

RESOLUTION NO. _____

**APPROVAL OF REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM
ADMINISTRATIVE PLAN**

Item No. 5E

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that Housing Choice Voucher (HCV) providers adopt an Administrative Plan to set local policies for the administration of the program in accordance with HUD requirements and local priorities; and

WHEREAS, the HCV Program Administrative Plan and any revisions to said document must be formally adopted by the Louisville Metro Housing Authority (LMHA) Board of Commissioners; and

WHEREAS, LMHA finds it necessary to revise the existing HCV Program Administrative Plan to administer the program in a more effective and efficient manner and to remain in compliance with HUD rules and regulations; and

WHEREAS, the LMHA is proposing revisions to the following sections of the HCV Program Administrative Plan: “MTW Waiver Section; “Waiting List Organization - Preferences” (Section 4.C.2.b); “Special Purpose Vouchers” (Section 4.E.2); “Items Excluded from Annual Income” (Section 5.C); “Timing of Verification” (Section 10.E); “Frequency of Obtaining Verification” (Section 10.F); “Rent Reasonableness” (Section 11.A); “Interim Reexaminations” (Section 14.C); “Project Based Assistance” (Section 17.E.1.a, 17.E.1.b, 17.E.1.c, 17.K.1); “Homeownership Option” (Section 22.B, 22.C, 22.D.1); “Emergency Housing Vouchers” (Section 26.Q); “Medical Deductions” (Appendix 6); “Special Referral Programs” (Appendix 9); “Language Access Plan” (Appendix 4); and

WHEREAS, the full text of the proposed revisions is given as an attachment to this resolution; and

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WHEREAS, these proposed revisions were made available for public comment from March 18, 2022 through April 18, 2022 and a public hearing was held on March 31, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUISVILLE METRO HOUSING AUTHORITY BOARD OF COMMISSIONERS that the Housing Choice Voucher Program Administrative Plan revisions are adopted.

RESOLUTION BACKGROUND STATEMENT

APPROVAL OF REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

Item No. 5E

I. STATEMENT OF FACTS:

LMHA reviews its HCV Program Administrative Plan to ensure that the admissions and occupancy policies described therein are compliant with the latest rules and regulations issued by HUD and that the HCV Program is operated in a manner that is effective, efficient, and beneficial to residents. To that end, LMHA is now proposing the following changes to its Administrative Plan:

- MTW Waivers: Language is being added to clarify the types of home inspection reports that will be accepted for the Homeownership option and outdated waiver language is removed.
- 4.C.2.b “Waiting List Organization – Preferences”: Language is added expanding preferences to those participating in the REBOUND Program.
- 4.E.2 “Special Purpose Vouchers”: Updated information on the FUP program and possible extensions of assistance in compliance with new regulations in 87 FR 3570.
- 5.C “Items Excluded from Annual income”: Changes were made to exclusions in earnings for full time students and adoption assistance payments to return to the standard HUD exclusions. Additionally, exclusions of up to \$6,000 are included for participants in the YALift! Guaranteed income pilot program.
- 10.E and 10.F “Verification”: Language was changed in both sections to remove references to “annual” and substituted “regular” to reflect biannual recertification currently in use.
- 11.A “Rent Reasonableness”: Changes have been made to how rent increases are calculated. There will be a cap equal to the average annual percentage increase in Fair Market Rents across one to four bedroom units rounded down to the nearest whole percentage.
- 14.C “Interim Reexaminations”: Annual reexamination was changed to regular reexamination to reflect LMHA’s current schedule.

RESOLUTION BACKGROUND STATEMENT

APPROVAL OF REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

Item No. 5E

I. STATEMENT OF FACTS (cont'd):

- 17.E.1.b-c “Project Based Assistance – Filling Vacant Units”: The titles of the sections have been updated to better clarify how waiting lists are handled.
- 17.E.1.c “Project-Based Assistance – Filling Vacant Units”: Clarification that LMHA will use Tenant Income Certification for LIHTC units and those units that have received conditional LIHTC approval.
- 17.K.1 “Project Based Assistance – Recertification”: Clarification that LMHA will use Tenant Income Certification for LIHTC units and those units that have received conditional LIHTC approval.
- 22.B “Homeownership Option – Family Participation Requirements”: Changed the time for residency from nine months to twelve months. Waived residency requirements for those purchasing a duplex through the REBOUND Program.
- 22.C “Homeownership Option – Family Eligibility Requirements”: Added qualifying work and income to include those working 25-29 hours a week and making at least 175% of minimum wage.
- 22.D “Homeownership Option – Eligible Units”: Through an MTW waiver the eligible units are being expanded to include manufactured housing and their pads as well as duplexes purchased through the REBOUND Program.
- 26.Q “Emergency Housing Vouchers – Covid 19 Waivers”: This section is being removed because the waivers have expired and are no longer in effect.
- Appendix 6 “Medical Deductions”: This section has been updated to have accurate numbers for 2022.
- Appendix 9 “Special Referral Partners”: Added Kentucky Refugee Ministries and YouthBuild Louisville as referral partners. Updated voucher numbers for existing referral partners.

RESOLUTION BACKGROUND STATEMENT

APPROVAL OF REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

Item No. 5E

I. STATEMENT OF FACTS (cont'd):

- Language Access Plan: The language access plan is updated to reflect latest population numbers and assessment of LMHA population data.

II. ALTERNATIVES:

- A. Approve all the revisions to the HCV Program Administrative Plan.
- B. Approve a portion of the revisions to the HCV Program Administrative Plan.
- C. Do not approve the revisions to the HCV Program Administrative Plan.

III. RECOMMENDATION:

Staff recommends Alternative "A".

IV. JUSTIFICATION:

HUD requires that Housing Choice Voucher (HCV) providers adopt a written Administrative Plan that establishes local policies for administration of the program. This document guides staff in administering the HCV Program and informs residents and the general public of the Housing Authority's admissions and occupancy policies.

Submitted by: Sam Dixius
Compliance Manager
April 19, 2022

PROPOSED ADMINISTRATIVE PLAN CHANGES FOR APRIL 19, 2022.

MTW Waivers Homeownership HQS: LMHA will waive the requirement for the initial HQS inspection for homeownership units; however, an independent inspection performed by an American Society of Home Inspectors (ASHI) certified professional will still be required. ~~ASHI certified inspectors must create and submit a report generated using software specifically designed for home inspections. Digitized copies of handwritten reports, such as scanned copies, will not be accepted.~~ This waiver applies to the HCV Homeownership Program.

~~LMHA has been authorized by HUD to use Louisville Metro Government Property Maintenance Codes in lieu of HQS1. LMHA has an intergovernmental agreement with the LMG Department of Codes and Regulations (referred to as Codes and Regulations) to inspect Housing Choice Voucher (HCV) units to meet Housing Quality Standards (HQS). Until further notice, as per Mayoral announcement, Codes and Regulations will limit HCV HQS inspections to~~

- ~~• Initial inspections~~
- ~~• Inspections limited to follow up failed inspections~~

4.C.2.b The Admissions Process – Waiting List Management – Waiting List Organization – Preferences

Pending HUD approval of a non-significant change to MTW Activity #2006-1, MTW Homeownership Program, this Plan will be amended as follows:

Consistent with the Housing Authority’s Moving to Work (MTW) Annual Plan; the Consolidated Plan that covers the LMHA jurisdiction; and local housing needs and priorities, the Housing Authority will give an admissions preference to Applicant Families that meet at least one of the following criteria:

...

- ~~vi. Applicant Families purchasing a duplex through the REBOUND Program will be given a preference to the Authority’s HCV Homeownership Program. HCV homeownership assistance will be limited to the unit occupied by the homeowner.~~
- ~~vii. Applicant Families who will reside in the rental unit of a duplex purchased through the REBOUND Program.~~

4.E.2 The Admissions Process – Non-waiting list admissions – Special Purpose Vouchers

2. Special Purpose Vouchers

Occasionally, the LMHA receives an allocation of HCV vouchers from HUD that is targeted to assist Families that meet specified eligibility criteria. Applicants for these vouchers are not selected through the Housing Authority’s waiting list, but through a separate selection process determined by HUD.

VASH

The LMHA currently has HCV vouchers designated to assist homeless veterans. For information on how to apply for these vouchers, see Appendix 7.

Once the Family has begun participation in the VASH Program, a Department of Veterans Affairs Medical Center determination that the Family no longer requires case management is not grounds for termination of assistance. In such cases, the LMHA will offer the Family continued assistance through one of its tenant-based HCV vouchers, in order to free up a VASH voucher for another eligible Family referred by the Department of Veterans Affairs Medical Center. If the Housing Authority has no tenant-based HCV voucher to offer the Family, the Family will retain their VASH voucher until such time as the LMHA has an available tenant-based HCV voucher to offer the Family.¹

Mainstream

Louisville Metro Housing Authority will provide a preference through its Mainstream Voucher Program for non-elderly persons with disabilities transitioning out of institutional and other segregated settings, at serious risk of institutionalization, homeless, or at risk of becoming homeless. Referral partners include The Coalition for the Homeless, Center for Accessible Living, Wellspring, Seven Counties, and St. John Center.

Family Unification Program

LMHA administers the Family Unification Program (FUP) under which housing choice vouchers are provided for two different populations:

1. Families for whom the lack of adequate housing is a primary factor in:
 - a. The imminent placement of the family's child or children in out-of-home care, or
 - b. The delay in the discharge of the child or children to the family from out-of-home care.There is no time limitation on FUP family vouchers.
2. For a period not to exceed 36 months, otherwise eligible youths who have attained at least 18 years and not more than 24 years of age and who have left foster care, or will leave foster care within 90 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act, and is homeless or is at risk of becoming homeless at age 16 or older.

...

For participants in LMHA's FUP program who first leased a unit with a FUP voucher after December 27, 2020, there may be continued eligibility (subject to requirements) for two 12 month extensions for a total of 60 months of assistance.

LMHA will inform each participant of the following requirements during the family briefing. For those participants who were issued a voucher prior to publication of FR-6284-N-01 and who leased a unit after 12/27/2020, LMHA will inform them of the availability of extensions. The availability of these extensions do not impact the initial 36 month time period.

Participants in the FUP program will be eligible for an extension if they meet one of the following criteria:

1. ²A FUP participant who is participating in a Family Self-Sufficiency program is entitled to receive FUP assistance for up to an additional 24 months beyond the initial 36 month time limit.
 - a. To receive this extension, the participant must be in compliance with FSS requirements.

¹ 77 FR 17086, *Section 8 Housing Choice Vouchers: Revised Implementation of the HUD-VA Supportive Housing Program*

² 87 FR 3570 <https://www.federalregister.gov/documents/2022/01/24/2022-01285/implementation-of-the-fostering-stable-housing-opportunities-amendments>

- b. Families cannot be required to participate in the FSS program, however, only FUP participants that sign an FSS contract of participation will be eligible for an extension under this provision.
 - c. If LMHA is unable to offer an FSS slot during the first 36 months of assistance the youth is considered “unable to enroll” in the program but can have the voucher extended by meeting the education, workforce development, or employment requirements below.
 - d. If an FSS slot is available and offered to a participant before the 36 month mark, then the participant must accept the spot, unless they are subject to an exception below.
 - e. After 36 months, but before 48 months, LMHA must offer an FSS spot, if available, and LMHA must work with the youth to determine whether enrollment in FSS is
 - i. Feasible,
 - ii. In their best interest given any education, workforce development, or employment activities that the youth is engaged in, and
 - iii. Any statutory exceptions that apply as well as remaining time on the FUP voucher
 - f. LMHA may offer an FSS slot to a FUP youth between the 48 month and 60 month mark
2. Extension of Assistance for Youth Engaging in Education, Workforce Development, or Employment Activities
- a. A youth is eligible for continued assistance if they were unable to enroll in the FSS program during the first 36 months of assistance. A youth is entitled to two, 12 month periods of assistance beyond the original 36 months
 - b. The youth must engage in a least one of the education, workforce development, or employment activities below for at least 9 months of the 12 month period preceding each extension. It is possible for a youth to combine time they were engaged in eligible activities to meet the requirements
 - c. Education Requirements
 - i. The youth is engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized equivalent as defined by the Workforce Innovation and Opportunity Act³
 - ii. The youth was enrolled in an “institution of higher education” as defined in section 101(a) of the Higher Education Act of 1965 (20 USC 1001(a)) or that meets the definition of “proprietary institution of higher education” or “postsecondary vocation education” under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965
 - d. Workforce Development Requirements
 - i. The youth was participating in a career pathway as defined by Section 3 of the Workforce Innovation and Opportunity Act (29 USC 3102)
 - e. Employment Requirements
 - i. The youth was employed
3. Extension of Assistance Exceptions – A FUP youth will be entitled to receive an extension up to 24 months after the 36 month limit if they certify that they meet one of the following:
- a. The FUP youth is a parent or other household member responsible for the care of a dependent child under the age of 6 or for the care of an incapacitated person.
 - b. The FUP youth is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.
 - c. The FUP youth is a person who is incapable of complying with the requirement to participate in an FSS program or engage in education, workforce development, or employment activities due to a documented medical condition.

³ <https://uscode.house.gov/view.xhtml?path=/prelim@title29/chapter32&edition=prelim>

- d. A FUP youth that meets these exceptions must still be offered an opportunity to enroll in FSS and receive any supportive services available to FUP youth.
4. Verification of Compliance
- a. Because FUP vouchers are ordinarily limited to 36 months, LMHA will only conduct an annual re-examination at the end of the 36 month and 48 month time period if the youth meets one of the statutory conditions allowing for the extension.
 - b. The failure of the youth to meet the requirements is not grounds for termination of assistance in progress but will impact the ability of the youth to receive a subsequent extension.
 - c. The youth does not have to meet the same condition for an extension in order to receive a second 12 month extension. The youth must be given an opportunity to show a different qualifying condition if the original condition is no longer valid.
 - d. LMHA will conduct the following to verify compliance,
 - i. Verification of Compliance for Youth Participating in a Family Self-Sufficiency Program
 - 1. LMHA will examine its records to confirm, or obtain verification from the FSS staff, that the FUP participant is in compliance with the FSS program requirements and has not been terminated from the FSS program
 - ii. Verification of Compliance for Youth Who Engage in Education, Workforce Development, or Employment Activities or Who Meet One of the Statutory Exceptions
 - 1. To verify education, workforce development, or employment activities LMHA will provide the FUP youth written notice that they may receive an extension if they meet one of the conditions and providing the youth with information on how to demonstrate meeting the conditions.
 - 2. The notification will be provided sufficiently in advance to allow compliance.
 - 3. The youth must demonstrate that they were engaged in one of the qualifying activities for 9 months out of the preceding 12 month period. The youth has to meet the 9 month requirement before the end of the period of assistance but does not have to have it done before the certification. This is the only certification the youth must provide.
 - 4. LMHA will then conduct the proper reexamination.
 - 5. For exceptions under paragraph 3 of this section, a participant must submit certification that they meet an exception provided in that section.
5. Grievance procedure
- a. If a participant's assistance is terminated, prior to termination the FUP youth must be provided the opportunity to request an informal hearing in line with the grievance procedure in this plan.
6. Supportive Services
- a. LMHA will provide FUP youth of the FUP supportive services available to them, as well as the existence of any other programs or services, and their eligibility for such programs and services as part of the family briefing.
 - b. LMHA will make FUP youth eligible for all supportive services made available by or through LMHA in connection with any housing program of LMHA. The youth must still qualify according to the requirements of each service, however.

5.C Determining Annual Income – Items Excluded from Annual Income

14. **All but \$480** in earnings for each Full-Time Student 18 years old or older (excluding the Head of Household and spouse);

15. All but \$480 in adoption assistance payments per adopted child;

Pending HUD approval of a non-significant change to MTW Activity #2020-01, Rent Simplification, this Administrative Plan will be amended as follows:

Payments of up to \$6,000 annually for families participating in the YALift! Guaranteed income pilot program

10.E Verification – Timing of Verification

Household income and composition will be verified ~~at least annually~~ according to the schedule in Section 14, at an appointment to be scheduled by LMHA.

10.F Verification – Frequency of Obtaining Verification

FREQUENCY OF OBTAINING VERIFICATION

Household income and composition will be verified ~~at least annually~~ according to the schedule in Section 14, at an appointment to be scheduled by LMHA.

11.A Rent and Housing Assistance Payment – Rent Reasonableness

Pending HUD approval of a non-significant change to MTW Activity #2014-2, Housing Choice Voucher Program Rent Increase Limit, this Administrative Plan will be amended as follows:

In addition, LMHA has elected to place a ~~2%~~ cap on annual increases. ~~The cap will be equal to the average annual percentage increase in Fair Market Rents (FMR) across units with one to four bedrooms for all bedroom sizes rounded down to the nearest whole number, but not less than 2% above the Rent to Owner for units where the Family is already receiving Housing Choice Voucher (HCV) rental assistance and is electing to stay in the unit.~~⁴ At Housing Assistance Payments (HAP) contract renewal, LMHA limits the Rent to Owner to whichever is least:

1. The Owner requested Rent to Owner;
2. ~~100~~2% of the previous Rent to Owner ~~plus the average annual increase in Fair Market Rents (FMR) across units with one to four bedrooms for all bedroom sizes rounded down to the nearest whole number for all bedroom sizes, but not less than 2%;~~
3. The (Exception) Payment Standard; or
4. The Reasonable Rent. LMHA conducts reasonable rent determinations on a random sample of the units where rent increases were requested. LMHA uses the SEMAP sample size requirements to dictate the number of reasonable rent determinations to be completed.

⁴ MTW Activity #2014-2, "HCV Program – Rent Increase Limit"

14.C INTERIM REEXAMINATIONS

During an interim reexamination, only the information affected by the changes being reported will be reviewed and verified.

Families will not be required to report any increase in income or decreases in allowable expenses between ~~annual~~ regular reexaminations.

Families are required to report the following changes to LMHA within 14 calendar days between regular reexaminations. These changes will trigger an interim reexamination.

17.E.1.a Project Based Assistance – The Admissions Process- Filling Vacant Units

Properties with a Site-Based Waiting List

17.E.1.b Project Based Assistance – The Admissions Process – Filling Vacant Units

Properties without a Site-Based LMHA Waiting List

17.E.1.c Project Based Assistance – The Admissions Process – Filling Vacant Units

Pending HUD approval of a non-significant change to MTW Activity #2019-01, Enhancements to Local Project-Based Voucher (PBV) Program, this Administrative Plan will be amended as follows:

c. Income Verification

For LIHTC units and units that have received conditional LIHTC approval (at LMHA's sole discretion), LMHA will use the LIHTC Tenant Income Certification to verify income and assets of residents for determining eligibility at admission and at all interim and regular recertifications.

17.K.1 Recertification

Pending HUD approval of a non-significant change to MTW Activity #2019-1, Enhancements to Local Project-Based Voucher (PBV) Program, this Administrative Plan will be amended as follows:

Annual and Interim Recertification

For LIHTC units and units that have received conditional LIHTC approval (at LMHA's sole discretion), LMHA will use the LIHTC Tenant Income Certification to verify income and assets of residents for determining eligibility at all interim and annual recertifications.

22.B Homeownership Option – Family Participation Requirements

Pending HUD approval of a non-significant change to MTW Activity #2006-1, MTW Homeownership Program, this Plan will be amended as follows:

1. In order to assure a successful transition from rental to homeownership, this program shall be open only to those who have been assisted by the HCV rental assistance program, lived in public housing, or resided in another Louisville Metro Housing Authority (LMHA) owned or managed property for at least ~~nine~~ twelve months. This residency requirement shall be waived for those purchasing a duplex through the Louisville Urban League's REBOUND Program.

22.C Homeownership Option – Family Eligibility Requirements

Pending HUD approval of a non-significant change to MTW Activity #2006-1, MTW Homeownership Program, this Plan will be amended as follows:

...

4. The family must demonstrate that one or more adult members of the family who will own the home at commencement of homeownership assistance:

- A. Is currently employed on a full-time basis (the term "full-time employment" means not less than an average of 30 hours per week) or is working between 25-29 hours a week and earning at least 175% of the minimum wage; and

...

11. The family must be under the current rental lease, in the same unit, for over one year and must be a month-to-month tenant. This requirement shall be waived for those purchasing a duplex through the Louisville Urban League's REBOUND Program.

22.D.1 Homeownership Option – Eligible Units

Pending HUD approval of a non-significant change to MTW Activity #2006-1, MTW Homeownership Program, this Plan will be amended as follows:

~~Any unit that is eligible under the HCV rental assistance program is eligible for this program.~~

The types of units eligible are:

- a. Single family dwellings;
- b. Condominiums;
- c. Cooperatives; ~~and~~
- d. Manufactured Housing and their pads (must have at least a permanent foundation and at least a 40-year lease; and
- e. Duplexes to be purchased through the Louisville Urban League's REBOUND Program.

22.D.1 Homeownership Option – Eligible Units

The unit must satisfy the housing quality standards (HQS) and have been inspected by an independent inspector who is a member of the American Society of Home Inspectors (ASHI) and was designated and paid for by the family. ASHI certified inspectors must create and submit a report generated using software specifically designed for home inspections. Digitized copies of handwritten reports, such as scanned copies, will not be accepted.

26.Q Emergency Housing Vouchers – COVID 19 Waivers

~~HUD is exercising its waiver authority under the ARP to provide some of the same menu of HCV applicable CARES Act waivers to PHAs for administration of the EHV assistance. COVID-19 waivers have limited periods of availability that currently match the same periods of availability for the CARES Act waivers (See “Statutory and Regulatory Waivers Effective 4/13/2020” section at the beginning of this plan). Below is a list of COVID-19 related waivers that LMHA is using regarding EHV:~~

- ~~● PH and HCV-4 Family Income and Composition: Interim Examinations~~
- ~~● PH and HCV-5 Enterprise Income Verification (EIV) Monitoring~~
- ~~● HQS-1 Initial Inspection Requirements~~
- ~~● HQS-3 Initial Inspection: Non-Life-Threatening Deficiencies (NLT) Option~~
- ~~● HQS-4 HQS Initial Inspection Requirement: Alternative Inspection Option~~
- ~~● HQS-6 HQS Interim Inspections~~
- ~~● HQS-9 HQS Quality Control Inspections~~
- ~~● HQS-10 Housing Quality Standards: Space and Security~~
- ~~● HCV-1 Administrative Plan~~
- ~~● HCV-2 Information When Family is Selected: PHA Oral Briefing~~
- ~~● HCV-3 Term of Voucher: Extensions of Term~~
- ~~● HCV-4 PHA Approval of Assisted Tenancy: When HAP Contract is Executed~~
- ~~● HCV-5 Absence from Unit • HCV-6 Automatic Termination of HAP Contract~~

Appendix 6

STANDARD MEDICAL DEDUCTION⁵

- The standard medical deduction is updated on January 1 of each year. For the calendar year 2022 the monthly Medicare/Medicaid Part B premium for individual tax return of \$~~8891~~,000 or less or joint tax return of \$~~17682~~,000 or less:
\$170.10 ~~148.50~~/month or **\$2,041.20** ~~1782~~/year

...

Appendix 9 Special Referral Programs

Joshua Community Connectors	Eligible individuals at-risk of homelessness in the Russell neighborhood who participate in JCC case management	816 East Broadway, serving 40212 and adjacent	407-2749	Kimchangesthin gs.com	2040
Kentucky Refugee Ministries	Refugees, Afghan refugees, Cuban Entrants, and individuals from various countries who have been	969-B Cherokee Rd. Louisville, KY 40204	502-479-9180	https://kyrm.org /	10

⁵ <https://www.medicare.gov/your-medicare-costs/part-b-costs>

	approved for or are applying for asylum				
My Chosen People	Pregnant mothers and individuals released from incarceration who participate in treatment and case management	3221 Kirby Ave	709-5600		20
Louisville Metro Government Office of Resilience and Community Services ⁶	Homeless individuals participating in employment readiness programming	701 W Ormsby, 40203	574-4377	Louisvilleky.gov/government/resilience-and-community-services	50
Louisville Metro Government Office of Safe and Healthy Neighborhoods	Participants who are in unstable and/or unsafe housing conditions due to being victims of gun violence	517 Court Place; Louisville, KY 40202	574-1903	louisvilleky.gov/government/safe-neighborhoods	420
Wellspring	Individuals with severe & persistent psychiatric illness or intellectual disabilities	PO Box 1927, 40201	753-1456	www.wellspring-house.org	6333

YouthBuild Louisville	18-24, homeless population (HUD Categories 1-4), providing housing assistance, access to housing options, and case management.	800 S. Preston Street, Louisville, KY 40203	(502) 290-6121	http://yblky.org/	10
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LANGUAGE ACCESS PLAN **FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY**

A. PLAN STATEMENT

Executive Order 13166 requires that agencies receiving federal assistance ensure the accessibility of their programs and services to all eligible clients including persons with limited English proficiency. The Louisville Metro Housing Authority (LMHA) developed this Language Access Plan to provide meaningful access to its programs and activities by persons with limited English proficiency. In accordance with federal guidelines the LMHA will make reasonable efforts to provide or arrange free language assistance for its clients with limited English proficiency, including applicants, recipients, and/or persons eligible for

public housing, the Housing Choice Voucher (HCV) Program, and other Housing Authority programs.

B. MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

Meaningful access is free language assistance in accordance with federal guidelines. The LMHA will periodically assess and update the following four-factor analysis, which examines:

1. The number or proportion of persons with limited English proficiency eligible to be served or likely to be encountered by LMHA;
2. The frequency with which persons with limited English proficiency who use a particular language encounter LMHA;
3. The nature and importance of the LMHA program, activity, or service to the person's life; and
4. The Housing Authority's resources and the cost of providing meaningful access. Reasonable steps may cease to be reasonable where the costs imposed substantially exceed the benefits.

C. LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak, or understand English may be a person with limited English proficiency and may be entitled to language assistance with respect to LMHA programs and activities.

Language assistance includes:

1. Interpretation, which means oral or spoken transfer of a message from one language into another language; and/or
2. Translation, which means the written transfer of a message from one language into another language.

LMHA staff will take reasonable steps to provide the opportunity for meaningful access to clients with limited English proficiency who have difficulty communicating in English. If a client asks for language assistance, and the LMHA determines that the client has limited English proficiency, and that language assistance is necessary to provide meaningful access, the LMHA will make reasonable efforts to provide free language assistance. If reasonably possible, the LMHA will provide the language assistance in the client's preferred language.

The LMHA has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.

The LMHA will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of clients.

1. Translation of Documents

The LMHA will weigh the costs and benefits of translating documents for potential groups with limited English proficiency, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of technical housing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in a group of persons with limited English proficiency, and other relevant factors. The LMHA will undertake this examination when an eligible group with limited English proficiency constitutes 5% of an eligible client group (for example, 5% of HCV households) or 1,000 persons, whichever is less.

a. *Translation of Documents Vital to Applicants and Potential Applicants*

Per the U.S. Census Bureau’s ~~2019~~ **five-year** American Community Survey, in the Louisville Metropolitan Statistical Area, the following single-language populations with limited English proficiency contain more than 1,000 persons:⁷

Language Spoken by Group	Number of Individuals in Group	Group as Percent of Louisville’s Total Population (1,386,761)
Spanish	18,312 22,016	1.65%
African-Language ⁸	2,292 2,094	0.2%
Chinese	1,345 1,257	0.1%
Arabic	1,429	0.1%
Other Asian	1,095	0.1%
Vietnamese	1,065 1,755	0.1%
Russian	1,156	0.1%
Nepali, Marathi, other Indic Languages	1,420	0.1%

Weighing the costs and benefits of translating documents for the above-referenced groups with limited English proficiency, including the expense of translating the documents, the barriers to meaningful translation or interpretation of technical housing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in each group, and other relevant factors, the LMHA has decided that it will

⁷ Data element B16001: “Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over.” Reports population speaking English less than “very well.”

⁸ As per the Louisville Metro Government Office of Globalization, the largest proportion of African Languages spoken in Jefferson County include Swahili, Burundi, and African dialects of French.

provide ~~as-needed translations upon request for~~ the pre-application form and selected mailings and documents to applicants and potential applicants ~~into Spanish~~.

While the LMHA does not believe that written translation of documents into ~~Chinese, Serbo-Croatian, and Vietnamese~~ other languages is warranted at this time, the Housing Authority will regularly monitor any changes to the size of these populations and modify this Language Access Plan as appropriate.

b. *Translation of Documents Vital to Residents / Participants*

~~i. Public Housing~~

~~To meet the language needs of the approximately 115 Maay and Somali speaking households (604 individuals) in its Public Housing Program, the LMHA will make written translations of documents vital to public housing residents, including the public house lease and other selected mailings and documents, available in these languages.~~

ii. Public Housing and Housing Choice Voucher Program

Within the Housing Authority's ~~Public Housing and Housing Choice Voucher Programs~~, no single-language group with limited English proficiency currently includes more than 1,000 persons or comprises more than 5% of participants. ~~Therefore, the LMHA has no plans to translate documents vital to HCV households into additional languages at this time.~~ Utilizing records from translation services from 2019- February, 2022, Arabic, Somali, and Spanish were the most requested translation. However, over the three years, translation for these three languages combined totaled 605 times or approximately 16 times per month for each of those languages. LMHA has translations into Spanish of preapplications for both programs. The LMHA has no plans to translate additional documents vital to households into additional languages at this time .

While the populations of ~~Chinese, Serbo-Croatian, Spanish, and Vietnamese~~ limited English proficiency speakers residing in LMHA housing is currently not significant enough to warrant written translation of documents vital to these residents / participants, the Housing Authority will regularly monitor the size of these language groups and modify this Language Access Plan as appropriate.

c. *Translation of Documents Generally*

The LMHA will conduct periodic reviews of its written documents that are generally available to and used by the general public, applicants, and residents / participants for the purpose of assessing the importance of those documents to its clientele including persons with limited English proficiency. As opportunities arise, the LMHA may work with other housing authorities to share the costs of translating common documents into languages other than English.

LMHA staff can access translations of standard HUD housing documents in a variety of languages at the following web address:

https://www.hud.gov/program_offices/fair_housing_equal_opp/17lep

The LMHA will consider technological aids such as Internet-based translation services, which may provide helpful, although perhaps not authoritative, translations of written materials.

2. Formal Interpreters

The LMHA will develop and maintain a register of interpreters and translators for staff to use when language services are required for persons with limited English proficiency (see attachment). At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier.

Formal interpreters shall be used at the following:

- a. Formal hearings for denial of admission to public housing;
- b. Informal settlement conferences and formal hearings for termination of public housing; and
- c. Hearings or conferences concerning denial or termination of HCV Program participation.

To address the needs of the Housing Authority's **Limited English Proficiency speakers**, the LMHA **has a per-use contract with an interpreter service full-time Multicultural Program Specialist on staff**, who interprets these languages. This formal interpreter is available to residents / participants any time they interact with LMHA staff.

3. Informal Interpreters

- a. Informal interpreters may include the family members, friends, legal guardians, service representatives, or advocates of the client with limited English proficiency. LMHA staff will determine whether it is appropriate to rely on informal interpreters, depending upon the circumstances and subject matter of the communication. However, in many circumstances, informal interpreters, especially children, are not capable of providing high-quality, accurate interpretation. There may be issues of confidentiality, competency, or conflict of interest;
- b. A person with limited English proficiency may use an informal interpreter of their own choosing and at their expense, either in place of or as a supplement to the free language assistance offered by the LMHA. If possible, the Housing Authority should accommodate a client's request to use an informal interpreter in place of (or in addition to) a formal interpreter; and
- c. If a client with limited English proficiency wants to use their own informal interpreter, the LMHA reserves the right to also have a formal interpreter present.

D. MONITORING

The LMHA will review and revise this Language Access Plan periodically. This review will include:

1. Reports from the Housing Authority's computer business systems on the number of LMHA clients with limited English proficiency, to the extent that the software and staff data entry can provide such information. Such reports may be supplemented by staff observations;
2. Reports from the computer business systems and other sources listing the languages used by clients with limited English proficiency;
3. A determination as to whether 5% or 1,000 persons from a LMHA client group speak a specific language, which triggers consideration of document translation needs as described above; and
4. An analysis of staff requests for contract interpreters, to include the number of requests, languages requested, costs, etc.

E. LANGUAGE ACCESS PLAN DISTRIBUTION AND TRAINING

This Language Access Plan will be:

1. Incorporated into the Housing Authority's Admissions & Continued Occupancy Policy (ACOP) and HCV Administrative Plan as an Appendix;
2. Distributed to all LMHA supervisors;
3. Available in LMHA offices; and
4. Explained in orientation and training sessions for supervisors and other staff who need to communicate with potential applicants, applicants, and clients with limited English proficiency.