, Executive Director of Fresno Metro Ministry, commented on how this project is an opportunity to showcase partnership in community development.

Commissioner Miller entered the Board Meeting.

7. ACTION ITEMS – COMMISSIONERS MAY CONSIDER, APPROVE, DENY, AND/OR CONTINUE

- a. Consideration of MOU and Funding Commitment – Yosemite Village Permaculture and Community Garden Project

Note: This was item 7(c) of the posted Agenda.

Christina Husbands recommended for the Boards approval of the MOU and the funding commitment for the Yosemite Village Permaculture and Community Garden Project.

No public comment.

Commissioner Scott motioned for the City Board's approval of the MOU and funding commitment for the Yosemite Village Permaculture and Community Garden project. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the MOU and Funding Commitment was approved.

Commissioner Petty motioned for the County Board's approval of the MOU and funding commitment for the Yosemite Village Permaculture and Community Garden project. This action was seconded by Commissioner Anthony, and by unanimous vote of the Board of Commissioners for the County, the MOU and Funding Commitment was approved.

8. INFORMATIONAL

- a. Real Estate Development Update (*Continued*)

Commissioner Vaillancourt left the Board Meeting.

Note: This was item 6(f) of the posted Agenda.

Christina Husbands continued the real estate development update.

Preston Prince provided an update on the Central Office north end of the mall development. Mr. Prince also announced a potential acquisition of a site for sale.

9. ACTION ITEMS – COMMISSIONERS MAY CONSIDER, APPROVE, DENY, AND/OR CONTINUE

- a. Consideration of General Construction/Construction Management Contract – Parc Grove Commons Northeast Veterans

Note: This was item 7(a) of the posted Agenda.

Christina Husbands recommended the Boards approve the general construction and construction management contract for the Parc Grove Commons Northeast Veterans project.

No public comment.

Commissioner Scott motioned for the City Board's approval of the general construction and construction management contract for the Parc Grove Commons Northeast Veterans project. This action was seconded by Commissioner Bedrosian, and by unanimous vote of the Board of Commissioners for the City, the general construction and construction management contract was approved.

Commissioner Petty motioned for the County Board's approval of the general construction and construction management contract for the Parc Grove Commons Northeast Veterans project. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the general construction and construction management contract was approved.

- b. Consideration of General Construction/Construction Management Contract - Memorial Village

Note: This was item 7(b) of the posted Agenda.

Christina Husbands recommended the Boards approve the general construction and construction management contract for Memorial Village.

No public comment.

Commissioner Bedrosian motioned for the City Board's approval of the general construction and construction management contract for Memorial Village. This action was seconded by Commissioner Scott, and by unanimous vote of the Board of Commissioners for the City, the general construction and construction management contract was approved.

Commissioner Petty motioned for the County Board's approval of the general construction and construction management contract for Memorial Village. This action was seconded by Commissioner Fuentes, and by unanimous vote of the Board

of Commissioners for the County, the general construction and construction management contract was approved.

c. Consideration of Contract Amendment – CalPERS

Note: This was item 7(d) of the posted Agenda.

Scott Fetterhoff, Director of Human Resources & Organizational Development, recommended for the Boards' approval of the final resolutions to amend the CalPERS contracts.

No public comment.

Commissioner Scott motioned for the City Board's approval of the contract amendment for CalPERS. This action was seconded by Commissioner Johnson, and by unanimous vote of the Board of Commissioners for the City, the contract amendment was approved.

Commissioner Eager motioned for the County Board's approval of the contract amendment for CalPERS. This action was seconded by Commissioner Nelson, and by unanimous vote of the Board of Commissioners for the County, the contract amendment was approved.

10. INFORMATIONAL

a. Introduction to the 2017 Public Housing Authority Annual Plans

Note: This was item 6(c) of the posted Agenda.

Angie Nguyen, Director of Strategic Initiatives & Housing Programs, introduced the Public Housing Authority Annual Plans for 2017 to the Boards. Ms. Nguyen's presentation included the background, process, resident engagement, and the 2017 updates.

b. Procurement Overview

Note: This was item 6(d) of the posted Agenda.

Jeremy Matthews, Business Operations Analyst, presented an overview of the procurement process for the Agency. Mr. Matthews' overview included a review of the OIG Audit, basic procurement procedures, performance indicators, and upcoming contracts.

Commissioner Bedrosian left the Board Meeting.

11. COMMISSIONER'S REPORT

Note: This was item 8 of the posted Agenda.

Commissioner Anthony announced that she was appointed by the Governor to the Mental Health Oversight Committee for the State.

Commissioner Sablan requested an update on the correspondence with the U.S Department of Veteran Affairs in Fresno, CA.

12. EXECUTIVE DIRECTOR'S REPORT

Note: This was item 9 of the posted Agenda.

In addition to the written Director's report, the following items were announced:

- The Agency co-hosted with the Mayor, the Governor's Growing California By-Right event, followed by a press event on July 21, 2016.
- Preston Prince invited the Director of Interagency Council on Homelessness to visit Fresno. The invitation followed the Mayor's announcement on the final three years of the plan to End Homelessness in Fresno.
- There is a Digital Divide graduation on Thursday, July 28, 2016 at 10:30 a.m.
- National Night Out is on August 2, 2016 and nine different locations that include Del Rey, Parc Grove Fresno, Fairview Heights Fresno, El Dorado Park Fresno, Highway City Fresno, Huron, Mendota, Sanger, and Parlier.

13. CLOSED SESSION

This was item was moved to the next scheduled Board Meeting.

PUBLIC EMPLOYMENT

Pursuant to Government Code Section §54597

14. ADJOURNMENT

There being no further business to be considered by the Boards of Commissioners for the Housing Authorities of the City and County of Fresno, the meeting was adjourned at approximately 7:43 p.m.

Preston Prince, Secretary to the Boards of Commissioners

BOARD MEMO

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 6b

AUTHOR: Bobby Coulter

SUBJECT: Information Technology Policy

Executive Summary

As part of the Agency's on-going analysis of internal policies and procedures, staff will be asking the Boards of Commissioners to approve an updated Information Technology Policy. The purpose of this policy is to provide guidelines to help promote the responsible and appropriate use of Agency technology resources. The Fresno Housing Authority provides Information Technology ("IT") resources to all Agency employees. Agency staff is responsible for using such resources in an effective, efficient, and ethical manner.

This policy was last approved by the Boards of Commissioners in May 2010. Since then, significant changes have occurred in both the technology industry and the security environment that need to be incorporated into our business practices. The changes were substantial enough to justify a new policy versus a revised and redlined version. Some of the major changes of this policy include:

- Strengthening of internal controls and data security measures, including stronger passwords and privacy language,
- Incorporating recent technology changes to include new language around mobile devices and Agency-issued devices, and
- Removing language around specific software requirements to allow for increased agility in order to meet the needs of the Agency.

While IT tools are important assets to the Agency when used appropriately, misuse of these resources can put both employees and the Agency at risk. Therefore, it is prudent that the Agency provide a comprehensive Information Technology Policy that provides guidance to staff and other users of Agency technology resources.

Fiscal Impact

There is no fiscal impact.

Recommendation

It is recommended that the Boards of Commissioners approve and adopt the attached Information Technology Policy.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

RESOLUTION APPROVING THE INFORMATION TECHNOLOGY POLICY

WHEREAS, the Fresno Housing Authority (the "Agency") provides Information Technology ("IT") resources to Agency employees and affiliates; and

WHEREAS, users are responsible for utilizing IT resources in an effective, efficient, and ethical manner; and

WHEREAS, the Agency is proposing an update to the Information Technology Policy to provide guidelines to help promote the responsible and appropriate use of Agency technology resources;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno does hereby adopt and incorporate the proposed policy.

PASSED AND ADOPTED THIS 23rd DAY OF AUGUST, 2016. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF FRESNO COUNTY

RESOLUTION APPROVING THE INFORMATION TECHNOLOGY POLICY

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PASSED AND ADOPTED THIS 23rd DAY OF AUGUST, 2016. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Boards of Commissioners

Information Technology Policy

Introduction

The Fresno Housing Authority ("the Agency") provides Information Technology ("IT") resources to all Agency employees. Agency staff is responsible for using such IT resources in an effective, efficient, and ethical manner. While IT tools are important assets to the Agency when used appropriately, misuse of these resources can put both employees and the Agency at risk. Therefore, it is important that each employee reads and understands this policy.

All employees and covered entities (see "Covered Entities" below) are required to comply with this Policy. Violations of the Information Technology Policy will be reviewed for appropriate action, subject to the provisions of any applicable collective bargaining agreement, which may include termination of access to the Agency's network, termination of vendor accounts and/or contracts, blocking of offending activity, or any other reasonable, appropriate actions. The Agency does and will cooperate with all judicial and law enforcement organizations, as required.

Covered Entities

This policy applies to all representatives of the Agency with access to Agency IT resources, including;

- all subsidiaries and partnerships that require the use of Agency IT resources
- all customers, clients, employees, board members, advisors, and agents of the Agency
- all authorized third parties that require the use of and are granted access to the Agency network
- all third party operators of Information System Environments (IS Environments)

Purpose

The purpose of this policy is to provide Agency guidelines to help promote the responsible and appropriate use of Agency IT resources. Every employee has the responsibility of using IT resources in an ethical and responsible manner.

Definitions

Authorized User - One that is allowed to use the Agency IT Resources.

Communication Devices - Terminals used to send voice, video or text. (I.e. Mobile devices, desk phones,

FAX, etc.)

Confidential Information - The following are some examples of information which may be considered confidential under federal and state law (this list is by no means inclusive): information from an employee personnel or medical file or subject to the attorney-client privilege (resident, vendor) file.

Desktop Computer - A personal computer (PC) in a form intended for regular use at a single location, as opposed to a mobile laptop or portable computer.

Domain Name - A domain name is the way to identify and locate an address on the Internet. The domain name is used to send e-mail, locate website, etc.

Network Share – A location on the Agency network where official Agency business files are saved and stored.

Electronic Mail - E-mail; a means of sending and receiving messages.

Intranet - The Agency's internal website with departmental links for employees' use.

Malware - Harmful executable programs such as viruses, worms, trojans or spyware that are installed on computers without the operator's knowledge.

Personal Identifiable Information - Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, date, place of birth, mother's maiden name, etc. alone, or when combined with other personal or identifying information which may be linked or linkable to a specific individual.

Server – A computer that provides services to other computers (and their users) on a network.

Streaming – Downloading compressed, bandwidth-intensive real-time audio and/or video from the Internet to a computer.

Zip file – A Zip file contains one or more files that have been compressed to reduce file size, or stored as-is.

Laptop – PC (personal computer) intended for mobile use.

Mobile Device – Tablet computer or smart phone.

Password – User authorization code used for accessing Agency electronic devices. Also includes passcodes used for mobile devices.

Credentials – User name and password

Downloading – To copy (data) from one computer system to another, typically over the Internet.

Abbreviations

IT – Information Technology tools/systems/resources

IT Staff – Fresno Housing Information Systems and Technology department staff

PII – Personal Identifiable Information

Ownership of Systems and Data

Agency's computers, voice mail and electronic mail systems and all data stored on any of them, are and remain at all times the property of the Agency. As such, all messages, materials, software and information created, transmitted, downloaded, received or stored on Agency computers or other electronic or telephone systems are the property of the Agency. The Agency reserves the right to monitor, retrieve and read any data composed, sent or received, including, but not limited to, any message or file on its computer or electronic or voice mail systems.

Privacy

Employees, and all covered entities, should not have any expectation of privacy with respect to any use, professional or personal, of the Agency's electronic communications systems. Examples include (list is by no means inclusive): Sending e-mail on a personal mobile device while connected to any Agency-operated network, including Agency Wi-Fi; sending an e-mail from your personal email account on an agency computer.

The Agency reserves the right to access information transmitted or stored on Agency electronic communications systems without prior notice to employees. This also includes Agency communications (e-mail) sent from an employee's personal computer. Furthermore, all communications, including text and images, may be disclosed to law enforcement or other third parties without the prior consent of the sender or the receiver.

Employees should not have any expectation of privacy with respect to any use, professional or personal, of the Agency's electronic communications systems. E-mail messages are automatically stored on the Agency's network computer system and even if a message is deleted, a copy of it may exist on a backup. No employee may access or attempt to access e-mail of any other user without the required electronic access approval.

Confidentiality

All technology systems and users within The Agency must assure the highest degree of confidentiality with respect to information stored in databases utilized by the system. There shall be no exchange or

divulgence of participant information to unauthorized individuals or partner entities unless such is specifically required by law. In all cases, information regarding or residing in the IT system will only be available to others on a pre-authorized basis. Employees must exercise a much greater degree of caution in transmitting confidential information by e-mail and/or internet/intranet, because of the reduced effort that is required to redistribute such information. Confidential information must never be transmitted to anyone who is not authorized to know or receive such information.

Security Monitoring

The purpose of security monitoring is to ensure that IT security controls are in place, are effective, are not being bypassed, and are aligned with documentation of IT Policy. One of the benefits of security monitoring is the early identification of security vulnerabilities. Security monitoring is ongoing for trend analysis and usage statistics.

The Fresno Housing Information Systems Technology department (IT Staff) will randomly monitor general e-mail, fax use, location information, phone use, web activity, and other equipment use to ensure that Agency equipment is being used primarily for legitimate business purposes.

The purpose of security monitoring is to ensure that IT security controls are in place, are effective, and are not being bypassed. One of the benefits of security monitoring is the early identification of wrongdoing or new security vulnerabilities. Security monitoring is ongoing for trend analysis.

Investigating employee access to Agency IT resources (i.e., e-mail, instant messaging, Internet or employee generated data files, network shares) must be approved by the immediate supervisor or department director. If evidence of abuse is identified, notice must be provided to Agency management.

All Agency computers have anti-virus software that runs in memory and continuously monitors incoming and outgoing files and e-mail attachments.

The Agency has the right to administer any and all aspects of IT security and use including, but not limited to: monitoring sites and network shares accessed by employees; software generated audit logs, or downloaded files. Downloading, for the purposes of these policies, consists of the transfer of computer files from a resource on the Internet to any computer or network resource in the Agency network.

Customer Service Monitoring

The Agency has the right to monitor call activity, such as receptionists and staff handling resident calls for the purposes of monitoring customer service quality and identifying training needs. Approval is needed to state the purpose of the need and the length of time monitoring will be performed.

Personal Use

Personal use of Agency IT resources is permitted on a very limited basis, for instance during break or lunch periods or in emergency situations. Personal use may not interfere with the productivity of the employee or his/her co-workers. Personal use may not involve any prohibited activity described in this policy or any other Agency policy and may not disrupt or delay the performance of Agency business, consume Agency resources or otherwise deplete system resources available for business purposes.

If the personal use of the Agency electronic communications systems results in a cost to Agency, the cost must be reimbursed by the employee.

The Agency reserves the right to delete any work-related or personal electronic communication or other information on Agency IT systems in order to maintain the effective and efficient operation of the Agency system. The Agency will make every reasonable effort to notify an employee ahead of time of the content being deleted and the reason for the deletion, however there are times where deletion may occur without prior notification to the employee.

Agency Issued Devices

The Agency may provide employees mobile devices. In order to maintain a separation between non-Agency related and Agency related information, such that if an Agency device were lost, stolen or hacked into, an employee's personal information would not be at risk. There are safeguards in place to recover Agency information but not personal information.

Employees are expected to use agency issued devices in an ethical and responsible manner. Misuse of agency issued devices is a violation of this policy and may result in the revocation of the device and possible disciplinary action. The Agency reserves the right to seek reimbursement for misuse of Agency issued devices.

Thoughtful Usage

Carefully read Agency's policies including any discrimination & harassment policies, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Software Standards

In order to ensure that all Agency equipment is being used principally for work-related purposes, IT Staff will randomly audit the software usage. To ensure compatibility and compliance, all software is installed by Agency IT staff unless written authorization is received from the Agency management.

Pirated and Illegal Software

Software piracy is the unauthorized copying or distribution of copyrighted software. This can be done by copying, downloading, sharing, selling, or installing multiple copies onto a computer. Every software license that is purchased specifies how many times the software under the license can be installed. Every user installing software must read the instructions and must never exceed the number of copies permitted under the license.

The Agency follows federal, state, and local laws; therefore, anyone who fails to follow the licensing rights and exceeds the number of permitted number of installations of the software, is in direct violation of copyright laws and Agency policy.

Hardware Standards

In order to ensure that all Agency equipment is being used principally for work-related purposes, IT Staff will randomly audit the hardware usage. All Agency hardware purchases must be approved by Agency IT staff unless written authorization is received from the Agency management.

Storage Devices

Storage devices include any device used for storing files and/or data, e.g., CDs, DVDs, thumb drives, flash media, and mp3 players. Use of any removable storage media requires prior written approval from Agency management. All data stored on removable media should be encrypted and protected with a password, to prevent the release of personally identifiable or confidential information. It is imperative to report the loss or theft of removable storage devices to Agency management immediately after discovery of the loss or theft.

Security Access Devices

Some buildings, systems, and networks employ a physical security device for access, e.g., ID badges. It is essential to report the loss or theft of such devices immediately to HR Staff.

E-Mail and Instant Messaging

The purpose of this section in the policy is to ensure that the Agency's electronic mail and instant messaging systems are secured and to provide for the integrity and availability of these systems.

PII (Personal Identifiable Information) shall not be emailed outside the confines of the Agency network(s). This prohibition also applies to the forwarding of Agency files, data, PII, etc. to personal e-mail accounts.

If an employee is receiving unwanted and unsolicited e-mails, the employee shall report this activity to the IT Staff to be addressed as soon as possible. Agency will investigate each incident as necessary.

Message Storage and Disposition

The e-mail system is not designed for long-term retention of messages. E-mail retention must comply with legal requirements, but must be minimized to conserve IT resources and prevent risk or unauthorized disclosure.

If an e-mail message is an official record/documentation, it should be stored electronically on the appropriate network share. Files saved to the local hard drive of a computer are not considered secure. All messages, including the encryption of e-mail (which may be appropriate or required in some instances to secure the contents of the message) should be deleted as soon as possible.

Instant Message Use

Access to instant messaging capabilities will be permitted only upon showing a justifiable business need to the employee's immediate supervisor or department director and may be wholly or partially restricted without prior notice or consent of the user. Only Agency-approved instant messaging networks and software may be used on Agency equipment.

Transmission of Confidential Information

Electronic communications systems are not to be used to copy, send or receive copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.

Hacking

Using the network to force unauthorized entry into other IT network devices or resources is prohibited by the law and Agency policy. Unauthorized users shall not attempt to enter any server, workstation or computer with (or without) Internet access. Such an action is a violation of the Federal Electronic Communications Privacy Act (ECPA) 18 U.S.C. 2510.

Unauthorized Use of Personal Identifiable Information (P.I.I.)

Downloading, copying, e-mailing, transmitting, etc., Agency-owned data, material, information, or software in violation of any local, state, or federal law or Agency policy is prohibited.

Spamming

Agency has a no tolerance spam policy. Spamming is the abuse of electronic messaging system (including most broadcast media, digital delivery systems) to send unsolicited bulk messages indiscriminately. Employees must use Agency electronic communication means for business purposes only.

Unauthorized Connection of Personal Devices to Agency Network

Plugging in, or attaching personal electronic devices to the Agency network is prohibited without prior authorization from Agency management. This includes charging cell phone or personal mobiles devices by plugging them into Agency PC's/Laptops.

Unauthorized Downloads

Downloading games, non-authorized programs, music, and video, or playing games using unauthorized programs on Agency devices is prohibited.

Unauthorized IT Equipment Removal

Moving, altering, or replacing IT equipment without authorization from the immediate supervisor or department director is prohibited.

Streaming Media

Generally, streaming of media is prohibited from Agency computers and/or mobile devices located in the offices. Under very limited circumstances, a request to stream media from an employee's office computer or laptop may be approved by Agency management. Occasional streaming will be permitted on a case-by-case basis, whenever the content of the media is Agency business related and the video is not offered to the group in one of the Agency's conference rooms.

Remote Access to Agency Network

Remote access is available in order to provide business continuity when outside of the office. When connecting remotely, the computer equipment is an extension of the network; therefore, it is subject to the same regulations that apply to equipment at Agency offices. Authorized users of the Agency must use equipment issued by Agency. Remote access and use of non-Agency equipment is only allowed with approval from Agency Management.

Authorized users who choose to telecommute using remote network access are responsible for

selecting and subscribing to an Internet Service Provider (ISP).

Passwords

In order to provide the highest level of security, a strong password must be used by all employees. This also includes protecting those passwords and establishing the required frequency of changing passwords.

Password Use and Protection

Passwords are used for various purposes at Agency. Some of the more common uses include: user level accounts, web and e-mail accounts, screensaver protection, and voicemail. All employees who are granted access to Agency computer system will be responsible for protecting the confidentiality of their passwords. All passwords are to be treated as sensitive, confidential information. Do not reveal a password on questionnaires or security forms. All user-level and system-level passwords must conform to the guidelines described below. Sharing passwords is prohibited.

Frequency of Changing Password

All user-level passwords must be changed at least every 60 days, and may not be repeated if the password has been used in the previous 6 password changes. Passwords must not be revealed via telephone, e-mail message or any other form of electronic communications.

Remembering Password Feature

If an employee chooses to use the “remember password” feature provided with some programs, the employee accepts responsibility for the use of his/her password by anyone who uses his/her computer. It is strongly recommended that authorized users not use the remember passwords feature of applications.

Storing/Protecting Passwords

Do not write passwords down and store them anywhere in your office. Do not store passwords without encryption in a file on any computer system, including Agency-owned Mobile Devices. If an account or password is suspended or being compromised, the incident must be reported to IT Staff as soon as possible and all passwords must be changed.

Do not use the same password for Agency and non-Agency access.

Do not share your Agency passwords with anyone under any circumstances, including management,

administrative assistants, co-workers and family members.

Computer Room

Access to the Computer Room shall be limited to:

- Authorized IS/IT personnel
- Facilities staff
- Designated contractors
- Individuals authorized by the Executive Director
- Others admitted by these authorized staff members to service or repair hardware or software or building systems

No other employees can enter the computer room. Only the Executive Director, or individuals authorized in writing by the Executive Director, may have access to the computer room.

Mobile Devices

The Agency may provide mobile devices to employees in key positions who have a legitimate business need. It is the expectation of the Agency that all employees using such devices will do so responsibly and ethically. Employees must adhere to all federal, state or local rules and regulations regarding the use of cell phones. Accordingly, employees must not use cell phones while driving if law, regulation or other ordinance prohibits it.

The term “mobile device” includes, but is not restricted to, tablets, smartphones, and mobile phones.

All Agency supplied mobile devices and their contents are the property of the Agency and are subject to regular audit and monitoring. Only devices which have been built to Agency published standards and/or from approved suppliers, may be attached to the Agency data network either directly or through an Agency computer or laptop.

Employees are not authorized to change any security device settings or configuration without authority from the IT department, as they may affect the security of the device, or stop it functioning with the supplied service.

In certain business situations there may be a need to connect non-Agency owned devices to the Agency network. Such devices may be connected with prior approval from Agency management.

Because such devices contain Agency data, appropriate action must be taken to protect the device from being lost or stolen. All mobile media devices (including camera phones) must employ a PIN or alphanumeric security code and remain locked while not in use.

Bluetooth Enabled Device Rules:

- Bluetooth cannot be used to communicate with a device directly connected to the Agency network (unless through an Agency owned or leased PC).
- Bluetooth must only be used for accessing passive devices – such as hands free kits
- Bluetooth connections must be accepted from other devices with care. Ensure the recipient is known, and agree connection security criteria in advance.

Responsibility

Each and every employee, officer, and commissioner is required to abide by the provisions set forth in the Information Technology Policy. The Executive Director or his/her designee is responsible for the administration, interpretation, and application of this Policy. The Boards of Commissioners are responsible for policy adoptions and revisions

Employees are responsible for notifying a member of Agency management immediately when they believe that this policy has been violated whether it is on their system or any IT resource. Early detection is critical in minimizing damage. In addition, it is essential to report the loss or theft of such devices immediately to Agency management.

Appendix A

Acknowledgement of Receipt and Understanding of Policy

Information Technology Policy

I, _____ the undersigned, under penalty of perjury declare the following:
(Print Name)

That I have received a copy of the Information Technology Policy, that I have read and understand it, and that I agree to conduct myself in accordance with it.

I also understand that this acknowledgement will be kept in my personnel file, and that this acknowledgement may be disclosed to third parties.

Employee Signature

Date

BOARD MEMO

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www.fresnohousing.org

TO: Boards of Commissioners
 Fresno Housing Authority

FROM: Preston Prince 
 CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 7a

AUTHOR: Joseph De George
 Analyst- Quality Assurance

SUBJECT: 2017 Public Housing Agency (PHA) Annual Plans Update

Executive Summary

PHA's are governed by three prevailing policy and administration documents. The **Annual Plan** is submitted every year outlining progress on activities for the PHA. This is also an opportunity for the PHA to amend and/or include significant changes to the Agency's Five Year Plan (2015-2019) forecasted activities affecting overall mission and goals, financial and asset management, current and proposed developments, etc. The **Administrative Plan (Admin Plan)** encompasses and clarifies the policies applicable to the administration of the Housing Choice Voucher Program (HCV). Finally, the **Admissions & Continued Occupancy Policy (ACOP)**, encompasses the policies and some procedures applicable to the Low Income Public Housing Program (LIPH). Annual updates to the Admin Plan and ACOP present an opportunity to streamline processes for efficiency, consistency, and flexibility. In accordance with Section 511 of the Quality Housing and Work Responsibility Act of 1998, 24 CFR Part 903 and subsequent U.S. Department of Housing and Urban Development notices, Fresno Housing (FH) staff has prepared additional updates to the 2016 Plans for the City and County noted above.

Since the last Board presentation on July 26, 2016; updates have been made to the HCV Administrative Plan. Included is the *Streamlined Annual Reexamination for Fixed Sources of Income* as published in PIH Notice 2016-05. Changes to ACOP were made for *Criminal Background Checks* and the *Waiting List* to align with the HCV Administrative Plan.

- Attachment A: Updated Summary of 2017 Proposed Changes for Admin Plan
- Attachment B: Updated Summary of 2017 Proposed Changes for ACOP

The 45-day public comment period for the PHA Plan, which began on August 14, 2016, was announced in the Fresno Bee and posted on our website. The notice instructs the public on how they may access, review, and comment on the proposed Plan. The 45-day comment period ends on September 27, 2016.

Certificates of Consistency have been requested and confirmed/received from both the City and County of Fresno; as required by HUD.

Recommendation

Informational only.

Excerpts from current Administrative Plan

4.17 MANDATORY DENIAL OF ASSISTANCE

[24 CFR 982.553(a)]

HUD regulations require mandatory denial of assistance for the reasons listed below, with the following clarifiers:

1. **Methamphetamine** – if any member of the household has ever been convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing [24 CFR 982.553 (a)(1)(ii)(C)].
2. **Lifetime Registration** - If any member of the household is subject to a lifetime registration requirement under a State sex offender registration program [24 CFR 982.553 (a) (2)].
3. **Criminal Activity (Drug-Related)** - Any member of the household has been evicted from federally-assisted housing in the last 3 years for drug-related criminal activity. However, the HAFC will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past 3 years for drug-related criminal activity, if the HAFC is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the HAFC; or that the circumstances leading to eviction no longer exist (for example, the criminal household member has died or is imprisoned) [24 CFR 982.553 (a) (1)(i)]
4. **Current illegal drug use for any household members** – if the HAFC determines that any household member is currently engaged in any illegal use of a drug [24 CFR 982.553 (a) (1) (ii) (A)].
5. **A pattern of illegal use of a drug** – if the HAFC determines that it has reasonable cause to believe that a household member's illegal drug use or a pattern of illegal drug use may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents [24 CFR 982.553 (a) (1)(ii) (B)]. Admission will be prohibited for up to three years from the date of the offense.
6. **Alcohol Abuse** – if the HAFC determines that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents [24 CFR 982.553 (a) (3)]. Admission will be prohibited for three years from the date of the offense.

4.18 ADDITIONAL PROHIBITIONS

[24 CFR 982.552(c), 982.553(a)(2)(ii)]

The HAFC may at any time deny program assistance for any of the following reasons:

- Fraud, Bribery, or Other Corrupt or Criminal Act Within a Federal Housing Program: If any family member has committed such acts in connection with a Federal housing program [24 CFR 982.552 (c) (1) (iv)].

- Pattern of violent behavior- includes evidence of repeated acts of violence on the part of any individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.

Criminal Activity - [24 CFR 982.553] HUD permits, but does not require, the PHA to deny assistance if the PHA determines that any household member is currently engaged in, or has engaged in during a reasonable time before admission, certain types of activity.

HAFC Policy - The HAFC may prohibit admission of a household to the program if the HAFC determines that any household member has a history of any of the following prior to admission:

- a. Drug-related criminal activity; up to three years from the date of the offense.
- b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; up to three years from the date of the offense.
- c. Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the HAFC (including a HAFC employee or a HAFC contractor, subcontractor or agent); up to three years from the date of the offense.
- d. Violent criminal activity; up to five to seven years from the date of the offense, depending upon the seriousness of the crime committed.
- e. Convicted of any felony; up to three years from the date of the offense.

A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

An arrest record, however, can trigger an inquiry into whether there is sufficient evidence for a PHA to determine that a person engaged in disqualifying criminal activity, but is not itself evidence on which to base a determination. HAFC will utilize other evidence, such as police reports detailing the circumstances of the arrest, witness statements, and other relevant documentation to assist them in making a determination that disqualifying conduct occurred. Reliable evidence of a conviction for criminal conduct that would disqualify an individual for tenancy may also be the basis for determining that the disqualifying conduct in fact occurred [PIH 2015-19].

4.19 SCREENING FOR ADMISSION

[24 CFR 982.552, 982.553, 5.903, 5.905]

The HAFC is required to screen for eviction and criminal activity as part of the rental assistance program. HUD requires the HAFC to set screening standards to ensure that those persons who are prohibited from being admitted to the program will not receive assistance.

4.19.1 SCREENING STANDARDS

The screening for eviction and criminal activity will occur after an applicant family has been pulled from the waiting list. All adults (age 18 and above) in the applicant

household, including live-in aides, and all incoming families porting into the HAFC's jurisdiction must go through the screening process.

The family will be required to disclose criminal/drug-related activity for all family members at the time of completing their full application. All adult family members must submit a signed Criminal Background Consent form. During the criminal background checks, the HAFC will also check for persons subject to a lifetime registration requirement under a State sex offender registration program.

When conducting a background check the HAFC will obtain the following reports:

- Credit report
- Eviction report
- Criminal background report
- Sex offender report

4.19.2 FACTORS RELEVANT TO HAFC CRIMINAL BACKGROUND & EVICTION SCREENING

Prior to making a final determination as to admission relevant to HAFC criminal background and eviction screening, the HAFC will consider factors such as disclosure, completion of rehabilitative treatment for drug-related offenses, and type and longevity of the conviction will be considered. A criminal conviction alone may not necessarily result in the denial of assistance.

4.19.3 GRIEVANCE RIGHTS WHEN HAFC DECISION IS TO DENY ADMISSION

If the HAFC obtains criminal record information from a State or local agency showing that a household member has been convicted of a crime relevant to applicant screening, the HAFC will notify the household of the proposed action to be based on the information and must provide the subject of the record and the applicant or tenant a copy of such information, and an opportunity to dispute the accuracy and the relevance of the information. This opportunity must be provided before a denial of admission on the basis of such information.

If denied as a result of the criminal background check, HAFC will send a written notification of the denial which will include:

- The reason for the denial,
- The right of an individual to review the evidence regarding his criminal background which was the basis of the denial,
- An explanation of the right to request an informal review, and
- A description of how to obtain the informal review.

The family will be given 10 business days from the date of the HAFC notice, to dispute the accuracy and relevance of the information. If the family does not contact the HAFC

to dispute the information within that 10 business day period, the HAFC will proceed with the denial action.

4.20 CONSIDERATION OF CIRCUMSTANCES

HUD authorizes the HAFC to consider all relevant circumstances when deciding whether to deny admission based on a family's past history except in the situations for which denial of admission is mandated (see Section 4.17).

In deciding whether to deny assistance because of action or failure to act by members of the family, the HAFC has [24 CFR 982.552 (c) (2)]:

1. Discretion to consider all relevant circumstances in each case, including the seriousness of the case. The HAFC will use its discretion in reviewing the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the passage of time since the family's action or failure to act.
2. When the ground for denial of assistance is related to criminal activity, such factors as disclosure of the criminal act, completion of rehabilitative treatment for drug-related offenses, and type and longevity since the conviction will be considered.
3. The HAFC may also review the family's more recent history and record of compliance, and the effects of denial of admission on other family members who were not involved in the action or failure to act [24 CFR 982.552 (c) (2) (i)].
4. The HAFC may impose a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The HAFC may permit the other members of a family to be admitted to the program [24 CFR 982.552 (c) (2) (ii)]. If the violating member is a *minor*, the HAFC may consider individual circumstances with the advice of Juvenile Court officials. The HAFC will also consider whether the culpable member is a victim of domestic violence, dating violence, or stalking.
5. In determining whether to deny admission for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the HAFC [24 CFR 982.552 (c) (2) (iii)]:
 - Will consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or
 - Has otherwise been rehabilitated successfully (42 U.S.C. 13661).
 - May require the family to submit evidence of the household member's current participation, or successful completion of a supervised drug or alcohol rehabilitation program.
6. *Reasonable Accommodation*: If denial is based upon behavior resulting from a disability, the HAFC will delay the denial in order to determine if there is an accommodation which would negate the behavior resulting from the disability in accordance with 24 CFR Part 8 of this title.
7. The HAFC will also consider whether the family disclosed the information to the HAFC when completing the certification packet.

8. If an applicant is or has been a victim of domestic violence, dating violence or stalking, this is not an appropriate basis for denial of admission, if the applicant otherwise qualifies for admission.

If the family intentionally, willingly and knowingly commits fraud or is involved in any other illegal scheme with the owner, the HAFC will deny assistance. In making this determination, the HAFC will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

4.20.1 REQUIRED EVIDENCE

The HAFC will use the concept of the preponderance of the evidence as the standard for making all denial decisions.

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

1. *Preponderance of evidence* will not be determined by the number of witnesses, but by the greater weight of all evidence.
2. *Credible evidence* may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.
3. The HAFC will pursue fact-finding efforts as needed to obtain credible evidence.

Excerpts from Current Admin Plan

CHAPTER 15: TERMINATION OF ASSISTANCE

15.1.1 GENERAL DEFINITIONS

Drug-related criminal activity (as defined in law) is the illegal manufacture, sale, distribution, or use of a drug, or the possession of a drug with intent to manufacture, sell, distribute or use the drug [24 CFR 5.100].

Violent criminal activity means any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious bodily injury or property damage [24 CFR 5.100].

Other criminal activity means any criminal activity including, but not limited to, violent criminal activity.

Currently engaged in is defined as any use of illegal drugs during the previous twelve months.

Pattern of abuse is defined as the use of a controlled substance or alcohol if there are more than three incidents during the previous 24 months. "Incident" includes but is not limited to arrests, convictions, no contest pleas, fines, and city ordinance violations.

Serious violation of the lease includes but is not limited to history of non-payment of rent, criminal or drug-related activity, damages to the unit, and serious or repeated lease infractions.

Pattern/history of lease violations is defined as 3 or more notices from the owner and/or property manager for serious or repeated lease infractions within a 24-month period.

Abusive or violent behavior toward HAFC personnel includes verbal as well as physical abuse or violence. Use of expletives that are generally considered insulting, racial epithets, or other language (written or oral) that is customarily used to insult or intimidate, may be cause for termination of assistance.

Threatened refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence.

15.3 MANDATORY TERMINATION

The HAFC **must** terminate assistance for the following reasons:

1. **Methamphetamine** – if any member of the household has ever been convicted of manufacturing or producing methamphetamine on the premises of federally assisted housing [24 CFR 982.553 (b)(1) (ii)].

2. ***Lifetime Registration:*** If any member of the household is subject to a lifetime registration requirement under a State sex offender registration program [24 CFR 982.553 (a) (2)]. The termination applies to sex offenders only.
3. ***Criminal Activity (Drug-Related)*** - Any household member has violated the family's obligation under 982.551 not to engage in drug-related criminal activity [24 CFR 982.553 (b) (1)(iii)].
4. ***Current Illegal Drug Use for Any Household Members:*** if any household member is currently engaged in any illegal use of a drug [24 CFR 982.553 (b) (i) (A)].
5. ***A Pattern of Illegal Use of a Drug*** – if the HAFC determines that a pattern of illegal use of a drug by any household member interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents [24 CFR 982.553 (b) (i) (B)].
6. ***Alcohol Abuse*** – if the HAFC determines that a household member's abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents [24 CFR 982.553 (b) (3)].
7. ***Criminal Activity (Violent Criminal Activity)*** - Any household member has violated the family's obligation under 982.551 not to engage in violent criminal activity [24 CFR 982.553 (b) (2)].

15.4 GROUNDS FOR TERMINATION OF ASSISTANCE

The HAFC **may** at any time terminate program assistance for a participant, for any of the following violations:

- Fraud, Bribery, or Other Corrupt or Criminal Act within a Federal Housing Program: If any family member has committed such acts in connection with a Federal housing program [24 CFR 982.552 (c) (1) (iv).
- Pattern of violent behavior- includes evidence of repeated acts of violence on the part of any individual, or a pattern of conduct constituting a danger to peaceful occupancy of neighbors.

Actual physical abuse or violence may be cause for termination of assistance.

Criminal Activity - The HAFC may terminate assistance if the HAFC determines that any household member has a history of any of the following:

- a. Drug-related criminal activity; up to three years from the date of the offense.
- b. Other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; up to three years from the date of the offense.
- c. Other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the HAFC (including a HAFC employee or a HAFC contractor, subcontractor or agent); up to three years from the date of the offense.
- d. Violent criminal activity; up to five to seven years from the date of the offense, depending upon the seriousness of the crime committed.
- e. Convicted of any felony; up to three years from the date of the offense.

A conviction for drug-related or violent criminal activity will be given more weight than an arrest for such activity.

An arrest record, however, can trigger an inquiry into whether there is sufficient evidence for a PHA to determine that a person engaged in disqualifying criminal activity, but is not itself evidence on which to base a determination. HAFC will utilize other evidence, such as police reports detailing the circumstances of the arrest, witness statements, and other relevant documentation to assist them in making a determination that disqualifying conduct occurred. Reliable evidence of a conviction for criminal conduct that would disqualify an individual for tenancy may also be the basis for determining that the disqualifying conduct in fact occurred [PIH 2015-19].

15.5 CONSIDERATION OF CIRCUMSTANCES

HUD authorizes the HAFC to consider all relevant circumstances when deciding whether to termination assistance based on a family's past history except in the situations for which termination of assistance is mandated; see *Mandatory Termination* in this Chapter.

In deciding whether to terminate assistance because of action or failure to act by members of the family; the HAFC [24 CFR 982.552 (c) (2)]:

- Has discretion to consider all relevant circumstances in each case, including the seriousness of the case. The HAFC will use its discretion in reviewing, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the length of time since the violation occurred. The HAFC may also review the family's more recent history and record of compliance, and the effects of termination of assistance on other family members who were not involved in the action or failure to act [24 CFR 982.552 (c) (2) (i)].
- May impose, as a condition of continued assistance for other family members, a requirement that family members who participated in or were culpable for the action or failure will not reside in the unit. The HAFC may permit the other members of a family to continue in the program [24 CFR 982.552 (c) (2) (ii)]. If the violating member is a *minor*, the HAFC may consider individual circumstances with the advice of Juvenile Court officials. The HAFC will also consider whether the culpable member is a victim of domestic violence, dating violence, or stalking.
- In determining whether to terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the HAFC [24 CFR 982.552 (c) (2) (iii)]:
 - Will consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or
 - Has otherwise been rehabilitated successfully (42 U.S.C. 13661).
 - May require the family to submit evidence of the household member's current participation, or successful completion of a supervised drug or alcohol rehabilitation program.
- *Reasonable Accommodation:* If termination is based upon behavior resulting from a disability, the HAFC will delay the termination in order to determine if there is an accommodation which would negate the behavior resulting from the disability in accordance with Part 8 of Title 24.

If the HAFC seeks to terminate assistance because of illegal use or possession for personal use of a controlled substance, such use or possession must have occurred within *one year* before the date that the HAFC provides notice to the family of the HAFC determination to terminate assistance.

If the family intentionally willingly and knowingly *commits fraud* or is involved in any other illegal scheme with the owner, the HAFC will terminate assistance. *In making this determination*, the HAFC will carefully consider the possibility of overt or implied intimidation of the family by the owner and the family's understanding of the events.

15.5.1 REQUIRED EVIDENCE

The HAFC will use the concept of the preponderance of the evidence as the standard for making all termination decisions.

Preponderance of evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. The intent is not to prove criminal liability, but to establish that the act(s) occurred.

1. *Preponderance of evidence* will not be determined by the number of witnesses, but by the greater weight of all evidence.
2. *Credible evidence* may be obtained from police and/or court records. Testimony from neighbors, when combined with other factual evidence, can be considered credible evidence. Other credible evidence includes documentation of drug raids or arrest warrants.
3. The HAFC will pursue fact-finding efforts as needed to obtain credible evidence.

15.5.2 NOTICE OF TERMINATION OF ASSISTANCE

In any case where the HAFC decides to terminate assistance to the family, the HAFC must give the family written notice which states:

- a. The reason(s) for the proposed termination,
- b. The family's right, if they disagree, to request an Informal Hearing to be held before termination of assistance.
- c. The date by which a request for an informal hearing must be received by the HAFC.

15.5.3 TERMINATION OF ASSISTANCE BASED ON CRIMINAL RECORDS

[24 5.903 (f)]

In all cases where a criminal record or sex offender registration information would result in termination of assistance, the HAFC will notify the household in writing of the proposed adverse action and will provide the subject of the record and the tenant a copy of such information and an opportunity to dispute the accuracy and relevance of the information before a termination action is taken.

The family will be given 10-business days from the date of the HAFC notice, to dispute the accuracy and relevance of the information. If the family does not contact the HAFC to dispute the information within that 10-business day period, the HAFC will proceed with the termination action.

Summary of Proposed Changes 2017 Admissions and Continued Occupancy Policy (ACOP) Effective January 1, 2017

Below is a summary of the proposed changes to be incorporated into the 2017 Admissions and Continued Occupancy Policy (ACOP) regarding the policies for the programs.

Eligibility, Selection and Admissions Policies

Update policies for optional and/or mandatory changes per the final rule published in PIH Notice 2016-05 .

❖ **Earned Income Disregard**

Addition of section to differentiate the Earned Income Disallowance for eligible participants under new Streamlining Final Rule. The timeframe for eligibility has been reduced to a maximum 2 consecutive years beginning May 9, 2016. For individuals qualifying prior to May 9, 2016, the 4 year timeframe still applies.

❖ **Streamlined annual reexamination for fixed sources of income**

Update policy to allow Fresno Housing Authority (FH) to conduct a streamlined income determination for any family member with a fixed source of income. Upon request of the family, the FH must perform third party verification of all income sources. FH must continue to conduct third-party verification of deductions.

The term “fixed-income” includes income from:

- Social Security payment, to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI)
- Federal, state, local, and private pension plans; and
- Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic payments.

The determination will be made by applying a verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount. The COLA or current interest rate applicable to each source of fixed income must be obtained either from a public source or from tenant-provided, third-party generated documentation. In the absence of such verification for any source of fixed income, third-party verification of income amounts must be obtained.

This provision applies to program participants only and may be implemented at the family's next annual reexamination.

❖ **Utility Reimbursements**

Update policy to allow FH to make utility reimbursement payments quarterly, rather than monthly, if the total quarterly reimbursement payment due to a family is equal to or less than \$45 per quarter. If receiving quarterly reimbursement payments will put a hardship on the family, the family will be allowed to request for a hardship exemption, in accordance with 24 CFR 5.630(b)(2). If a family receives a hardship exemption, then FH may either reimburse the family on a monthly basis or it may make *prospective* payments to the family, on a quarterly basis.

❖ **Public housing rents for mixed families**

Update policy on calculating rent for mixed-families. A mixed family is a family whose members include those with citizenship or eligible immigration status *and* those without citizenship or eligible immigration status.

This provision changes the methodology for calculating public housing rents for mixed families by using the established flat rent applicable to the units. Currently, FH determines the maximum rent by establishing the 95th percentile of all total tenant payments (TTP) for each bedroom size. This rule eliminates an error in the current regulations and in HUD's PIC system which incorrectly reduces the rent of some mixed-families below their TTP.

When the mixed family's TTP is greater than the maximum rent, FH must use the TTP as the mixed family TTP.

This method of prorating assistance applies to new admissions and annual re-examinations.

❖ **Public Housing grievance Procedures**

Update policy to eliminate many prescriptive requirements that are not statutory. Specifically, these provisions:

- Redefines a hearing officer to include a single hearing officer or a panel of hearing officers;
- Eliminates specific procedures that a complainant must undertake to obtain a hearing;

- Eliminates the requirements related to how a FH may choose a hearing officer, including the requirement to consult with residents about FH choice for the hearing officer;
- Requires FH to incorporate policies for selecting a hearing officer in the dwelling lease and to revise the lease accordingly;
- Eliminates the provision that outlines the consequences to a complainant for failure to properly request a hearing;
- Eliminates the requirements regarding how a grievance must be submitted in the informal settlement process;
- Eliminates a provision that would require an escrow deposit by the complainant in any grievance related to tenant rent;
- Eliminates a requirement that a hearing will be scheduled only after a complainant has adequately requested a hearing, completed an informal settlement process, and paid rent due into escrow if necessary;
- Eliminates the requirement that a hearing be conducted informally;
- Requires that a written notification specifying the time, place, and the procedures governing the hearing must be delivered to the complainant and the appropriate official;
- Eliminates the requirement that a FH must make available for inspection a previous hearing officer decision for prospective complainants;
- Requirement to create a log of hearing officer decisions and make the log available to the hearing officer, prospective complainants and his representative. At a minimum, the log must include: the date of the hearing decision, the general reason for the grievance hearing (failure to pay rent, community service and self-sufficiency noncompliance, etc.) and whether the decision was in the favor of the complainant or FH.

❖ **Verification of Social Security Numbers**

Update policy to allow a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of 6 years. An extension of one additional 90-day period must be granted if FH

determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside of the control of the applicant.

If the SSN has still not been verified at the end of the initial 90-day period, then FH must determine whether a 90-day extension is merited. If it is not merited, then FH must terminate the assistance or terminate the tenancy or both of a participant and a participant's household.

If a 90-day extension is merited, then FH must either verify the SSN for the child by the end of the 90-day extension period or terminate the assistance or terminate the tenancy or both of a participant and a participant's household.

❖ **Community Service**

Update policies regarding administering community service and self-sufficiency requirements per PIH Notice 2015-12 which includes clarification and guidance on previously published PIH Notice 2009-48.

Update policies regarding administering the self-certification flexibility when verifying community service and self-sufficiency requirement per PIH Notice 2016-06.

❖ **Criminal Background Checks**

Update language to include consideration of circumstances in the application of the "look back" time period for criminal activity that may lead to denial of assistance.

Update language to provide guidance on the use of "preponderance of evidence" used to determine that the tenant, or other household member, or guest engaged in criminal activity associated with an arrest. Specifically, before a PHA or owner denies admission to, terminates the assistance of, or evicts an individual or household on the basis of criminal activity by a household member or guest, the PHA or owner must determine that the relevant individual engaged in such activity.

❖ **Waiting List**

All references to the waiting list and application process are now aligned with regulatory language and Yardi Voyager 7 system workflows.

**Summary of Proposed Changes
2017 Housing Choice Voucher (HCV) Administrative Plan
Effective January 1, 2017**

Below is a summary of the proposed changes to be incorporated into the 2017 HCV Administrative Plan regarding the policies for the programs.

Eligibility, Selection, and Admissions Policies

Updated policies for optional and/or mandatory changes per the final rule published in PIH Notice 2016-05.

❖ **Verification of Social Security Numbers**

Update policy to allow a 90-day period during which an applicant family may become a program participant, even if the family lacks the documentation necessary to verify the Social Security Number (SSN) of a family member under the age of 6 years. An extension of one additional 90-day period must be granted if FH determines that, in its discretion, the applicant's failure to comply was due to circumstances that could not reasonably have been foreseen and were outside of the control of the applicant.

If the SSN has still not been verified at the end of the initial 90-day period, then FH must determine whether a 90-day extension is merited. If it is not merited, then FH must terminate the assistance or terminate the tenancy or both of a participant and a participant's household.

If a 90-day extension is merited, then FH must either verify the SSN for the child by the end of the 90-day extension period or terminate the assistance or terminate the tenancy or both of a participant and a participant's household.

❖ **Exclusion of mandatory education fees from income**

This provision amends the definition of "income" to exclude from calculations of individual income any financial assistance received for mandatory fees and charges (in addition to tuition). Notice PIH 2015-21; implemented by FHA on November 18, 2015, provides guidance as to what constitutes such fees. The notice discusses the definitions of tuition and a fee used by the Department of Education, provides examples on calculating income, and explains how to verify fee information.

❖ **Earned Income Disregard**

Addition of section to differentiate the Earned Income Disallowance for eligible participants. The timeframe for eligibility has been reduced to a maximum 2 consecutive years beginning May 9, 2016. For individuals qualifying prior to May 9, 2016, the 4 year timeframe still applies.

❖ **Streamlined annual reexamination for fixed sources of income**

Update policy to allow Fresno Housing Authority (FH) to conduct a streamlined income determination for any family member with a fixed source of income. Upon request of the family, the FH must perform third party verification of all income sources. FH must continue to conduct third-party verification of deductions.

The term "fixed-income" includes income from;

- o Social Security payment, to include Supplemental Security Income (SSI) and Supplemental Security Disability Insurance (SSDI)
- o Federal, state, local, and private pension plans; and
- o Other periodic payments received from annuities, insurance policies, retirement funds, disability or death benefits, and other similar types of periodic payments.

The determination will be made by applying a verified cost of living adjustment (COLA) or current rate of interest to the previously verified or adjusted income amount. The COLA or current interest rate applicable to each source of fixed income must be obtained either from a public source or from tenant-provided, third-party generated documentation. In the absence of such verification for any source of fixed income, third-party verification of income amounts must be obtained.

This provision applies to program participants only and may be implemented at the family's next annual reexamination.

❖ **Family Declaration of Assets**

Removed all temporary compliance language for verifying assets equal to or less than \$5,000.

❖ **Exception Payment Standards**

Removed all temporary compliance language for *Exception Payment Standard* and added language to clarify eligibility requirements.

❖ **Family Income & Composition: regular and interim examinations**

Added discretionary language for future consideration of policy adoption to conduct an interim examination without verifying income when a new family member is added to the household. PHAs are still required to verify other aspects of the program (SSNs, criminal history, etc.) to determine the eligibility of any household additions.

❖ **Utility Reimbursements**

Update policy to allow FH to make utility reimbursement payments quarterly, rather than monthly, if the total quarterly reimbursement payment due to a family is equal to or less than \$45 per quarter. Reimbursement payments paid retroactively, must permit a family to request a hardship exemption, in accordance with 24 CFR 5.630(b)(2). If a family receives a hardship exemption, then FH may either reimburse the family on a monthly basis or it may make *prospective* payments to the family, on a quarterly basis.

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❖ **Biennial Inspections**

PIH Notice 2016-05 authorizes PHAs to conduct unit inspections every other year instead of annually. Permitting biennial inspections will reduce the administrative burden and costs by allowing PHAs to focus their inspection resources on more marginal and high-risks units.

❖ **HQS Re-inspection Fees**

The provision offers PHAs the option to establish a reasonable fee that reflects local practices to owners for a re-inspection under two circumstances:

- If an owner notifies the PHA that an owner deficiency cited in the previous inspection has been repaired and a re-inspection reveals that it has not.
- If the allotted time for the repairs has elapsed and a re-inspection reveals that any owner deficiency previously cited has not been corrected.
- Fees collected under the re-inspection fee authority will be considered unrestricted net assets.

Waiting List, Additions, and Verifications

Updated policies reflective of internal review and submissions made by the Assisted Housing Division staff and management.

❖ **Waiting List**

All references to the waiting list and application process are now aligned with regulatory language and Yardi Voyager 7 system workflows.

❖ **Voucher Extensions**

Addition of language for supervisor approval on extensions beyond 120 days with documentation.

❖ **Adult Household Additions**

Added language to allow one time exemption for single adult children 18-26 previously removed from the household within the past year to be added back to the composition. Eligibility is required before approving the addition.

❖ **Verifying Familial Relationships of persons not related by blood, marriage, adoption, or any operation of law**

The allowance of a written self-certification from the person requesting to be added explaining what benefits they provide to the family will no longer be accepted. The removal of this allowance will prevent administrative burdens of conducting multiple interims to add and remove household members. Households will continue to provide other verifiable documents to qualify for the addition of persons to the household.

❖ **Criminal Background Checks**

Updated language to include consideration of circumstance in the application of the look back time period for criminal activity that may lead to termination of assistance. Application of the consideration of circumstance will be applied according to section 15.6 of the Administrative Plan.

❖ **Criminal Background**

Specifically, before a PHA or owner denies admission to, terminates the assistance of, or evicts an individual or household on the basis of criminal activity by a household member or guest, the PHA or owner must determine that the relevant individual engaged in such activity.

HUD regulations specifically provide that termination of assistance for criminal activity must be based on a “preponderance of the evidence” that the tenant, or other household member, or guest engaged in such activity.

For these reasons, a PHA or owner may not base a determination that an applicant or household engaged in criminal activity warranting denial of admission, termination of assistance, or eviction on a record of arrest(s).

Although a record of arrest(s) may not be used to deny a housing opportunity, PHAs and owners may make an adverse housing decision based on the conduct underlying an arrest if the conduct indicates that the individual is not suitable for tenancy and the PHA or owner has sufficient evidence other than the fact of arrest that the individual engaged in the conduct. The conduct, not the arrest, is what is relevant for admissions and tenancy decisions.

An arrest record can trigger an inquiry into whether there is sufficient evidence for a PHA or owner to determine that a person engaged in disqualifying criminal activity, but is not itself evidence on which to base a determination. PHAs and owners can utilize other evidence, such as police reports detailing the circumstances of the arrest, witness statements, and other relevant documentation to assist them in making a determination that disqualifying conduct occurred. Reliable evidence of a conviction for criminal conduct that would disqualify an individual for tenancy may also be the basis for determining that the disqualifying conduct in fact occurred.

~~Application, Wait list, and Eligibility~~

~~(This section is currently under review before submission)~~ **Target Programs & Homelessness**

- ❖ Chapter on *Shelter Plus Care* has been renamed to *Continuum of Care*. The program is now part of the HEARTH ACT CoC Program, and chapter language has been update to conform to the Act and to FMCoC coordinated entry and partnerships.
- ❖ Added FSS & FUP Demo as a new targeted program: The program extends the youth 18-month time limited to match the length of the FSS contract of participation; typically 5 years.

- ❖ *Homeless Prevention and Rapid Rehousing (HPRP)* has been updated to *Homeless Programs Initiatives and Partnerships*. A chart is being utilized to describe the following programs: California Work Opportunity and Responsibility to Kids (CalWORKs) Housing Support Program (HSP), Housing Opportunities for Persons with AIDS (HOPWA), HOME Tenant Based Rental Assistance (TBRA), and Fresno Madera Continuum of Care (FMCoC) Partnerships

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 7b

AUTHOR: Angie Nguyen

SUBJECT: Current Criminal Background Policies & Procedures

Executive Summary

Staff will present on the current policies and procedures that guide our criminal background check process as described in the Agency's Administrative Plan (Admin Plan/HCV) and Admission and Continued Occupancy Policy (ACOP/LIPH). Attached you will find excerpts from the Administrative Plan (HCV); the ACOP policies & procedures mirror our Admin Plan with a few exceptions that will be covered during the staff presentation.

Included as an attachment is the HUD PIH Notice 2015-19 issued on November 2, 2015 that provides further guidance to Public Housing Agencies (PHAs) on excluding the use of arrest records in housing decisions. Our review of current policies and procedures align with the HUD issued guidance.



U.S. Department of Housing and Urban Development Office of Public and Indian Housing

Public and Indian Housing

Special Attention of:
Public Housing Agency Directors
Public Housing Hub Offices Directors
Public Housing Field Office Directors
Resident Management Corporations
All Multifamily Hub Directors
All Multifamily Program Center Directors

Notice PIH 2015-19

Issued: November 2, 2015

Expires: This notice remains in effect until amended, superseded, or rescinded.

Subject: Guidance for Public Housing Agencies (PHAs) and Owners of Federally-Assisted Housing on Excluding the Use of Arrest Records in Housing Decisions

1. Background

For the past five years HUD has been an active member of the Federal Interagency Reentry Council. This Council, made up of more than 23 Federal Agencies, meets on a regular basis to act on issues that affect the lives of those released from incarceration. An important aspect of the Reentry Council's work has been to have each Federal Agency identify and address "collateral consequences" that individuals and their families may face because they or a family member has been incarcerated or has had any involvement with the criminal justice system.¹

In 2011, former HUD Secretary Shaun Donovan issued a letter to public housing authorities (PHAs) across the country emphasizing the importance of providing "second chances" for formerly incarcerated individuals.² Secretary Donovan urged PHAs to adopt admission policies that achieve a sensible and effective balance between allowing individuals with a criminal record to access HUD-subsidized housing and ensuring the safety of all residents of such housing. A year later, Secretary Donovan encouraged owners of HUD-assisted multifamily properties ("owners") to do the same and reiterated HUD's goal of "helping ex-offenders gain access to one of the most fundamental building blocks of a stable life – a place to live." HUD has also previously stressed the troubling relationship between housing barriers for individuals with criminal records and homelessness, stating that "the difficulties in reintegrating into the community increase the risk of homelessness for released prisoners, and homelessness in turn

¹ For more information on the initiatives of the Council members, see <https://csgjusticecenter.org/nrrc/projects/firc/snapshots/>.

² Letter from Shaun Donovan, Secretary, United States Department of Housing and Urban Development, to Public Housing Authority Executive Directors (June 17, 2011), available at http://usich.gov/resources/uploads/asset_library/Rentry_letter_from_Donovan_to_PHAs_6-17-11.pdf.

increases the risk of subsequent re-incarceration.”³

At a time when an estimated 100 million (or nearly one in three) Americans have some type of criminal record,⁴ HUD remains committed to the goal of providing second chances to formerly incarcerated individuals where appropriate and to ensuring that individuals are not denied access to HUD-subsidized housing on the basis of inaccurate, incomplete, or otherwise unreliable evidence of past criminal conduct. With those aims, and in response to requests from housing providers and prospective tenants for guidance from HUD regarding the proper use of criminal records in housing decisions, HUD is issuing this notice.

2. Purpose

The purpose of this Notice is to inform PHAs and owners of other federally-assisted housing that arrest records may not be the basis for denying admission, terminating assistance or evicting tenants, to remind PHAs and owners that HUD does not require their adoption of “One Strike” policies, and to remind them of their obligation to safeguard the due process rights of applicants and tenants.

The Notice also reminds PHAs and owners of their obligation to ensure that any admissions and occupancy requirements they impose comply with applicable civil rights requirements contained in the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act of 1990, and the other equal opportunity provisions listed in 24 CFR 5.105.

Finally, the Notice provides best practices and peer examples for PHAs and owners to review.

3. HUD Does Not Require PHAs and Owners to Adopt “One Strike” Policies

HUD does not require that PHAs and owners adopt or enforce so-called “one-strike” rules that deny admission to anyone with a criminal record or that require automatic eviction any time a household member engages in criminal activity in violation of their lease. Instead, in most cases, PHAs and owners have discretion to decide whether or not to deny admission to an applicant with certain types of criminal history, or terminate assistance or evict a household if a tenant, household member, or guest engages in certain drug-related or certain other criminal activity on or off the premises (in the case of public housing) or on or near the premises (in the case of Section 8 programs).⁵

³ Guidance on Housing Individuals and Families Experiencing Homelessness Through the Public Housing and Housing Choice Voucher Programs, HUD PIH Notice 2013-15 (HA), 8 (June 10, 2013), available at <http://1.usa.gov/1afx3VY>.

⁴ Bureau of Justice Statistics, U.S. Dep’t of Justice, *Survey of State Criminal History Information Systems*, 2012, 3 (Jan. 2014), available at <https://www.ncjrs.gov/pdffiles1/bjs/grants/244563.pdf>.

⁵ HUD regulations outline the limited instances where denial of admission or termination of assistance is required in the public housing, Housing Choice Voucher and Section 8 multifamily programs. See 24 CFR Part 5, subpart I; Part 960, subpart B; Part 966, subpart A; Part 982, subpart L.

In deciding whether to exercise their discretion to admit or retain an individual or household that has engaged in criminal activity, PHAs and owners may consider all of the circumstances relevant to the particular admission or eviction decision, including but not limited to: the seriousness of the offending action; the effect that eviction of the entire household would have on family members not involved in the criminal activity; and the extent to which the leaseholder has taken all reasonable steps to prevent or mitigate the criminal activity. Additionally, when specifically considering whether to deny admission or terminate assistance or tenancy for illegal drug use by a household member who is no longer engaged in such activity, a PHA or owner may consider whether the household member is participating in or has successfully completed a drug rehabilitation program, or has otherwise been rehabilitated successfully.⁶

4. An Arrest is Not Evidence of Criminal Activity that Can Support an Adverse Admission, Termination, or Eviction Decision

Subject to limitations imposed by the Fair Housing Act and other civil rights requirements,⁷ PHAs and owners generally retain broad discretion in setting admission, termination of assistance, and eviction policies for their programs and properties. Even so, such policies must ensure that adverse housing decisions based upon criminal activity are supported by sufficient evidence that the individual engaged in such activity. Specifically, before a PHA or owner denies admission to, terminates the assistance of, or evicts an individual or household on the basis of criminal activity by a household member or guest, the PHA or owner must determine that the relevant individual engaged in such activity.

HUD has reviewed relevant case law and determined that the fact that an individual was arrested is not evidence that he or she has engaged in criminal activity. Accordingly, the fact that there has been an arrest for a crime is not a basis for the requisite determination that the relevant individual engaged in criminal activity warranting denial of admission, termination of assistance, or eviction.

An arrest shows nothing more than that someone probably suspected the person apprehended of an offense. In many cases, arrests do not result in criminal charges, and even where they do, such charges can be and often are dismissed or the person is not convicted of the crime alleged. In fact, in the 75 largest counties in the country, approximately one-third of felony arrests did not result in conviction, with about one-quarter of all cases ending in dismissal.⁸

Moreover, arrest records are often inaccurate or incomplete (e.g., by failing to indicate whether

⁶ See 24 CFR 5.852, 960.203(d), 966.4(l)(5)(vii), 982.310(h) (describing PHA and owner discretion in screening and evictions actions related to criminal activity).

⁷ See 24 CFR 5.852(e) (“admission and eviction decisions must be consistent with fair housing and equal opportunity provisions of [24 CFR 5.105]”); see also 24 CFR 960.202(c)(3), 966.6(l)(vii)(F), 982.310(h)(4), 982.552(c)(2)(v).

⁸ Brian A. Reaves, Bureau of Justice Statistics, U.S. Dep’t of Justice, *Felony Defendants in Large Urban Counties, 2009*, at 22, Table 21 (2013), <http://www.bjs.gov/content/pub/pdf/fdluc09.pdf>.

the individual was prosecuted, convicted, or acquitted), such that reliance on arrests not resulting in conviction as the basis for denying applicants or terminating the assistance or tenancy of a household or household member may result in unwarranted denials of admission to or eviction from federally subsidized housing.⁹

With respect to the Section 8 tenant-based and moderate rehabilitation programs, HUD regulations specifically provide that termination of assistance for criminal activity must be based on a “preponderance of the evidence” that the tenant, or other household member, or guest engaged in such activity. For public housing as well, applicants or tenants may not be denied admission or evicted based on mere suspicion that they, a household member, or guest has engaged in criminal activity. Where PHAs or owners seek eviction, they should be prepared to persuade a court that the eviction is justified based on sufficient evidence of criminal activity in violation of the lease.

For these reasons, a PHA or owner may not base a determination that an applicant or household engaged in criminal activity warranting denial of admission, termination of assistance, or eviction on a record of arrest(s).

Although a record of arrest(s) may not be used to deny a housing opportunity, PHAs and owners may make an adverse housing decision based on the conduct underlying an arrest if the conduct indicates that the individual is not suitable for tenancy and the PHA or owner has sufficient evidence other than the fact of arrest that the individual engaged in the conduct. The conduct, not the arrest, is what is relevant for admissions and tenancy decisions.

An arrest record can trigger an inquiry into whether there is sufficient evidence for a PHA or owner to determine that a person engaged in disqualifying criminal activity, but is not itself evidence on which to base a determination. PHAs and owners can utilize other evidence, such as police reports detailing the circumstances of the arrest, witness statements, and other relevant documentation to assist them in making a determination that disqualifying conduct occurred. Reliable evidence of a conviction for criminal conduct that would disqualify an individual for tenancy may also be the basis for determining that the disqualifying conduct in fact occurred.

5. Protecting the Due Process Rights of Applicants and Tenants

Federal law requires that PHAs provide public housing, project-based Section 8, and Section 8 HCV applicants with notification and the opportunity to dispute the accuracy and relevance of a criminal record *before* admission or assistance is denied on the basis of such record. Public housing and Section 8 applicants also must be afforded the right to request an informal hearing

⁹ See, e.g., U.S. Dep’t of Justice, *The Attorney General’s Report on Criminal History Background Checks* at 3, 17 (June 2006), http://www.justice.gov/olp/ag_bgchecks_report.pdf (reporting that the FBI’s Interstate Identification Index system, which is the national system designed to provide automated criminal history record information and “the most comprehensive single source of criminal history information in the United States,” is “still missing final disposition information for approximately 50 percent of its records”).

or review *after* an application for housing assistance is denied.

As with admissions decisions, federal law requires that PHAs provide public housing, project-based Section 8, and Section 8 HCV tenants with notice and the opportunity to dispute the accuracy and relevance of a criminal record before they evict or terminate the tenant's assistance on the basis of such record. Moreover, PHAs and owners may only terminate the tenancy or assistance of a public housing or project-based Section 8 tenant through either a judicial action in state or local court, or, in the case of a Section 8 HCV participant, through an administrative grievance hearing before an impartial hearing officer appointed by the PHA. In either case, the tenant must be afforded the basic elements of due process, including the right to be represented by counsel, to question witnesses, and to refute any evidence presented by the PHA or owner.

6. Civil Rights Requirements and Consistent Application of Procedures and Standards

PHAs and owners must ensure that any screening, eviction, or termination of assistance policies and procedures comply with all applicable civil rights requirements contained in the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act, and Titles II and III of the Americans with Disabilities Act of 1990, and the other equal opportunity provisions listed in 24 CFR 5.105. To that end, a PHA or owner should institute protocols that assure that its procedures and standards are consistently applied and that decisions are made based on accurate information. Inconsistent application of standards or decisions based on partial or inaccurate information may result in liability under federal civil rights laws. See, e.g., *Allen v. Muriello*, 217 F. 3rd 517 (7th Cir. 2000) (allegation that African American applicant for federal housing assistance was given less opportunity to contest erroneous record of criminal activity than two similarly situated white applicants established a prima facie case of discrimination under the Fair Housing Act).

7. Best Practices and Peer Examples

PHAs and owners are encouraged to adopt admissions and continuing occupancy policies based on the best practices highlighted below to guard against unwarranted denial of assistance, termination from program participation, or eviction from federally assisted housing. These best practices incorporate clear standards for using information about criminal history in an admission or continuing participation decision. PHAs and owners are also encouraged to read the Shriver Report entitled "When Discretion Means Denial: A National Perspective on Criminal Records Barriers to Federally Subsidized Housing."

Examples of PHA Best Practices on the Use of Criminal Records

A. Many PHAs have adopted written admission policies that limit their criminal record screening to assessments of conviction records.

Examples of PHA Best Practices on Screening for Criminal Activity

A. Some PHAs allow public housing and Housing Choice Voucher applicants to address and present mitigating circumstances regarding criminal backgrounds prior to admission decisions. In some cases, doing so has produced cost savings due to fewer decision appeals.

B. Some PHAs have adopted lookback periods that limit what criminal conduct is considered during the screening process based on when the conduct occurred and/or the type of conduct. For example, when screening HCV applicants, one PHA has adopted a twelve-month lookback period for drug-related criminal activity and a twenty-four month lookback period for violent and other criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents.

C. Some PHAs have adopted admission policies that enumerate the specific factors that will be considered when the PHA evaluates an individual's criminal record, including:

- a. Whether the applicant's offense bears a relationship to the safety and security of other residents;
- b. The level of violence, if any, of the offense for which the applicant was convicted;
- c. Length of time since the conviction;
- d. The number of convictions that appear on the applicant's criminal history;
- e. If the applicant is now in recovery for an addiction, whether the applicant was under the influence of alcohol or illegal drugs at the time of the offense; and
- f. Any rehabilitation efforts that the applicant has undertaken since the time of conviction.

D. Some PHAs have implemented pilot programs that allow formerly incarcerated persons who have been released from prison within the past two or three years to be added to an existing voucher of a family member if all involved agree to participate and the formerly incarcerated individual agrees to six months to one year of supportive services with nonprofit partners.

E. One PHA has hired an offender reentry housing specialist who collaborates with a formerly incarcerated individual's parole officer, landlord, and treatment provider to ensure successful reentry into the community.

Example of PHA Best Practices on Evicting and Terminating Assistance for Criminal Activity

A. Some PHAs have adopted policies that list the circumstances that will be considered prior to a termination of the lease on the basis of criminal activity, including:

- a. The seriousness of the offending action, especially with respect to how it would affect other residents;
- b. The extent of participation or culpability of the leaseholder, or other household members, in the offending action, including whether the culpable member is a minor, a person with disabilities, or a victim of domestic violence, dating violence, sexual assault, or stalking;
- c. The effects that the eviction will have on other family members who were not involved in the action or failure to act;

- d. The effect on the community of the termination, or of the PHA's failure to terminate the tenancy;
- e. The effect of the PHA's decision on the integrity of the public housing program;
- f. The demand for housing by eligible families who will adhere to lease responsibilities;
- g. The extent to which the leaseholder has shown personal responsibility and whether they have taken all reasonable steps to prevent or mitigate the offending action; and
- h. The length of time since the violation occurred, the family's recent history, and the likelihood of favorable conduct in the future.

8. Paperwork Reduction Act

The information collection requirements contained in this Notice were approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C 3501-3520). Compliance and Enforcement are covered by OMB controls numbers 2502-0205, 2577-0232, 2577-0220, 2577-0230, and 2577 - 0169. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

9. Contact Information

If you have questions regarding this Notice, please contact your local HUD Field Office.

/s/

 Lourdes Castro Ramirez
 Principal Deputy Assistant Secretary for
 Public and Indian Housing

/s/

 Edward Golding
 Principal Deputy Assistant Secretary for
 Housing

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 7c

AUTHOR: Emily De La Guerra

SUBJECT: Update on the Sierra Pointe Community

Executive Summary

As part of our on-going analysis of Agency assets, staff will be presenting an update on the Sierra Pointe community. The Sierra Pointe First-Time Homebuyers development consists of 53 manufactured homes built in southwest Fresno. The purpose of the project was to:

- Provide high-quality, affordable housing in place of aging and obsolete public housing,
- Act as a stabilizing presence within the community,
- Provide homeownership opportunities for families who would otherwise be priced-out of the private market, and
- Attract further investment in the community.

The original goal was for potential homebuyers to obtain first mortgages from private lending institutions, however due to market and lending conditions at the time, buyers could not qualify for private mortgages. Therefore, the Housing Relinquishment Fund Corporation (HRFC), utilizing HOPE III and LIHOP funds, provided first mortgages on the properties based on the homeowner's income levels. HRFC owns 51 mortgages of the 53 homes, with a principle balance of \$3,636,099 and interest rate of 5.5%. The Fresno Housing Authority, using HOPE VI grant funds, provided the second mortgage, which is deferred for 30 years with 0% interest and has a current balance of \$2,324,836. Two of the 53 homes have recently been refinanced with traditional, private lenders.

Recommendation

No action is necessary. This item is informational only.

Background Information

In 2004, the U.S. Department of Housing and Urban Development ("HUD") awarded the Authority a HOPE VI Implementation Grant for the greater revitalization of Fresno's Yosemite Village public housing development site. The Sierra Pointe homeownership development represented the third phase of

the Authority's HOPE VI revitalization plan. Under the terms of the HOPE VI Grant Agreement and Addendum, the Authority developed 44 affordable replacement units pursuant to a Section 24 Homeownership Program and 9 market rate units. Once constructed, the homes were sold between 2009 and 2010 via a direct sales program to eligible families with incomes between 60% and 80% of the area median income ("AMI") for Fresno County. To keep the units affordable homebuyers received first mortgage financing from HRFC, and received subordinate mortgages from the Fresno Housing Authority.



Overview of Sierra Pointe Homes

*Boards of Commissioners Meeting
Fresno Housing Authority
August 23, 2016*



Overview

- History of Sierra Pointe Homes
- Current Status of Loans
- Future of the Portfolio

History of Sierra Pointe Homes



- Sierra Pointe Homebuyers Program was part the Agency's HOPE VI revitalization plan.
- Purpose was to provide high-quality affordable housing, and homeownership opportunities for low-income families.
- Project included 53 manufactured homes in southwest Fresno, and were built between 2008 and 2009.

History of Sierra Pointe Homes

- The original goal was for potential homebuyers to obtain first mortgages from private lending institutions.
- To keep the units affordable homebuyers received first mortgage financing from HRFC, and received subordinate mortgages from the Authority's HOPE VI grant funds.
 - 1st Mortgages from HRFC, utilizing HOPE III and LIHOP funds
 - 2009: 53 loans totaling \$4.0 million dollars, with a 5.5% interest rate
 - Current: 51 loans totaling \$3.6 million dollars
 - 2nd Mortgages from Fresno Housing Authority, utilizing HOPE VI funds
 - 2009: 53 loans totaling \$2.3 million dollars, with a 0% interest rate
 - Current: 53 loans totaling \$2.3 million dollars
 - 3rd Mortgages from Affordable Housing Program (AHP)
 - 2009: 42 loans totaling \$420 thousand dollars
 - Current: 0 loans totaling \$0 dollars (all have been forgiven)

Current Loan Portfolio Status

- HRFC receives approximately \$22,000 monthly in principal and interest payments (\$264,000 per year)
- Status of Loans
 - 53 original borrowers
 - 2 borrowers have refinanced with private lenders
 - 51 current borrowers
 - 42 borrowers are current with all loan requirements
 - 9 borrowers are in some form of default
 - 1 has been approved for a repayment plan
 - 1 has a repayment plan in process
 - 3 are making payments without a formal repayment plan
 - 4 foreclosures impending

Future of Sierra Point Portfolio

- Retain the portfolio
- Encourage borrowers to refinance
- Divestiture

Questions or Comments?

BOARD MEMO

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Fresno, California 93721
TTY (800) 735-2929

www.fresnohousing.org

TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 7d

AUTHOR: Angie Nguyen

SUBJECT: Homeless Initiatives Update

Executive Summary

Staff will present an update regarding homeless initiatives including:

- 2016 Point in Time Count
- Resident Turnover rates at the three (3) Renaissance properties
- Mayor's Update to the Ten Year Plan and next steps to continue progress in addressing Veteran homelessness and Chronic Homelessness



Homeless Initiatives

DRAFT

August 23, 2016

2016 Point-in-Time Count

- Mobile application
 - User friendly, easing survey workflow
 - Offline and geo-location capabilities
 - Presented at the biannual National Human Services Data Consortium
 - Various communities interested in adding on additional functionality

2016 Results

- Number of unsheltered and sheltered homeless (1883) increased by 9.34% in Fresno and Madera
- Fresno – 1622 homeless persons (78% unsheltered)
 - 438 chronically homeless persons
 - 129 Veterans
 - 0 households with at least one adult and one child



Ten Year Plan Update

- Accomplishments – Coordination
 - Housing First philosophy
 - Increased outreach
 - Coordinated Entry – MAP Point at the Pov

DRAFT



Renaissance Properties

- 181 housed; 85 exited program
- Destination of those who exited:
 - 38% stable permanent housing
 - 18% temporary or institutional setting
 - 30% returned to streets or unknown
 - 14% deceased

Destinations

- Permanent
 - Rental with HCV – 15
 - Rental with no subsidy – 8
 - Family/friends – 9
- Temporary (family/friends) – 7
- Institutional (treatment, jail/prison) – 8
- Other
 - Deceased – 12
 - Homeless – 9; Refused to state - 17

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TO: Boards of Commissioners

Fresno Housing Authority

FROM: Preston Prince 
CEO/Executive Director

DATE: August 19, 2016

BOARD MEETING: August 23, 2016

AGENDA ITEM: 8a

AUTHOR: Angie Nguyen

SUBJECT: 2016 U. S. Department of Housing and Urban Development
(HUD) Continuum of Care (CoC) Funding

Executive Summary

Fresno Housing (FH) intends to submit a renewal application to the Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Program for the continued funding of the homeless assistance programs currently in operation. FH also intends to submit one (1) new proposal for funding to HUD CoC to support chronically homeless individuals.

Renewal applications to be submitted to HUD total \$2,609,386 for the following programs: two (2) legacy Shelter Plus Care programs, three (3) Renaissance programs, two (2) rapid rehousing programs for families, two (2) Homeless Management Information System and one (1) CoC Planning Costs. These applications have been submitted to the local review panel and are awaiting approval.

Based on community need as shown through data and the Ten Year Plan Update, FH has proposed a housing project to support chronically homeless individuals with term limited rental assistance and case management in the amount of \$175,163. This project is pending local recommendation from the Rank & Review Committee.

HUD requires that the Boards of Commissioners approve submission of all CoC applications. The final applications are due on September 14, 2016. FH staff will return to the Boards with an update following final submission.

Recommendation

It is recommended that the Board of Commissioners of the Housing Authority of the City of Fresno and the Housing Authority of Fresno County adopt the attached resolutions authorizing: (a) the submission of application to the U.S. Department of Housing and Urban Development for Continuum of Care program funding; (b) execution, by the CEO/Executive Director, or his designee, of any resulting contract(s), and associated amendments; and (c) to hire related personnel to administer the program(s) in accordance with the funding requirements.

Fiscal Impact

CoC regulations require a 25% cash or in-kind match for funding awarded. Although FH has submitted funding proposals, adjustments may be made through either the local review or HUD final award. Please see the attached chart for anticipated 2016 funding amounts with comparison to 2015 award and match requirements. Staff will provide fiscal impact details to the Board upon completion of HUD CoC application and award process.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION AUTHORIZING SUBMISSION OF 2016 U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT (HUD) CONTINUUM OF CARE (CoC) PROGRAM**

WHEREAS, the Fresno Housing Authority intends to submit grants for funding under the U.S. Department of Housing and Urban Development Continuum of Care Program; and,

WHEREAS, said program is intended to provide housing for homeless individuals and families residing in Fresno County; and,

WHEREAS, grant funding for varying renewal projects and proposed new project in the amount of \$2,784,549 and will collectively encompass the period of February 1, 2017 – December 31, 2018.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, hereby authorize the CEO/Executive Director or his designee to proceed with negotiation and execute all ancillary documents in connection therewith for grant submission and agreement with HUD pursuant to a CoC Program grant.

PASSED AND ADOPTED THIS 23rd DAY OF August, 2016. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Board of Commissioners

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE
HOUSING AUTHORITY OF FRESNO COUNTY

RESOLUTION AUTHORIZING SUBMISSION OF 2016 U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT (HUD) CONTINUUM OF CARE (CoC) PROGRAM

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AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Board of Commissioners



Continuum of Care Funding

August 23, 2016

Fresno Madera Continuum of Care

- 2016 Renewals - \$8.5 million
- 9 agencies – 30 programs

Renaissance Programs

Program	Units	2015 funding	2016 renewal	Difference
Alta Monte	29	\$51,918	\$51,918	\$0
Trinity	20	\$76,215	\$76,215	\$0
Santa Clara	20; 4 offsite	\$77,667	\$78,301	\$634

Rapid Rehousing - Families

Program	Units	2015 funding	2016 renewal	Difference
RRH Project	14	\$256,317	\$257,829	\$1,512
RRH A Family Home	25	\$427,513	\$431,173	\$3,660

Shelter Plus Care/Reallocation

Program	Units	2015 funding	2016 renewal	Difference
Shelter Plus Care 4	41	\$328,579	\$334,675	\$6,096
Shelter Plus Care 1	117	\$1,001,417	\$826,254	\$175,163
A Rapid Way Home – NEW	12		\$175,163	

Non Housing Programs

Program	2015 funding	2016 renewal	Difference
HMIS	\$137,700	\$137,700	\$0
HMIS Expansion	\$76,500	\$76,500	\$0
Supportive Services Coordinated Entry	\$83,547	\$83,547	\$0
CoC Planning Costs	\$227,558	\$255,274	\$27,716

Fresno Housing CoC Funding

Project Name	2015 Application	2015 Final Award	Amount Difference	2016 Application	Match	Source
Renaissance at Alta Monte	\$ 51,918	\$ 51,918	\$ -	\$ 51,918	\$ 12,980	Dept of Behavioral Health Supportive Services
Permanent Supportive Housing Trinity	\$ 76,215	\$ 76,215	\$ -	\$ 76,215	\$ 19,054	Dept of Behavioral Health Supportive Services
Renaissance at Santa Clara	\$ 77,667	\$ 78,301	\$ 634	\$ 78,301	\$ 11,490	Fresno Housing Supportive Services
Rapid Rehousing Project	\$ 256,317	\$ 257,829	\$ 1,512	\$ 257,829	\$ 64,457	Dept of Social Services CAIWORKs grant
RRH A Family Home	\$ 427,513	\$ 431,173	\$ 3,660	\$ 431,173	\$ 107,928	Dept of Social Services CAIWORKs grant
Shelter Plus Care 4	\$ 328,579	\$ 334,675	\$ 6,096	\$ 334,675	\$ 83,669	Dept of Behavioral Health Supportive Services
Shelter Plus Care 1	\$ 983,117	\$ 1,001,417	\$ 18,300	\$ 826,254	\$ 206,564	Dept of Behavioral Health/VA/CRMC Supportive Services
A Rapid Way Home - NEW **			\$ -	\$ 175,163	\$ 43,790	City of Fresno HOME TBRA grant
HMIS	\$ 137,700	\$ 137,700	\$ -	\$ 137,700	\$ 34,425	FMCoC agencies shared cost
HMIS Expansion	\$ 76,500	\$ 76,500	\$ -	\$ 76,500	\$ 19,125	FMCoC agencies shared cost
SSO Coordinated Entry	\$ 83,547	\$ 83,547	\$ -	\$ 83,547	\$ 20,887	City of Fresno HOME TBRA grant
CA-514 CoC Planning Application	\$ 227,558	\$ 227,558	\$ -	\$ 255,274	\$ 63,819	FMCoC Executive Committee, FH staff
	\$ 2,726,631	\$ 2,756,833	\$ 30,202	\$ 2,784,549	\$ 688,188	

** Reallocation from Shelter Plus Care 1

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EXECUTIVE DIRECTOR'S REPORT

TO: Boards of Commissioners
Fresno Housing Authority
DATE: 09/19/2016
BOARD MEETING: 08/23/2016
FROM: Preston Prince
CEO/Executive Director
AGENDA ITEM: 10
AUTHOR: Various Staff
SUBJECT: Director's Report – August 2016

Executive Summary

The Boards of the Fresno Housing Authority have established the four strategic goals as: Place, People, Public, and Partnership. In addition, the following have been outlined as the management goals: Sustainability, Structure, and Strategic Outreach. The following report demonstrates the efforts of the Executive Leadership and Staff to progress towards the realization of these goals.

PLACE

Overview

Fresno Housing seeks to develop and expand the availability of quality affordable housing options throughout the City and County of Fresno by growing and preserving appropriate residential assets and increasing housing opportunities for low-income residents.

The matrix below outlines the Development Pipeline and status of each project.

Development Project Overview

Name of Property	Status	Description/Type	Total Units
Southeast Fresno RAD	Permanent Financing	Cedar Courts I & II, Inyo Terrace Multi-Family	193
Orange Cove RAD	Permanent Financing	Kuffel Terrace I & II, Mountain View Multi-Family	90
Mendota RAD	Permanent Financing	Rios Terrace I & II, Mendota Apts. Multi-Family	124

Development Project Overview *Continued*

Name of Property	Status	Description/Type	Total Units
Viking Village RAD	Permanent Financing	4250 N. Chestnut, Fresno, CA Multi-Family	40
Marion Villas	Permanent Financing	Marion & Ellis St, Kingsburg, CA Senior Housing	46
541 @ South Tower and Cedar Heights	Stabilization	541 N. Fulton St and 4532 E. Hamilton Ave, Fresno, CA Multi-Family	45
Trailside Terrace	Under Construction	1233 & 1245 G St, Reedley, CA	55
Edison Plaza I	Under Construction	Walnut/Edison West Fresno, CA	64
Firebaugh Gateway	Under Construction	1238 & 1264 P St., Firebaugh, CA	30
Shockley Terrace	Under Construction	1445 Peach Street, Selma, CA	48
Lowell Neighborhood	Under Construction	240-250 N. Calaveras Street and 146 N. Glenn Avenue, Fresno, CA	30
Parc Grove Commons NE (Veterans Phase)	Pre-Dev March 2017 Est. Closing	Clinton and Angus, Fresno, CA	40
Edison Plaza II	Pre-Dev March 2017 Est. Closing	2255 S. Plumas, Fresno, CA	64
Memorial Village	Pre-Dev March 2017 Est. Closing	302 K St, Sanger, CA	48
Magill Terrace	Pre-Dev March 2017 Application	401 Nelson, Fowler, CA	60
Oak Grove	Pre-Dev March 2017 Application	Bigger Street and Parlier Avenue, Parlier, CA	55

July Occupancy

July City Occupancy			<u>98.06%</u>		
CITY	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
City AMP 1	3	182	180	1	99%
City AMP 2	8	244	243	6	98%
Southeast Fresno RAD	3	193	191	1	99%
Viking Village RAD	1	40	39	0	100%
Pacific Gardens	1	56	55	3	95%
Renaissance Trinity	1	21	20	0	100%
Renaissance Alta Monte	1	30	29	1	97%
*Renaissance Santa Clara	1	70	69	4	94%
Total City	19	836	826	16	98.06%

*Santa Clara: Last month there were two units pending inspection by Sterling, the inspections were completed. Renaissance at Santa Clara is currently 97% occupied.

July City Occupancy (GSF Managed)			<u>98.1%</u>		
CITY	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
Parc Grove	1	215	213	7	96.7%
Parc Grove - NW	1	148	147	0	100.0%
Yosemite Village	1	69	68	1	98.5%
Total City	3	432	428	8	98.13%

July County Occupancy			<u>98.14%</u>		
COUNTY	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
County AMP 1	6	150	144	1	99%
County AMP 2	6	194	192	4	98%
County AMP 3	3	90	89	2	98%
County AMP 4	4	152	151	4	97%
County AMP 5	2	52	52	0	100%
County AMP 6	5	112	111	3	97%
Granada Commons	1	16	15	0	100%
Total County	27	766	754	14	98.14%

July County RAD Occupancy			<u>99.0%</u>		
SITE	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
Mendota RAD	1	124	123	0	100.0%

Orange Cove RAD	1	90	87	2	97.7%
Total County RAD	2	214	210	2	99.05%

July Special Programs Occupancy 94.43%					
SPECIAL PROGRAMS	No of Properties	Physical Units	Rentable Units	Vacant Units	Occupancy Percentage
Mariposa Farm Labor	1	40	40	0	100%
Parlier Farm Labor	1	40	40	1	98%
*Orange Cove Farm Labor	1	30	30	13	57%
Mendota Farm Labor	1	60	60	1	98%
Firebaugh Family Apts.	1	34	34	0	100%
Garland Gardens (CalHFA)	1	51	51	1	98%
Parkside Apartments (CalHFA)	1	50	50	1	98%
Total Special Programs	7	305	305	17	94.43%

* There was 1 unit leased completed in July. There are currently 3 scheduled move in's and 6 additional applications in process for Citrus Gardens Apartments. Marketing promotions continue to drive interest to the site. Staff are focused on achieving 98 % occupancy.

Wait List Report as of July 31, 2016

LIPH	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.+	Total
City LIPH	17,986	9,472	5,233	1,239	33,930
County LIPH	23,543	20,020	8,118	905	52,586

Multifamily Developments	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.	Total
Garland-S8N/C		15	31		46
Parkside-S8N/C		14	8	56	78

Tax Credit Properties	1-Bdrm.	2-Bdrm.	3-Bdrm.	4-Bdrm.	Total
Granada:					
tax credit units			4	2	6
subsidized units			19	3	22
Pacific Gardens :					
tax credit units	25	19	12		56
subsidized units	175	82			257
Parc Grove:					
tax credit units	128	44	38	6	216
subsidized units	2,128	788	196	70	3,182
Yosemite Village	878	197	29	17	1,121

PEOPLE

Overview

Fresno Housing works to respect community needs and knowledge – by listening, learning and researching – and respond to issues compassionately, intelligently, intentionally – by developing exceptional programs based on shared expectations.

Central Office - 1st Floor Upgrade

Staff are feeling great about the upgrades to the first floor. Cubicles near the windows on the North side of the building were modified to allow the natural light to enter the work space, allowing for a much brighter environment. Replacing the carpet and painting the walls has created aesthetically impressive changes. The place looks amazing now with a fresh coat of paint and new carpet. The whole process ran smoothly and was very well coordinated. Staff is thrilled with the results.

Yardi Training

Throughout the month of August, the Housing Choice Voucher team has been attending Yardi training to become familiar with our new software. Staff has been actively participating in the trainings by asking questions to obtain a better understanding of the software capabilities in Yardi that will make their job processes easier and more efficient.

As of the week of August 11th, staff has attended the following training sessions: Yardi basic navigation, call center, tenant eligibility process, wait list, and Request for Tenancy Approval processing.

There is a lot of excitement to attend further trainings in the upcoming weeks on other workflows processes.

ROSS County

Oak Grove Boys & Girls Club Parlier

SHARP – Sexual Health and Adolescent Risk Prevention

Representatives from Fresno Economic Opportunities Commission (Health Services and Education) presented workshops to residents to inform them of HIV/STD, substance abuse, healthy relationships, and teen pregnancy prevention. Classes were separated in 3 sessions. First session was for adults to inform them of the content their children would be exposed to. Second sessions was for female teens and presented by a female. The third session was for male teens.

Oak Grove Boys & Girls Club Parlier

The Fresno Bridge Academy / Reading and Beyond

A representative from the Fresno Bridge Academy / Reading and Beyond introduced a new program that is primarily focused on CalFresh beneficiaries. Program offers assistance in looking for a job, getting a better job, and establishing a career. The participant's families are also connected with resources that will help eliminate potential barriers to success. Recipients will receive assistance with transportation, training costs, and work/school materials.

Oak Grove Boys & Girls Club Parlier

Nutrition Education / Food Demonstration

A representative from Champions for Change presented nutritional information to residents on choosing healthier drinks. During this workshop, food demonstrations were done to show residents how to make healthy food substitutes.

Del Rey Boys & Girls Club

SHARP – Sexual Health and Adolescent Risk Prevention

Representatives from Fresno Economic Opportunities Commission (Health Services and Education) presented workshops to residents to inform them of HIV/STD, substance abuse, healthy relationships, and teen pregnancy prevention. Classes were separated in 3 sessions. First session was for adults to inform them of the content their children would be exposed to. Second sessions was for female teens and presented by a female. The third session was for male teens.

Resident Services

Summer Tech Camp 2016

FH youth attended a two week summer tech camp at Bitwise Industries. Summer Tech Camp 2016 was sponsored by the California Emerging Technology Fund and allowed 22 youth to participate and complete 70 hours of training in robotics and coding. Camp started on Monday, July 18th and participants graduated on Friday, July 29th; the ceremony was held at the Bitwise South Stadium Theater. Finally, the graduation featured a special presentation from Melina Whitehead, Division Director, HUD Public Housing and each graduate received a robotics kit, laptop and certificates of completion from HUD and Bitwise.



Del Rey Boys & Girls Club

The Fresno Bridge Academy / Reading and Beyond

A representative explained the program that is primarily focused on CalFresh beneficiaries. Program offers assistance in looking for a job, getting a better job, and establishing a career. The participant's families are also connected with resources that will help eliminate potential barriers to success. Recipients will receive assistance with transportation, training costs, and work/school materials.

Mountain View South RAD/Kuffle Terrace North/Kings River Commons

SHARP – Sexual Health and Adolescent Risk Prevention

During the month of July, representatives from Fresno Economic Opportunities Commission (Health Services and Education) presented workshops to residents to inform them of HIV/STD, substance abuse, healthy relationships, and teen pregnancy prevention. Classes were separated in 3 sessions. First session was for adults to inform them of the content their children would be exposed to. Second sessions was for female teens and presented by a female. The third session was for male teens and focused on anger management and tools for handling stress.

Kuffle Terrace North

Fit Families for Life

During the month of July, representatives from Cal Viva conducted presentations on healthy eating and active living. Some of the items discussed were reading food labels, limiting sugar intake, making healthy food choices and restaurants, and fitting exercise into busy schedules.

July Special Program Activities

Mariposa Meadows Farm Labor

On July 29, the Mariposa Meadows Day Care Center held a student graduation ceremony. The class was decorated in a Hawaiian theme to fit the event motto of “Aloha Kindergarten Class of 2016”. Nine children graduated from the center and will be continuing their education at local schools.



Kings River Commons

The Fresno Bridge Academy / Reading and Beyond

During the month of July, representatives from the Fresno Bridge Academy and Reading and Beyond made presentations CalFresh beneficiaries. Also, the Fresno Bridge Program / RaB program offers assistance in looking for a job, getting a better job, and establishing a career. The participant's were also connected with resources, which may assist them with potential barriers to success. Recipients will receive assistance with transportation, training costs, and work/school materials.

Wedgewood Commons

Nutrition Education/Food Demonstration

A representative from Champions for Change presented nutritional information to residents on choosing healthier drinks. A variety of drinks were presented and sugar content was presented for each. Finally, on July 14, 2019 Resident Services partnered with HCV to host a roundtable discussion for members of the Resident Advisory Board (RAB) that live in Fresno County. RAM members were presented with FH policy updates and given the opportunity to review, discuss the changes and ask questions about perceived impact as a group.

PUBLIC

Overview

Fresno Housing seeks to build support for housing as a key component of vibrant, sustainable communities through public information, engagement, and advocacy that promotes affordable housing and supports the advancement of Fresno's low-income residents.

Leasing Update

During the month of July 2016, the following leasing activity took place for the Housing Choice Voucher (HCV) program.

There were 1,500 new applicants randomly selected from the HCV County preliminary waiting list and 300 from the HCV City preliminary waiting list. All 1,800 applicants were scheduled to attend criminal background screening appointments. There were 150 criminal background screening appointments scheduled per day with a show rate of 41%.

Full initial occupancy interviews to determine eligibility followed and by the end of the month the daily appointments scheduled increased to 83 from 36 per day with a 92% average show rate.

In the month of July 2016, 176 new applicant families were issued HCV City & County vouchers to search for housing. There were also 98 new applicant families that were successfully leased up and housed. We will continue to lease in the upcoming months.

PARTNERSHIP

Overview

Fresno Housing seeks to collaborate to strengthen its ability to address the challenges facing Fresno communities.

Fresno Housing is exploring several partnerships in the course of pre-development activities.

Project	Organization	Role
Museum and multifamily housing development concept (1857 Fulton Street, Fresno)	African American Historical and Cultural Museum of the San Joaquin Valley	Development partner and service provider.
Hmong Cultural Project –	Fresno Housing Authority	Planning partner, possible

museum/cultural center, communal/event center, housing and relocation site for Fresno Center for New Americans	Fresno Center for New Americans General Vang Pao Foundation	development partner and service provider
Parc Grove Commons Northeast (Veterans Phase)	WestCare	Potential partner in the provision of services to property residents
Highway City multifamily housing development/ Community Center	Highway City CDC Central Community Church Granville Central Unified School District Economic Opportunities Commission	Planning partners, potential development partner, potential service providers
Department of Community Services and Development - Low Income Weatherization Program	Association for Energy Affordability Grid Alternatives	Partners in portfolio assessment, project planning and design, and incentive approval

MANAGEMENT GOALS

The goals of management include our efforts to stabilize, focus, and extend activities to meet the mandate of our mission through good decisionmaking related to Sustainability (staffing, finances, effectiveness, evaluation, technology, facilities); Structure (governance); and Strategic Outreach (communications, image, visibility, public affairs, policy).

Sustainability

Build and maintain an innovative, engaged, visible, and sustainable organization, committed to its mission of providing housing for low-income populations.

Fiscal Services

Budgeting and Internal Reporting

The Fiscal Services Department has been working diligently to complete the agency's fiscal year 2015 financial audit. This audit will culminate in the preparation of audited financial statements to be presented to the Boards of Commissioners and submitted to HUD in September.

Staff has also been working diligently to streamline manual processes in the new Enterprise Management System, Yardi. Staff continues to refine financial data in Yardi to better satisfy internal and external reporting requirements. Agency and Mixed Finance second quarter 2016 financial results, prepared through the Yardi system, [were](#) included in the August board update.

Administrative Services

Facilities staff coordinated the installation of carpet and painting upgrades for the first floor of the Central Office. In conjunction with this upgrade, facilities staff is partnering with the Communications department for specific interior planning and aesthetic design of the office space.

Procurement staff was pleased to receive six proposals in response to the Agency's RFP for Tax Credit CPA and Annual LP Audit Services. Proposers are comprised of CPA firms Clifton Larson Allen, Cohn Reznick, Eide Bailly, Novogradac & Company, Rubino & Company, and Smith Marion & Company. Proposals are currently under evaluation and initial reviews are to be complete by September 1, 2016. Additionally, Procurement continues to work alongside Housing Management to develop an IFB for Trade Services to provide for various Maintenance and Repair operations across Fresno County.

Human Resources

The Human Resources Department in an ongoing effort to improve processes and internal controls attended trainings in the areas of EEOC compliance and EDD Unemployment Insurance. Scott Fetterhoff, Director of Human Resources, hosted and Kevin Dale, Partner at Atkinson, Andelson, Loya, Ruud & Romo, facilitated a performance management training for public agency directors, managers and supervisors at Parc Grove Commons on August 11th.

The Human Resources Department continues to focus on recruiting for positions within the Housing Choice, Housing Management and Human Resources departments. In addition, we are pleased to announce the following new hires and promotions:

- Carol Loewen, Supervisor - Inspections (promotion)
- Jacqueline Alejandro, Accounting Specialist (promotion)
- Andy Jian, Accounts Payable Coordinator (new hire)

IT Services

In the months of July and August, IT staff completed essential AT&T site surveys. These surveys are the first step in upgrading internet bandwidth at FH sites in order to accommodate the Yardi systems and other future software upgrades.

IT staff continues to assist departments across the Agency. IT staff assisted HCV and Housing Management with the closure of waiting lists. We have also been working closely with Resident Services and Planning and Community Development to complete the first round of Parent University training with CSU, Fresno. Through our partnership with CSU, Fresno, digital literacy training was launched at both ConnectHome properties—Parc Grove and Viking Village. Thus far, 46 residents have attended the courses. We continue to learn from each course and the residents have been very eager to provide feedback.

We are proud to announce that 21 Fresno Housing Authority resident/children graduated from the first ever Fresno Housing/Geekwise Summer Tech Camp on July 29th! This is the culmination of leveraging multiple partnerships including BitWise Industries, Merit Partners, and the California Emerging Technology Fund. In addition, this was one of the first ConnectHome training opportunities that will provide the next level of digital training beyond basic computer skills. This was also our first "Place

Based” technology training. Staff is very excited to have the residents experience a technology hub environment and see firsthand that careers in technology are attainable by anyone—including those living in affordable housing. The technology hub and the speaker we have planned are great examples that all you need to succeed is hard work and creativity! This is also our first time working with Merit Partners. Merit is a computer recycler who strives to reduce recidivism through market wage jobs and job training for incarcerated young adults. Residents are receiving next level tech training that has traditionally been considered to be out of their reach.

Structure

Maintain a committed, active, community-based Boards of Commissioners.

Staff continues to make progress in this area and will report to the Boards upon outcomes being obtained.

Strategic Outreach

Heighten agency visibility, facilitate community dialogue about housing solutions; and build support for the agency and quality affordable housing.

Staff continues to make progress in this area and will report to the Boards upon outcomes being obtained.



2017 Public Housing Agency Annual Plans Update

August 23, 2016

*Boards of Commissioners Meeting
By Angie Nguyen*



PHA Plans Update

- Posted for Public Comment on August 14, 2016
- Review & pending HUD guidance of applicable changes resulting from Housing Opportunity Through Modernization Act of 2015 (HOTMA) signed into law on July 29, 2016

Changes to Admin Plan (as of July 26, 2016)

- Streamline Annual Reexamination for Fixed Sources of Income
 - Temporary to Discretionary
 - Allows PHA, at Rx, to apply verified cost of living adjustment (COLA) to third party verified fixed income household members (i.e. SSI, SSDI, pension).
 - Ex: Person has Social Security as sole source of income. At Rx, we can verify income via EIV and obtain COLA from SS website.

Changes to ACOP (as of July 26, 2016)

- Criminal Background Checks
 - Updated language to include consideration of circumstance in “look back” period for criminal activity to apply flexibility in housing decisions.
 - Updated language to provide guidance on the use of “preponderance of evidence” used to determine the engagement in criminal activity.
- Waiting List
 - Align with regulatory language and Yardi system workflows.

Questions or Comments?



Overview: Current Criminal Background Policies & Procedures

Board of Commissioners Meeting

August 23, 2016

By Angie Nguyen

Director of Strategic Initiatives & Housing Programs

Overview

- Federal regulation: must vs. may
- Current policies for housing programs (and how they may differ)
- Process (including due process)
- Data
- HUD PIH Guidance & flexibility
- Ongoing evaluation of policies & procedures

Federal Regulation

- Denial of admission and termination of assistance for criminal and alcohol abusers (24 CFR 982.553)
 - Mandatory Prohibitions
 - Subject to a lifetime sex offender registration requirement
 - Convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.

In addition...some flexibility

- Prohibiting admission of drug criminals
 - PHA *must* prohibit admission of an applicant for 3 years from date of eviction if person has been evicted from federally assisted housing for drug-related criminal activity. However, *may* admit if PHA determines:
 - Completed drug rehabilitation program
 - Circumstances leading to eviction no longer exist

Permissive Prohibitions

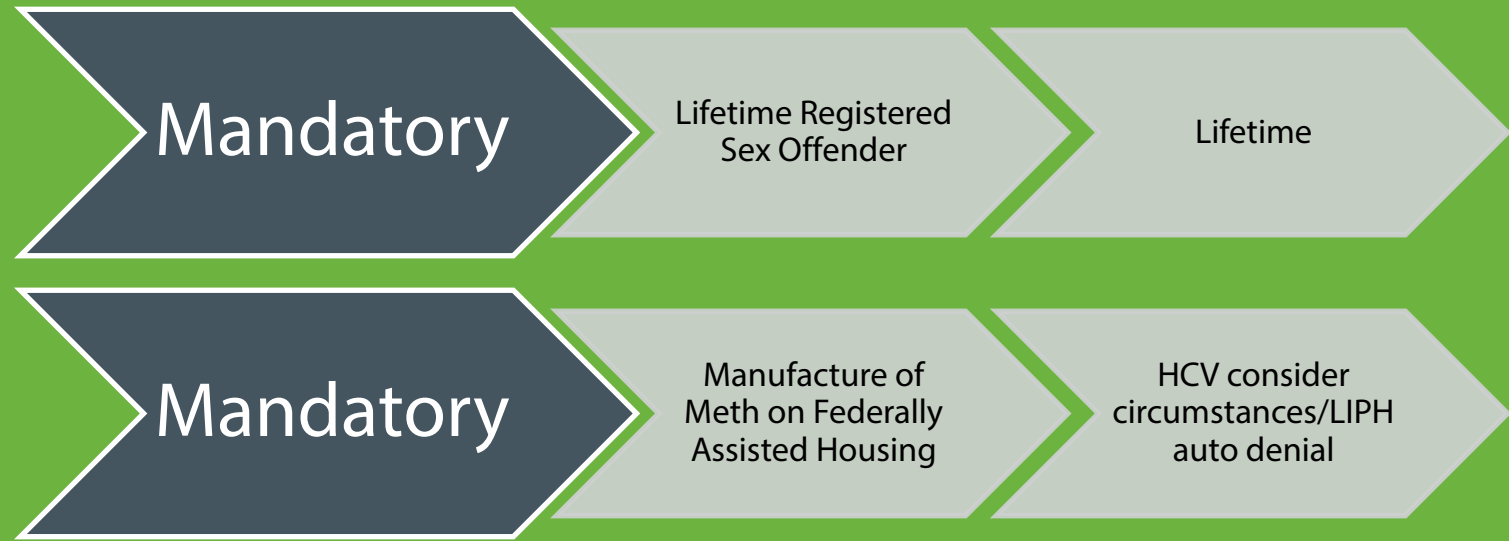
- Engaged in or has engaged in within reasonable time:
 - Drug related criminal activity
 - Violent criminal activity
 - Other criminal activity, including patterns of alcohol use/patterns of abuse, that may threaten the health, safety, or peaceful enjoyment of premises by persons

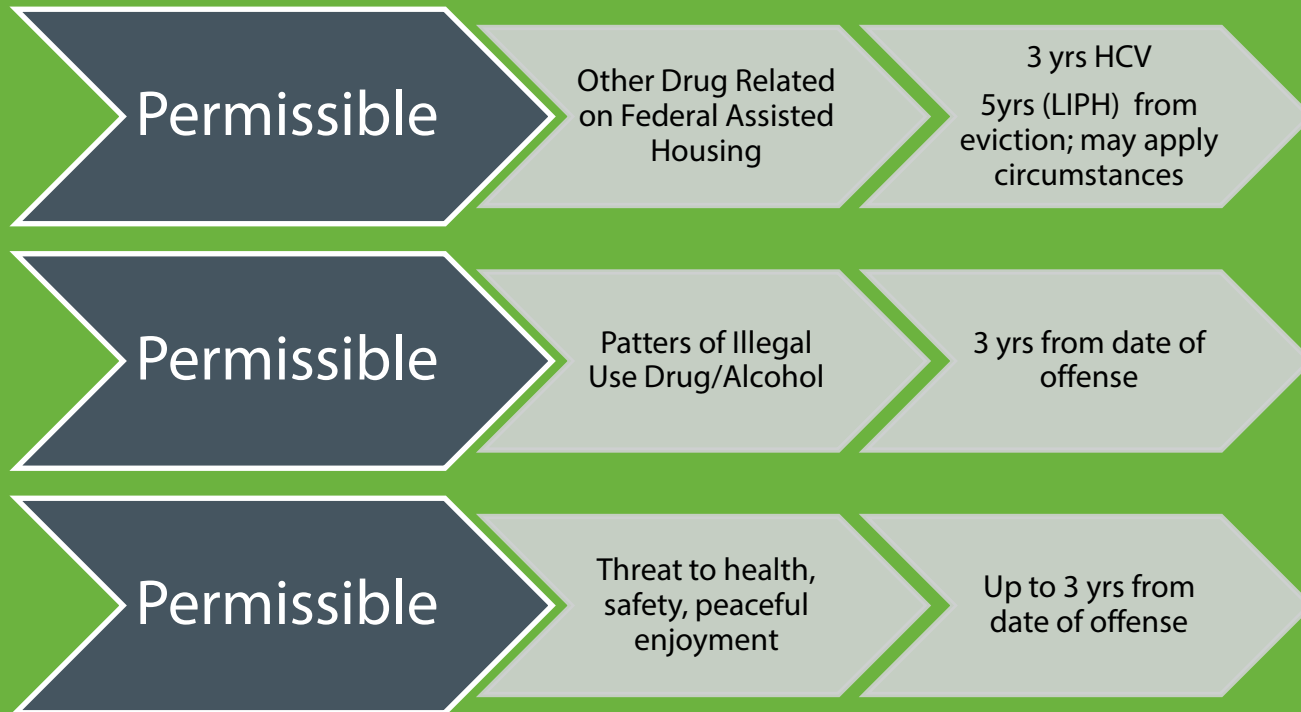
Must Establish Standards

- If PHA *determines and there's reasonable cause*:
 - Engagement in illegal use of a drug
 - Illegal drug use or pattern of may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents

“Look-back Periods”

- The PHA may establish a period before the admission decision during which an applicant must not to have engaged:
 - Drug related criminal activity
 - Violent criminal activity
 - Other criminal activity







Patterns of Abuse

- Use of controlled substance/alcohol if:
 - More than 3 incidents during previous 24 months
 - “Incident” includes but is not limited to:
 - Arrests (and preponderance of evidence)
 - Convictions
 - No contest pleas
 - Fines
 - City ordinance violations

Arrest and Preponderance of Evidence*

A conviction will be given more weight than an arrest. However, an arrest record can trigger further inquiry and review of police reports for evidence:

- Circumstances of arrest
- Witness statements
- Other relevant documentation

*see PIH Notice 2015-19

ACOP (LIPH)

- FH has opted to include criminal background checks at annual recertification for all adult members of households.
- CBC is requested 120 days prior to residents' annual recertification date.
- CBCs are conducted using FBI LiveScan fingerprinting, DOJ Lifetime Sex Offender Registry, and/or County/Statewide Criminal Searches (currently using NCR services for annuals)

Data

- July CBCs conducted in HCV- 623 (230 “flags”)*

Violent Crime	Felony Conviction	Drug Related	Sex Offender	Other Crime
13	10	1	0	8

- July CBCs conducted in LIPH- 29 (4 “flags”)

Violent Crime	Felony Conviction	Drug Related	Sex Offender	Other Crime
1	1	0	0	2

Due Process

- Before housing decision is made:
 - Opportunity to dispute the accuracy & relevance of CBC information
 - Mitigating Circumstances
 - Completion of Rehabilitative Treatment
- IF Denied, applicant may request a hearing. Hearing Officer will be someone different from original Reviewer.

A housing provider must be able to prove through reliable evidence that its policy or practice of making housing decisions based on criminal history actually assists in protecting resident safety and/or property.

—Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing & Real Estate Transactions, April 4, 2016

Questions or Comments?



Homeless Initiatives

August 23, 2016

2016 Point-in-Time Count

- Mobile application
 - User friendly, easing survey workflow
 - Offline and geo-location capabilities
 - Presented at the biannual National Human Services Data Consortium
 - Various communities interested in adding on additional functionality

2016 Point-in-Time Count

- Total number of unsheltered and sheltered homeless in Fresno and Madera was 1883
- Fresno sheltered and unsheltered homeless:
 - 1622 homeless persons (78% unsheltered)
 - 438 chronically homeless persons
 - 213 Veterans
 - 54 households with children

2015 v. 2016 – Fresno City and County

	2015	2016	Difference
Total	1458	1622	11%
Unsheltered	987	1265	28%
Sheltered	471	354	-25%
Veterans	203	213	5%
Chronically Homeless	258	438	70%
Households with Children	91	54	-41%



Ten Year Plan Update

- Accomplishments – Coordination
 - Housing First philosophy
 - Increased outreach
 - Coordinated Entry – MAP Point at the Pov

Results 2009-2016

	Shelter Beds	Permanent Beds	Total Beds
2009	1104	223	1327
2010	1032	345	1377
2011	1153	388	1541
2012	835	697	1532
2013	758	766	1524
2014	710	884	1594
2015	642	1131	1773
2016	474	1232	1706
Percent Change	-57%	552%	28.6%

Ending Veteran Homelessness

- VA stated goal to end homeless by 10/31/2016
- Veterans on the By Name List – 209
- Avg monthly inflow – 21
- Avg number housed per month - 16

Ending Chronic Homelessness

- Chronic homeless— end homelessness by 12/31/17
 - Permanent Supportive Housing
 - Estimated 177 will need PSH
 - Preserve existing PSH - \$4.5m
 - Prioritize existing PSH
 - Prioritize turnover units to PSH
 - Create 50 new PSH in 2017

Rapid Rehousing

- Estimated 375 will need Rapid Rehousing (RRH)
 - Increase housing and services from 3 to 6 months
 - \$1m funding for RRH in 2016 (existing grants)
 - Increase funding to \$1.5m in 2017 (\$500k will need to be raised)
 - Ensure \$1m funding in 2018



Renaissance Program

- 181 housed; 85 exited program
- Destination of those who exited:
 - 38% stable permanent housing
 - 18% temporary or institutional setting
 - 30% returned to streets or unknown
 - 14% deceased

Additional Resources

- HOME TBRA – 65 households
- Rapid Rehousing (families) – 39
- HOPWA – 20 households
- Shelter Plus Care – 158 units
- VASH – 371 vouchers



Continuum of Care Funding

August 23, 2016

Fresno Madera Continuum of Care

- 2016 Renewals - \$8.5 million
- 9 agencies – 30 programs

Renaissance Programs - Renewal

Program	Units	2015 funding	2016 renewal	Difference
Alta Monte	29	\$51,918	\$51,918	\$0
Trinity	20	\$76,215	\$76,215	\$0
Santa Clara	20; 4 offsite	\$77,667	\$78,301	\$634

Rapid Rehousing – Families - Renewal

Program	Units	2015 funding	2016 renewal	Difference
RRH Project	14	\$256,317	\$257,829	\$1,512
RRH A Family Home	25	\$427,513	\$431,173	\$3,660

Shelter Plus Care - Renewal

Program	Units	2015 funding	2016 renewal	Difference
Shelter Plus Care 4	41	\$328,579	\$334,675	\$6,096
Shelter Plus Care 1	117	1,001,417	\$687,046	\$314,371

New Bonus Program

Program	Units	2016 New
A Rapid Way Home	12	\$175,138

Non Housing Programs - Renewal

Program	2015 funding	2016 renewal	Difference
HMIS	\$137,700	\$137,700	\$0
HMIS Expansion	\$76,500	\$76,500	\$0
Supportive Services Coordinated Entry	\$83,547	\$83,547	\$0
CoC Planning Costs	\$227,558	\$255,274	\$27,716

BOARD MEMO

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Fresno, California 93721
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www.fresnohousing.org

TO: Boards of Commissioners

DATE: August 17, 2016

BOARD MEETING: August 23, 2016

FROM: Preston Prince

AGENDA ITEM:

CEO/Executive Director

AUTHOR: Angie Nguyen

SUBJECT: 2016 U. S. Department of Housing and Urban Development
(HUD) Continuum of Care (CoC) Funding

Executive Summary

Fresno Housing (FH) intends to submit renewal application to the Department of Housing and Urban Development (HUD) Continuum of Care (CoC) Program for the continued funding of the homeless assistance programs currently in operation. FH also intends to submit one (1) new proposal for funding to HUD CoC to support chronically homeless individuals.

Renewal applications to be submitted to HUD total \$2,959,712 for the following programs: two (2) legacy Shelter Plus Care programs, (3) Renaissance programs, two (2) rapid rehousing programs for families, two (2) Homeless Management Information System and one (1) CoC Planning Costs. These applications have been submitted to the local review panel with the following results (please see attached). The Rank & Review Panel placed most FH programs including a new Rapid Rehousing proposal in Tier 1. However, the Panel chose to split funding on Shelter Plus Care 1 – placing \$687,046 (69%) in Tier 1 and \$313,371 (31%) in Tier 2.

Based on community need as shown through data and the Ten Year Plan Update, FH has proposed a housing project to support chronically homeless individuals with term limited rental assistance and case management in the amount of \$175,138. This project has been recommended for funding in Tier 1 by the Rank & Review Panel.

HUD requires that the Board of Commissioners approve submission of all CoC applications. The final applications are due on September 14, 2016. FH staff will return to the board with an update following final submission.

Recommendation

It is recommended that the Board of Commissioners of the Housing Authority of the City of Fresno and the Housing Authority of Fresno County adopt the attached resolutions authorizing: (a) the submission of application to the U.S. Department of Housing and Urban Development for Continuum of Care program funding; (b) execution, by the Executive Director, or his designee, of any resulting contract(s), and associated amendments; (c) to hire related

personnel to administer the program(s) in accordance with the funding requirements.

Fiscal Impact

The Rank & Review Committee's decision to split the Shelter Plus Care 1 project's funding between Tier 1 and Tier 2, would potentially result in \$28,463 shortfall if we made no changes and there was no attrition. The shortfall is based on an analysis of 2015 project expenditures for housing assistance payments and administrative costs. However, average attrition rates in this program are 24 per year (two per month) and we would also have the option of exercising the Limited Preference option in the Housing Choice Voucher Program for participants who no longer require intensive support services. After analysis of prior year expenditures contrasted with current year trends, it is estimated Shelter Plus Care 1 will expend \$715,509 in Housing Assistance Payments and Administrative Costs. If the program is funded at the Tier 1 level of \$687,046, the funding shortfall will be \$28,463.

In addition, CoC regulations require a 25% cash or in-kind match for funding awarded. Although FH has submitted funding proposals; adjustments may be made through either the local review or HUD final award. Please see the attached chart for anticipated 2016 funding amounts with comparison to 2015 award and match requirements. Staff will provide fiscal impact details to the Board upon completion of HUD CoC application and award process.

RESOLUTION NO. _____

BEFORE THE BOARD OF COMMISSIONERS OF THE

HOUSING AUTHORITY OF THE CITY OF FRESNO

**RESOLUTION AUTHORIZING SUBMISSION OF 2016 U.S. DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT (HUD) CONTINUUM OF CARE (CoC) PROGRAM**

WHEREAS, the Fresno Housing Authority intends to submit grants for funding under the U.S. Department of Housing and Urban Development Continuum of Care Program; and,

WHEREAS, said program is intended to provide housing for homeless individuals and families residing in Fresno County; and,

WHEREAS, grant funding for varying renewal projects and proposed new project in the amount of \$2,959,712 and will collectively encompass the period of February 1, 2017 – December 31, 2018.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Fresno, hereby authorize the Executive Director or his designee to proceed with negotiation and execute all ancillary documents in connection therewith for grant submission and agreement with HUD pursuant to a CoC Program grant.

PASSED AND ADOPTED THIS 23rd DAY OF August, 2016. I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the governing body with the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Board of Commissioners

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AYES:

NOES:

ABSENT:

ABSTAIN:

Preston Prince, Secretary of the Board of Commissioners

Fresno Housing CoC Funding

Project Name	2015 Application	2015 Award	Amount Difference	2016 Application	Match	Source
Renaissance at Alta Monte	\$ 51,918	\$ 51,918	\$ -	\$ 51,918	\$ 12,980	Dept of Behavioral Health Supportive Services
Permanent Supportive Housing Trinity	\$ 76,215	\$ 76,215	\$ -	\$ 76,215	\$ 19,054	Dept of Behavioral Health Supportive Services
Renaissance at Santa Clara	\$ 77,667	\$ 78,301	\$ 634	\$ 78,301	\$ 11,490	Fresno Housing Supportive Services
Rapid Rehousing Project	\$ 256,317	\$ 257,829	\$ 1,512	\$ 257,829	\$ 64,457	Dept of Social Services CAIWORKs grant
RRH A Family Home	\$ 427,513	\$ 431,173	\$ 3,660	\$ 431,173	\$ 107,928	Dept of Social Services CAIWORKs grant
Shelter Plus Care 4	\$ 328,579	\$ 334,675	\$ 6,096	\$ 334,675	\$ 83,669	Dept of Behavioral Health Supportive Services
Shelter Plus Care 1 *	\$ 983,117	\$ 1,001,417	\$ 18,300	\$ 687,046	\$ 206,564	Dept of Behavioral Health/VA/CRMC Supportive Services
A Rapid Way Home - NEW **			\$ -	\$ 175,138	\$ 43,790	City of Fresno HOME TBRA grant
HMIS	\$ 137,700	\$ 137,700	\$ -	\$ 137,700	\$ 34,425	FMCoC agencies shared cost
HMIS Expansion	\$ 76,500	\$ 76,500	\$ -	\$ 76,500	\$ 19,125	FMCoC agencies shared cost
SSO Coordinated Entry	\$ 83,547	\$ 83,547	\$ -	\$ 83,547	\$ 20,887	City of Fresno HOME TBRA grant
CA-514 CoC Planning Application	\$ 227,558	\$ 227,558	\$ -	\$ 255,274	\$ 63,819	FMCoC Executive Committee, FH staff
	\$ 2,726,631	\$ 2,756,833	\$ 30,202	\$ 2,645,316	\$ 688,188	

Shelter Plus Care 1 Tier 2 amount \$314,371

** New Bonus Project



Fresno Madera Continuum of Care
Priority Listing: Rank & Review Panel Recommendation
August 19, 2016

The 2016 Fresno-Madera CoC Review and Rank Panel recommends the following Project Priority Listing for the 2016 Continuum of Care competition to the Fresno-Madera CoC.

Fresno Annual Renewal Demand: \$8,935,300

Tier 1 Amount: \$7,914,123

Tier 2 Amount: \$1,021,177

Rank	Agency	Project	Type	Award
Tier 1				
1	Community Action Partnership of Madera County	Shunammite Place	PSH	\$191,177
2	Turning Point of Central California	Stasis Permanent Supportive Housing	PSH	\$448,172
3	Housing Authority City of Fresno	Renaissance at Santa Clara	PSH	\$78,301
4	Mental Health Systems Inc.	MHS Fresno Housing Plus 2	PSH	\$191,272
5	Housing Authority City of Fresno	Permanent Supportive Housing Blackstone	PSH	\$51,918
6	Housing Authority City of Fresno	Permanent Supportive Housing Trinity	PSH	\$76,215
7	Marjaree Mason Center	MMC Clovis Transitional Project	TH	\$222,501
8	Fresno County Economic Opportunities Commission	Project Phoenix	PSH	\$369,597
9	Housing Authority City of Fresno	Shelter Plus Care 4	PSH	\$334,675
10	Turning Point of Central California	Serenity Village	PSH	\$176,777
11	Turning Point of Central California	Family Villa Permanent Support Housing	PSH	\$618,838
12	Marjaree Mason Center	MMC Downtown Transition	TH	\$224,280
13	WestCare	Project LiftOff	PSH	\$347,058
14	Valley Teen Ranch	Valley Teen Ranch	TH-Y	\$30,620
15	Fresno County Economic Opportunities Commission	NEW PROJECT: Project Home Plate	RRH	\$322,022
16	Fresno County Economic Opportunities Commission	EOC Project Hearth	RRH	\$264,410
17	Fresno County Economic Opportunities Commission	Project Homestead	PSH	\$290,738
18	Turning Point of Central California	Falcon Court Permanent Supportive Housing	PSH	\$816,322
19	Housing Authority City of	NEW PROJECT: A Rapid Way	RRH	\$175,138

	Fresno	Home		
20	Housing Authority City of Fresno	Rapid Rehousing Project	RRH	\$257,829
21	Housing Authority City of Fresno	RRH A Family Home	RRH	\$431,173
22	Marjaree Mason Center	Welcome Home 2	RRH	\$189,518
23	Marjaree Mason Center	Welcome Home 2a	RRH	\$32,270
24	Marjaree Mason Center	Welcome Home 3	RRH	\$263,157
25	Mental Health Systems Inc.	NEW PROJECT: Hacienda Housing Program*	PSH	\$250,352
26	Fresno County Economic Opportunities Commission	NEW PROJECT: HERO Team 2	SSO-CE	\$275,000
27	Housing Authority City of Fresno	SSO Coordinated Entry	SSO-CE	\$83,547
28	Housing Authority City of Fresno	HMIS	HMIS	\$137,700
29	Housing Authority City of Fresno	HMIS Expansion	HMIS	\$76,500
30-a	Housing Authority City of Fresno	Shelter Plus Care 1	PSH	\$687,046
Tier 2				
30-b	HA	Shelter Plus Care 1	PSH	\$314,371
31	Marjaree Mason Center	Welcome Home	RRH	\$161,883
32	Poverello	Naomi's House	SH	\$360,915
33	Fresno County Economic Opportunities Commission	Sanctuary Transitional Living Center 1 (TLC-1)	TH-Y	\$184,008
Unranked				
n/a	HA	Planning Grant	Planning	\$255,294
Voluntarily Reallocated				
n/a	Fresno County Economic Opportunities Commission	Sanctuary Transitional Living Center 3 (TLC-3)	TH-Y	(\$597,022)

Projects may appeal if and only if they were involuntarily reallocated, incompletely funded, or ranked into Tier 2. The projects that are eligible to appeal are highlighted in yellow. Hacienda Housing Program is eligible to appeal because it is being recommended at a lesser amount than its original request. The total budget requested by all projects exceeded the budget available to the CoC, and the Panel recommended this cut to bring the budget into alignment.

The Panel notes that all projects currently ranked in Tier 2 are well structured to secure HUD funding, per the Tier 2 scoring process that the FY2016 Continuum of Care Notice of Funding Availability describes (i.e., they all will get 10 of 10 possible Housing First points based on their proposed applications, and all will get 5 of 5 possible project type points).

In addition to this ranked list, the Panel recommends that the CoC encourage Sanctuary Transitional Living Center and Naomi's House to increase their performance before next year's competition to align with HUD and CoC policy priorities or to consider seeking other funding that better aligns with their program models and goals.

**Video presented during the Director's Report for the August 23,
2016 Boards of Commissioners Meeting.**

<http://www.fresnobee.com/news/local/article92744602.html>