

RESOLUTION NO. _____

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

Item No. 5C

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 multiple sections of the HCV Program Administrative Plan; and

WHEREAS, a summary of the proposed revisions is included in this resolution; and

WHEREAS, these proposed revisions were made available for public comment from March 17, 2023 through April 17, 2023 and a public hearing was held on March 28, 2023.

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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

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I. STATEMENT OF FACTS:

LMHA periodically 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 significant changes to its Administrative Plan:

- 1) Explanation of the end of the use of emergency waivers on May 11th, 2023, when the declared Covid-19 emergency ends. Page 7.
- 2) Added policies implemented by the reauthorization of the Violence Against Women Act 2022, including added definitions for Economic Abuse and Technological Abuse, prohibitions against retaliation for reporting, and the right to report crimes from one's own home. Pages 28-29.
- 3) An update to requirements for consent forms, effective January 1st, 2024, via Housing Opportunity Through Modernization Act (HOTMA), that requires consent forms to include consent for financial statements and for consent forms to only be signed once. Pages 37-38.
- 4) Restrictions for admission and tenancy, effective January 1st, 2024, via HOTMA, including families with assets valued over \$100,00 and families with real property (with many exceptions). Pages 41-42 and 117-119. (These restrictions are listed in both the grounds for denial as well as termination sections.)
- 5) Closure of the central HCV waitlist effective July 1, 2023. Language has been modified slightly since the document went out for public comment to clarify that no new applicants will be added to the Housing Authority's central waitlist for either the Project-Based Voucher (PBV) or Mod Rehab programs. The updated language reads as follows:

"On July 1, 2023, LMHA will close the HCV waitlist to Applicant Families, with the exception of all Applicant Families receiving a Preference outlined in 2(b) of this section, Applicant Families referred by Special Referral Programs outlined in Appendix 8, all Applicant Families seeking a Special Purpose Voucher, all Applicant Families applying to a site-based Project Based Voucher waitlist, and all Applicant Families applying to the SRO programs outlined in Appendix 7."
Page 46.

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I. STATEMENT OF FACTS (cont'd):

- 6) A new chapter, effective January 1st, 2024, via HOTMA, describes the entire determination of income methodology that becomes effective January 1st, 2024. This includes new/changed exclusions from income and new/changed deductions. Pages 64-74.
- 7) Change of maximum number of occupants in 0-bedroom units from 1 to 2, reflecting an occupancy standard change to provide more housing opportunities to voucher holders. Page 75.
- 8) Updates to voucher term extensions and tolling, including the suspension/tolling practice mandated by HUD for the length of time a voucher holder must secure a unit. Page 79.
- 9) Updated policy that reflects LMHA's current verification hierarchy and the HUD mandated use of the EIV system. Pages 96-66.
- 10) Updated policy for how LMHA determines Rent Reasonableness and the maximum rent increase, including removal of the payment standard and mathematical formula as maximum rent increases. (These changes take effect July 1st, 2023, or with implementation of appropriate software, whichever is later.) Page 103.
- 11) Clarification that repayment agreements are required when an applicant or participant owes a debt to LMHA. Page 115.
- 12) Updates to the recertification process, effective January 1st, 2024, via HOTMA, including mandatory and optional interim recertification triggering events, and the method rent increases and decreases are imposed. Pages 141-142.
- 13) PBV plans for Iroquois Senior Living Community. Page 188.
- 14) Glossary updates:
 - a. Added definitions, effective January 1st, 2024, via HOTMA, for Day Laborer, Health and Medical Care Expenses, Independent Contractor, Minor, and Seasonal Worker.
 - b. Updated definitions, effective January 1st, 2024, via HOTMA, for Dependent, Family, Foster Adult, Foster Child, Net Family Assets, Responsible Entity.

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I. STATEMENT OF FACTS (cont'd):

- c. Updated definitions, effective now, for Homeless.
- 15) Additional Special Referral agency partners added voucher number adjustments for some participating agencies. Pages 388-391.

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: Eric Proctor
Compliance Manager
April 18, 2023