

City of Anaheim
201 S. Anaheim Blvd., Anaheim, CA 92805
Housing & Community Development Commission
TELECONFERENCE

<http://www.anaheim.net/185/Housing-Community-Development-Commission>

May 20, 2020
5:00 P.M.

SPECIAL NOTICE DURING COVID-19 PANDEMIC

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that Housing & Community Development Commission members will participate in this meeting remotely.

PUBLIC PARTICIPATION: Pursuant to Executive Order N-29-20 and given the current health concerns, members of the public can access the meeting live on-line, with audio and limited video, at <http://www.anaheim.net/185/Housing-Community-Development-Commission>. In addition, members of the public can submit comments electronically for the Anaheim Housing and Community Development Commission consideration by sending them to AHInfo@anaheim.net. To ensure distribution to the Anaheim Housing and Community Development Commission prior to consideration of the agenda, please submit comments prior to 3:00 P.M. the day of the meeting. Those comments, as well as any comments received after 3:00 P.M., will be distributed to the Anaheim Housing and Community Development Commission members and will be made part of the official public record.

AGENDA

- I. **CALL TO ORDER**

- II. **PUBLIC COMMENTS**

- III. **APPROVAL OF MINUTES**
 - 1) April 22, 2020

CONTINUED

IV. ACTION ITEMS

1) COVID-19 RELATED UPDATES TO THE FISCAL YEAR 2020 - 2021 ANAHEIM HOUSING AUTHORITY ADMINISTRATIVE PLAN – Kerrin Cardwell

V. INFORMATIONAL ITEMS

VI. COMMISSIONERS REPORTS AND COMMENTS

VII. STAFF COMMENTS

VIII. ADJOURNMENT



NADIA MARTINEZ, SR. SECRETARY

POSTING STATEMENT: By Friday, May 15, 2020 by 5:00 p.m., a true and correct copy of this agenda was posted in the lobby of Anaheim West Tower, 201 S. Anaheim Blvd and online at the Agenda Center at www.anaheimhousingprograms.com.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the Community and Economic Development Department at 714-765-4300 ext. 4891 or via email to AHInfo@anaheim.net no later than 8:00 AM on the day of the scheduled meeting.

Any writings or documents provided to a majority of the Anaheim Housing and Community Development Commission regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection by contacting the Community Development Department located at 201 S. Anaheim Blvd., Suite 1003, during regular business hours.

April 22, 2020
Draft Minutes
ANAHEIM HOUSING & COMMUNITY DEVELOPMENT COMMISSION MEETING
AND PUBLIC HEARING
[Teleconference](#)

PRESENT: Norma Kurtz, Claudia Perez, Linda Adair, Susan Anderson-Gohl, Amelia Castro, Rajni Chawla,

ABSENT: John Gatti, Adalgisa Tamayo, Tim Houchen

PUBLIC: None

STAFF:	Deputy Director	Grace Stepter
	Community Investment Manager	Andy Nogal
	Project Manager	Albert Ramirez
	Analyst	Mika Takayasu
	Management Assistant	Michelle Gallardo
	Senior Secretary	Nadia Martinez

I. CALL TO ORDER:

Chairperson Kurtz called the meeting to order at 5:05 p.m.

II. PUBLIC COMMENTS:

None.

III. APPROVAL OF MINUTES:

Commissioner Perez motioned to approve the minutes for the meeting on April 15, 2020 as drafted. Commissioner Anderson-Gohl seconded the motion. Motion carried (5-0). Commissioner Adair joined the meeting after the vote.

IV. ACTION ITEMS:

Grace Stepter requested that the Housing & Community Development Commission, by Motion, recommend approval of the Substantial Amendment to the FY 2019-2020 Action Plan. The amendment will allocate supplemental Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act and un-programmed CDBG funds, totaling \$4,684,447; Approve Policies and Procedures for two new programs, the Microenterprise Business Loan Program and Emergency Rental Assistance Program; designate the Director of Community and Economic Development as the Certifying Official authorized to execute all documents related to the administration, management and implementation of the supplemental CDBG, ESG and HOPWA funding; and provide discretion to the Director or his designee to reallocate funds to eligible activities as deemed necessary to address greatest need.

After a brief question answer session Commissioner Anderson-Gohl motioned to approve the motion as requested. Commissioner Adair seconded the motion. Motion carried (6-0).

V. INFORMATIONAL ITEMS:

None.

VI. COMMISSIONER REPORTS AND COMMENTS:

Commissioner Kurtz provided a brief update on what is happening at the state level amid the Coronavirus Pandemic. She reported that both houses state legislature requested a scale back of bills authored to allow the state to focus on the recovery effort.

Commissioner Perez reminded everyone that the stay-at-home orders are working and encouraged everyone to continue to follow them.

VII. STAFF COMMENTS:

Grace Stepter informed the Commission that through CARES funding, in partnership with the United Way, the City will be providing financial assistance to eligible families. Under this program, \$500 will be provided to assist those experiencing loss of income due to the Coronavirus.

Mika Takayasu informed the Commission that the RFP for Fair Housing Services would be released again to encourage the receipt of more applications and a competitive process in awarding the grant.

Nadia Martinez advised the Commission that there is business for consideration coming in May.

VIII. ADJOURNMENT:

Chairperson Kurtz adjourned the meeting at 6:08 p.m.

Respectfully submitted,

Nadia Martinez
Secretary to Housing & Community Development Commission



City of Anaheim

ANAHEIM HOUSING AUTHORITY

ANAHEIM WEST TOWER, 201 S. ANAHEIM BLVD, ANAHEIM CA 92805

DATE: May 6, 2020

TO: Housing and Community Development Commission

FROM: Community and Economic Development Department

SUBJECT: COVID-19 Related Updates to the FY 2020-21 AHA Administrative Plan

RECOMMENDATION:

That the members of the Anaheim Housing and Community Development Commission review and, by motion, recommend for approval, the COVID-19 related updates to the Section 8 Housing Choice Voucher Administrative Plan for fiscal year 2020-21.

DISCUSSION:

The Anaheim Housing Authority (“Authority”) is required by the U.S. Department of Housing and Urban Development (“HUD”) to have an Administrative Plan (“Plan”) that is in compliance with federal regulations and approved by the Housing Authority Board for the purpose of implementing the Section 8 Housing Choice Voucher (“HCV”) program. The Plan is updated annually or more frequently when there is a significant change to the program.

The Plan is now being revised to incorporate changes that govern numerous statutory and regulatory requirements for the HCV program in light of the global pandemic and current state of emergency caused by the spread of the respiratory disease named Coronavirus Disease 2019 (“COVID-19”). The proposed changes align with HUD’s PIH Notice 2020-05, which grants the Authority the ability to adopt such waivers and alternative requirements.

As of this date, the outbreak of COVID-19 has been detected in over 200 countries worldwide, including in the United States. The COVID-19 pandemic has presented significant challenges for the Authority to continue to carry out our fundamental mission to provide decent, safe, and sanitary affordable housing for low-income families. Program operations have been severely impacted as the Authority complies with critically important advisories and directives from County and State public health professionals, including social distancing and other preventive practices that will slow the spread of COVID-19 and reduce the risk of exposure.

In response to the progression of the COVID-19 outbreak in California, Governor Gavin Newsom declared a State of Emergency on March 4, 2020 to formalize emergency actions

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across the state to slow down the spread of the disease. On March 13, 2020, President Trump declared the COVID-19 pandemic a national emergency. Subsequently, President Trump signed the Coronavirus Aid, Relief and Economic Security (“CARES”) Act into law on March 27, 2020. Among its many provisions, the CARES Act authorized HUD, in the context of the current public health emergency, to waive statutes and regulations (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment) for the HCV program.

Following the execution of the CARES Act, HUD released PIH Notice 2020-05 on April 10, 2020 granting Public Housing Agencies (“PHA”) administrative flexibilities to adjust program practices where necessary to prioritize mission critical functions when normal operations are restricted and severely constrained, to further prevent the spread of COVID-19, and to mitigate the health risks posed by COVID-19 to Authority staff, families, landlords, and their communities at large. PIH Notice 2020-05 specifically allows PHAs the ability to adopt a series of waivers and alternative requirements for numerous statutory and regulatory requirements for the HCV program. HUD made the waivers and alternative requirements listed in PIH Notice 2020-05 effective immediately for the PHAs that elect to adopt them. The period of availability for each waiver and alternative requirement, collectively or individually, may be extended by a PIH notice should HUD determine this to be necessary.

The Authority will continue to conduct its due diligence to abide by statutory and regulatory requirements of the HCV program throughout the state of emergency. However, in the case of inability to meet these demands due to the COVID-19 pandemic, the Authority would like to adopt and implement the following waivers and alternative requirements into its Administrative Plan as allowed under PIH Notice 2020-05.

ATTACHMENT:

Attachment 1 – Proposed COVID-19 Related Updates to the FY 2020-21 Administrative Plan.

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**Proposed COVID-19 Related Updates to the
Anaheim Housing Authority FY 2020-21 Administrative Plan**

Pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136) and PIH Notice 2020-05, below are the waivers and alternative requirements allowed under PIH Notice 2020-05 that the Anaheim Housing Authority, referenced herein as the PHA, would like to adopt into its FY 2020-21 Administrative Plan:

Delayed Annual Reexaminations

The PHA is required to conduct a reexamination of family income and composition at least annually. The PHA will continue to use its best efforts to conduct reexaminations on time. In the case that PHA is unable to meet these demands due to the COVID-19 pandemic, the PHA will conduct the reexamination as soon as practicable, but will apply the prevailing payment standard by the original effective date of the reexamination. All delayed annual reexaminations due in calendar year 2020 will be completed by December 31, 2020 (or subsequent extensions provided by HUD) (Notice 2020-5, Waiver: PH and HCV-2, p. 8).

Income Verifications for Annual and Interim Reexaminations

The PHA is required to follow the HUD income verification hierarchy and use the Enterprise Income Verification (EIV) System to verify family income when conducting annual and interim reexaminations. The PHA will continue to use its best efforts to follow the HUD income verification hierarchy and provide an EIV report for all reexaminations. In the event that the PHA is unable to collect proper verifications due to the impacts of COVID-19, the PHA may forgo HUD verification hierarchy requirements and may accept self-certifications as the highest form of income verification through July 31, 2020 (or subsequent extensions provided by HUD). (For annual reexaminations only, the PHA may use self-certifications if the PHA wishes to conduct the annual recertification rather than delaying the family's annual recertification as listed above). This may occur over the telephone but will be documented by PHA staff with a contemporaneous written record. The PHA may also obtain self-certification through email or postal mail, or through other electronic communications. In PHA, due to staffing and technology limitations that have stemmed from the COVID-19 pandemic, the PHA may not include an EIV report with annual or interim reexaminations through July 31, 2020 (or subsequent extensions provided by HUD). (Notice 2020-5, Waiver: PH and HCV-3 and 4, p. 8-10).

Enterprise Income Verification (EIV) Monitoring

The PHA is required to continuously monitor EIV reports. Due to staffing and technology limitations that have stemmed from the COVID-19 pandemic, the PHA may suspend EIV monitoring through July 31, 2020 (or subsequent extensions provided by HUD). (Notice 2020-5, Waiver: PH and HCV-5, p. 10).

**Proposed COVID-19 Related Updates to the
Anaheim Housing Authority FY 2020-21 Administrative Plan**

Family Self-Sufficiency (FSS) Contract of Participation Extension

The PHA may extend a family's contract of participation in the FSS program for a period not to exceed two years upon a finding of good cause. The circumstances surrounding COVID-19 pandemic qualify as good cause and the PHA may extend FSS contracts when employment has been impacted by the disease. The period of availability during which the PHA may extend the family's contract of participation using COVID-19 as good cause ends on December 31, 2020 (or subsequent extensions provided by HUD). (Notice 2020-5, Waiver: PH and HCV-, p. 11).

Initial HQS Inspections

The PHA is required to conduct an initial inspection of a unit within certain time frames before the beginning of the initial lease term and before any housing assistance payment (HAP) is made to determine whether the unit meets HQS. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA will allow an owner's self-certification that the owner has no reasonable basis to have knowledge that life-threatening conditions exist in the unit or units in question instead of conducting an initial inspection. The PHA will conduct an initial HQS inspection on the unit as soon as it is reasonably possible and safe to do so, The PHA will continue its best efforts to complete the postponed HQS inspections by October 31, 2020 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. The use of this waiver by the PHA does not relieve owners of their responsibility to maintain the unit in accordance with HQS as required in the HAP contract, nor does it in any way restrict the PHA from taking action to enforce the owner's obligations (Notice 2020-5, Waiver: HQS-1, p. 12-13).

If an initial inspection was conducted just prior to the state of emergency and the unit failed to meet HQS as the result only of Non-Life-Threatening (NLT) deficiencies, then the PHA may approve an extension of up to an additional 30 days to make the repairs. The PHA may approve this additional extension through July 31, 2020 (or subsequent extensions provided by HUD) The extension to make the NLT repairs may extend beyond July 31, 2020, depending on the date the PHA approved the extension. For example, if the PHA approved the extension on July 15th, the maximum extension provided to the owner would be August 15th.

The PHA may also approve assisted tenancy and execute a HAP contract if there are outstanding NLT deficiencies in the unit. However, if repairs are not made within 60 days, (this includes the additional 30 day extension listed above), the PHA will withhold payments until the repairs are made (Notice 2020-5, Waiver: HQS-3, p. 14).

**Proposed COVID-19 Related Updates to the
Anaheim Housing Authority FY 2020-21 Administrative Plan**

Biennial HQS Inspections

The PHA is required to inspect units not less often than biennially during the term of the HAP contract. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA may delay any biennial inspections until as soon as it is reasonably possible and safe to conduct them. The PHA will continue its best efforts to complete the postponed HQS inspections by October 31, 2020 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later. The use of this waiver by the PHA does not relieve owners of their responsibility to maintain the unit in accordance with HQS as required in the HAP contract, nor does it in any way restrict the PHA from taking action to enforce the owner's obligations (Notice 2020-5, Waiver: HQS-5 p. 15).

HQS Quality Control Inspections

The PHA is required to conduct supervisory quality control inspections of a sampling of units under contracts. Conducting physical inspections of units in communities during the COVID-19 poses health risks for families, participating owners, and PHA personnel, and may run counter to public health orders, directives, or recommendations such as shelter-in-place or other social distancing practices designed to contain and reduce exposure to the disease. The PHA may not conduct HQS quality control inspections until October 31, 2020 (or subsequent extensions provided by HUD) or after the state of emergency is lifted, whichever is later (Notice 2020-5, Waiver: HQS-9 p. 18).

HQS Space Standards and Family Additions

The PHA is required to comply with a minimum space standard for both an HCV and Project-Based Voucher assisted family. The PHA recognizes the health and safety precautions that assisted families may take due to the COVID-19 pandemic. The PHA may add a member or members to the assisted household as a result of the COVID-19 pandemic even if the additional family members would result in the unit not meeting the space and security standards. This provision does not apply to an initial or new lease. A participant must not enter into a new lease for a unit that does not comply with the space and security standards. The PHA will not require the family to move until the end of the lease or April 10, 2021 or whichever is later (or subsequent extensions provided by HUD), (Notice 2020-5, Waiver: HQS-10 p. 18).

**Proposed COVID-19 Related Updates to the
Anaheim Housing Authority FY 2020-21 Administrative Plan**

Voucher Extensions

The PHA may grant a family one or more extension of the initial voucher term in accordance with its PHA policy as described in its PHA Administrative Plan. Due to the impacts that the COVID-19 pandemic may have on finding housing, the PHA may issue extensions beyond what is typically allowable under Chapter 5-II.E. of the Administrative Plan through July 31, 2020 (or subsequent extensions provided by HUD) (Notice 2020-5, Waiver: HCV-3, p. 20).

HAP Execution

Typically, the PHA may not make any housing assistance payments to the owner until the HAP contract is executed. The PHA will continue to use its best efforts to execute the HAP contract no later than 60 days from the beginning of the lease term. In the case of inability to meet these demands due to the COVID-19 pandemic, the PHA may take up to 120 days from the beginning of the lease term to fully execute the HAP contract through July 31, 2020 (or subsequent extensions provided by HUD) (Notice 2020-5, Waiver: HCV4, p. 20).

Absence from Unit

HUD regulations require that a family may not be absent from the unit for a period of more than 180 consecutive calendar days for any reason. The PHA recognizes that families may have to relocate to protect their health and safety due to the COVID-19 pandemic. The PHA may waive its policies of family absences listed on Chapter 12-I.E. of the Administrative Plan at its discretion, may continue housing assistance payments, and not terminate the HAP contract if the family's absence is related to a COVID-19 related emergency. The PHA may waive these policies through December 31, 2020 (or subsequent extensions provided by HUD). The PHA may not make payments beyond December 31, 2020, and the HAP contract will terminate on that date if the family is still absent from the unit (Notice 2020-5, Waiver: HCV-5 p. 20).

Termination of the HAP Contract/Family Self-Sufficiency

When family's income increases to the extent that the housing assistance payment is reduced to \$0, the PHA is required by regulation to automatically terminate HAP contract 180 days after the last housing assistance payment to the owner. The PHA recognizes that the COVID-19 pandemic is creating economic and employment instability for many families, as well as situations where families may on a temporary basis be adding members whose additional income may result in a \$0 HAP subsidy calculation. The PHA will extend the HAP contract beyond 180 days from the date that the family became self-sufficient but may not extend beyond December 31, 2020 (or subsequent extensions provided by HUD) (Notice 2020-5, Waiver: HCV-6, p. 21).

**Proposed COVID-19 Related Updates to the
Anaheim Housing Authority FY 2020-21 Administrative Plan**

Utility Allowance

The PHA is required to review its utility allowance schedule each year and revise it if there has been a change of 10 percent or more in a utility rate since the last time it was revised. The PHA recognizes that there may be delays in receiving information required for the utility allowance review due to the COVID-19 pandemic. In the event that the PHA experiences delays on receiving information, the PHA may conduct a review of the utility allowance beyond 12 months but will complete it but no later than December 31, 2020 (Notice 2020-5, Waiver: HCV-8, p. 22).

Administrative Plan

HUD regulation requires that any revisions of the PHA's Administrative Plan must be formally adopted by the PHA Board of Commissioners or other authorized PHA officials. HUD and the PHA have recognized the foreseeable difficulties in complying with this requirement in light of the COVID-19 pandemic. PIH Notice 2020-5 allows the PHA to adopt these waivers on a temporary basis without Board approval. The PHA will formally adopt these provisions no later than July 31, 2020 (Notice 2020-5, Waiver: HCV-1, p. 19).