BURBANK CITY COUNCIL
JOINT MEETING WITH THE SUCCESSOR AGENCY, HOUSING AUTHORITY, PARKING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND YOUTH ENDOWMENT SERVICES FUND BOARD
TUESDAY, APRIL 7, 2026
4:00 p.m. – Closed Session
6:00 p.m. – Open Session
Council Chamber
275 E. Olive Avenue, Second Floor

NOTICE TO THE PUBLIC

NOTICE IS HEREBY GIVEN that a Joint City Council Meeting will be held in the Council Chamber – 275 East Olive Avenue, Second Floor, on Tuesday, April 7, 2026, at 4:00 p.m., to discuss matters on the attached agenda.

Members of the public have the option to participate in the meeting via in-person and/or telephonically for Closed Session, General Public Comment, Public Hearings, and Study Sessions. They may also submit their written comments regarding City business using the eComment feature on the City website.

Auxiliary aids and services are available for individuals with speech, vision, or hearing impairments (48-hour notice is required). For more information, please contact the ADA Coordinator at (818) 238-5051.

Interpretation Requests:
If you would like to participate in Public Comments and require an interpreter, please telephone the City Clerk's Office at (818) 238-5851 at least 48 hours in advance of the meeting.

Si desea participar en los comentarios públicos y necesita un intérprete, por favor llame a la Oficina de la Secretaria Municipal al (818) 238-5851 al menos 48 horas antes de la reunión.

Եթե ցանկանում եք մասնակցել հանրային մեկնաբանություններին և թարգմանիչ եք պահանջում, խնդրում ենք զանգահարել քաղաքապետարանի գրասենյակ՝ (818) 238-5851 հեռախոսահամարով հանդիպումից 48 ժամ առաջ:

How to View the Meeting:
Local Cable: Spectrum Channel 6 or AT&T Uverse Channel 99.
YouTube Live Streaming Channel: Click here.
City Website Live Streaming: Click here.

Public Comment Options:
1. To speak during Closed Session Public Comment, General Public Comment, Public Hearing Public Comment, and Study Session Public Comment periods during the meeting, members of the public may speak in-person in the Council Chamber or call (818) 238-3335. Speaker time limits will be determined by the Presiding Officer, depending on how many public comment cards are received and how many callers are in the queue at the commencement of each public comment period (as shown below). Additional public comment cards and calls will not be accepted once the public comment period commences.
    - 1 – 20 Total Speakers – 3 minutes each
    - 21 – 39 Total Speakers – 2 minutes each
    - 40+ Total Speakers – 1 minute each

2. The Reports to Council Public Comment periods are only accepted in person – public comment cards must be submitted before the public comment period begins for each report to Council. Speaker time limits will be determined by the Presiding Officer depending on how many public

comment cards have been received at the commencement of each public comment period (as shown below). Additional public comment cards will not be accepted once the public comment period commences.

- 1 – 20 Total Speakers – 3 minutes each
- 21 – 39 Total Speakers – 2 minutes each
- 40+ Total Speakers – 1 minute each

3. Written public comment may be submitted via eComment, available on the City website (https://www.burbankca.gov/web/city-clerks-office/meeting-agendas-and-minutes) from the time the agenda is posted until 3:00 p.m. the day of the meeting. eComments will be distributed to the City Council in advance of the meeting.

4. The Presiding Officer has the discretion to reduce speaking time for each speaker in order to ensure that City business can be completed at a reasonable hour.

Public Disclosure:
Please be advised that any communication submitted to the City of Burbank, its officials, staff or City consultants, may be considered a public record under the Brown Act and California Public Records Act. This means that any information contained in the communication, including personal information, may be subject to public disclosure. The City reserves the right to disclose such information in accordance with the law.

This agenda contains a summary of each item of business which the City Council, Successor Agency, Housing Authority, Parking Authority, Public Financing Authority and Youth Endowment Services Fund Board may discuss or act on at this meeting. The agenda packet consisting of the staff reports and all other documentation relating to each item on this agenda will be posted on the City's website at www.burbankca.gov. Any writings or documents provided to the City Council regarding any item on this agenda subsequent to distribution of the agenda packet will be posted on the City's website at www.burbankca.gov. If you have a question about any matter on the agenda, please call the Office of the City Clerk at (818) 238-5851. The Council Chamber is disabled accessible. Auxiliary aids and services are available for individuals with speech, vision, or hearing impairments (48-hour notice is required). Please contact the ADA Coordinator at (818) 238-5051 with questions or concerns.

A. **Public Comment**: (On Closed Session items only) To Comment, please telephone into the meeting at (818) 238-3335, or to speak in person a **PINK** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

B. **Closed Session in City Hall First Floor Conference Room**:
   1. Conference with Legal Counsel – Existing Litigation
      a. Pursuant to Govt. Code §54956.9(d)(1)
      b. Name of Case: Marine Bezhanyan v. City of Burbank
      c. Case No.: 25STCP03832
      d. Brief description and nature of case: Civil Rights

   2. Conference with Real Property Negotiator
      a. Pursuant to Govt. Code §54956.8
      b. Property: 6 West Burbank Blvd., Burbank, CA 91502; Assessor's Parcel Number (APN) 2449-031-003
      c. Parties Whom Agency or City is Negotiating with: Mark A. Alvarado (property owner) through his Broker, Greg Barsamian of CBRE
      d. City Negotiator: Simone McFarland, Assistant Community Development Director - Business & Economic Development
      e. Terms Under Negotiation: Potential Real Estate Purchase

3. Conference with Labor Negotiator
   a. Pursuant to Govt. Code §54957.6
   b. Name of the City Negotiator: Betsy McClinton, Management Services Director
   c. Name of Organizations Representing Employee: Burbank City Employees' Association

C. **Call to Order**: 6:00 p.m.

D. **Moment of Reflection**:

E. **Flag Salute**:

F. **Roll Call**:

G. **Announcements**: (The Mayor will make announcements on various topics in addition to any listed)

H. **Council Presentations/Recognitions**: (The Mayor will make presentations to various groups/persons)

1. Presentation of a Proclamation Declaring April 1–30, 2026, as “Arts, Culture and Creativity Month” in the City of Burbank – City Council

2. Presentation of a Proclamation Declaring April 1–30, 2026, as "Autism and Neurodiversity Celebration and Acceptance Month" in the City of Burbank – City Council

3. Presentation of a Proclamation Declaring April 12–18, 2026, as “National Public Safety Telecommunications Week” in the City of Burbank – City Council

4. Presentation by the Burbank Tournament of Roses Association for Receiving the 137th Tournament of Roses Parade Theme Award – City Council

5. Presentation of a Certificate of Recognition to Roosevelt Elementary School for the Roosevelt Bike Bus Program – City Council

I. **City Manager Report**: (Updates on Notable Events, if any)

J. **Reporting on Closed Session**: (The City Attorney will report the Closed Session items and report out actions taken)

K. **Joint General Public Comment**: (On any matter concerning City business and/or any agenda items.) To Comment, please telephone into the meeting at (818) 238-3335 or to speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

L. **Council, City Manager, and/or City Attorney Comment**: (Responses to General Public Comment, if any, shall be brief and in accordance with the Ralph M. Brown Act)

M. **Consent Calendar**: (Items on the Consent Calendar are generally routine matters and should be adopted by one motion without an oral report)

1. Council Minutes – City Clerk's Office

   Recommendation:
   Approve the City Council Minutes of the Regular Meeting of March 24, 2026; the Special Meeting of March 30, 2026; and the Dark Meeting of March 31, 2026.

   MOTION: Approved 5-0

   Attachments:
   Council Meeting Minutes
   Special Meeting Minutes
   Dark Meeting Minutes

2. Successor Agency Minutes – City Clerk's Office

   Recommendation:
   Approve the Successor Agency Minutes of the Joint Meeting of January 13, 2026.

   MOTION: Approved 5-0

   Attachments:
   Successor Agency Minutes

3. Housing Authority Minutes – City Clerk's Office

   Recommendation:
   Approve the Housing Authority Minutes of the Joint Meeting of January 13, 2026.

   MOTION: Approved 5-0

   Attachments:
   Housing Authority Minutes

4. Parking Authority Minutes – City Clerk's Office

   Recommendation:
   Approve the Parking Authority Minutes of the Joint Meeting of March 10, 2026.

   MOTION: Approved 5-0

   Attachments:
   Parking Authority Minutes

5. Public Financing Authority Minutes – City Clerk's Office

   Recommendation:
   Approve the Public Financing Authority Minutes of the Joint Meeting of September 9, 2025.

   MOTION: Approved 5-0

   Attachments:
   Public Financing Authority Minutes

6. Youth Endowment Services Fund Board Minutes – City Clerk's Office

Recommendation:
Approve the Youth Endowment Services Fund Board Minutes of the Joint Meeting of January 13, 2026.

MOTION: Approved 5-0

Attachments:
YES Fund Board Minutes

N. **Public Hearing**:

1. Adoption of a Resolution Approving the Burbank Public Housing Agency Annual Plan for Fiscal Year 2026-2027 and Proposed Administrative Plan Updates – Community Development Department (with Housing Authority)

Recommendation:
Adopt A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF BURBANK APPROVING: 1) THE PUBLIC HOUSING AGENCY ANNUAL PLAN FOR FISCAL YEAR 2026-2027; 2) UPDATES TO THE SECTION 8 ADMINISTRATIVE PLAN; AND 3) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CERTIFICATIONS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

*** If Additional Documents/Correspondences are submitted for this item, they will be periodically posted to the City website for public viewing.***

Joint Public Hearing Public Comment: To comment, please telephone into the meeting at (818) 238-3335. To speak in person, a **SALMON** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

Council Action: Adopted 5-0

Attachments:
SR - Public Housing Agency Annual Plan
Att1 - Housing Authority Resolution
Att2 - Proposed 2026 Amended Administrative Plan
Att3 - Proposed Updates to Administrative Plan
Att4 - Resident Advisory Board Comments
Att5 - Payment Standard Analysis
Correspondences
PowerPoint Presentation

O. **Reports to Council**: (Items listed under this section will have an oral report provided)

1. Introduction of an Ordinance Amending and Restating Title 2, Chapter 1, Article 4 (Boards, Commissions, and Committees) of the Burbank Municipal Code – City Clerk's Office

   Recommendation:
   Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING AND RESTATING TITLE 2, CHAPTER 1, ARTICLE 4 (BOARDS, COMMISSIONS, AND COMMITTEES) OF THE BURBANK MUNICIPAL CODE RELATING TO COMPOSITION AND FUNCTIONS OF BOARDS, COMMISSIONS AND COMMITTEES.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Motion Failed 2-3 (Perez, Mullins and Takahashi, Dissent)

   Attachments:
   SR - BCC Composition Ordinance
   Att1 - Proposed Ordinance
   Att2 - Redlined Ordinance

2. Review of City Treasurer's Investment Portfolio Report for December 31, 2025 – City Treasurer's Office (with All Agencies)

   Recommendation:
   Note and file.

   Joint Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Noted and Filed 5-0

   Attachments:
   SR - Investment Portfolio Report
   Att1 - Investment Portfolio Report for Dec 2025
   PowerPoint Presentation

3. Discussion and Update on Measure A Los Angeles County Affordable Housing Solutions Agency Funding – Community Development Department

   Recommendation:
   Provide direction to staff on possible Measure A projects and programs.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Provided Direction 5-0

   Attachments:
   SR - Measure A LACAHSA Funding
   Att1 - MOU with LACAHSA
   Att2 - LACAHSA Ineligible Uses
   Att3 - Trust Budget
   PowerPoint Presentation

4. Update on Homelessness Programs and the Homeless Solutions Center; Approval to Withdraw the Request for Grant Funding from the Burbank-Glendale-Pasadena Regional Housing Trust Joint Power Authority; and Discussion of Potential Options for Property Previously Slated for Homeless Solutions Center – Community Development Department

   Recommendation:
   1. Direct the City Manager, or his designee to withdraw the grant funding request made to the Burbank-Glendale-Pasadena Regional Housing Trust in the amount of $3,450,000.
   2. Direct staff to research alternate options for the City-owned site located at 211, 323, and 333 S. Front Street, 10 E. Verdugo Avenue, and a portion of the adjacent Downtown Metrolink Parking Lot in Burbank, previously proposed for the Homeless Solutions Center.

   Public Comment: To speak in person, a **YELLOW** Public Comment Card must be completed and presented to the City Clerk prior to the comment period.

   Council Action: Directed 5-0

   Attachments:
   SR - Homeless Solutions Center
   PowerPoint Presentation

P. **Council Comments**: (Including reporting on Council committee assignments, attendance at conferences, regional meetings, and community events)

Q. **Introduction of Additional Agenda Items**: (Council Members may request future agenda items)

R. **Adjournment**: To Tuesday, April 21, 2026 for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

CITY OF BURBANK
CITY COUNCIL REGULAR MEETING MINUTES
TUESDAY, MARCH 24, 2026

Call to Order:

A Closed Session Meeting of the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 4:01 p.m. by Mayor Takahashi.

Present: Council Member(s) Perez, Rizzotti, Vice Mayor Mullins, and Mayor Takahashi
Absent: Council Member Anthony
Also Present: City Manager Hess, City Attorney McDougall, and City Clerk Clark

Mayor Takahashi announced Council Member Anthony would be absent from tonight's meeting.

Closed Session Public Comment:

There being no response to the Mayor's invitation for Public Comment on Closed Session matters, the City Council recessed at this time to the City Hall First Floor Conference Room to hold a Closed Session on the following:

1. Conference with Legal Counsel – Anticipated Litigation
   a. Initiation of litigation pursuant to Govt. Code §54956.9(d)(4) City as Potential Plaintiff
   b. Number of potential case(s): 1

2. Conference with Real Property Negotiator
   a. Pursuant to Govt. Code §54956.8
   b. Property: 300 S. Lake, Burbank, CA 91502 Assessor's Parcel Numbers (APNs) 2451-007-023 and -024
   c. Parties Whom Agency or City is Negotiating with: Caliber Collision, 300 S. Lake, Burbank, CA 91502
   d. City Negotiator: Simone McFarland, Assistant Community Development Director – Business & Economic Development
   e. Terms Under Negotiation: Potential Real Estate Purchase

The City Council Meeting reconvened in Study Session at 5:07 p.m.

Study Session:

1. Discussion Regarding the BurbankBus Comprehensive Operations Analysis

   Karen Pan, Transportation Services Manager, presented the PowerPoint Presentation and responded to City Council inquiries. Jeremiah LaRose of Fehr & Peers also responded to Council inquiries.

The City Council Meeting recessed at 5:36 p.m. and reconvened at 6:08 p.m.

Call to Order:
A Regular Meeting of the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:08 p.m. by Mayor Takahashi.

Moment of Reflection:
Mayor Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community.

Flag Salute:
The Pledge of Allegiance was led by Mayor Takahashi.

Roll Call:
Present: Council Member(s) Perez, Rizzotti, Vice Mayor Mullins, and Mayor Takahashi
Absent: Council Member Anthony
Also Present: City Manager Hess, City Attorney McDougall, and City Clerk Clark

Mayor Takahashi indicated there would be three (3) periods of Public Comment at this evening's meeting and those who wish to participate in the General Public Comment and Public Hearing Public Comment periods may call in at (818) 238-3335. The Reports to Council Public Comment period will only be taken in person.

Announcements:
Mayor Takahashi displayed a PowerPoint presentation announcing the following: (1) eComment; (2) Ban on Leaf Blowers; (3) 2026 Spring Egg-Stravaganza; (4) 2026 Community Events and Program Grant; and (5) Downtown Burbank Sidewalk Enhancement Project Walking Tour.

Council Presentations/Recognitions:

1. Presentation of Certificates of Recognition to Cannon and Barrett Nelson as Part of the Piper's Pals Adaptive Sports Program
   Mayor Takahashi presented certificates of recognition to Cannon and Barrett Nelson as Part of the Piper's Pals Adaptive Sports Program and introduced Tiffany Nelson, who made remarks.

2. Presentation of a Proclamation Declaring March 29 – April 4, 2026, as "Property and Evidence Professionals Appreciation Week" in the City of Burbank
   Mayor Takahashi presented a proclamation declaring March 29–April 4, 2026, as "Property and Evidence Professionals Appreciation Week" in the City of Burbank.

3. Presentation of a Proclamation Declaring March 2026 as "National Developmental Disabilities Awareness Month" in the City of Burbank
   Mayor Takahashi presented a proclamation declaring March 2026 as "National Developmental Disabilities Awareness Month" in the City of Burbank and introduced Candace Cable and Janet Diehl, who made remarks.

City Manager Report:
City Manager Hess indicated there were no items to report.

Reporting on Closed Session:
City Attorney McDougall reported that the City Council met in Closed Session regarding the agendized Closed Session items and, for Item No. 1, the Council authorized the City Attorney to initiate litigation in the anticipated matter by a vote of 3-0 (Anthony, absent; Perez, recused). Council Member Perez recused herself due to a potential locational conflict of interest. For Item No. 2, Council took no reportable action.

General Public Comment:
Appearing to comment were: Nina Kevorkian, Ron Bax, Chinelo Ezechukwu, Pearlie Muller, Jim Lane, Mark Scroggs, Katherine Zoraster, Jamie Keyser, Eddy Polon, Dan K., Diana Pulver, Marsha Ramos, Eric Hawk, Jo Pimienta, Corey Mensing, Parham Yedidsion, Christine Deschaine, and David Donahue.

Calling in to comment were: Michael Berke, Maria Akopian, Phauncey Salman, Anonymous, Cherie Sprostry, and Regina Palamara.

Council, City Manager, and/or City Attorney Comment:
Council Members and Staff responded to Public Comment.

Consent Calendar:
It was moved by Council Member Rizzotti, seconded by Council Member Perez, to approve the Consent Calendar. The motion carried 4-0 with the following roll call vote: AYES: Perez, Rizzotti, Mullins, and Takahashi. NOES: None. ABSENT: Anthony.

1. Council Minutes

   Approve the City Council Minutes of the Joint Meeting of March 10, 2026; the Special Closed Session Meeting of March 13, 2026; and the Dark Meeting of March 17, 2026.

2. Approval of a Third Amended and Restated Agreement for Services Administering the Burbank Tourism Business Improvement District Between the City of Burbank and the Burbank Hospitality Association

   Approve the third amended and restated agreement for services administering the Burbank Tourism Business Improvement District between the City of Burbank and the Burbank Hospitality Association from July 1, 2026 to June 30, 2036.

3. Approval of the Downtown Burbank Property Based Business Improvement District Fiscal Year 2026 Annual Report

   Approve the Downtown Burbank Property Based Business Improvement District's Fiscal Year 2026 Annual Report pursuant to Section 36650 of the California Streets and Highways Code.

4. Approval of the BurbankBus Comprehensive Operations Analysis

   Approve the BurbankBus Comprehensive Operations Analysis (COA) which includes the following recommendations:

   1. Reaffirm and refine the City's BurbankBus Service Design Policies
   2. Approve the four proposed bus route change recommendations
   3. Implement near-term improvements to the Orange Route with no budget amendment
   4. Seek additional funding and once secured, implement the other route change recommendations included in the COA.

5. Approval to Relaunch the Updated Green Choice Program

   Approve the Green Choice Program, and authorize Burbank Water and Power to adjust the Green Choice Program's rate premium as needed to reflect market pricing for Renewable Energy Credits, and to expand the Green Choice Program to commercial electric customers.

Public Hearing:

1. Annual Report on Citywide Vacancies and Recruitment and Retention Efforts in Compliance with Assembly Bill 2561

   The Public Hearing was opened at 7:37 p.m. There were no Conflict of-Interest disclosures. City Clerk Clark affirmed receipt of Proof of Publication; confirmed there was a complete file of exhibits and correspondence including emails and other documents, and that no written correspondence was received.

   Betsy McClinton, Management Services Director, presented the PowerPoint Presentation and responded to City Council inquiries.

   Fire Captain Eric Rowley, President, Burbank Fire Fighters Association Local 778, made remarks.

   Public Hearing Public Comment:
   Appearing to comment was: None.

   Calling in to comment was: None.

   The Public Hearing was closed at 8:00 p.m.

   Council Action:
   It was approved by Council consensus to note and file.

Reports to Council:

1. Update on the AMC Walkway/Palm Paseo Beautification Project

Marissa Cardwell, Senior Administrative Analyst – Community Development Department, presented the PowerPoint Presentation and responded to City Council inquiries. Mary Hamzoian, Economic Development Manager, also responded to Council inquiries.

Public Comment:
Appearing to comment were: Ani Sargsyan, Amber Lu, Kandice Astamendi, Nicole Elliott, and Hilda Avanessian.

Council Action:
It was moved by Council Member Perez, seconded by Vice Mayor Mullins, to provide a Budget Discussion Paper on capital improvements along Palm Avenue and schedule a Special Meeting to conduct a walking tour of the Palm Paseo. The motion carried 4-0 with the following roll call vote: AYES: Perez, Rizzotti, Mullins, and Takahashi. NOES: None. ABSENT: Anthony.

Council Comments:

Council Members reported out on Council committee assignments and attendance at conferences, regional meetings, and community events.

Consideration of Previously Introduced Additional Agenda Items:

1. Council Member Rizzotti's request to consider a first step report regarding renaming of a park in honor of St. Frances Cabrini, including the potential addition of a statue (March 10, 2026).
   It was moved by Vice Mayor Mullins, seconded by Council Member Rizzotti, to direct staff to provide a first step report regarding renaming a City park in honor of St. Frances Cabrini, including the potential inclusion of a statue. The motion carried 4-0 with the following roll call vote: AYES: Perez, Rizzotti, Mullins, and Takahashi. NOES: None. ABSENT: Anthony.

Introduction of Additional Agenda Items:

Mayor Takahashi requested a Budget Discussion Paper on increasing the Community Arts Grant program by $15,000 to support independent film and entertainment productions, including animation, shorts, and documentaries.

Adjournment:

There being no further business to come before the City Council, the meeting was adjourned at 10:25 p.m. to Tuesday, April 7, 2026, for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
City Clerk	Mayor

APPROVED DATE:

CITY OF BURBANK
CITY COUNCIL SPECIAL MEETING MINUTES
MONDAY, MARCH 30, 2026

Call to Order:
A Special Meeting of the City Council of the City of Burbank was held at Palm Paseo (Palm Avenue and San Fernando Boulevard) on the above date. The meeting was called to order at 3:02 p.m. by Mayor Takahashi.

Roll Call:
Present: Council Member(s) Anthony, Perez, Rizzotti, Vice Mayor Mullins, and Mayor Takahashi
Absent: None
Also Present: City Manager Hess, Chief Assistant City Attorney Vander Borght, and City Clerk Clark

Special Meeting Public Comment:
Appearing to comment was: Corey Mensing.

Council, City Manager, and/or City Attorney Comment:
There was no response to Public Comment.

Walking Tour of the Palm Paseo:
Marissa Cardwell, Senior Administrative Analyst, and Mary Hamzoian, Economic Development Manager, Community Development Department, conducted a tour of the Palm Paseo and provided an overview of potential future uses for the area.

Adjournment:
There being no further business to come before the City Council, the meeting was adjourned at 3:50 p.m. to Tuesday, April 7, 2026, for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____ _____

Kimberley Clark
City Clerk

Tamala Takahashi
Mayor

APPROVED DATE:

CITY COUNCIL REGULAR MEETING MINUTES
DARK MEETING
TUESDAY, MARCH 31, 2026

A Regular Meeting of the Council of the City of Burbank was not held on the above date.

Kimberley Clark
City Clerk

Tamala Takahashi
Mayor

APPROVED DATE:

SUCCESSOR AGENCY MINUTES
A JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, JANUARY 13, 2026

Call to Order:
A Joint Meeting of the Successor Agency and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:17 p.m. by Chair Takahashi.

Moment of Reflection:
Chair Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community and asked for a Moment of Silence in honor of Renee Nicole Good.

Flag Salute:
The Pledge of Allegiance was led by Chair Takahashi.

Roll Call:
Present: Member(s) Anthony, Perez, Rizzotti, Vice Chair Mullins, and Chair Takahashi
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Secretary Clark

Closed Session, Study Session, Announcements, Council Presentations/Recognitions, City Manager Report, Reporting on Closed Session, Reports to Council, Council Comments, Consideration of Previously Introduced Additional Agenda Items, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:
Appearing to comment were: Roy Simison, Mike Van Gorder, Ron Bax, Hilda Avanessian, Angelica Ulloa, Diana Pulver, Suzanne Weerts, David Donahue, Carmenita Helligar, Jo Pimienta, Mark Scroggs, Dan K., Susan O'Carroll, and Jomo.

Calling in to comment were: Kreigh Hempel and Ali.

Council, City Manager, and/or City Attorney Comment:
Members and Staff responded to Public Comment.

Consent Calendar:
It was moved by Vice Chair Mullins, seconded by Member Perez, to approve the Consent Calendar Item Nos. 1-5 and 7-15, with Item No. 15 approved as amended. The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Item No. 6 was removed from the agenda and will be brought back to Council at a future meeting.

Consent Calendar Item Nos. 1, 3-13, and 15 were City Council items only and can be found in the City Council minutes.

2. Successor Agency Minutes

   Approve the Successor Agency Minutes of the Joint Meeting of September 9, 2025.

14. Review of Fiscal Year 2024-25 Annual Comprehensive Financial Report (Successor Agency, Housing Authority, Parking Authority, and Youth Endowment Services Fund Board)

    Note and file.

Adjournment:

There being no further business to come before the Successor Agency, the meeting was adjourned at 8:28 p.m. to Tuesday, January 27, 2026, for a Regular Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Secretary	Chair

APPROVED DATE:

HOUSING AUTHORITY MINUTES
A JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, JANUARY 13, 2026

Call to Order:
A Joint Meeting of the Housing Authority and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:17 p.m. by Chair Takahashi.

Moment of Reflection:
Chair Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community and asked for a Moment of Silence in honor of Renee Nicole Good.

Flag Salute:
The Pledge of Allegiance was led by Chair Takahashi.

Roll Call:
Present: Commissioner(s) Anthony, Perez, Rizzotti, Vice Chair Mullins, and Chair Takahashi
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Clerk Clark

Closed Session, Study Session, Announcements, Council Presentations/Recognitions, City Manager Report, Reporting on Closed Session, Reports to Council, Council Comments, Consideration of Previously Introduced Additional Agenda Items, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:
Appearing to comment were: Roy Simison, Mike Van Gorder, Ron Bax, Hilda Avanessian, Angelica Ulloa, Diana Pulver, Suzanne Weerts, David Donahue, Carmenita Helligar, Jo Pimienta, Mark Scroggs, Dan K., Susan O'Carroll, and Jomo.

Calling in to comment were: Kreigh Hempel and Ali.

Council, City Manager, and/or City Attorney Comment:
Commissioners and Staff responded to Public Comment.

Consent Calendar:
It was moved by Vice Chair Mullins, seconded by Commissioner Perez, to approve the Consent Calendar Item Nos. 1-5 and 7-15, with Item No. 15 approved as amended. The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Item No. 6 was removed from the agenda and will be brought back to Council at a future meeting.

Consent Calendar Item Nos. 1-2, 4-13, and 15 were City Council items only and can be found in the City Council minutes.

3. Housing Authority Minutes

   Approve the Housing Authority Minutes of the Joint Meeting of December 9, 2025.

14. Review of Fiscal Year 2024-25 Annual Comprehensive Financial Report (Successor Agency, Housing Authority, Parking Authority, and Youth Endowment Services Fund Board)

    Note and file.

Adjournment:
There being no further business to come before the Housing Authority, the meeting was adjourned at 8:28 p.m. to Tuesday, January 27, 2026, for a Regular Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Clerk	Chair

APPROVED DATE:

PARKING AUTHORITY MINUTES
A JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, MARCH 10, 2026

Call to Order:
A Joint Meeting of the Parking Authority and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:16 p.m. by Chair Takahashi.

Moment of Reflection:
Chair Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community.

Flag Salute:
The Pledge of Allegiance was led by Chair Takahashi.

Roll Call:
Present: Member(s) Anthony, Perez, Rizzotti, Vice Chair Mullins, and Chair Takahashi
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Secretary Clark

Closed Session, Study Session, Announcements, Council Presentations/Recognitions, City Manager Report, Presentations, Reporting on Closed Session, Council Comments, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:
Appearing to comment were: That Guy Who Hates New Taxes, Ron Bax, Trena Pitchford, Michael Stanley, Emiko Sawanobori, MJ Kinney, Jonathan Wilder, Carmenita Helligar, Diana Pulver, Mark Scroggs, Jo Pimienta, Mary O'Hare, Susan O'Carroll, Kevin Morris, Jackie Waltman, David Kocher, Liz Bax, and Jomo.

Calling in to comment was: None.

Council, City Manager, and/or City Attorney Comment:
Members and Staff responded to Public Comment.

Consent Calendar:
It was moved by Member Perez, seconded by Vice Chair Mullins, to approve the Consent Calendar. For Item Nos. 1–5 and 7–9, the motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None. For Item No. 6, the motion carried 4-1 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: Anthony.

Consent Consent Calendar Item Nos. 1 and 3–9 were City Council items only and can be found in the City Council minutes.

2. Parking Authority Minutes
   Approve the Parking Authority Minutes of the Joint Meeting of January 13, 2026.

Reports to Council:

1. Review of the General Fund's Financial Status as of December 31, 2025, and Adoption of Resolutions Amending the Fiscal Year 2025-26 Budget for Mid-Year Adjustments

   Jennifer Becker, Financial Services Director, presented the PowerPoint Presentation and responded to City Council inquiries. Marisa Garcia, Parks and Recreation Director, also responded to Council inquiries.

   Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was moved by Member Perez, seconded by Vice Chair Mullins, to:

   RESOLUTION NO. 26-29,691
   Adopt A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AMENDING THE BUDGET OF FISCAL YEAR (FY) 2025-26 FOR THE PURPOSE OF MID-YEAR ADJUSTMENTS.

   The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

   Council Action:
   It was moved by Member Perez, seconded by Vice Chair Mullins, to:

   RESOLUTION NO. P-26-128
   Adopt A RESOLUTION OF THE PARKING AUTHORITY OF THE CITY OF BURBANK AMENDING THE BUDGET OF THE FISCAL YEAR (FY) 2025-26 FOR THE PURPOSE OF MID-YEAR ADJUSTMENTS.

   The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Adjournment:

There being no further business to come before the Parking Authority, the meeting was adjourned at 9:03 p.m. to Tuesday, March 24, 2026, for a Regular Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Secretary	Chair

APPROVED DATE:

PUBLIC FINANCING AUTHORITY MINUTES
JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, SEPTEMBER 9, 2025

Call to Order:

A Joint Meeting of the Public Financing Authority and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:05 p.m. by Chair Perez.

Moment of Reflection:

Chair Perez held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community.

Flag Salute:

The Pledge of Allegiance was led by Chair Perez.

Roll Call:

Present: Director(s) Anthony, Mullins, Rizzotti, Vice Chair Takahashi, and Chair Perez
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Secretary Clark

Closed Session, Announcements, Council Presentations/Recognitions, City Manager Report, Reporting on Closed Session, Public Hearing, Council Comments, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:

Appearing to comment were: David Donahue, Angela Towne, Ron Bax, Mark Scroggs, Mike Derian, Jamie Keyser, Stephanie Cyphers, Jim Lane, Diana Pulver, Mary O'Hare, Jackie Waltman, Steve Starleaf, Paul Darrigo, Elizabeth Bax, and Edward Parker.

Calling in to comment were: Allison Thomas, David Sherverdian, Dimple Chirumamilla, Jo Pimienta, Liliana Martirosyan, Michelle Papazyan, and Hovik Keshishian.

Council, City Manager, and/or City Attorney Comment:

Directors and Staff responded to Public Comment.

Consent Calendar:

It was moved by Director Mullins, seconded by Vice Chair Takahashi, to approve the Consent Calendar. For Item Nos. 1–7 and 8, the motion carried 5-0 with the following roll call vote: AYES: Anthony, Mullins, Rizzotti, Takahashi, and Perez. NOES: None. For Item No. 7, the motion carried 4-0-1 with the following roll call vote: AYES: Mullins, Rizzotti, Takahashi, and Perez. NOES: None. ABSTAIN: Anthony.

Consent Calendar Item Nos. 1–4 and 6–8 were City Council items only and can be found in the City Council minutes.

5. Public Financing Authority Minutes

   Approve the Public Financing Authority Minutes of the Joint Meeting of February 25, 2025.

Reports to Council:

Reports to Council Item No. 3 was a City Council item only and can be found in the City Council minutes.

1. Approval of the 2025 City of Burbank Investment Policy (with All Agencies)
   Krystle Ang Palmer, City Treasurer, presented the PowerPoint presentation and responded to Public Financing Authority Board inquiries.

   Chair Perez left the dais at 8:05 p.m.

   Joint Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was unanimously approved by Council consensus to approve the 2025 Investment Policy as proposed. The motion carried 4-0 with the following roll call vote: AYES: Anthony, Mullins, Rizzotti, and Takahashi. NOES: None. ABSENT: Perez.

2. Review of City Treasurer's Investment Portfolio Report for June 30, 2025 (with All Agencies)

   Krystle Ang Palmer, City Treasurer, presented the PowerPoint presentation and responded to Public Financing Authority inquiries.

   Director Anthony left the dais at 8:25 p.m.

   Joint Public Comment:
   Appearing to comment was: None.

   Council Action:
   It was approved by Authority consensus to note and file.

   Chair Perez returned to the dais at 8:30 p.m.

   Director Anthony returned to the dais at 8:37 p.m.

Adjournment:
There being no further business to come before the Public Financing Authority, the meeting was adjourned at 9:07 p.m. to Tuesday, September 30, 2025, for a Joint Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Secretary	Chair

APPROVED DATE:

YOUTH ENDOWMENT SERVICES FUND BOARD MINUTES
A JOINT MEETING WITH THE CITY COUNCIL
TUESDAY, JANUARY 13, 2026

Call to Order:
A Joint Meeting of the Youth Endowment Services Fund Board and the City Council of the City of Burbank was held in the Council Chamber, 275 East Olive Avenue, on the above date. The meeting was called to order at 6:17 p.m. by Chair Takahashi.

Moment of Reflection:
Chair Takahashi held a Moment of Reflection to begin the meeting with positive and collective support for our beloved community and asked for a Moment of Silence in honor of Renee Nicole Good.

Flag Salute:
The Pledge of Allegiance was led by Chair Takahashi.

Roll Call:
Present: Director(s) Anthony, Perez, Rizzotti, Vice Chair Mullins, and Chair Takahashi
Absent: None
Also Present: Executive Director Hess, City Attorney McDougall, and Secretary Clark

Closed Session, Study Session, Announcements, Council Presentations/Recognitions, City Manager Report, Reporting on Closed Session, Reports to Council, Council Comments, Consideration of Previously Introduced Additional Agenda Items, and Introduction of Additional Agenda Items were City Council items only and can be found in the City Council Meeting Minutes.

Joint General Public Comment:
Appearing to comment were: Roy Simison, Mike Van Gorder, Ron Bax, Hilda Avanessian, Angelica Ulloa, Diana Pulver, Suzanne Weerts, David Donahue, Carmenita Helligar, Jo Pimienta, Mark Scroggs, Dan K., Susan O'Carroll, and Jomo.

Calling in to comment were: Kreigh Hempel and Ali.

Council, City Manager, and/or City Attorney Comment:
Directors and Staff responded to Public Comment.

Consent Calendar:
It was moved by Vice Chair Mullins, seconded by Director Perez, to approve the Consent Calendar Item Nos. 1-5 and 7-15, with Item No. 15 approved as amended. The motion carried 5-0 with the following roll call vote: AYES: Anthony, Perez, Rizzotti, Mullins, and Takahashi. NOES: None.

Item No. 6 was removed from the agenda and will be brought back to Council at a future meeting.

Consent Calendar Item Nos. 1-4, 6-13, and 15 were City Council items only and can be found in the City Council minutes.

5. Youth Endowment Services Fund Board Minutes

   Approve the Youth Endowment Services Fund Board Minutes of the Joint Meeting of September 9, 2025.

14. Review of Fiscal Year 2024-25 Annual Comprehensive Financial Report (Successor Agency, Housing Authority, Parking Authority, and Youth Endowment Services Fund Board)

    Note and file.

Adjournment:

There being no further business to come before the Youth Endowment Services Fund Board, the meeting was adjourned at 8:28 p.m. to Tuesday, January 27, 2026, for a Regular Meeting in the Council Chamber – 275 East Olive Avenue, Second Floor.

_____	_____
Kimberley Clark	Tamala Takahashi
Secretary	Chair

APPROVED DATE:

DATE: April 7, 2026

TO: Justin Hess, Executive Director

FROM: Patrick Prescott, Assistant Executive Director/Community Development Director
VIA: Maribel Leyland, Assistant Community Development Director
BY: Odet Ayvazyan, Housing Development Manager

SUBJECT: Adoption of a Resolution Approving the Burbank Public Housing Agency Annual Plan for Fiscal Year 2026-2027 and Proposed Administrative Plan Updates

RECOMMENDATION

Adopt A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF BURBANK APPROVING: 1) THE PUBLIC HOUSING AGENCY ANNUAL PLAN FOR FISCAL YEAR 2026-2027; 2) UPDATES TO THE SECTION 8 ADMINISTRATIVE PLAN; AND 3) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CERTIFICATIONS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (Attachment 1).

BACKGROUND

The Burbank Housing Authority (BHA) administers the Section 8 Rental Assistance Program (Program), which is funded by the Federal Department of Housing and Urban Development (HUD) for the purpose of providing rent subsidies to extremely low-income and very low-income tenants. The Program is critical to communities across the nation as it assists the most needy and vulnerable households in the community with lower incomes who are at risk of becoming homeless. The Program takes existing units in the private market and makes them affordable, furthering the City Council goal of providing affordable housing in the community.

The mission of the BHA is working together for a safe, beautiful, and thriving community. This mission aligns with HUD's purpose of providing affordable housing and economic opportunities to the community. The BHA will implement this mission within the limits of

funding availability to assist as many households as possible by encouraging and supporting family self-sufficiency and economic stability. The BHA will continue to expand this support along with rental subsidies to participant households.

DISCUSSION

In order to receive Section 8 Program funding, HUD requires that all housing authorities submit a Public Housing Agency Plan (Annual Plan) that describes the mission of the housing authority, and Administrative Plan that includes information on operations, programs and services. This report provides information on the Annual Plan and the Administrative Plan, and highlights proposed administrative changes.

Annual Plan

The Annual Plan describes all updates for a reporting year related to the approved 2025-2030 Five-Year Plan. The Five-Year Plan describes the BHA's mission and the goals for achieving objectives during the next five years. The BHA Annual Plan for Fiscal Year (FY) 2026-2027 has been prepared utilizing the HUD required template and the required certifications (Attachment 1). This Annual Plan builds upon the framework established in the 2025-2030 Five-Year Plan and outlines the specific actions and updates for FY 2026-2027.

Fiscal Year 2025-2026 Report

During the first year of the Five-Year Plan (FY 2025-2026), the BHA has assisted approximately 838 households. In addition, the BHA applied for Special Purpose Vouchers and was awarded five (5) Foster Youth to Independence (FYI) vouchers under the Consolidated Appropriations Act of 2023. All five vouchers have been issued, and voucher recipients are in search of a unit. Voucher recipients are working with service providers in the region, such as Tarzana Treatment Center and A Sense of Home, to assist in their search for a unit. HUD requires the County to provide these services for the FYI voucher recipients.

The Emergency Housing Voucher (EHV) program, funded through the American Rescue Plan Act, is projected to sunset by October 2026 as federal appropriation/funds are exhausted. BHA currently administers the EHV program to 51 households. Staff notified EHV participants and landlords regarding this update in the fall of 2025 and provided information on BHA goals to assist households during the transition. In preparation for this transition, HUD has approved BHA's waiver request allowing all EHV families to be placed directly on the Housing Choice Voucher (HCV) (Section 8) waiting list without requiring individual application submissions or public notice of the waiting list opening. HUD determined that good cause exists to waive applicable federal regulations in order to prevent administrative delays and reduce the risk of assistance termination. This approval will support an orderly and equitable transition of EHV participants to the HCV

program. Selection from the waiting list will depend on available HCV funding, and is not guaranteed. Staff will continue to communicate with remaining EHV participants during the transition process to the HCV/Section 8 program.

The third special purpose voucher program administered provides rental assistance for 19 Permanent Supportive Housing (PSH) vouchers through the Continuum of Care (CoC) Program. This grant term ends on October 31, 2026, and renewal funding is not known at this time. In November 2025, HUD released a funding notice, which introduced significant policy changes that would reduce funding and restrict eligibility for PSH renewal projects nationwide. Staff continues to monitor program funding. Due to ongoing court proceedings, the renewal status of funding for BHA's PSH vouchers remains uncertain and will depend on the outcome of the appeal and any subsequent guidance issued by HUD. In preparation for a potential lapse in funding, similar to EHV notices last fall, staff will begin notifying program participants and landlords of potential housing resources and temporary rental assistance in preparation for another transition for this special purpose voucher program. As with EHVs, staff will continue to explore options to sustain funding for PSH participants if possible. If funding is not available, staff will assist these 19 households in transitioning to alternate housing resources.

For special purpose vouchers and overall funding for the HCV/Section 8 program, staff monitors program expenditures on a monthly basis, utilizes reserve funds when available, and requests additional funding from the U.S. Department of Housing and Urban Development (HUD) as necessary.

Administrative Plan

Housing authorities are required to adopt a written Administrative Plan that establishes local policies and procedures for administering the Section 8 Program in accordance with HUD regulations and requirements. Furthermore, HUD allows the Administrative Plan to include local policies on matters for which the BHA has discretion. Finally, the Administrative Plan, and any updates to it, must be adopted by the Housing Authority Board, and BHA staff must administer the Program in accordance with the Administrative Plan.

Staff is proposing updates to the Administrative Plan to ensure compliance with HUD regulations and requirements, clarify local policies, and enhance participant protections. Proposed revisions focus on improving clarity, strengthening compliance, and addressing the following:

1) Applicant Waiting List;
2) Housing Quality Standard Inspections (HQS)

The Applicant waiting list changes will allow Special Purpose Voucher recipients, such as EHV participants, to be placed on the waiting list with weighted preference for selection

when funding is available. The HQS changes pertain to compliance, including strict correction timelines for life-threatening and non-life-threatening deficiencies, abatement and termination procedures for unresolved violations, and family responsibilities for HQS issues they cause.

These updates will comply with and clarify HUD regulations and requirements and local policies. The proposed 2026-2027 Amended Administrative Plan is included as Attachment 2 with redline changes for ease of reference. A summary of the proposed changes is included as Attachment 3.

Resident Advisory Board and Public Notices
Housing Authorities are required to establish a Resident Advisory Board (RAB) to enable residents to provide recommendations on document development. The membership on the RAB consists of individuals who reflect and represent the residents assisted by the Program. The current members remain on the board annually, and any new requests received from Program participants seeking to be a member are added for the next annual term. The RAB makes recommendations regarding the development of the Annual Plan and may suggest amendments or modifications to the Administrative Plan. Residents participate through this process, with the goal of addressing needs and issues that directly affect program participants. Through their involvement in this process, residents are more aware of the procedures that housing authority staff undergoes to carry out Program activities.

RAB members reviewed the draft Annual Plan and Administrative Plan at a public meeting held on February 18, 2026. The meeting was advertised on the City's website, published in the Los Angeles Times, and 900 post card invitations were mailed to Program participants. A total of 59 members of the public attended the in-person meeting. In addition, four of the 10 RAB members attended the meeting. There were no recommendations, comments, questions or feedback to the draft Annual Plan or Administrative Plan. However, there were questions from meeting attendees on the general process and procedures of the Section 8 Program and the termination of the Emergency Housing Vouchers that staff addressed during the meeting (Attachment 4).

As required by HUD, a public notice for the public hearing has been posted. The draft Annual Plan and proposed changes to the Administrative Plan were available for public review at the Housing Authority public counter and online on the City's website beginning on February 11, 2026. As of the writing of this report, no public comments have been received.

Payment Standards (Subsidy Amounts for Program Participants)
HUD allows flexibility in payment standards (subsidy levels) for Program participants between 90% to 110% of the Small Area Fair Market Rents (SAFMRs) for a metropolitan

area (published annually by HUD). SAFMRs are calculated at the zip code level to assist families in accessing housing in higher-opportunity, low-poverty areas by offering rental assistance aligned with local market conditions. These standards apply to all tenant-based vouchers, including special programs such as HUD-Veterans Affairs Supportive Housing (HUD-VASH). Each year, staff must analyze the HUD-published SAFMRs along with expected funding levels to determine subsidy levels for program participants. In October of 2025, the BHA updated the payment standards based on newly published SAFMRs (Attachment 5).[1] The BHA provides subsidy levels to all HCV/Section 8 participants within the required range of 90% - 110% with the average subsidy being 97%.

Looking Ahead to 2026 Program Funding

As of the writing of this report, the BHA has not received the final Program budget from HUD for housing assistance payments in FY 2026-27. However, based on last year's expenses, staff is budgeting $1,800,000.00 for administrative costs, and $14,000,000.00 for Housing Assistance Payments (HAP) to participant households.[2] Based on the subsidy levels that went into effect December 2025, staff estimates that the BHA will be able to assist 900 households during FY 2026-27. Variation in utilization (the number of Vouchers the BHA funds) is primarily due to the total funding received for the Section 8 Program. In addition, changes in subsidy levels (rental assistance) and attrition (households that voluntarily leave the Program, move to other communities, or participant deaths) also affects voucher utilization.

ENVIRONMENTAL REVIEW

The proposed adoption of the Resolution is categorically exempt from environmental review under the California Environmental Quality Act (Public Resources Code Section 21000 et seq,) ("CEQA") pursuant to §§ 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment, and because it is not a "project" as that term is defined in § 15378 of the State CEQA Guidelines.

FISCAL IMPACT

There is no fiscal impact to the City's General Fund. The Federal Section 8 Program and special purpose voucher programs are funded by HUD allocations to the Program. For the program to receive these funds, the Resolution approving the Annual Plan and proposed Administrative Plan must be submitted to HUD by April 17, 2026.

CONCLUSION

The mission of the BHA of working together for a safe, beautiful, and thriving community

[1] HUD publishes SAFMRs each October for the following year. Staff will analyze payment standards again in October 2026.

[2] This is the budget for HCV/Section 8 including VASH vouchers and EHV households who transition. FYI and PSH voucher holders have a separate funding source.

aligns with HUD's purpose of providing affordable housing and economic opportunities to the Burbank community. Staff will continue to implement the Program equitably and effectively within funding constraints and parameters to provide rent subsidies to extremely-, low-, and very-low-income tenants. Staff recommends the Housing Authority Board adopt the resolution approving the draft Annual Plan and proposed Administrative Plan. If approved, staff will submit to HUD as required by April 17, 2026.

ATTACHMENTS

Attachment 1 – BHA Resolution with Annual Plan and Certifications
Attachment 2 – Proposed 2026 Amended Administrative Plan (Redline)
Attachment 3 – Summary of Proposed Updates to the Administrative Plan
Attachment 4 – Resident Advisory Board Comments
Attachment 5 – Payment Standard Analysis and Small Area Fair Market Rates
Correspondences

HOUSING AUTHORITY
OF THE
CITY OF BURBANK, CALIFORNIA

RESOLUTION NO. H-_____

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF BURBANK APPROVING: 1) THE PUBLIC HOUSING AGENCY ANNUAL PLAN FOR FISCAL YEAR 2026-2027; 2) UPDATES TO THE SECTION 8 ADMINISTRATIVE PLAN; AND 3) AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE CERTIFICATIONS REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

THE HOUSING AUTHORITY OF THE CITY OF BURBANK RESOLVES:

1. The Public Housing Agency Annual Plan for Fiscal Year 2026-2027 which is attached hereto as Exhibit A, is hereby approved.

2. The Executive Director or its designee is hereby authorized to execute the certifications required by the Department of Housing and Urban Development in conjunction with the approval of the Annual Plan.

3. The amended and restated Housing Authority Section 8 Program Administrative Plan (the “Administrative Plan”), which is attached hereto as Exhibit B, is hereby approved.

4. The Burbank Housing Authority Assistant Director shall maintain a current version of the Administrative Plan.

PASSED and ADOPTED this _____ day of _____, 2026.

_____
Tamala Takahashi
Chairperson of the Housing
Authority of the City of Burbank

Approved as to Form
Attest: Office of the City Attorney

_____ By: _____
Kimberley Clark, Clerk Sei-Hee Park
Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BURBANK)

I, Kimberley Clark, Clerk of the Housing Authority of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Housing Authority of the City of Burbank at its regular meeting held on the ____ day of _____ 2026, by the following vote:

AYES:

NOES:

ABSENT:

_____
Kimberley Clark, Clerk

EXHIBIT A
The Annual Plan

Streamlined Annual PHA Plan *(HCV Only PHAs)*	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 09/30/2027

Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services. They also inform HUD, families served by the PHA, and members of the public of the PHA's mission, goals, and objectives for serving the needs of low-, very low-, and extremely low- income families.

Applicability. The Form HUD-50075-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

Definitions.

(1) ***High-Performer PHA*** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers (HCVs) and was designated as a high performer on both the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, SEMAP for PHAs that only administer tenant-based assistance and/or project-based assistance, or PHAS if only administering public housing.

(2) ***Small PHA*** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.

(3) ***Housing Choice Voucher (HCV) Only PHA*** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.

(4) ***Standard PHA*** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS and SEMAP assessments.

(5) ***Troubled PHA*** - A PHA that achieves an overall PHAS or SEMAP score of less than 60 percent.

(6) ***Qualified PHA*** - A PHA with 550 or fewer public housing dwelling units and/or HCVs combined and is not PHAS or SEMAP troubled.

A.	PHA Information.
A.1	**PHA Name**: Burbank Housing Authority **PHA Code**: CA105 **PHA Plan for Fiscal Year Beginning**: (MM/YYYY): 07/2026 **PHA Inventory** (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) **Number of Housing Choice Vouchers (HCVs)** 1047 **PHA Plan Submission Type:** ☑ Annual Submission ☐ Revised Annual Submission **Public Availability of Information.** In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information of the PHA policies contained in the standard Annual Plan but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA and should make documents available electronically for public inspection upon request. PHAs are strongly encouraged to post complete PHA Plans on their official websites and to provide each resident council with a copy of their PHA Plans.

☐ **PHA Consortia**: (Check box if submitting a joint Plan and complete table below)

Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program
Lead HA:				

B. Plan Elements.

B.1 Revision of Existing PHA Plan Elements.

a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?

Y	N	
☐	☑	Statement of Housing Needs and Strategy for Addressing Housing Needs.
☐	☑	Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.
☐	☑	Financial Resources.
☐	☑	Rent Determination.
☐	☑	Operation and Management.
☐	☑	Informal Review and Hearing Procedures.
☐	☑	Homeownership Programs.
☐	☑	Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.
☐	☑	Substantial Deviation.
☐	☑	Significant Amendment/Modification.

(b) If the PHA answered yes for any element, describe the revisions for each element(s):

B.2 **New Activities.**

(a) Does the PHA intend to undertake any new activities related to the following in the PHA's applicable Fiscal Year?

Y N
☑ ☐ Project-Based Vouchers

(b) If Project-Based Voucher (PBV) activities are planned for the applicable Fiscal Year, provide the projected number of PBV units and general locations, and describe how project-basing would be consistent with the PHA Plan.

The Burbank Housing Authority intents to implement Project Based Vouchers to encourage property owners of existing housing, newly constructed housing, or rehabilitated housing to make these properties available to low-income families at affordable rents. This will ensure the city will maintain an affordable rental housing stock that is at risk of becoming unaffordable for low-income families and/or to produce new affordable unit in the City of Burbank. The Burbank Housing Authority will execute an agreement for the Village at Fairview located at: 2321,2325,2331-2333,2335 N. Fairview Street with a designation of 20 PBVs.

B.3 **Progress Report.**

Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan.

In the first year of the Five-year Plan, the Burbank Housing Authority (BHA) has assisted the most needy and vulnerable households in the City of Burbank. The BHA assisted 838 households in the first reporting year. Staff monitors expenses on a monthly basis; will utilize reserve funds, if available; and will request additional funds from HUD as necessary. The Burbank Housing Authority has achieved the following objectives:

1. The Burbank Housing Authority has applied for Special Purpose vouchers and received 5 Foster Youth to Independence (FYI) vouchers through the Consolidated Appropriations Act, 2023.

2. The Burbank Housing Authority has continued educating landlords and Section 8 participants on housing quality standards.

3. The BHA has continued to administer the Family Self Sufficiency Program. The FSS program continues to assist participants in obtaining employment that allows them to become self- sufficient, not dependent on welfare assistance and Section 8 assistance.

4. The Burbank Housing Authority continues to distribute information on housing opportunities thought the City of Burbank and has also been communicating updates regarding new City and State laws to landlords and tenants.

5. The Burbank Housing Authority has maintained an active role in shaping rental assistance policy by providing feedback on proposed program rules and regulations. The City approval of the 2025 Legislative Platform in March 2025 formalized continued engagement with federal and state representatives, enhancing advocacy efforts to expand rental assistance eligibility and promote additional rental opportunities for lower-income households, with a focus on housing stability for the most vulnerable residents of Burbank.

B.4	**Capital Improvements.** – Not Applicable
B.5	**Most Recent Fiscal Year Audit.** (a) Were there any findings in the most recent FY Audit? Y N N/A ☐ ☑ ☐ (b) If yes, please describe:
C.	**Other Document and/or Certification Requirements.**
C.1	**Resident Advisory Board (RAB) Comments.** (a) Did the RAB(s) have comments to the PHA Plan? Y N ☐ ☑ (b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations. In accordance with HUD guidelines, the Resident Advisory Board (RAB) reviewed the draft Annual Plan for FY 2026-2027 at a public meeting held on February 18, 2026. The RAB meeting was advertised on the City's website, published in the Burbank Leader, and 900 post card invitations went out to Program participants. Fifty-nine (59) members of the public attended the meeting. There were no recommendations on the draft Annual Plan for FY 2026-2027 or the Administrative Plan. However, there were questions and comments from both the RAB members and meeting attendees on the overall rules and regulations of the Section 8 Program (summary attached).

C.2	**Certification by State or Local Officials.** Form HUD 50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.3	**Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.** Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed,* must be submitted by the PHA as an electronic attachment to the PHA Plan.
C.4	**Challenged Elements.** If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public. (a) Did the public challenge any elements of the Plan? Y ☐ N ☐ (b) If yes, include Challenged Elements.

Instructions for Preparation of Form HUD-50075-HCVAnnual PHA Plan for HCV-Only PHAs

A. PHA Information. All PHAs must complete this section (24 CFR 903.4).

A.1 Include the full **PHA Name**, **PHA Code**, **PHA Type**, **PHA Fiscal Year Beginning** (MM/YYYY), **Number of Housing Choice Vouchers (HCVs), PHA Plan Submission Type**, and the **Public Availability of Information**, specific location(s) of all information relevant to the public hearing and proposed PHA Plan. Note: The number of HCV's should include all special purpose vouchers (e.g. Mainstream Vouchers, etc.) (24 CFR 903.23(e)).

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table (24 CFR 943.128(a)).

B. Plan Elements. All PHAs must complete this section (24 CFR 903.11(c)(3)).

B.1 Revision of Existing PHA Plan Elements. PHAs must:

Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element has not been revised, mark "no."

☐ **Statement of Housing Needs and Strategy for Addressing Housing Needs.** Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location.

The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR 903.7(a)(2)(i)). Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy (24 CFR 903.7(a)(2)(ii)).

☐ **Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.** A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV (24 CFR 903.7(b)).

☐ **Financial Resources.** A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program and state the planned use for the resources (24 CFR 903.7(c)).

☐ **Rent Determination.** A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies (24 CFR 903.7(d)).

☐ **Operation and Management.** A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA (24 CFR 903.7(e)).

☐ **Informal Review and Hearing Procedures.** A description of the informal hearing and review procedures that the PHA makes available to its applicants (24 CFR 903.7(f)).

☐ **Homeownership Programs**. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval (24 CFR 903.7(k)).

☐ **Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements.** A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR 903.7(l)(i)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements (24 CFR 903.7(l)(iii)).

☐ **Substantial Deviation.** PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan (24 CFR 903.7(s)(2)(i)).

☐ **Significant Amendment/Modification**. PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan (24 CFR 903.7(s)(2)(ii)).

If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.

B.2 New Activities. If the PHA intends to undertake any new activities related to these elements in the applicable Fiscal Year, mark "yes" for those elements, and describe the activities to be undertaken in the space provided. If the PHA does not plan to undertake these activities, mark "no."

☐ **Project-Based Vouchers.** Describe any plans to use HCVs for new project-based vouchers, which must comply with PBV goals, civil rights requirements, Housing Quality Standards (HQS) and deconcentration standards, as stated in 24 CFR 983.55(b)(1) and set forth in the PHA Plan statement of deconcentration and other policies that govern eligibility, selection, and admissions. If using project-based vouchers, provide the projected number of project-based units and general locations (including if PBV units are planned on any former or current public housing units or sites), and describe how project-basing would be consistent with the PHA Plan (24 CFR 903.7(b)(3), 24 CFR 903.7(r).)

B.3 Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan (24 CFR 903.11(c)(3), 24 CFR 903.7(s)(1)).

B.4 Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs.

B.5 Most Recent Fiscal Year Audit. If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided (24 CFR 903.7(p)).

C. Other Document and/or Certification Requirements.

C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations (24 CFR 903.13(c), 24 CFR 903.19).

C.2 Certification by State of Local Officials. Form HUD-50077-SL, *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan (24 CFR 903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.

C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed*. Form HUD-50077-ST-HCV-HP, *PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed* must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of 24 CFR 5.150 *et seq*., 24 CFR 903.7(o)(1), and 24 CFR 903.15.

C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public (24 CFR 903.23(b)).

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 4.52 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to the Reports Management Officer, REE, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2577-0226. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

EXHIBIT B
The Administrative Plan

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BURBANK HOUSING AUTHORITY

SECTION 8 PROGRAM ADMINISTRATIVE PLAN

PROPOSED CHANGES

FEBRUARY 2026

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CHAPTER 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U. S. Housing Act of 1937. On October 21, 1998, the Quality Housing and Work Responsibility of Act of 1998 was signed into law which substantially changed the Section 8 Program. In the past there had been two forms of assistance, namely Certificates and Vouchers, but this new Act combined the two into the new Housing Choice Voucher Program. This Administrative Plan implements those changes. Administration of the Section 8 Program and the functions and responsibilities of the Burbank Housing Authority staff shall be in compliance with the City of Burbank's Personnel Policy and the U. S. Department of Housing and Urban Development's (HUD) Section 8 Regulations, as well as all applicable federal and state laws.

The funding source for the Section 8 Program is an Annual Contributions Contract between the Burbank Housing Authority and the U. S. Department of Housing and Urban Development. The federal funds come directly to the Burbank Housing Authority and are used for Program implementation and administration. The Section 8 Program is self-supporting from the federal government and does not use local funds.

A. PROGRAM DESCRIPTION

The Section 8 Program is a federally funded rental assistance program where the Burbank Housing Authority makes rent payments to private landlords every month on behalf of very low-income tenant households. The U. S. Department of Housing and Urban Development enters an Annual Contributions Contract with the Housing Authority to pay a certain amount of money every year to administer the Program. The contract specifies the amount of money that will be received and the number of households that can be assisted. When the maximum number is reached, the Program is considered full and someone must leave the Program in order to allow a new person to participate.

When the Section 8 Program is open for new applications, an interested person can fill out an application and submit it directly to the Burbank Housing Authority. The applicant name is placed on the Applicant Waiting List and when the name is selected as outlined later in this Administrative Plan, the person is called to the office for an interview. In order to qualify for the Program, the income for the applicant family must be below 50% of median for Los Angeles County (new income limits are utilized as soon as they are available). Income is verified by the Housing Authority and new participants must be U. S. citizens or legal immigrants to qualify for assistance. After the tenant is determined eligible, a Section 8 Voucher is issued which gives the tenant 120 days to locate a suitable rental unit. The tenant may elect to stay in his/her current rental unit, if the landlord agrees

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to participate in the Program, or the tenant may locate a unit anywhere in the United States. The Voucher specifies a certain dollar amount that the Housing Authority will pay directly to the landlord on behalf of the tenant each month. The Section 8 Housing Choice Voucher Program is designed to give the tenant freedom and flexibility to choose a place to live.

The unit selected may be a house or an apartment, and it must be decent, safe, and sanitary. The rent must be reasonable compared to similar units that are not on the Section 8 Program. Every year the unit will be inspected by the Housing Authority to verify the condition. In addition, the income of the tenant household will be verified annually, and eligible tenants may remain on the Program indefinitely.

B. HISTORY OF THE BURBANK HOUSING AUTHORITY

The creation of the Burbank Housing Authority was authorized by Resolution 17,164, which was passed by the Burbank City Council on June 17, 1975, in accordance with Section 34240 of the Health and Safety Code of the State of California. The Burbank City Council also passed Resolution 17,165 on June 17, 1975, which declared that the City Council members would serve as the Commissioners of the Housing Authority in accordance with Section 34290(a) of the Health and Safety Code of the State of California. The by-laws for the Burbank Housing Authority were adopted on July 1, 1975, by Housing Authority Resolution H-4.

The initial allocation of funding for the Section 8 Program in 1975 was $92,000 for a total program size of 40 Certificates. Over the years, the Section 8 Program has increased in various funding increments to a total of 1,014 Certificates and Vouchers. Each year, as funding for the program is received, staff will provide an annual update to the Housing Authority Board on voucher utilization. In 1992, the Burbank Housing Authority started participating in the Family Self-Sufficiency component of the Section 8 Program which provides incentives to families to become financially independent. The Family Self-Sufficiency Program will be discussed in Chapter 14.

The jurisdiction of the Burbank Housing Authority is the City of Burbank; however, tenants are able to take their Section 8 assistance with them to other parts of the country. The Burbank Housing Authority works cooperatively with other Housing Authorities to transfer tenants when requested. This ability to move from one jurisdiction to another is called portability and will be discussed in Chapter 8.

C. PROGRAM GOALS AND OBJECTIVES [24 CFR 982.1]

The goal of the Burbank Housing Authority is to assist the most needy and vulnerable applicants in the City of Burbank such as those applicants that pay a disproportionate share of their income on rent. The Section 8 Program aims to provide affordable housing to those existing, very low-income applicants by implementing the Section 8 Program, the

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Burbank Housing Authority is able to take existing units in the private rental market and make them affordable to existing, very low-income applicant families (defined in Chapter 2). The Burbank Housing Authority has a commitment to provide the highest level of service to assist the greatest number of people possible while staying within the available funding. This commitment to the highest level of service will be supported by use of administrative fee reserve funds when necessary. It is the policy of the Burbank Housing Authority to achieve and maintain full lease-up of all Vouchers. The Section 8 Program is designed to achieve these major objectives:

1. To provide affordable rental housing that is decent, safe, and sanitary to existing, very low-income applicants.
2. To ensure that all units in the Program meet Housing Quality Standards and that tenants pay fair and reasonable rents.
3. To promote fair housing and the opportunity for very low-income applicants of all ethnic backgrounds to experience freedom of housing choice.
4. To promote a housing program which maintains quality service and integrity which encourages private property owners to rent to very low-income households.

D. PURPOSE OF THE PLAN [24 CFR 982.52 and 982.54]

The purpose of the Section 8 Administrative Plan is to establish policies and procedures to implement the Program in a manner consistent with HUD requirements and local objectives. Section 8 Program requirements are specified in the Code of Federal Regulations, and it is not the purpose of this Plan to restate those regulations. This Plan will describe the policies concerning the functions for which there is discretion to establish local policies and procedures. These policies will cover applicants and participants in the Section 8 Program. The Burbank Housing Authority is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence.

E. FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

It is the policy of the Burbank Housing Authority to comply fully with all applicable federal and state laws governing fair housing and equal opportunity in housing and employment. No applicant will be denied the opportunity to apply for or receive assistance under the Section 8 Program on the basis of race, color, sex, religion, creed, national or ethnic origin, and age or on the actual or perceived familial or marital status, sexual orientation, gender identity or disability.

To further its commitment to full compliance with applicable civil rights laws, the Burbank Housing Authority will provide information concerning federal and state legislation to Program participants. Such information will be made available during the initial briefing

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session and will be contained in the briefing packet. The discrimination complaint forms provided by HUD will also be included.

Tenant Outreach

The Burbank Housing Authority will publicize the availability of applications for Section 8 assistance when the size of the waiting list is not sufficient to accommodate new allocations of funding or existing Program turnover. Advertisements and articles will be placed in newspapers, such as The LA Times, The Daily News, La Opinion, The Sentinel, a local Armenian language newspaper and posted on social media. Notices will also be provided in English, Spanish and Armenian and will be placed in public places. Information concerning eligibility guidelines and Program benefits will be distributed to other service providers in the community to enable them to make client referrals for housing assistance.

Owner Outreach

The Burbank Housing Authority encourages owners of decent, safe and sanitary housing units to lease to Section 8 households. A list of available units is maintained for the Section 8 Program and is updated monthly. To ensure greater mobility and housing choice for very low-income tenants, the list contains information about available rental units that are located throughout the City of Burbank. This list is available in the Burbank Housing Authority office and can be mailed to Program participants upon request. The initial briefing packet for new participants will also include this list.

F. REASONABLE ACCOMMODATIONS POLICY [24 CFR 8.28]

The policies and practices of the Burbank Housing Authority are designed to provide equal access to services for a person with disabilities. A reasonable accommodation is an exception or adjustment made to a rule, policy, practice, or service that allows a person with a disability to have equal access to the HCV program. The Burbank Housing Authority will provide portable assisted hearing devices, sign language interpreters, and a Braille translation service, as necessary. In addition, the Burbank Housing Authority office is wheelchair accessible and informational posters are placed in such a manner as to make them easily readable from a wheelchair.

Pursuant to the federal Fair Housing Act, the Americans with Disabilities Act (ADA), and the California Fair Employment and Housing Act, the City of Burbank Housing Authority is dedicated to providing any accommodation that is reasonably necessary to afford persons with qualified disabilities an equal opportunity to participate in the Section 8 Program.

To have equal access to the HCV program, persons with qualifying disabilities may request a reasonable accommodation and shall be referred to the City of Burbank ADA

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Coordinator to participate in an interactive process with the Burbank Housing Authority, to determine what reasonable accommodation(s) may be granted.

G. ADMINISTRATIVE FEE RESERVE [24 CFR 982.155(B)]

The funding for the Section 8 Program allows the Burbank Housing Authority to earn administrative fees based on the number of units that are leased under the Program every month. There is an established HUD formula for calculating these administrative fees.

Any administrative fee reserve funds are to be used first to cover any Program expenses that are not covered by the annual earned administrative fees, but the remainder of the reserve funds may be used for other housing purposes. Any plans to spend reserve funds for purposes other than Program maintenance need to have Housing Authority Board approval.

H. TRANSLATION OF DOCUMENTS

The Burbank Housing Authority has bilingual staff to assist non-English speaking persons in Armenian and Spanish languages. The City of Burbank has the ability to provide translation services to the Housing Authority in the languages of Farsi, Arabic, Russian, Korean, Mandarin Chinese, Toisan Cantonese, Filipino Tagalog, and Spanish Tagalog upon request. Any written translation of documents will be reviewed on the basis of need and cost considerations. In determining whether it is feasible to provide translation of documents written in English into other languages, the Burbank Housing Authority will consider the number of applicants and participants who do not speak English and speak the other language. If it is determined translating a document into a different language is not feasible, Burbank Housing Authority will make other efforts to explain the information contained in such documents to applicants and participants in their language. At any time that a person not fluent in English requests an Informal Hearing, the Burbank Housing Authority will have an interpreter present at the hearing whenever possible. The interpreter will execute a statement that the tenant had all of the information explained at the time of the hearing. That document will be retained in the tenant file.

I. MANAGEMENT ASSESSMENT OBJECTIVES (SEMAP)

In an effort to monitor the performance of the housing agencies that administer the Section 8 Program, HUD has established the Section 8 Management Assessment Program (SEMAP). There are several areas of Program implementation that are included in SEMAP. Housing agencies are required to submit an annual certification that their policies and practices are in compliance with HUD standards. Every month, information concerning the Program is transmitted electronically to HUD for reporting purposes. This information gives HUD the ability to monitor performance without making a site visit. The quality control policies and practices of the Burbank Housing Authority are consistent with

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the goals and objectives of the Section 8 Management Assessment Program. The indicators that are included in this evaluation system include:

1. Selection from the Waiting List.
2. Rent Reasonableness.
3. Determination of Adjusted Income.
4. Utility Allowance Schedule
5. Quality Control Inspections for Housing Quality Standards.
6. Housing Quality Standards Enforcement.
7. Expanding Housing Opportunities.
8. Fair Market Rent/Exception Rent and Payment Standards Compliance.
9. Timeliness of Annual Recertification.
10. Correct Tenant Rent Calculations.
11. Pre-Contract Housing Quality Standards Inspections.
12. Annual Housing Quality Standards Inspections.
13. Lease-up Rate.
14. Family Self-Sufficiency Program Enrollment.
15. Percent of Family Self-Sufficiency Participants with Escrow Account Balances.

J. RECORDS MANAGEMENT

In order to demonstrate compliance with HUD regulations, the Burbank Housing Authority will maintain records, reports and other documentation for a period of three years. Effective January 1, 2011, all documents pertaining to active files will be scanned and stored electronically within the Housing Pro software system. Once scanned, all hardcopies will be stored for three years and then destroyed. The tenant file will contain the original hardcopy eligibility certification documents. Upon termination of a participant from the Program, records will be maintained for three years then destroyed.

K. THE HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2016 (HOTMA)

On July 29, 2016, The Housing Opportunity Through Modernization Act (HOTMA) was signed into law. HOTMA makes numerous amendments to Sections 3, 8, and 16 of the United States Housing Act of 1937(1937 Act), including significant changes to income calculation, net family assets, and income reviews. The rule was officially published in the Federal Register on February 14, 2023, and revises HUD regulations found in 24 CFR Part 5 and 24 CFR Part 982.

This administrative plan has been updated to comply with the following required HOTMA provisions; Use of HUD 9886-A (a HUD form), Income Exclusions, Definitions, De Minimis Errors. All remaining provisions in Section 102 and 104 will be issued at a later date per HUD guidance.

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CHAPTER 2

ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This Chapter defines the criteria used to determine eligibility for admission to the Section 8 program. It is the policy of the Burbank Housing Authority to be objective and consistent in applying these criteria to evaluate the eligibility of those who apply. Only the factors described in this Chapter will be used to determine eligibility. Applicants will be provided the opportunity to explain their circumstances, to furnish additional information, and to receive an explanation of the basis for any decision made by the Burbank Housing Authority pertaining to their eligibility.

Eligibility Factors

To be eligible for participation, an applicant must: 1) meet the income guidelines as an applicant family1; 2) must provide Social Security numbers for every person listed on the application; and 3) must be a citizen of the United States or an eligible immigrant. Initial eligibility for placement on the Section 8 applicant waiting list will be made in accordance with these eligibility factors. Verification will not be obtained until the applicant is selected from the list.

A. FAMILY COMPOSITION [24 CFR 5.403, 982.201]

An applicant family includes every person listed on the application including but not limited to, the following, regardless of actual or perceived sexual orientation, gender identity or marital status. Each applicant for assistance under the Housing Choice Voucher program must meet the BHA's definition of family as described below:

(1) A single person, who may be:

(i) An elderly person, displaced person, disabled person, near-elderly person, or any other single person;

(ii) An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has 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 (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or

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~~(1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or~~

(2) A group of persons residing together, and such group includes, but is not limited to:

(i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);

(ii) An elderly family;

(iii) A near-elderly family;

(iv) A disabled family;

(v) A displaced family; and

(vi) The remaining member of a tenant family.

Household

A household includes the applicant family (all the persons that applied together as described in Chapter 2), and any additional persons approved by the BHA to live (meeting residency timeframes in Chapter 5) in the assisted unit, including but not limited to: lodgers, foster children, wards of the State, care takers and live-in aides. A person living alone in a housing unit or a group of unrelated people sharing a housing unit such as partners or roommates are also counted as a household.
The various compositions of family and household include the following designations:

Head of Household

The head of household is the adult member of the household who is responsible for paying the rent. This person must have the legal capacity to enter into a lease under state or local law. Emancipated minors who qualify under state law will be recognized as the head of household.

Spouse of Head

Spouse means the husband or wife of the head of household. The term "spouse" does not apply to boyfriends, girlfriends, or significant others.

Live-in Aide

A household may include a live-in aide provided that she/he is determined by a medical doctor to be essential to the care and well-being of an elderly or disabled member of the household. The doctor must provide written verification concerning the medical need for the live-in aide and must include the hours the care will be provided. Relatives are not automatically excluded from being live-in aides. The live-in aide must not be obligated for the support of the person being cared for and would not be living in the unit except to provide care. Voucher Size Determination for a household with a Burbank Housing

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Authority approved live-in aide will follow policies outlined in Chapter 7 – Subsidy Standards.

The income of a live-in aide is not to be counted for purposes of determining eligibility. Live-in aides are not subject to Non-Citizen Rule requirements and they are not considered to be a remaining member of the household if the tenant leaves the unit. A live-in aide may only reside in the unit with the approval of the Burbank Housing Authority.

At any time, a particular individual may be disapproved as a live-in aide or previous approval maybe with drawn if:

1. The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program; or
2. The person commits drug-related criminal activity or violent criminal activity; or
3. The person currently owes rent or other amounts to the Burbank Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.

Split Households Prior to Voucher Issuance

When an applicant family or household on the Section 8 applicant waiting list splits into two otherwise eligible households, the members of the family/household must decide which component will remain on the Section 8 Applicant Waiting List. It is not a decision to be made by the Housing Authority.

Income of Applicant Family Members

The incomes of all members of the applicant family, listed on the application, will be taken into consideration to determine eligibility for the Section 8 Program. Applicant family members cannot exclude themselves from consideration.

Joint Custody of Children

Children who are subject to a joint custody agreement and live with the parent who is applying for the Section 8 Program at least 51% of the time, will be considered members of the applicant family/household. The definition of "51% of the time" is 183 days of the year that do not need to be consecutive.

B. INCOME LIMITATIONS [24 CFR 982.201, 982.353]

In order to be eligible for assistance, the applicant family must have an income that is below 50% of median income for the Los Angeles/Long Beach Standard Metropolitan Statistical Area (for the fiscal year). To determine eligibility, the gross annual income of all the persons listed on the application is compared to the applicable income limit for that number of people. Calculated income that is more than 60 days old will need to be

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recalculated per HUD Regulations. Applicant families with annual incomes that exceed the income limit will be denied admission and offered an Informal Review.

New admissions to the Program will be monitored so that 75% of new, eligible applicant families have incomes below 30% of median income within the fiscal year. In very limited circumstances, lower income, eligible applicant families with incomes below 80% of median income that have been participating in other HUD Programs may qualify for Section 8 assistance. The applicable programs are specified in 24 CFR 982.201 (b).

C. SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Prior to admission to the Section 8 Program, applicants are required to provide verification of Social Security numbers for all persons listed on the application. This requirement also applies to persons joining the household after admission to the Program. Failure to furnish verification of Social Security numbers is grounds for denial of admission or termination of assistance.

D. CITIZENSHIP/IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, at least one applicant family member must be a U.S. citizen or an eligible immigrant. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD. The status of each member of the applicant family is considered individually before the applicant family's status is defined. The types of family status are as follows:

1. Mixed family. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed households." Such applicant families will be given notice that their assistance will be pro-rated and that they may request an Informal Review if they contest this determination.

2. No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for an Informal Hearing.

3. Non-citizen students. Applicants falling into this category are not eligible for Section 8 assistance and will be offered an Informal Hearing.

E. INELIGIBILITY FACTORS [24 CFR 982.552(b)

Federal requirements mandate that admission to the Section 8 Program be denied to applicants in the following situations:

1. If any member of the applicant family fails to sign and submit the HUD or

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Housing Authority required consent forms for obtaining information.
2. If no member of the applicant family is a citizen of the United States or eligible immigrant.
3. If an individual in the applicant family is convicted of manufacturing or producing methamphetamine.
4. If an individual in the applicant family seeking initial eligibility is a medicinal marijuana user as further defined in Chapter 11 – Denial or Termination of Assistance.
5. If any member of the applicant family is subject to a lifetime registration requirement under a state sex offender registration program.

F. SCREENING PROCEDURES FOR APPLICANTS [24 CFR 982.307]

In an effort to prevent future drug-related and other violent criminal activity, the Housing Authority will endeavor to screen applicants as thoroughly and fairly as possible. All screening procedures shall be consistently administered in such a way as not to violate rights to privacy or to discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected classes under the law (as described in Chapter 1). Such screening procedures will apply to all members of the applicant family who are 18 years of age or older.

Criminal history reports will be obtained for all members of the applicant family who are 18 years of age or older. Assistance will be denied if any applicant family member has ever been convicted or is currently/recently engaged (as defined in each subsection below) in one or more of the following behaviors that meet these HUD definitions:

1. *Drug-related criminal activity* is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance by any family member. Drug-related criminal activity means *on or off the* premises, *not just on or near the* premises within the last five (5) years of application review.

2. *Violent criminal activity* includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member within the last 10 years of application review.

3. *Other criminal activity* that may threaten the health, safety, or peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity by any family member within the last five (5) years of application review.

4. Any *other activity* that may threaten the health, safety, or peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity by any family member within the last five (5) years of application review.

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For purposes of this section, the circumstances related to any drug related or other criminal/non-criminal, or violent criminal activity (e.g., probation, parole, status of parole, etc.) will be reviewed before denying admission. If an applicant family is denied based on criminal record, the Burbank Housing Authority will notify the household of the proposed action and will provide a copy of the record from which the denial is based. For Informal Review procedures for Applicants please see Chapter 13 – Complaints and Appeals.

It is a HUD requirement that persons evicted from public housing, Indian Housing, Section 23 or any Section 8 Program because of drug-related criminal activity are ineligible for admission to the Section 8 Program for a three-year period beginning on the date of such eviction.

G. SUITABILITY AS TENANTS [24 CFR 982.202(b)(1)]

The Burbank Housing Authority may not screen for factors which relate to the suitability of the applicant family as tenants. It is the responsibility of the landlord to screen the applicants as to their suitability for tenancy. If an applicant feels that she/he has been discriminated against by a landlord, the Housing Authority will counsel them about their fair housing rights. The applicant will be referred to the local housing rights office to pursue housing discrimination complaints. The applicant will also be given a *Housing Discrimination Complaint* form (HUD-903) to complete and submit to the HUD Local Area Office.

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CHAPTER 3

APPLICATION PROCESS
[24 CFR 982.204]

INTRODUCTION

It is the policy of the Burbank Housing Authority to ensure that all people who express an interest in housing assistance are given an equal opportunity to apply and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for handling new applications and the placement of those applications on the Section 8 Applicant Waiting List.

A. OVERVIEW OF THE APPLICATION PROCESS

When the Section 8 Program is open, any person who wants to apply for assistance may fill out an application. In an effort to make the application process accessible to all, the application may be given to someone other than the applicant. Upon request from a person with a disability, the application will be provided in an accessible format.

The application process will involve two phases. The first phase is the initial application for assistance, which is referred to as the pre-application. The second phase is the full application where the final determination of eligibility will be made. The full application is taken at the time that the applicant is requested to provide verification of the information provided on the pre-application.

B. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206, 982.54(d)(1)]

Opening the Applicant Waiting List

New applications will be taken when there are less than 100 Burbank residents on the Section 8 Applicant Waiting List. When the Applicant Waiting List is open, the Burbank Housing Authority will advertise through public notices in local newspapers and minority publications, including The LA Times, The Daily News, La Opinion, The Sentinel, a local Armenian language newspaper and posted on social media. The notice that is published will contain the following information:

1. The dates, times, and the locations where applicants may apply.
2. A brief description of the Section 8 program.
3. A statement that public housing residents must submit a separate application if they want to apply for the Section 8 Program.

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The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the Burbank Housing Authority office address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Applications will be made available online and will be distributed to any social service agency that requests them. These social service agencies will include, but are not limited to, the Burbank Temporary Aid Center, the Salvation Army, the Armenian Relief Society, the Burbank Family Service Agency, the Burbank Human Relations Council, the Burbank Advisory Council to the Disabled, and the Burbank Landlord Tenant Commission. Applications will also be available at all three branches of the Burbank Public Library and all of the Burbank Parks and Recreation facilities. Applications must be returned in the manner advertised by the Housing Authority Office.

Closing the Applicant Waiting List

The Burbank Housing Authority will discontinue receiving applications and close the Section 8 Applicant Waiting List per the deadline(s) given on the public notices inviting applications. The names of the new applicants will be added to the Section 8 Applicant Waiting List within the preference categories.

C. INITIAL APPLICATION PROCEDURES [24 CFR 982.204(b)]

The Burbank Housing Authority will use a pre-application for the initial application phase. The purpose of the pre-application is to provide enough information for a preliminary assessment of eligibility and to determine preference category for the Applicant Waiting List. The pre-application will contain questions designed to obtain the following information:

1. Names and ages of all members of the applicant family
2. Sex and relationship of all members.
3. Street address and phone numbers.
4. Mailing address, if different. Homeless applicants should use the address of the service provider in Burbank as further defined in Chapter – 4 Applicant Waiting List
5. Amount and source of income received by applicant family members.
6. Information regarding disabilities pertinent to allowances and deductions.
7. Information related to qualification for preferences.
8. Social Security numbers.
9. Race/ethnicity of head of household.
10. Request for specific accommodation needed to fully utilize program and services.
11. Telephone number for emergency contact person.

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Pre-applications will not require an interview. The information on the application will not be verified until the applicant has been selected from the Section 8 Applicant Waiting List. Final eligibility will be determined when the full application process is completed and all information is verified. Applicants who submit pre-applications showing applicant family income that exceeds the eligibility limit will be sent a letter of ineligibility. These applicants will not be placed on the Section 8 Applicant Waiting List. The applicant may request an Informal Review and may submit other information to be used for a redetermination of eligibility.

D. STATUS ON THE APPLICANT WAITING LIST [CFR 982.204]

After the pre-application has been reviewed for income eligibility, a written confirmation of placement on the Section 8 Applicant Waiting List will be sent to the head of household. Applicants are required to inform the Burbank Housing Authority in writing when they have a change of address. Applicants are also required to respond to requests for information from the Burbank Housing Authority.

E. TIME OF SELECTION [24 CFR 982.204]

Applicants will be selected from the Section 8 Applicant Waiting List randomly based on a preference point system (described in Chapter 4) through the software program. When the applicant is selected from the Applicant Waiting List, a written request for program eligibility will be sent out, which will specify the time period (deadline) for submitting the required information. Information on incomplete submittals or changes in circumstance will not be accepted after deadline has passed, and the applicant will be removed from the Waiting List. After all of the timely verification has been received, and the applicant has been determined eligible, the applicant will be scheduled for a full application interview.

F. FULL APPLICATION PROCEDURES

All preferences claimed on the pre-application or while the applicant family is on the Section 8 Applicant Waiting List will be verified at the time that the applicant is selected. The qualification for preference must exist at the time the preference is claimed and at the time of verification. Requests for verification of all pertinent factors, such as income, assets, household composition, disability, and citizenship status will be mailed to the applicant before the interview is scheduled.

After all the verification forms have been received, the final determination of eligibility will be made. If the applicant family is determined to be ineligible for the Program, a written notification will be mailed out. The letter will contain an explanation of the reason for ineligibility determination and an opportunity to request an Informal Review.

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If the applicant family is determined to be eligible, an appointment will be made for a full application interview. The applicant is required to participate in a full application interview. The Burbank Housing Authority staff person will complete the formal application and the applicant will need to sign the form and certify that all information is complete and accurate.

All adult members must sign the *Release of Information* (HUD 9886) and the declarations and consent forms related to citizenship or immigration status. Depending on individual circumstances, applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. All applicants will be required to authorize the Burbank Housing Authority to obtain their credit reports and criminal histories. Refusal to sign any of these documents will be cause for denial of admission to the Section 8 Program for failure to provide necessary certifications and release as required by the Burbank Housing Authority.

G. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified by using the procedures in Chapter 6. Household composition, income, allowances and deductions, assets, full-time student status, disability, eligibility factors, and other pertinent information will be verified. Written verification may not be more than 60 calendar days old at the time of issuance of a Voucher.

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CHAPTER 4

APPLICANT WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the objective of the Burbank Housing Authority to maintain an accurate Applicant Waiting List to provide an adequate pool of qualified applicants to fill vacancies in the Section 8 Program. This Chapter explains the preference categories that determine the order of placement of the applications on the Applicant Waiting List. Maintenance of accurate information on the Applicant Waiting List ensures that applicants are admitted to the Program in the proper order and in a timely manner.

A. APPLICANT WAITING LIST [24 CFR 982.202(c) and 982.204]

Names will be selected from the Section 8 Applicant Waiting List in accordance with policies and preferences defined in this Administrative Plan. The Applicant Waiting List will be maintained in a manner that an application can be tracked from date of receipt to final disposition. The pre-applications will be sorted by preference category and will be a permanent file while active on the Waiting List. While all can apply, no applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

B. PREFERENCE CATEGORIES [24 CFR 982.207 and 982.4]

The Section 8 Program allows Housing Authorities to apply local preferences to the applications in order to determine placement on the Applicant Waiting List. These preferences are intended to meet the needs of the community. The local preferences that will be used by the Burbank Housing Authority will be as follows:

Residency Preference

Applicants who reside in the City of Burbank or applicant families with a member who works or has been hired to work in the City of Burbank will be given preference over non-residents. The Section 8 Applicant Waiting List will be separated into the two broad categories of residents and non-residents. Applicants claiming additional preferences will be placed within that preference category. Burbank homeless individuals/families that have been working with qualified Burbank service providers, should utilize the Burbank address of the service provider.

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Risk of Rental Assistance Loss Preference

This preference will be given to households participating in any Burbank Housing Authority Special Purpose Voucher program, who are at risk of losing rental assistance because of funding limitations, program changes, or shifts in eligibility requirements.

Persons Displaced by Government Action Preference

Very low-income tenants who are displaced by government action of the Burbank Housing Authority or the City of Burbank will be given this preference based on involuntary displacement. The activity causing the displacement must be taken in connection with code enforcement or a public improvement or a development program.

Veteran Preference

This preference will be given to applicants who have a current member of the U. S. Military Armed Forces in their applicant family. Veterans and surviving spouses of veterans will also be given this preference.

Disability Preference

This preference is extended to disabled persons or families with a disabled member as defined in this Plan. Proof of disability will be required at time of selection from the waiting list.

Homeless Preference

This preference is for Burbank homeless individuals and families that have been working with qualified Burbank service providers. These service providers will certify that adult applicant members meet the specific criteria for this category and the program and commits to providing on-going supportive services for a minimum of six (6) months after issuance of a housing voucher in order to ensure that the individual/family is able to live independently.

This preference will assist those applicants that become homeless while on the waiting list; and homeless applicants in the future that apply to the Program with no home address that instead will utilize a Burbank service provider address with an Authorization form on file.

Severely Rent Burdened Preference

This preference is for applicant families that pay more than 50% of their gross annual income towards the rent. Proof that 50% or more of applicant family income

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(as defined by HUD and included in Chapter 5 of this Administrative Plan) is utilized to pay rent will be required at the time of selection from the waiting list.

Substandard Housing Preference

This preference is for applicant families that are living in unpermitted structures as designated by a government official in the course and scope of their official duties such as code enforcement officer or building inspector. This category is different than the Homeless preference and does not apply to homeless households.

C. PREFERENCE ELIGIBILITY [24 CFR 982.207]

Applicants are allowed to claim the preferences at time of pre-application and their names will be placed on the Section 8 Applicant Waiting List according to that preference category. At time of final eligibility determination, the applicant will be required to provide verification of the preference. Changes in an applicant's circumstances while on the Section 8 Applicant Waiting List may qualify the applicant family for a preference. Applicants are required to notify the Burbank Housing Authority in writing when their circumstances change. When applicants claim to have recently become eligible for a preference, they will be placed on the Applicant Waiting List within the newly claimed preference.

D. PREFERENCE DENIAL [24 CFR 982.207

If an applicant cannot provide third party verification to prove a preference at the time that the name is selected from the Applicant Waiting List, then the preference will be denied. Applicants will be informed in writing why the preference was denied, and they will be placed back on the Section 8 Applicant Waiting List without the denied preference. Applicants will have the right to an Informal Review.

E. ORDER OF SELECTION [24 CFR 982.207(e)]

When the preliminary applications are received, the preference categories claimed by the applicants will be honored. The verification of the preferences will be obtained at the time that the applicant name is selected from the Section 8 Applicant Waiting List. The applications will be placed on the Applicant Waiting List within weighted preference categories.

Burbank Residents

Applicants that live or work in Burbank (25 points).
Additional Points for:

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i. Burbank Housing Authority Special Purpose Voucher households whose assistance is at risk of termination due to lack of program funding (50 points)
~~i.~~ii. Involuntarily displaced by the City of Burbank or Burbank Housing Authority preference (10 points).
~~ii.~~iii. Homeless working with a qualified service provider preference (10 points).
~~iii.~~iv. Severely rent burdened preference (5 points).
~~iv.~~v. Substandard housing preference (5 points).
~~v.~~vi. Veteran preference (2.5 points).
~~vi.~~vii. Disability preference (2.5 points).

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Non-Residents

i. Homeless Preference (5 points).
ii. Severely rent burdened preference (5 points).
iii. Substandard housing preference (5 points).
iv. Veteran preference (2.5 points).
v. Disability preference (2.5 points).
vi. All other non-residents.

F. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for specific applicants, the Section 8 Applicant Waiting List will be searched for the first available applicant family meeting the targeted funding criteria. Applicants who meet the specific requirements for the targeted funding will be placed on a separate Applicant Waiting List for use in the targeted program.

G. REMOVAL FROM WAITING LIST [24 CFR 982.204(c)]

In order to ensure applicants on the waiting list receive correspondence from the Burbank Housing Authority, it is the responsibility of each applicant to provide in writing any changes to address and contact information. Current and updated contact information will allow the Burbank Housing Authority to manage and maintain the waiting list, as required by HUD, for optimum implementation of the Section 8 Program. To that end, the Section 8 Applicant Waiting List will be updated periodically to ensure that contact, and preference information is on file for all applicants. Letters will be sent to all applicants on the Applicant Waiting List informing them that any changes in address must be sent in writing to the Burbank Housing Authority. The applicants will also be advised to send written notification of any change in household circumstance that would qualify them for a preference. Applicants will be required to complete an information update form and return it to the Housing Authority office within the specified time period. The Burbank Housing Authority has no control over postal delivery and will assume correspondence was delivered as addressed. Any applicant who fails to respond within the stated time period will have their name removed from the Section 8 Applicant Waiting List. The applicant will be informed in writing of their removal.

If any correspondence that is sent out by the Burbank Housing Authority is returned by the Post Office for any reason without a forwarding address, the name will be removed from the Section 8 Applicant Waiting List without further notice. If a forwarding address is provided by the Post Office, the correspondence will be forwarded, however, time periods to respond will remain unchanged. The envelope will be scanned and attached to the applicants file as proof of no forwarding address.

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H. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203, 982.54(d)(3)]

If HUD awards special funding to the Burbank Housing Authority for specifically targeted groups, these households will be admitted to the Section 8 Program under a special admission procedure which is outside of the regular Section 8 Applicant Waiting List process. These applicant families will not have to qualify for any preferences, nor are they required to be on the Section 8 Applicant Waiting List. The Burbank Housing Authority will maintain separate records of these admissions. The following are examples of the types of low-income households that may be designated by HUD for special admission based on their participation in the following programs:

1. A household displaced due to demolition or disposition of a public or Indian housing project;

2. A household residing in a multi-family rental housing project when HUD sells, forecloses or demolishes the project;

3. A household residing in housing covered by the Low-Income Housing Preservation and Resident Homeownership Act of 1990;

4. A household residing in a project covered by a project-based Section 8 Housing Assistance Payments contract at or near the end of the contract term; and

5. A non-purchasing household residing in a HOPE 1 or HOPE 2 project.

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CHAPTER 5

INCOME, ASSETS AND ALLOWANCES

[24 CFR Part 5, Subparts B, D & E; Part 982, subpart E]

INTRODUCTION

The Burbank Housing Authority will use the methods described in this Administrative Plan to verify and determine that applicant family income at admission and reexamination is correct. The accurate calculation of annual income and adjusted income will ensure that participants are paying the proper amount of rent under the Section 8 Program regulations. This Chapter defines the sources of income that are included and excluded as well as allowable expenses and deductions.

A. INCOME [24 CFR 5.609]

Income includes all monetary amounts that are received by all members of the applicant family and participant household. Annual income is defined as the gross amount of income anticipated to be received during the future 12-month period after certification or recertification. The amount of annual income is used to determine whether or not applicants are within the applicable income limits. Gross income is the amount of income prior to any allowable expenses or deductions. Adjusted income is defined as the annual income minus any allowable expenses and deductions and cannot be more than 60 days old at the time of admission to the Program. Annual income includes, with respect to the family:

1. All amounts received from all sources by each member of the family who is 18 years of age or older or is the head of household or spouse of the head of household, plus unearned income by or on behalf of each dependent who is under 18 years of age.
2. Imputed returns on the net family asset based on the current passbook savings rate, for net family assets which exceed the HUD determined threshold. Imputed returns are only calculated when the actual returns from a given asset cannot be calculated,

Annual income, as defined by 24 CFR 5.609(b), does not include amounts specifically excluded below:

1. Any imputed return on an asset when net family assets total more than the HUD determined threshold and no actual income from the net family assets can be determined.
2. The following types of trust distributions:

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i. For an irrevocable trust or a revocable excluded from the definition of net family assets:
   a. Distributions of the principal or corpus of the trust; and
   b. Distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.

ii. For a revocable trust under the control of the family, any distributions from the trust; except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.

3. Earned income of children under the 18 years of age.
4. Payments received for the care of foster children or foster adults, or State or Tribal kinship or guardianship care payments.
5. Insurance payments and settlements for personal or property losses, including but not limited to payments through health insurance, motor vehicle insurance, and workers' compensation.
6. Amounts received by the family that are specifically for, or in reimbursement of, the cost of health and medical care expenses for any family member.
7. Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled.
8. Income of a live-in aide, foster child, or foster adult.
9.

i. Any assistance that section 479B of the Higher Education Act of 1965, as amended (20 U.S.C. 1087uu), requires be excluded from a family's income; and

ii. Student financial assistance for tuition, books, and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and other fees required and charged to a student by an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.
   a. Student financial assistance, for the purpose of this program, means a grant or scholarship received from
      1. The Federal government
      2. A State, Tribe, or local government
      3. A private foundation registered as a nonprofit under 26 U.S.C. 501(c)(3);
      4. A business entity (such as corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, or nonprofit entity); or
      5. An institution of higher education.
   b. Student financial assistance does not include:

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1. Any assistance that is excluded in section 9(i).
2. Financial support provided to the student in the form of a fee for services performed (e.g., a work study or teaching fellowship)
3. Gifts, including gifts from family or friends; or
4. Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded in section 9(i), exceeds the actual covered costs of the student. The actual covered costs of the student are the actual costs of tuition, books and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, or other fees required and charged to a student by the education institution, and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

10. Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and income earned by government contributions to, and distributions from, "baby bond" accounts created, authorized, or funded by Federal, State, or local government.
11. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
12.
    i. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
    ii. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (e.g., special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
    iii. Amounts received under a resident service stipend not to exceed $200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development.

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iv. Incremental earnings and benefits resulting to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program unless those amounts are excluded under paragraph 9(i) of this section.

13. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
14. Earned income of dependent full-time students in excess of the amount of the deduction for a dependent currently established by HUD.
15. Adoption assistance payments for a child in excess of the amount of the deduction for a dependent currently established by HUD.
16. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.
17. Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance.
18. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit.
19. Payments made by or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit.
20. Loan proceeds, under the terms of a loan agreement, received by the family or a third party.
21. Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other Federal law.
22. Amounts that HUD is required by Federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in this section apply. HUD will publish a notice in the Federal Register to identify the benefits that qualify for this exclusion. Updates will be published when necessary.

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23. Replacement housing “gap” payments made in accordance with 49 CFR part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another Federally subsidized housing unit. Such replacement housing “gap” payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing “gap” payments.
24. Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies. Nonrecurring income includes:
    i. Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment.
    ii. Direct Federal or State payments intended for economic stimulus or recovery.
    iii. Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received.
    iv. Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received.
    v. Gifts for holidays, birthdays, or other significant life events or milestones
    vi. Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization.
    vii. Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings.
25. Civil rights settlements or judgments, including settlements or judgments for back pay.
26. Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family.
27. Income earned on amounts placed in a family's Family Self Sufficiency Account.
28. Gross income a family member receives through self-employment or operation of a business; except that the following shall be considered income to a family member:
    i. Net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations; and
    ii. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation.

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For fully excluded income, the PHA is not required to follow the verification hierarchy, document when third-party verification is not available, or report the income on the 50058. Fully excluded income is defined as income that is entirely excluded from the annual income determination (for example, food stamps, earned income of a minor, or foster care funds) [Notice PIH 2013-04]. PHAs may accept a family's signed application or reexamination form as self-certification of fully excluded income. They do not have to require additional documentation.

B. COMPUTATION OF ANNUAL INCOME [24 CFR 5.611 and 5.617]

Gross annual income will be determined by combining all sources of income to derive the total income for a one-year period. The calculation method to be used for the various types of income will be calculated as follows:

Earned Income

1. Gross monthly – multiply gross monthly income by 12 pay periods.
2. Semi-monthly – multiply the gross semi-monthly income by 24 pay periods.
3. Hourly – multiply the gross hourly rate by the number of hours worked each week by 52 pay periods.
4. Weekly – multiply the gross weekly rate by 52 pay periods.
5. Bi-weekly – multiply the gross bi-weekly rate by 26 pay periods.

Income Other Than Wages

For applicant families or participant households having income other than wages, such as Temporary Aid to Needy Families, Social Security payments, SSI, disability income or pensions, the computations will be based on the gross monthly amount multiplied by 12 months.

Fluctuating Income

For applicant families or participant households that have fluctuating amounts of income over a 12-month, such as Unemployment Insurance payments or earnings from a temporary employment agency, the monthly amount will be projected for a 12-month period to determine income. If the income changes, the head of household may request a recalculation at any time to adjust their portion of rent.

Lump Sum Payments [24 CFR 5.609]

Lump-sum payments caused by delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income in the same manner as bonuses. Lump sum payments from Social Security or SSI are excluded from income,

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but any amount remaining, such as accumulated interest, will be considered an asset. The head of household needs to report the lump sum payment within 30 calendar days from receipt of the funds and a recalculation will be performed at that time.

De Minimis Errors

The BHA will not be considered out of compliance when making annual income determinations solely due to de minimis errors in calculating family income. A de minimis error is an error where the BHA determination of family income deviates from the correct income determination by no more than $30 per month in monthly adjusted income per family.

If the BHA determines that there has been an income calculation error, the error(s) will be corrected retroactive to the effective date the action resulting in an error, regardless of the dollar amount associated with the error. Families will not be required to repay the BHA in instances where the BHA miscalculated income resulting in the family being undercharged for rent. Once the BHA becomes aware of the error, the family will be provided a 30-day notice of the increase to their rent portion.

The BHA will take corrective action to credit a family if the family was overcharged tenant rent in income determination.

The families rent portion will be temporarily adjusted down with additional HAP going to the property owner. The BHA will send a letter to the family and the landlord prior to the change in the payments notifying them of the change and the duration of the change.

C. ASSETS [24 CFR 5.609]

Net household assets will include equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land. Personal property, such as automobiles and furniture, will be excluded.
In the case of a trust fund, the value of the trust will not be considered as an asset as long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income. When the net household assets are in excess of $5,000, the annual income shall include the greater of the actual income derived from all net household assets or a percentage of the value of such assets based on the current passbook savings rate.

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D. CHANGE OF INCOME

The head of a participant household must report any changes in household income within 30 calendar days of the change. The change of household income may have a direct impact on the calculation of total tenant payment. The Housing Authority must have information by the 5th day of the month in order to process the change for the following month. If the household income increases, and the household does not report the change, a retroactive calculation will be made to the point in time when the changes would have taken place.

E. INCOME CHANGES FROM WELFARE PROGRAM REQUIREMENTS

[24 CFR 5.618]

Annual income will not be reduced for purposes of calculating rental assistance payments when the reduction in welfare payments is the result of fraud or failure to comply with welfare requirements. When a household requests a rent reduction based on lower welfare payments, written verification must be obtained from the Department of Public Social Services that the reduction in benefits is not based on failure to participate in an economic self-sufficiency program or to comply with work activity requirements. Households that fall into this category will be provided the opportunity for an Informal Hearing. A recalculation of income will be performed when a reduction in benefits is the result of the following factors:

1. The expiration of a lifetime limit has been reached.
2. The participant has sought but has been unable to obtain employment.
3. The household has complied with welfare program requirements but loses welfare because of a durational time limit, such as a cap of welfare benefits for a period of no more than two years in a five-year period.

F. INCOME FROM ADDITIONAL HOUSEHOLD MEMBERS

The head of a participant household must report changes in household composition within 30 calendar days. The addition of people to the household may have a direct impact on household income and the calculation of total tenant payment. Any change to the household composition will be evaluated to determine if a recalculation of assistance needs to be made.

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Visitors

Any adult, not included as a member of the household, who has been in the unit more than 14 consecutive days without Burbank Housing Authority approval, or a total of 30 days in a 12-month period, will be considered to be living in the unit as an unauthorized household member. The household will need to include this person as a member of the household for calculation of income eligibility. If the head of household denies that this person is living in the assisted unit, then the burden of proof will rest with the tenant. In the absence of such proof, the individual will be considered an unauthorized member of the household. Written statements from the landlord concerning occupancy will be considered in making the determination. If the tenant is unable to prove that the person lives at another address, then the assistance will be terminated. The participant will have the right to request an Informal Hearing before the termination date.

Caretakers

There are situations where neither one of the parents remain in the household, due to death, illness, incarceration, or abandonment. In some cases, another adult moves into the unit to care for the minor children. In these situations, the caretaker will be considered a visitor for the first 90 days. At the end of that period, the income of the caretaker will be taken into account. As soon as the caretaker has been granted court-awarded custody or legal guardianship, the caretaker will be designated as the head of household. If the appropriate agency cannot confirm the guardianship status of the caretaker, the Housing Authority will review the status every 60 days.

Children

Minors and full-time students over 18 years of age who were a part of the household, but who now live away from home during the school year, may visit for up to 120 days per year without being considered a member of the household. These visits are subject to the approval of the landlord. In a joint custody arrangement, if the minor is in the household less than 120 days per year, the minor will be considered an eligible visitor and not a household member.

G. INCOME FROM ABSENT HOUSEHOLD MEMBERS

There are times when a member of the household leaves the unit, either temporarily or permanently. It is the responsibility of the head of household to report these changes to the Housing Authority within 30 calendar days of the absence. Depending on the type of absence, the income of the absent member may or may not be taken into consideration. An evaluation will need to be made to determine if the total household income has changed. If the income does change, a recalculation of the housing assistance payment will be made.

Temporary Absences

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Any person who is absent from the household for a period of less than 90 days will still be considered part of the household. With temporary absences, the income of the person will be taken into account when determining household income and total tenant payment.

Permanent Absences

Any member of the household who leaves the assisted unit for more than 90 days will be considered permanently absent. In cases where the entire household leaves the assisted unit for more than 90 days, the assistance will be terminated.

In order to determine that the household member is absent from the unit, the Burbank Housing Authority will try to contact the head of household by telephone; send a certified letter; send the Housing Inspector to the unit; and will verify if the utilities are still in service. If there is no response from the household, then the assistance will be terminated. Under no circumstance does HUD allow an absence for more than 180 days.

H. ALLOWANCES AND DEDUCTIONS [24 CFR 5.611]

In calculating adjusted annual income, the HUD established allowances and deductions will be subtracted from the gross annual income. The adjusted annual income is used to determine the amount of rent that the tenant will pay toward the rent.

The following list details mandatory deductions from annual income:

1) Dependent Allowance. There is an allowance of $480 for each person under 18 years of age (other than the head or spouse); for household members who are 18 or older and are full-time students and members who are disabled.

2) Elderly/Disabled Household Allowance. There is an allowance of $400 per household where the head or spouse is at least 62 years of age or is disabled.

3) Unreimbursed Expenses. The sum of the following unreimbursed expenses will be deducted to the extent that the sum of these expenses exceeds three percent of annual income:

    a. Unreimbursed medical expenses of any elderly or disabled household member.
    b. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the household who is a person with a disability, to the extent necessary to enable any member of the household (including the member with a disability) to be employed,

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4) Childcare Expenses. HUD allows any reasonable childcare expenses necessary to enable a member of the household to be employed or to further his or her education. The Burbank Housing Authority will utilize the tax code Child and Dependent Care Credit amount or the actual cost of the childcare; whichever is less per year, for children under 13.

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CHAPTER 6

VERIFICATION PROCEDURES
[24 CFR Part 5, Subparts B, D, E and F; 982.108]

INTRODUCTION

Proper verification of information is essential to the integrity of the Section 8 Program. Factors of eligibility and total tenant payment will be confirmed by third party verification and retained in the tenant file. Written verification will be obtained from independent sources whenever possible and any deviation from this policy will need to be thoroughly documented in the tenant file. Applicants and Program participants must provide true and complete information to the Burbank Housing Authority whenever information is requested. This Chapter explains the procedures and standards for verification of preferences, income, assets, allowable deductions, citizenship or immigration status, and changes in household composition. The Burbank Housing Authority will obtain written authorization from applicants and participants before requesting information from independent sources.

A. METHODS OF VERIFICATION [24 CFR 5.233]

The verification methods used to confirm the accuracy of information provided by the applicant or participant will have the following order of priority:

1. HUD's Enterprise Income Verification system (EIV).
2. Non-HUD Income Verification system (EIV).
3. Third-Party Written Verification.
4. Third-Party Written Verification form.
5. Oral Third-Party Verification form.
6. Tenant Declaration form.

Verifications may not be more than 60 days old at the time that the Voucher is issued. This requirement applies to both applicants and participants.

Enterprise Income Verification (EIV) System

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security, and SSI benefits for participant families. Tenant Income Data (TID) reports will be obtained on a monthly basis. Reports will be generated as a part of the regular reexamination process. Tenant Income Data reports will be used in interim reexaminations when it is necessary to verify and calculate earned income, unemployment benefits, Social Security, and/or SSI benefits.

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INCOME VERIFICATION TOOL (IVT)

The IVT is a tool for identifying families who may have concealed or under-reported income. When it appears that a family may have concealed or under-reported income, third party written verification of the income in question will be requested.

EIV Identity Verification

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth. Program participants whose identity verification has failed will be identified as part of the annual reexamination process.

Work Number

Participating employers provide employment verification information to The Work Number to act as their official agent for issuing employment verifications.

Third Party Written Verification

Third-party written verification is used to verify information directly with the source. These verification forms must be marked with the office stamp of the independent third party or the information must be provided on their letterhead. Verifications received electronically from the information sources are considered to be third-party written verification. Computer matching reports from other agencies will be considered to be third-party written verification. Each adult member of the household will be required to sign an authorization form for the information source to release the specified information.

Third-party written verification must be an original or authentic document generated by a third-party source dated within 120 days of the date received by the BHA. For fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation.

Third-Party Oral Verification

Third-party oral verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a *Certification of Document Viewed or Person Contacted form*, noting with whom they spoke, the date of the conversation, and the facts provided. If the information was obtained by telephone, the Housing Authority must originate the call. This type of verification must be approved by a supervisor.

Review of Documents

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In the event that third-party written or oral verification is unavailable, the reason for this situation will be noted in the tenant file. At that point, the documents provided by the applicant or participant will be used as the primary source to provide complete information. This type of verification must be approved by a supervisor. All documents, excluding government checks, will be photocopied and retained in the tenant file. In cases where documents are viewed, which cannot be photocopied, staff viewing the documents will complete a *Certification of Document Viewed or Person Contacted form*. If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, staff will utilize the third-party verification.

Self-Certification/Self-Declaration

This type of verification is not to be used except in extremely unusual situations. When verification cannot be made by third-party verification or review of documents, applicants and participants will be required to submit a self-certification. The form of the self-certification must be a notarized statement of fact that is signed under penalty of perjury. This type of verification must be approved by a supervisor.

B. ITEMS TO BE VERIFIED [24 CFR 982.516]

The applicant or participant needs to provide whatever information is necessary to determine initial or ongoing eligibility for the Section 8 Program. The following list gives examples of the various items that need to be verified, however, this list is not all-inclusive.

1. All income not specifically excluded by the regulations.
2. Full-time student status, including high school students who are 18 or over.
3. Current assets, including assets disposed of for less than fair market value in preceding two years.
4. Child care expense where it allows an adult household member to be employed or to attend an educational or vocational program.
5. Total medical expenses for households whose head or spouse is elderly or disabled.
6. Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the household which allow the disabled person or another adult household member to be employed.
7. Legal identity of all household members, including birth certificates, driver's licenses or state identification cards.
8. Disability for determination of preferences, allowances or deductions.
9. U.S. citizenship or eligible immigrant status.
10. Social Security numbers for all household members who are 6 years of age or older.
11. "Preference" status for local preferences as described in Section I of this Chapter.

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12. Familial or marital status when needed for head or spouse definition under the Non-Citizen Rule.

C. INCOME VERIFICATION [24 CFR 982.516]

This section defines the methods that will be used to verify the various types of income. Applicants and participants are required to report all sources of income at initial certification and recertification, as well as any other time during the year when there are changes.

Credit History Reports

For applicants and participants, all adult members of the household will be required to sign an authorization to allow the Burbank Housing Authority to obtain a credit history report on that individual. This report indicates the amount of monthly expenditures that the household is making and that information will be compared to the amount of reported income. If the monthly payments are more than 50% of reported income, the applicant or participant will need to provide written verification concerning their ability to pay those monthly bills.

Employment Income

The employer will need to complete a verification form that requires the following information:

1. Dates of employment,
2. Amount and frequency of pay,
3. Likelihood of change of employment status and effective date of any known salary increase during the next 12 months,
4. Year to date earnings, and
5. Estimated income from overtime, tips, bonus pay expected during next 12 months.

Acceptable methods of verification include, in this order:

1. Employment verification form completed by the employer with two or more recent pay stubs which indicate the employee's gross pay, frequency of pay, and year to date earnings.
2. W-2 forms plus income tax return forms.
3. Self-certifications or income tax returns signed by the applicant or participant may be used for verifying self-employment income, or income from tips and other gratuities. This type of verification requires approval of the supervisor.

Applicants and participants may be required to sign an authorization for release of information from the Internal Revenue Service for further verification of income. Where

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doubt exists regarding income, a referral to the Internal Revenue Service for confirmation will be made on a case-by-case basis.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include, in this order:

1. Benefit verification form completed by agency providing the benefits.
2. Award or benefit notification letters prepared and signed by the providing agency.
3. Computer reports obtained electronically or in hard copy.

Unemployment Compensation

Acceptable methods of verification include, in this order:

1. Verification form completed by the unemployment compensation agency.
2. Computer printouts from unemployment office stating payment dates and amounts.
3. Payment stubs.

Temporary Aid to Needy Families (TANF) and General Relief

Acceptable methods of verification include, in this order:

1. Verification form completed by the County of Los Angeles Department of Public Social Services (DPSS).
2. Written statement from payment provider indicating the amount of grant or payment, start date of payments, and anticipated changes in payment in the next 12 months.
3. Computer-generated Notice of Action form or list of recipients from the Welfare Office.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
2. A notarized letter from the person paying the support.
3. Copy of latest check and/or payment stubs from the Court Trustee.
4. Self-certification of amount received and the likelihood of support payments being received in the future, or that support payments are not being received. This form of verification must be approved by a supervisor.

If payments are sporadic, the applicant or participant must provide a list of actual

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payments received, otherwise the full amount that is specified in the divorce decree will be used to calculate income.

Net Income from a Business

In order to verify the net income from a business, the Housing Authority will view IRS forms and financial documents from prior years to anticipate the income for the next 12 months. Acceptable methods of verification include:

1. IRS Form 1040 or Record of Account Transcript from IRS, including:
   a. Schedule C (Small Business)
   b. Schedule E (Rental Property Income)
   c. Schedule F (Farm Income)
2. Audited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The applicant or participant will be advised to maintain these documents in the future if they are not available.
5. Self-certification concerning the net income realized from the business during previous years. This form of verification must be approved by a supervisor.

Child Care Business

If an applicant or participant is operating a licensed day care business, income will be verified as with any other business.

Recurring Gifts/Loans

The applicant or participant must furnish a self-certification which identifies the person who provides the gifts, the value, and the regularity of the gifts.

Zero Income Status

Applicants or participants who claim to have no income will be required to provide verification forms to determine that income, such as Temporary Aid to Needy Families, EDD or SSI are not being received by the member.

Full-time Student Status

Verification of full-time student status must be provided for household members who are over 18 years of age and are not the head of household or spouse. Verification includes the following:

1. Written verification from the registrar's office or other school official.

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2. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution; and showing completion of course(s).
3. Written verification from the provider of the vocational training.

D. INCOME FROM ASSETS [24 CFR 982.516]

Acceptable methods of verification for savings account interest income and dividends will be verified in this order:

1. Written verification form completed by the financial institution or account statements generated by the financial institution.
2. Broker's statements showing the value of stocks or bonds and the earnings credited to the household.
3. IRS Form 1099 from the financial institution.

E. ASSET VERIFICATION

Current assets need to be verified to determine the current cash value or the net amount that the household would receive if the asset were converted to cash. The net value of the assets is used to determine initial eligibility. The forms of verification are as follows:

1. Verification forms, letters, or documents from a financial institution or broker.
2. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
3. Quotes from a stock broker or realty agent as to net amount that the household would receive if the securities or real estate were liquidated.
4. Real estate appraisals.
5. Financial statements for business assets.
6. Copies of closing documents showing the selling price and disposition of proceeds.

F. VERIFICATION OF ALLOWABLE DEDUCTIONS [24 CFR 982.516]

Child Care Expenses

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Written verification from the person who receives the payments is required. The childcare provider must provide a statement of the amount charged to the household for services. Verifications must specify the childcare provider's name, address, telephone number, the names of the children cared for, the number of hours the childcare occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods. The applicant or participant must declare whether any of those payments have been or will be paid or reimbursed by outside sources. The Burbank Housing Authority will utilize the tax code Child and Dependent Care Credit amount or the actual cost of the childcare; whichever is less per year, for children under 13.

Medical Expenses

Applicants or participants who claim medical expenses or expenses to assist a person with a disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

1. Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, concerning the anticipated medical costs to be incurred by the household.
2. Written confirmation by the insurance company or employer of health insurance premiums to be paid by the household and the amount of medical expenses that will be paid out of pocket.
3. Written confirmation from the Social Security Administration showing the amount of the Medicare premiums to be paid by the household over the next 12 months. A computer printout will be accepted.
4. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
5. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
6. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. This approach may be used for general medical expenses, such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.
7. Mileage charged at the IRS allowable rate for personal vehicles, cab fare, bus fare, or other public transit cost for transportation directly related to medical treatment.

Attendant Care

The following verifications would be required for expenses related to attendant care:

1. A doctor’s certification that an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation

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purposes.
2. Attendant's written confirmation of hours of care provided and the amount and frequency of payments received from the household or agency. Copies of canceled checks the household used to make those payments or stubs from the agency providing the services may be used.

Assistance to Persons with Disabilities [24 CFR 5.611(c)]

In all cases where the household is claiming a deduction based on assistance to persons with disabilities, the following verification is required:

1. Written certification from a medical doctor that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another adult household member to be employed.
2. Certification from the applicant or participant concerning the amount of reimbursement they receive for any of the expenses of disability assistance.

Auxiliary Apparatus

In cases where auxiliary apparatus is claimed as a deduction, the following verification is required:

1. Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.
2. In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

G. VERIFICATION OF NON-FINANCIAL FACTORS [24 CFR Part 5, Subpart B

In order to prevent Program abuse, the Burbank Housing Authority will require applicants to furnish verification of legal identity for all household members. The documents listed below will be considered acceptable verification of legal identity for adults. If a document that is submitted is illegible or otherwise questionable, more than one of these documents may be required.

Legal Identity for Adults

1. Birth Certificate.
2. Naturalization papers.
3. Current valid driver's license.
4. U.S. military discharge (DD 214).
5. U.S. passport.

Legal Identity for Children

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1. Birth certificate.
2. Hospital birth record.
3. Adoption papers.
4. Custody agreement.
5. School records.

Verification of Marital Status

Marital status verification is needed to comply with requirements under the Non-Citizen Rule. A marriage certificate would be required to prove that a non-citizen member of the household qualifies as an eligible household member based on being the spouse of the head of household.

Verification of Permanent Absence of Household Member

If an adult member, who was formerly a member of the household, is reported to be permanently absent, the Housing Authority will consider any of the following as verification:

1. Husband or wife institutes divorce or legal separation.
2. Protective Order or Restraining Order obtained by one household member against another.
3. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.
4. Statements from other agencies, such as the Department of Public Social Services, or a written statement from the landlord or manager that the adult household member is no longer living at that location.
5. If a household member is incarcerated, a document from the Court or prison should be obtained stating how long s/he will be incarcerated.

Verification of Change in Household Composition

The Housing Authority may verify changes in household composition, which are either reported or unreported, through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school records, and other sources.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7). Proof of disability may be provided by a written statement from a medical doctor on the Housing Authority approved form.

Verification of Citizenship or Eligible Immigrant Status

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To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Eligible immigrants must fall into one of the categories specified by the HUD regulations and must have their status verified by Immigration and Naturalization Service. Each household member must declare his/her status. Assistance cannot be delayed, denied, or terminated while verification of status is pending. The form that must be completed is as follows:

Citizens or nationals of the United States are required to sign a declaration under penalty of perjury. Proof of citizenship is required.

Eligible immigrants, who were Section 8 participants and 62 years of age or more on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens, with eligible immigration status, must sign a declaration of status and verification consent form. They must also submit their original immigration documents which will be copied front and back. The Burbank Housing Authority will verify the status through the Systematic Alien Verification for Entitlements system provided by the Immigration and Naturalization Service. If this primary verification fails to verify status within ten days, then the Housing Authority will request a manual search.

Ineligible household members, who do not claim to be citizens or eligible immigrants, must be listed on a statement of ineligible household members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa, but their status will not be verified. They do not need to sign a declaration, but they will be listed on the statement of ineligible members.

Any applicant or participant household member who fails to sign the required declarations and consent forms or provide documents will be listed as an ineligible member. If the entire household fails to provide and sign as required, they may be denied participation or terminated from assistance for failure to provide required information.

Time of Verification

Verification of U.S. citizenship or eligible immigrant status occurs at the same time that the applicant is selected from the Applicant Waiting List. Any new members to the household after initial eligibility determination and any households with portable Certificates or Vouchers that move into Burbank will need to provide the appropriate information.

Extensions of Time to Provide Documents

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An extension of 30 calendar days will be granted to households to submit evidence of eligible immigrant status. The notice of extension shall be in writing and will specify the dates of the extension period.

Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

1. Resident Alien Card (I-551).
2. Alien Registration Receipt Card (I-151).
3. Arrival-Departure Record (I-94).
4. Temporary Resident Card (I-688).
5. Employment Authorization Card (I-688B).
6. Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.

A birth certificate is not acceptable verification of status for persons born outside of the United States. All documents in connection with U.S. citizenship or eligible immigrant status will be kept for five years. If the Housing Authority determines that a household member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the unit, the Section 8 assistance will be discontinued.

H. SOCIAL SECURITY NUMBER VERIFICATION [24 CFR 5.216]

Social Security numbers must be provided as a condition of eligibility for all household members, if they have been issued a number. Verification of Social Security numbers will be done through a Social Security card issued by the Social Security Administration. If a household member cannot produce a Social Security card, then the documents listed below showing the Social Security number may be used for verification. The household member would also be required to certify in writing that the documents submitted in lieu of the Social Security card information provided are complete and accurate:

1. A driver's license.
2. An identification card issued by a federal, state or local agency.
3. An identification card issued by a medical insurance company or provider, including Medicare and Medicaid.
4. An identification card issued by an employer or trade union.
5. An identification card issued by a medical insurance company.
6. Earnings statements or payroll stubs.
7. Bank Statements.
8. IRS Form 1099.
9. Benefit award letters from government agencies.
10. Retirement benefit letter.
11. Life insurance policies.

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12. Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records.
13. Verification of benefits or Social Security number from Social Security Office.

New household members, who are 6 years of age or older, will be required to produce their Social Security card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in household composition is reported to the Housing Authority.

When a participant family request to add a new household member, who is under the age of six, and does not have an assigned Social Security number, the family must provide the Social Security documentation within 90 calendar days of the child being added to the household. If the family cannot provide the documentation within the allotted time frame, due to circumstances out of their control (delayed processing of Social Security numbers), the family will be granted an additional 90 days.

If an applicant or participant is able to disclose the Social Security number, but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect. Any household member will have an additional 60 calendar days to provide proof of the Social Security number. If they fail to provide this documentation, the rental assistance will be terminated.

In the case of an individual, who is at least 62 years of age, an extension may be granted for an additional 60 calendar days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the rental assistance will be terminated. If the household member states s/he has not been issued a number, then s/he will be required to sign a certification to this effect. The person will be required to apply for a Social Security number.

I. VERIFICATION OF PREFERENCES [24 CFR 982.207]

Residency Preference

This preference will be provided to applicants who reside in the City of Burbank or applicant families with a member who works or has been hired to work in the City of Burbank. In order to verify the address, the applicant must provide third party documentation which may include a driver's license, utility bills, school records, voter registration records, bank statements or credit reports. When residency cannot be verified based on documentation provided, the Burbank Housing Authority may conduct on-site inspections of the current, claimed residence in order to prove permanent Burbank residency.

A letter from the Burbank employer will be required to show employment or the commitment of employment for any member of the applicant family.

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Homeless applicants must provide certification from the Burbank community organizations and service providers they are working with in order to verify eligibility for residence status.

Persons Displaced by Government Action

This preference will be provided to applicants who are displaced by government action of the Burbank Housing Authority or the City of Burbank. The applicant must provide the certification from the local government agency that the involuntary displacement will be caused by an activity in connection with code enforcement or a public improvement or a development program.

Veteran Preference

This preference will be provided to applicants who have a current member of the U.S. Military Armed Forces in their applicant family. Veterans and surviving spouses of veterans will also be given this preference and they must provide a U.S. military discharge (DD214) as proof of military service.

Disability Preference

This preference will be provided to applicant families with a member who has a disability. Verification of disability can be shown by receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7). Proof of disability may be provided by a written statement from a medical doctor on the Housing Authority approved form.

Homeless Preference

This preference is for Burbank homeless individuals and families that have been working with qualified Burbank service providers. These service providers will certify that the adult applicant members meets the specific criteria for this category, and commits to providing on-going supportive services for a minimum of six (6) months after issuance of a housing voucher in order to ensure that the applicant is able to live independently. The service provider is responsible for certifying that the homeless applicant meets the requirements of the Program as outlined in this Administrative Plan.

Severely Rent-Burdened Preference

This preference will be provided to applicant families that pay more than 50% of gross annual income on rent (income as defined and described in Chapter 5 of this Plan). A rental agreement in the applicant family's name will be required, along with proof that the applicant pays the contracted rent through copies of rent receipts, cancelled checks, money order receipts, etc. for the timeframe specified on the eligibility paperwork. The information will be reviewed and a calculation for severely rent-burdened will be

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conducted.

Substandard Housing Preference

Families who claim to be living in an unpermitted structure must provide written verification/documentation from a government official in the course and scope of their official duties such as a code enforcement officer or building inspector. This preference may also require visual verification by Building and Safety/HQS inspection staff.

J. RELEASE OF INFORMATION [24 CFR 5.230]

Applicants or participants 18 years or older will be required to sign specific authorization forms when information is needed that is not covered by the *Authorization for Release of Information/Privacy Act Notice* (HUD 9886-A). Refusal to sign this form will result in denial of admission to the Program or termination of assistance.

The consent form remains effective until the earliest of:
1) the rendering of a final adverse decision for an assistance applicant;
2) the cessation of a participant's eligibility for assistance from HUD and the HA; or
3) The express revocation by the assistance applicant or recipient (or applicable family member) of the authorization, in a written notification to HUD or the BHA.

K. PRIVACY RIGHTS [24 CFR Part 16]

The Burbank Housing Authority is required to safeguard personally identifiable information (PII) as required by HUD and for preventing potential breaches of this sensitive data. HUD expects Public Housing Authorities, who collect, use, maintain or disseminate HUD information to protect the privacy of that information in accordance with applicable law. Applicants and participants, including all adults in the household, are required to sign the form, Authorization *for Release of Information* (HUD 9886). This document incorporates the *Federal Privacy Act Statement* and describes the conditions under which HUD will release household information. Any request for the release of information that is presented to the Burbank Housing Authority will be forwarded to the City Attorney's Office. The request will be reviewed for compliance with federal and state laws which may restrict the release of household information.

Written authorization must be on file in order for Burbank Housing Authority staff to release information to other persons besides the applicant or participant.

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CHAPTER 7

SUBSIDY STANDARDS

INTRODUCTION

The subsidy standards used in the Section 8 Program determine the amount of assistance that each eligible applicant family and participant household will receive on a monthly basis. This Chapter explains how the subsidy standards are applied and the methods of calculation that will be used to determine the amount of subsidy.

A. VOUCHER SIZE DETERMINATION

The number of bedrooms shown on the Voucher indicates the maximum subsidy that would be available to the household before any deductions. The subsidy amount increases with the number of bedrooms. The household size is the determining factor when establishing Voucher size. If the household size changes, the subsidy standard will be changed at the next annual re-examination date. The standards in this section relate to the amount of subsidy only and do not dictate the actual living arrangements of the household.

Guideline for Determining Voucher Size

Voucher Size	Household Members
1 Bedroom	1 - 2
2 Bedrooms	3 - 4
3 Bedrooms	5 - 6
4 Bedrooms	7 - 8

Changes in Household Composition

The head of household must report the names of all members of the household that are residing in the unit, including any approved live-in aide. The head of household must obtain approval from the Housing Authority before moving any additional people into the unit. The exceptions to this rule are additions to the household by birth or adoption of a child or court-awarded custody. Any increase or decrease in household members must be reported within 30 calendar days.

Changes in Bedroom Size

If the size of the household increases, and the unit does not have an adequate number of bedrooms to meet the Housing Quality Standards, the household will need to move to

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another unit. A new Voucher, in the correct bedroom size, will be issued and the household will be given up to 120 calendar days to relocate. The Housing Authority will assist the household in locating another unit by providing a current list of available apartments where the landlords will accept the Section 8 Program. If the household does not relocate to another unit within the 120 days, the Section 8 rental assistance will be terminated.

B. UNIT SIZE SELECTED [24 CFR 982.505 (c) (i)(ii)]

The payment standard is based on the number of people in the household and specifies the maximum amount of subsidy. The household may select a unit with a different number of bedrooms than what is specified on the Voucher. In those situations, the following guidelines will apply:

1. Subsidy Limitation: In the Voucher Program, the subsidy amount will be the lower of the payment standard or the payment standard amount for the number of bedrooms in the actual unit selected. In cases where the rent is lower than the payment standard, the subsidy amount will be the balance of the rent after the tenant portion is deducted.

2. Utility Allowance: The utility allowance used to calculate the gross rent is based on the lower of the actual unit size or the voucher bedroom size.

3. Housing Quality Standards: These standards allow two persons per living or sleeping room. The following table gives the guidelines for occupancy in order to prevent overcrowding:

Bedrooms	Maximum Number of People
0	2
1	4
2	6
3	8
4	10

C. PAYMENT STANDARDS [24 CFR 982.503 (a)(b) and 982.505 (a)(b)]

A payment standard is used to calculate the monthly housing assistance for a household. The payment standard is the maximum monthly subsidy payment before any deductions. It is the policy of the Burbank Housing Authority to set the payment standard in the basic range of 90% and 110% of the fair market rent. This payment standard level will enable

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very low-income households to obtain rental units in the City which meet the affordability requirement. Each year when the fair market rent limits are published (usually in September of each year and take effect October 1st of each year), the payment standards may be adjusted accordingly.[2] The payment standards will be reviewed annually to determine whether the tenants are able to find quality units in a timely manner. Each year during the Annual Plan approval and adoption process by the Housing Authority Board, the Housing Authority Board will be presented with the payment standard for the upcoming federal fiscal year (October 1 – September 30).

Notification will be provided to Program participants at least 12 months in advance of a reduction in payment standard per HUD rules and regulations during the annual recertification process. An increase in the payment standard will be calculated at the next, regularly scheduled annual recertification for an existing participant. Furthermore, all participants of the Program will receive advance notification of any Resident Advisory Board (RAB) and Housing Authority Board meetings when a reduction in payment standard/subsidy level will be considered (increasing a participants' portion of the rent).

Small Area Fair Market Rents (SAFMRs) [24 CFR 888.113(c)(3)]

Small Area Fair Market Rents (SAFMRs) are Fair Market Rents (FMRs) calculated at the ZIP code level rather than for the entire metropolitan area. SAFMRs are designed to help families access low-poverty, high-opportunity areas by offering rental assistance that matches the local market rent, making housing in these neighborhoods more affordable for families. The Burbank Housing Authority has been designated by HUD as an SAFMR PHA and, in accordance with 24 CFR 888.113(c)(3), and was required to implement SAFMR-based payment standards no later than January 1, 2025.

SAFMRs will apply to all tenant-based vouchers in the BHA's jurisdiction, including special vouchers such as the Veterans Affairs Supportive Housing (HUD-VASH) Program, Foster Youth to Independence (FYI), and special housing types such as Single Room Occupancies (SROs).

The BHA may, without HUD approval, establish an exception payment standard of up to and including 120% of the SAFMR if required as a reasonable accommodation for a family that includes a person with a disability (or, in the case of HUD-VASH, up to 140% of the SAFMR). The BHA may request HUD approval to establish a payment standard exceeding 120% of the SAFMR (or 140% in the case of HUD-VASH), if necessary, as a reasonable accommodation for such a family.

Hold Harmless

If the amount on the payment standard schedule is decreased while the family continues to reside in the assisted unit, the payment standard in effect as of the recertification prior

2 The Housing Opportunities and Modernization Act of 2016 (HOTMA) allows PHAs to continue to use the higher payment standard (outside of the basic range as the result of a reduction in FMRs) for as long as the family continues to reside in the assisted unit.

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to the decrease will remain in place. The payment standard shall be frozen at this level until one of the following occurs:

- The payment standard is equal to or above the frozen level.
- The family moves.
- A change in household composition requires a change in payment standard at the next annual reexamination.

Increases in Payment Standard during HAP Contract

If the payment standard amount is increased during the term of the HAP contract, the BHA must use the increased payment standard amount to calculate the monthly housing assistance payment for the family beginning no later than the earliest of:

- The effective date of an increase in the gross rent that would result in an increase in the family share;
- The family's first regular or interim reexamination; or
- One year following the effective date of the increase in the payment standard amount.

PBVs

The BHA will not apply SAFMRs to the Project-Based Voucher (PBV) Program but will apply the Metropolitan Area Fair Market Rents (MAFMRs) to the PBV Program.

Exception to Payment Standard as a Reasonable Accommodation

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the Public Housing Agency or result in a “fundamental alteration” in the nature of the program or service offered. The BHA may, as an accommodation, grant a higher payment standard if the BHA determines it is necessary and reasonable to enable a person with a disability to obtain a suitable housing unit. The BHA may approve a higher payment standard up to 120% of the FMR. Requests for accommodations requiring approval of a payment standard exceeding 120% of the FMR will require HUD approval.
(See Chapter 1 for policies regarding the request for reasonable accommodations)

D. TENANT PAYMENT [24 CFR 5.628]

In the Voucher Program, the tenant payment is the difference between the rent and the Housing Authority subsidy. In cases where the rent is lower than the payment standard,

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the tenant portion is the greatest of 30% of the adjusted monthly income or 10% of gross income. The Housing Authority does not have a minimum rent amount.

E. SUBSIDY AMOUNTS [982.505]

For the Voucher Program, the subsidy is based on the payment standard for the number of household members and the size of the unit selected. The subsidy amount is equal to the lower of the payment standard minus the tenant payment or the gross rent minus the tenant payment.

In situations where special housing types are allowed for participation in the Program as a reasonable accommodation for a household with a disabled member, there are specific rules that apply to the calculation method for the amount of subsidy. These various types of subsidy are found in 24 CFR 982.604, 608, 613, 617 and 619 (Including HOTMA 2016).

F. CHANGES IN HOUSEHOLD SUBSIDY [24 CFR 982.505 (c)]

The payment standard that was used at the time that the unit was placed under Section 8 contract will remain in effect, unless the household composition changes. If the household size increases or decreases during the HAP contract term, the new family unit size may be used to determine the payment standard amount for the family immediately but no later than the family's first regular reexamination following the change in family unit size. ~~the new family size must be used to determine the payment standard amount for the family beginning at the family's first regular reexamination following the change in family size.~~

G. AFFORDABILITY STANDARD [24 CFR 982.508]

At the time that a household initially receives Section 8 assistance, the tenant portion of the rent cannot be higher than 40% of adjusted income for the first year of occupancy. This requirement applies to new admissions and moves.

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H. UTILITY ALLOWANCES [24 CFR 982.517)]

The Housing Authority has a Schedule of Utility Allowances which shows the typical cost of utilities not included in the rent. The allowances are based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same geographical areas. Allowances are not based on an individual household's actual energy consumption. The Schedule of Utility Allowances is updated on an annual basis.

HCV program regulations require a PHA to approve a utility allowance amount higher than shown on the PHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. (See Chapter 1 for policies regarding the request for reasonable accommodations).

I. PRORATION OF ASSISTANCE [24 CFR 5.520]

Proration of assistance must be offered to any mixed household, which includes at least one U.S. citizen or eligible immigrant, and any number of ineligible members based on immigration status. Mixed households that were participants on June 19, 1995, and who do not qualify for continued assistance at full subsidy, must be offered prorated assistance. Prorated assistance is calculated by determining the amount of assistance payable if all household members were eligible and multiplying that figure by the percent of the members who actually are eligible. The tenant payment is the gross rent minus the prorated assistance.

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CHAPTER 8

VOUCHER ISSUANCE AND BRIEFING SESSIONS
[24 CFR 982.301, 982.302]

INTRODUCTION

The procedures described in this Chapter are designed to ensure that applicants selected to participate in the Section 8 Program are given enough information and guidance to locate an acceptable housing unit. After eligibility has been determined, the applicant will be given a briefing session to explain how the Section 8 Program works. The briefing session will provide a broad description of landlord and tenant responsibilities, Program procedures, and steps to follow in finding a unit. The applicant will also receive a briefing packet which provides more detailed information about the Section 8 Program, including the portability provision. Under portability, a participant household may move to another jurisdiction with the Section 8 rental assistance.

A. VOUCHER ISSUANCE [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, Vouchers will be issued to applicants whose eligibility has been determined. The number of Vouchers issued will ensure that the Program is fully utilized.

B. BRIEFING SESSIONS [24 CFR 982.301]

A briefing session will be conducted after the applicant family has been determined to be eligible for assistance. The purpose of the briefing session is to explain the documents in the Voucher holder's packet to ensure that the head of household is fully informed about the Section 8 Program. This briefing session will prepare the tenant to discuss the Program with potential landlords and property managers. The Housing Authority staff will provide assistance whenever necessary to ensure that the tenant is successful in locating a unit.

A briefing packet will be given to the tenant which contains the following information:

1. The Voucher with the expiration date and the procedure to follow if an extension of time is needed.

2. A statement concerning rent reasonableness.

3. An explanation of the payment standards used in the Voucher Program. A sample case study will be included to illustrate how the amount of subsidy is calculated.

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4. A map of Burbank showing the boundaries of the geographical area under the jurisdiction of the Burbank Housing Authority.

5. A written statement concerning portability which explains that Burbank residents are allowed to move anywhere in the United States with their Voucher. Non-residents must move into the City of Burbank to participate in the Program. They would be required to live in Burbank for a period of one year before being allowed to move outside of Burbank.

6. A Request for Tenancy Approval form, a Rent Schedule to show the rents for other units in the same building, an IRS W-9 form and a Direct Deposit Authorization form all to be completed by the landlord.

7. Procedures for meeting the timelines for submission of the appropriate forms.

8. A sample lease to be used by the landlord and the *Addendum to the Lease* form for the landlord and tenant to sign.

9. The HUD brochure "A Good Place to Live."

10. The HUD brochure on lead-based paint.

11. Information on equal opportunity laws and a copy of the *Housing Discrimination Complaint* (HUD-903).

12. Information concerning the Southern California Housing Rights Center.

13. A list of available apartments that has been supplied by landlords who are interested in renting their units to Section 8 tenants.

14. The "Family Obligations" under the Section 8 Program as shown on the Voucher.

15. The grounds on which the Burbank Housing Authority may terminate assistance based on Program violations or failure to cooperate.

16. The Informal Hearing procedures, including the reasons why an Informal Hearing may be requested, and the procedures to request an Informal Hearing.

17. The HUD-required "tenancy addendum" that must be included in the lease.

18. A statement of the PHA policy on providing information about a family to prospective owners.

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19. An explanation of subsidy standards, including when the BHA will consider granting exceptions to the standards and when exceptions are required as a reasonable accommodation for persons with disabilities.

20. The advantages of areas that do not have a high concentration of low-income families.

21. Information on how to request a reasonable accommodation or modification including information on requesting exception payment standards as a reasonable accommodation. if the family includes a person with disabilities, the BHA is required to provide a current listing of accessible units known to the BHA and, if necessary, other assistance in locating an available accessible dwelling unit.

The printed material will be explained at the briefing session and the tenant will be encouraged to ask questions. The briefing session will emphasize the fact that the tenant has the ability to choose a unit that is geographically advantageous to be near employment, schools, medical facilities, childcare providers and any other service that may be required by the household. The tenant will be encouraged to keep in contact with the Housing Authority office to report on any difficulties that may be encountered in trying to locate a suitable unit. The BHA will also provide information regarding the reasonable accommodation process at this time.

The Burbank Housing Authority will comply with the reauthorized and amended Violence Against Women Reauthorization Act of 2022 (VAWA), which protects individuals who are survivors of domestic violence, dating violence, sexual assault and stalking, regardless of sex, sexual orientation, or gender identity from being evicted or terminated from housing assistance based on acts of such violence against them. More information in Chapter 11.

Requests to Move

An individual briefing session will be held for participants who will be issued Vouchers to move. These tenants will need to provide current income information and will need to provide a copy of the written 30-Day Notice to Move that they have given to their current landlord. A briefing session will be given to incoming and outgoing portable households.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

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At the briefing session, the tenant will be encouraged to locate housing that meets their individual needs. The Housing Authority does not select the location of the housing and leaves the freedom of choice entirely to the tenant. A map of Burbank, which shows the areas with the highest percentage of low-income residents, will be discussed. During the briefing session, the tenant will be encouraged to move outside of those areas.

D. DISCRIMINATION CLAIMS

Tenants who claim that they have been discriminated against will be encouraged to contact the Housing Authority and to report such violations. The tenants will be referred to the Southern California Housing Rights Center for counseling and investigation. The City of Burbank has a contract with this agency to handle any complaints concerning discrimination in housing. The head of household will be given the *Housing Discrimination Complaint* (HUD-903) to be filed with federal government.

E. TERM OF THE VOUCHER [24 CFR 982.303]

During the briefing session, the applicant will be issued a Voucher with a term of 60 calendar days. This document represents a contractual agreement between the Burbank Housing Authority and the tenant, which specifies the rights and responsibilities of each party.

Extensions

An eligible household may request an extension of the Voucher for an additional 60 calendar days. This request does not need to be in writing, but it must be requested prior to the expiration date of the Voucher. The head of household needs to provide an explanation of the efforts made to find a unit. The Housing Authority will assist the household in finding a suitable unit by providing updated listings of available apartments, online rental information, current listings from local newspapers, and negotiating with landlords as needed.

Suspensions

The PHA must provide for suspension of the initial or any extended term of the voucher from the date that the family submits a request for PHA approval of the tenancy (RTA) until the date the PHA notifies the family in writing whether the request has been approved or denied.

Expirations

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The Voucher is valid for a total term of 120 calendar days. The household must submit a *Request for Tenancy Approval* within that period or the Voucher will expire. If the Voucher does expire, the head of household may request an Informal Review. For households with a person with a disability, an extension of 60 calendar days will be granted upon request as a reasonable accommodation. The Housing Authority does allow for suspensions (tolling) of time on the term of the Voucher.

F. PORTABILITY [24 CFR 982.353, 355

Portability is the practice of Section 8 tenants being allowed to take their rental assistance with them when they move. A Program participant has a statutory right of nationwide portability to any jurisdiction where a Housing Authority is administering the Section 8 Voucher Program. The Housing Authority that issues the Voucher for the first time is called the initial Housing Authority. When the household relocates to another jurisdiction that Housing Authority is referred to as the receiving Housing Authority.

For admission to the Program, the household must be income eligible in the area where the household initially leases a unit with assistance. The receiving Housing Authority does not re-determine eligibility for a portable household that was already receiving assistance in the initial Housing Authority's Section 8 Program. However, for a portable household that was not already receiving assistance, the initial Housing Authority must determine whether the household is eligible for admission to the Receiving Housing Authority's Program.

Burbank residents will be allowed to move out of the jurisdiction during their first year on the Program if they desire. Non-residents need to live in Burbank for their first year of Program participation before being allowed to move to another jurisdiction. In order to qualify for portability, the household must be income eligible in the geographical area where the assisted unit is located.

The receiving Housing Authority must issue a Voucher to the Household. The term of the receiving Housing Authority Voucher may not expire before 30 calendar days from the expiration date of the initial PHA voucher. The receiving Housing Authority must determine whether to extend the Voucher term. The household must submit a Request for Tenancy Approval to the receiving Housing Authority during the term of the Voucher issued by the receiving Housing Authority.

Households that are moving out of Burbank will need to inform the Housing Authority of the location of the new unit. The Burbank Housing Authority will contact the receiving Housing Authority and send the agency the appropriate transfer documents. In situations where household are moving into Burbank under portability, the sending Housing Authority will need to follow the same procedure. If other Housing Authorities decide to bill the Burbank Housing Authority for tenants who moved out of Burbank, the payments will be made on a monthly basis to the appropriate Housing Authority at the same time as the other payments to landlords are made.

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G. VOUCHER ISSUANCE FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In instances where an assisted household is divided into two otherwise eligible components, due to divorce or legal separation, the tenants will need to decide which household component will receive the Voucher. A reduction in household size may require a reduction in the bedroom size shown on the Voucher.

H. REMAINING HOUSEHOLD MEMBER [24 CFR 982.315]

In cases where the head of household is no longer in the unit, the household member remaining in the unit may be entitled to continued assistance. The remaining household member must have been on the lease and must have been approved by the Burbank Housing Authority to be living in the unit before the head of household vacated. A live-in aide, by definition, is not a member of the household (although considered in household size for appropriate voucher issuance) and will not be considered a remaining member.

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CHAPTER 9

REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

INTRODUCTION

This Chapter describes the policies and procedures that pertain to processing the required forms to place a rental unit under the Section 8 Program. All of these procedures must be followed in the proper sequence and all documents must be executed by all parties before the first housing assistance payment is made.

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.305 (b)]

The *Request for Tenancy Approval* (RTA) is the first document that is signed when the tenant finds a suitable unit for the Program. This form must be signed by the landlord and the tenant and needs to be submitted to the Housing Authority during the period that the Voucher is valid. The information on the form will be reviewed to determine whether the unit qualifies for the Section 8 Program. The landlord must also submit a rent schedule for the other units in the building. The rent for the selected unit will be reviewed in comparison with the unassisted units. In addition, the landlord will need to provide proof of ownership, such as a grant deed or tax bill, and must sign the W-9 form for the IRS. If the property is managed by a professional property management company, a copy of the management agreement must be provided. The unit will be inspected after all of this documentation is received.

If the *Request for Tenancy Approval* cannot be approved for any reason, the landlord and the tenant will be contacted immediately. They will be advised concerning the steps that would be necessary to approve the unit. If the landlord does not want to take steps to change the circumstances, such as reducing the rent or making the repairs, then the tenant will be encouraged to look for another unit. At that time, the tenant will be given a new *Request for Tenancy Approval* form to be used elsewhere.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.352]

All typical structure types, including but not limited to single-family houses, condominiums, townhouses, multi-family apartment units and mobile homes are eligible for inclusion in the Section 8 Program. However, there are no existing mobile home parks in the City of Burbank. If at any point in the future, one such park is developed, this type of housing will be included as being eligible for participation in the Section 8 Program.

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C. SPECIAL HOUSING TYPES [24 CFR 982.601]

There are special housing types that are eligible for Section 8 assistance as a reasonable accommodation for a person with a disability. The participant must provide a certification from a medical professional that this type of housing is necessary. The following types of housing fall within this category:

Single Room Occupancy (SRO) Housing [24 CFR 982.604]

For a person residing in SRO housing, the payment standard is 75 percent of the zero-bedroom payment standard and the utility allowance is 75 percent of the zero-bedroom utility allowance.

Congregate Housing [24 CFR 982.608]

Unless there is a live-in aide, the household residing in congregate housing, the payment standard is the zero-bedroom payment standard amount. If there are two or more rooms in the unit (not including kitchen or sanitary facilities), the payment standard is the one-bedroom payment standard amount.

Group Home [24 CFR 982.613]

Unless there is a live-in aide, the payment standard for a person who resides in a group home is the lower of the payment standard for the household size or the pro-rata share of the payment standard for the group home size. The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

Shared Housing [24 CFR 982.617]

An assisted household may live in shared housing with other assisted or unassisted residents including the owner of the residence. The payment standard is the lower of the payment standard for the household size or the pro-rata portion of the payment standard for the shared housing unit size. The utility allowance is the pro-rata portion of the utility allowance for the shared housing unit.

Cooperative Housing [24 CFR 982.619]

For this type of housing, the rent to landlord is the monthly carrying charge under the agreement between the assisted member and the cooperative. The carrying charge consists of the amount assessed to the member which covers the member's share of the cooperative debt service, operating expenses, and necessary payments to cooperative reserve funds. This monthly amount is subject to the rent limitations in the Section 8 Program.

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D. LEASE REVIEW [24 CFR 982.308]

The Housing Authority will provide a sample lease and will encourage the landlord to use that form. If the landlord submits a different lease, the Housing Authority may review the lease to determine if the lease complies with State and local law. The Housing Authority may decline to approve the tenancy if the Housing Authority determines that the lease does not comply with State or local law. House rules of the landlord may be attached to the lease as an addendum, provided that they do not violate any fair housing provisions and do not conflict with the *Addendum to Lease* form that is required by HUD.

E. RENT REASONABLENESS [24 CFR 982.507]

The Housing Authority will not approve a lease until it has been determined that the rent is reasonable compared to rents for unassisted units.

This determination will be made:

1. At initial lease-up,
2. Any time the landlord requests a rent increase,
3. When directed by HUD,
4. At the HAP contract anniversary if there is a 10 percent decrease in the published fair market rent (FMR) in effect 60 days before the HAP contract anniversary.

The Housing Authority may also re-determine reasonable rents at any time. The rent charged for a unit under the Section 8 Program cannot be the highest rent for that size unit in the building. Landlords will be required to provide rent schedules for all of the units in their building where the Section 8 unit is located.

The Housing Authority will maintain a Rent Comparable Reference Guide to be used to determine rent reasonableness. The items that will be included will be:

1. Number of bedrooms,
2. Square footage,
3. Quality,
4. Amenities (dishwasher, air conditioning, covered parking),
5. Age of unit,
6. Neighborhood, and
7. Unit type.

The listings in the Reference Guide will be updated annually. A point system to rate the comparability of units will be used and documented in the case file. At least three

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comparables will be used for new units (initial lease-up) and one comparable will be used when the landlord requests a rent increase.

Units considered assisted due to a rent restriction remain excluded from rent reasonableness determinations until the PHA is notified by the owner or otherwise determines that the rent restriction has expired, or the restricted rents are no longer below market.

F. INFORMATION TO LANDLORDS [24 CFR 982.307(B), 982.54 (d)(7)]

When landlords call the Burbank Housing Authority to obtain information concerning tenants, they will be told that information about tenants is not given to individuals. Landlords will be encouraged to follow their standard screening procedures to determine the suitability of Voucher holders as tenants. If a landlord needs to obtain specific information about a previous tenant who is still on the Section 8 Program, a staff person will call the tenant and request that the tenant call the landlord.

G. DISAPPROVAL OF LANDLORDS [24 CFR 982.306]

A landlord does not have a right to participate in the Section 8 Program. There are certain circumstances under which a property landlord will be disapproved for participation. These circumstances include but are not limited to:

1. HUD has informed the Burbank Housing Authority that the landlord has been disbarred, suspended, or subject to a limited denial of participation under federal regulations.

2. HUD has informed the Housing Authority that the federal government has instituted an administrative or judicial action against the landlord for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

3. HUD has informed the Housing Authority that a court or administrative agency has determined that the landlord has violated the Fair housing Act or other federal equal opportunity requirements.

4. The landlord has a conflict of interest with the Section 8 Program.

5. The landlord has violated his/her obligations under the Section 8 Program with other tenants.

6. The landlord has a history or practice of non-compliance with the Housing Quality Standards for units leased under the Section 8 Program.

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7. The landlord is verbally abusive or belligerent to any member of the Housing Authority staff.

8. The landlord threatens violence against any member of the Housing Authority staff.

9. The landlord is related to any household member as a parent, child, grandparent, grandchild, sister or brother. This restriction will be waived as a reasonable accommodation for a household that has a person with a disability.

H. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

In order to finalize the contract process, the landlord and the tenant will execute the Lease and the *Addendum to the Lease*. The landlord and the Housing Authority will execute the *Housing Assistance Payments Contract* and copies will be given to all parties. The unit must pass inspection prior to the first payment under the contract. Payments to landlords are made on the first day of the month unless the first falls on a weekend or holiday, then the payment will be made the first following business day. The term of the contract is specified on the documents as the first day of assistance. The contract continues as long as the tenant continues to receive assistance in that unit.

I. RECERTIFICATIONS [24 CFR 982.516]

The income of each participant household is required to be recertified annually. Third party verification will be obtained for income and assets. The recertification process will commence 90 days before the anniversary date of the Housing Assistance Payments Contract. Income limits are not used as a test for continued eligibility at recertification. The household remains eligible for participation as long as the tenant portion does not equal the rent.

J. RENT INCREASES

Rent increases in the Voucher Program must be given in writing to the tenant and the Housing Authority 60 days in advance. In all cases, the new rent must be considered reasonable when compared to unassisted units.

The Housing Authority will not approve a rent increase for a unit that is in failed HQS status or subject to abatement of Housing Assistance Payments.

K. CHANGE IN OWNERSHIP

The Housing Authority will process a change of ownership upon the request of the new landlord when it is accompanied by a copy of the escrow statement or a recorded grant

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deed showing the transfer of title. The new landlord must sign the W-9 form for the IRS. The Housing Authority will confirm that the Taxpayer Identification Number (TIN) matches the IRS records by ordering an online TinCheck report. All of this documentation must be complete before a payment is made to the new landlord. The recertification date for the tenant will remain the same.

L. MOVES [24 CFR 982.354]

The Program regulations allow households to move with continued assistance provided that they are in good standing with the Housing Authority. The household is informed that they should not move in the first year of a new Housing Assistance Payments Contract. However, there are situations that may necessitate the household to move.

These situations include the following circumstances:

1. The lease was terminated by mutual agreement between the landlord and the tenant.

2. The landlord has given the household a notice to vacate or has commenced an action to evict the tenant.

3. The household has given the landlord a written 30-Day Notice of Intent to Vacate and has provided a copy to the Housing Authority.

4. The lease for the old unit has termination because the Housing Assistance Payments Contract for landlord breach of obligations or the unit does not pass inspection.

At the time of a move, the assistance will stop at the old unit at the end of the month in which the tenant ceases to occupy the unit. Assistance will start in the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the household moves. A move within the same building or project will be processed like any other move.

Households that owe the Burbank Housing Authority money under a Repayment Agreement must pay all monies owed in full before being allowed to move. This requirement may be waived if the inability to move would present a hardship to the tenant. Any exception to this rule would need to be approved by the Housing Administrator.

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CHAPTER 10

HOUSING QUALITY STANDARDS AND INSPECTIONS
[24 CFR 982.401]

INTRODUCTION

Housing Quality Standards are the HUD minimum quality standards for the Section 8 Program. Units are required to meet these standards at both initial occupancy and during the term of the assistance. These standards apply to the unit, the building, and the premises. Newly leased units must pass the Housing Quality Standards inspection before the beginning date of assistance.

The Burbank Housing Authority will inspect each unit under the Section 8 Program at least once per year. Quality control inspections will be performed by a Housing staff member on at least five percent of all units under contract. This Chapter describes the procedures for performing Housing Quality Standards inspections and the time frames to be used for repairs. It also explains the responsibilities of the landlord and tenant as well as the consequences of non-compliance with the Housing Quality Standards requirements.

A. TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

Initial Inspections

At the time that the *Request for Tenancy Approval* is submitted, an initial inspection will be scheduled to be performed within five working days. The purpose of the initial inspection is to make sure that the unit meets the minimum requirements for decent, safe and sanitary housing, which are contained in the Housing Quality Standards. The requirements for the various items to be inspected are contained in the *HUD Inspection Report*. This report form is completed for all units approved for the Section 8 Program.

If a unit does not pass inspection, the landlord and tenant are notified immediately, and the landlord will be given 14 calendar days to make the repairs3. The landlord will be allowed to have two reinspection's to check that the repairs have been made. The maximum time period to make these repairs will be 30 calendar days. If the landlord does not make the repairs within the maximum time period, the tenant will need to find another unit. In addition, the utilities must be in service and the appliances must be present and in working order prior to the effective date of the *Housing Assistance Payments Contract*.

3 The HQS Inspection Manual requires the Burbank Housing Authority Inspector to check for minimum standards of habitability. Using the guidance available, the inspector makes determinations as to whether or not a unit passes inspection. In recent years, bed bugs have reemerged in the United States. Inspectors will utilize the HQS Inspection Manual to determine if a bed bug infestation exists and subsequently the unit may fail the HQS inspection.

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Biennial Inspections

All units under the Section 8 Program will be inspected at least every two years. However, the Housing Authority reserves the right to inspect units more often as deemed necessary, such as units that do not pass inspection. Those units will be inspected as often as necessary, and more often than once every two years. The landlord and tenant are advised of the inspection date and they must make the unit available for inspection.

Move-Out Inspections

At the time that a tenant moves out of the unit, either the landlord or the tenant may request a move-out inspection in order to verify the condition of the unit.

Special Inspections

If at any time that the landlord or tenant notifies the Housing Authority that the unit does not meet Housing Quality Standards, a special inspection will be performed. The unit will be inspected, and the Inspector will notify the landlord and tenant of any repairs that need to be made. A special inspection may also be conducted as the result of a complaint by a responsible party, such as a property manager, that unauthorized people are living in the unit.

Quality Control Inspections [24 CFR 982.405(b)]

Each month a Housing staff member or other qualified person will conduct quality inspections of at least 5 percent of the total number of units under contract during the fiscal year. The unit sample must include only units that have been inspected within the preceding three months. The purpose of the quality control inspections is to ascertain that each inspector is conducting accurate and complete inspections. This procedure will also ensure that there is consistency among the inspectors in the application of the Housing Quality Standards. A log will be maintained to document the dates that the quality control inspections were conducted.

Time Standards for Repairs

1. Emergency items which endanger health or safety must be corrected by the landlord within 24 hours of notification.
2. For non-emergency items, repairs must be made within 30 calendar days.
3. For major repairs, time periods beyond 30 calendar days may be granted.

B. EMERGENCY REPAIR ITEMS [24 CFR 982.401(a)]

The following items are considered to be of an emergency nature and must be corrected within 24 hours of notice by the Inspector:

1. Missing doors.

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2. Waterlogged ceiling in imminent danger of falling.
3. Major plumbing leaks or flooding.
4. Natural gas leak or fumes.
5. Electrical problem which could result in shock or fire.
6. Lack of heat.
7. Utilities not in service.
8. Lack of running hot water.
9. Broken glass where someone could be injured.
10. Obstacle which prevents entrance or exit.
11. Lack of functioning toilet.

C. LEAD-BASED PAINT

The Burbank Housing Authority will notify property owners of their responsibility to remediate lead-based paint in accordance with EPA standards as outlined in CCR § 745.227. If an Inspector makes note of deteriorated (peeling, chipping, chalking, cracking or otherwise damaged) paint in a unit (during visual assessment inspections), the Inspector will notify the owner that he or she is legally required to hire an Environmental Protection Agency (EPA) certified tester to determine if lead-based paint exists; and to remediate, if necessary. Once assessment, and if required, remediation is complete, the report is required to be retained by the property owner for review at the request of the Burbank Housing Authority.

D. FAILED INSPECTIONS [24 CFR 982.405, 982.453] [24 CFR 982.404(b)]

If a unit fails to meet Housing Quality Standards, the Housing Authority will abate the rental assistance payment to the landlord. After the repairs have been made, an inspection will be conducted, and rental assistance payments will be resumed if the unit passes inspection. No retroactive payments will be made to the landlord for the period of time that the unit did not comply with the Housing Quality Standards.

E. OWNER AND FAMILY RESPONSIBILITY FOR HQS COMPLIANCE

The Housing Authority will require that owners maintain assisted units in compliance with Housing Quality Standards (HQS) at all times. A unit is considered in noncompliance when HQS deficiencies are identified during inspection, the owner is notified in writing, and the deficiencies are not corrected within the required timeframes.

- **Life-threatening** deficiencies must be corrected within 24 hours.
- **Non-life-threatening** deficiencies must be corrected within 30 days, or within a longer period approved by the BHA.

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The family is responsible for HQS deficiencies caused by the family or household members, including failure to pay family-paid utilities, failure to maintain family-supplied appliances, and conditions such as excessive clutter or poor housekeeping.

Families will be notified in writing with an appointment to come into the office for counselling if their annual inspection fails for poor housekeeping two consecutive years. If the family does not show improvement with their housekeeping habits, the Housing Authority may propose termination of the family's rental assistance for breach of HQS and violation of the program's Family Obligations.

F. DETERMINATION OF HQS NONCOMPLIANCE

A unit is considered in HQS noncompliance when:

1. HQS deficiencies are identified during inspection;
2. The owner has been notified in writing;
3. The deficiencies are not corrected within required or approved timeframes.

G. REINSPECTION AND RESUMPTION OF ASSISTANCE

Upon notification by the owner that all HQS deficiencies have been corrected, the Housing Authority will conduct a reinspection within a reasonable timeframe. If the unit passes HQS inspection within 60 days, or within a longer period approved by the Housing Authority, HAP will resume effective the date the unit is determined to be HQS compliant. No HAP will be paid for the period during which assistance was abated.

H. TERMINATION OF THE HAP CONTRACT DUE TO HQS NONCOMPLIANCE

If the owner fails to correct HQS deficiencies within 60 days of the notice of abatement, or within a longer period approved by the BHA, the BHA will terminate the HAP contract. The BHA will issue the family a voucher to relocate at least 30 days prior to the effective date of HAP contract termination.

I. RELOCATION AND VOUCHER SEARCH PERIOD

When the HAP contract is terminated due to owner-caused HQS noncompliance, the BHA will provide the family with at least 90 days to locate and lease a new unit. The BHA may grant extensions in accordance with Administrative Plan policies. Assistance may be terminated if the family is unable to lease a unit within the BHA-approved search period.

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J. NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) [24 CFR, 5.703]

HUD is currently transitioning its HQS inspection requirements to the National Standards for the Physical Inspection of Real Estate (NSPIRE). The BHA shall comply with all NSPIRE requirements upon HUD's formal implementation mandate. Until such time, the BHA shall continue to administer inspections in accordance with the pre-NSPIRE protocols set forth in this chapter. Program participants and property owners shall be provided advance notice prior to the effective date of BHA's NSPIRE implementation.

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CHAPTER 11

DENIAL OR TERMINATION OF ASSISTANCE

INTRODUCTION

The federal regulations dictate circumstances when assistance must be denied or terminated due to willful action or inaction by the applicant or participant household. The Burbank Housing Authority has not established any other circumstances under which such action is necessary. There is a concerted effort made to inform applicants and participants about their responsibilities and obligations under the Section 8 Program. At the initial briefing session, the requirements of the Program are discussed with the head of household and the reasons for denial or termination of assistance are explained. This Chapter also describes the situations where the Housing Authority is required to deny or terminate assistance.

VIOLENCE AGAINST WOMEN AND REAUTHORIZATION ACT OF 2022 (VAWA)

The Burbank Housing Authority will comply with the reauthorized and amended Violence Against Women Reauthorization Act of 2022 (VAWA). VAWA protects individuals who are survivors of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, sexual orientation, or gender identity from being evicted or terminated from housing assistance based on acts of such violence against them. Victims will need to complete any of the HUD forms that would best apply to their situation under current law, signed and submitted by the family along with written certification from a knowledgeable professional. Finally, staff will follow HUD rules and regulations when an applicant, resident, or tenant requests admission or continued residency as a result of being a self-petitioner under VAWA (non-citizen victims) and will have on file an Emergency Transfer Plan as required by HUD. HUD's Offices of Fair Housing and Equal Opportunity and General Counsel will enforce VAWA 2022 using existing Fair Housing Act complaint process. The BHA will continue to comply as regulations and policies are issued and implemented by HUD.

VAWA 2022 revises the definition of "domestic violence" and adds the definitions of "economic abuse" and technological abuse as noted in the Glossary."

A. GROUNDS FOR DENIAL OF ASSISTANCE TO APPLICANTS [24 CFR 982.552 and 982.553]

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A person who applies for the Section 8 Program is considered an applicant from the time that the initial application is submitted and ends with the expiration of the Voucher or the execution of a Housing Assistance Payments Contract. Applicants will have their admission denied for any of the following as mandated by HUD and outlined in Chapter 2:

1. If any member of the applicant family fails to sign and submit the HUD or Housing Authority required consent forms for obtaining information.
2. If no member of the applicant family is a citizen of the United States or eligible immigrant.
3. If an individual in the applicant family is convicted of manufacturing or producing methamphetamine.
4. If any member of the applicant family is subject to a lifetime registration requirement under a state sex offender registration program.

In addition, applicants may have their ability to participate in the Program denied due to the following reasons:

1. The existing applicant family income at the time eligibility is reviewed exceeds the limits for the Program.

2. Any adult member of the applicant family has a conviction for drug-related or is or has been currently engaged in drug-related or criminal activity as outlined in Chapter 2 – Section F, Eligibility for Admission.

3. Any adult member of the applicant family that has a conviction for violent criminal activity as outlined in Chapter 2 – Section F, Eligibility for Admission.

4. Pursuant to the Quality Housing and Work Responsibility Act of 1998 (QHWRA), the use of medicinal marijuana constitutes use of an illegal drug and is grounds for denial in this federally funded Program. The Burbank Housing Authority may admit an applicant family with a member that no longer uses medicinal marijuana by including the following for review:

   a. Certifies in writing that he or she is not currently engaged in the use of medicinal marijuana, and

   b. Either provides verifiable documentation from a physician of having successfully completed a supervised drug rehabilitation program since the last instance of medicinal marijuana use, or

   c. Provides verifiable documentation from a physician that he or she is no longer using medicinal marijuana.

5. Any adult member of the applicant family violates the “Family Obligations” under the Section 8 Program as listed in Section D of this Chapter.

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6. Any member of the applicant family engages in or threatens abusive or violent behavior toward Burbank Housing Authority personnel. Abusive or violent behavior 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 denial of assistance. Threatening behavior refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence. Actual physical abuse or violence will always be cause for denial of assistance. A detailed policy related to this item is on file with the Burbank Housing Authority Office.

B. GROUNDS FOR TERMINATION OF ASSISTANCE TO PARTICIPANTS

[24 CFR 982.552, 982.553

A tenant is considered a participant from the time that a Housing Assistance Payments Contract is executed, and first rental assistance payment is made. Termination of assistance will occur under the following circumstances:

1. Any member of the household commits drug-related, violent or other criminal activity as described in Section C of this Chapter.

2. Any member of the household violates any one of the "Family Obligations" under the Section 8 Program as listed Section D of this Chapter.

3. The head of household breaches the terms of a Repayment Agreement with the Burbank Housing Authority to repay amounts owed.

4. The household has had a zero rental assistance payment for a period of 180 days due to the fact that the household income is so high that the tenant portion equals the rent.

5. Any member of the household engages in or threatens abusive or violent behavior toward Burbank Housing Authority personnel. Abusive or violent behavior 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. Threatening behavior refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence. Actual physical abuse or violence will always be cause for termination. A detailed policy related to this item is on file with the Burbank Housing Authority Office.

6. If it is determined existing participants are using medicinal marijuana, defined by the U.S. Department of Housing and Urban Development as marijuana which, when recommended by a physician to treat a serious illness such as

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AIDS, cancer, or glaucoma is legal under California State Law, the Burbank Housing Authority will issue a warning to the participant that use of medicinal marijuana is grounds for termination of assistance.4 The Burbank Housing Authority will offer conditions on assistance to the family and the family must sign the agreement acknowledging that they understand the policy. If the family violates the terms of the Burbank Housing Authority's agreement, program assistance may be terminated.

Participants who have been convicted of manufacturing or producing methamphetamine on the premises of an assisted housing project will have their assistance terminated and will be permanently ineligible for future participation in the Section 8 Program. The Burbank Housing Authority will not deny admission to or terminate assistance under the Section 8 Program ~~to~~ for a tenant or an immediate family member if any members of the household are victims or threatened victims of domestic violence, dating violence, sexual assault, ~~or~~ stalking, economic abuse, or technological abuse.

If the tenant claims that the denial or termination of assistance is based upon behavior resulting from a disability, the Housing Authority will refer the matter to the ADA Coordinator for the City of Burbank. The ADA Coordinator will review the case to determine if there is an accommodation which would negate the behavior resulting from the disability. This referral will occur before any final determination is effective.

C. "ONE STRIKE" POLICY [HUD Notice PIH 96-27]

The "One Strike" Policy established by HUD is designed to emphasize the fact that federally assisted housing is intended to provide a decent, safe and sanitary place to live and raise families. Assisted housing is not meant to be a place to commit crime, to use drugs, to sell drugs or to terrorize neighbors. It is the intention of the Burbank Housing Authority to fully endorse and implement a policy which is designed to encourage a safe and drug-free community and to keep Program participants free from threats to their personal safety.

Notice of Termination of Assistance

If an adult member of the household is convicted of or engaged in drug-related, violent criminal activity or other criminal activity during the time that the household is participating in the Section 8 Program, the Housing Authority will terminate assistance. In this case, the Housing Authority will give the household a written notice that contains the following information:

4 The Quality Housing and Work Responsibility Act (QHWRA) of 1998 (42 U.S.C. 13661) prohibits the illegal use of controlled substances, including state legalized medicinal marijuana, in housing assistance programs. State laws that legalize medicinal marijuana directly conflict with requirements set forth in QHWRA and are thus subject to federal preemption.

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1. The effective date of the proposed termination,

2. The reason(s) for the proposed termination,

3. The participant's right to request an Informal Hearing to be held before the termination of assistance.

4. The date by which the written request for an Informal Hearing must be received by the Housing Authority.

The Housing Authority will simultaneously provide a written notice of the Housing Assistance Payments Contract termination to the landlord. This notice will not include any details regarding the reason for the termination of assistance.

Confidentiality of Criminal Records

The Housing Authority will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed after the purpose for which it was requested is accomplished. All criminal reports, while needed, will be housed in a locked file with access limited to Housing Authority personnel. If the household is deemed eligible for initial or continued assistance, the criminal report shall be shredded as soon as the information is no longer necessary for such determination. If the household's assistance is denied or terminated, the criminal record information shall be shredded upon completion of the review or hearing procedures and a final decision has been made. The Housing Authority will confirm the destruction date with the City Attorney's office before any documents are destroyed. The circumstances of the criminal report and the date that the report was destroyed will be included in the case file.

D. FAMILY OBLIGATIONS [24 CFR 982.551]

In the Section 8 Program, there are certain requirements that applicants and participants must meet in order to remain eligible for Section 8 assistance. These obligations are included in the initial briefing packet and are discussed with new participants. These requirements are sent out to the participants annually at the time of recertification. The family obligations under the Section 8 Program include:

1. The household must supply any information that the Housing Authority or HUD determines is necessary in the administration of the Program, including submission of required evidence of continuing eligibility, including but not limited to citizenship or eligible immigration status (as provided by 24 CFR part 5), and any other additional information, certification, release or other documentation.

2. The household must supply any information requested by the Housing Authority or HUD for use in a regularly scheduled reexamination or interim

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reexamination of household income and composition in accordance with HUD requirements.

3. The household must disclose and verify Social Security Numbers (as provided by 24 CFR part 5, subpart B) and must sign and submit consent forms for obtaining information in accordance with 24 CFR part 5, subpart B.

4. All information supplied by the household must be true and complete.

5. The household is responsible for any Housing Quality Standards breach caused by the household as described in 982.404(b).

6. The household must allow the Housing Authority to inspect the unit at reasonable times and after reasonable notice.

7. The household may not commit any serious or repeated violations of the lease.

8. The household must notify the landlord and, at the same time, notify the Housing Authority before moving out of the unit or terminating the lease.

9. The household must promptly give the Housing Authority a copy of any owner eviction notice.

10. The household must use the assisted unit for residence by the household. The unit must be the household's only residence.

11. The household must promptly inform the Housing Authority of the addition of any members to the household. This requirement includes additions to the household from birth, adoption or court-awarded custody of a child. The addition of adult household members will require screening for drug-related or violent criminal activity convictions.

12. The household must promptly notify the Housing Authority if any household member no longer resides in the unit.

13. If the Housing Authority has given approval, a foster child or a live-in aide may reside in the unit. If the household does not request approval or Housing Authority approval is denied, the household may not allow a foster child or live-in aide to reside with the assisted household.

14. Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to the primary use of the unit as a residence by members of the household.

15. The household must not sublease or let the unit.

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16. The household must not assign the lease or transfer the unit.

17. The household must supply any information or certification requested by the Housing Authority to verify that the household is living in the unit. Conversely, the household must promptly notify the Housing Authority of any household absences from the unit.

18. The household must not own or have any interest in the unit, unless authorized under the homeownership provision of the Section 8 Program or as a reasonable accommodation for a person with a disability.

19. The members of the household must not commit fraud, bribery or any other corrupt or criminal act in connection with the Section 8 Program.

20. The members of the household may not engage in drug-related, violent criminal activity or other criminal activity (as outlined in Chapter 2 of this Administrative Plan) that may threaten the health, safety or right to peaceful enjoyment of the premises by other resides or person residing in the immediate vicinity.

21. The members of the household must not abuse alcohol or engage in other disruptive intimidating or abusive activity in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

22. Members of the household may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative federal, state or local housing assistance program.

E. HOUSING ASSISTANCE PAYMENTS CONTRACT TERMINATION [24 CFR 982.311]

The Housing Assistance Payments Contract ("Contract") is the contract between the landlord and the Housing Authority which defines the responsibilities of both parties. The term of the Contract is the same as the term of the lease agreement between the landlord and the tenant. After the first year of participation, the lease becomes a month-to-month rental agreement. The Contract may be terminated by the Housing Authority or the landlord. The tenancy may be terminated by the tenant or the landlord.

No future subsidy payments on behalf of the household will be made after the month in which the Contract is terminated. If the household continues to occupy the unit after the Section 8 Contract is terminated, then the household will be responsible for the total amount of rent due to the landlord. If the household decides to move and is still eligible for the Program, then the assistance will be transferred to another unit.

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Any time that the Housing Authority proposes termination of the Housing Assistance Payments Contract, the participant will be given an opportunity for an Informal Hearing. The Housing Authority will give both the participant and the landlord a written 30-Day Notice of Termination. The Housing Assistance Payments Contract will be terminated in the following situations:

1. When the Housing Authority terminates assistance to the participant household.

2. When the household is required to move from a unit due to overcrowding.

3. When the unit does not pass the Housing Quality Standards inspection.

4. When there has been a zero rental assistance payment for 180 days due to the tenant portion of the rent being equal to the rent.

5. When funding is no longer available under the Annual Contributions Contract from the federal government.

F. TERMINATION OF TENANCY BY THE LANDLORD [24 CFR 982.310, 982.455]

If the landlord wishes to terminate the tenancy, the eviction procedures found in the California Civil Code must be followed. The landlord must provide the Housing Authority with a copy of the eviction notice. Housing assistance payments will continue while the tenant remains in the unit provided that the unit meets the Housing Quality Standards. By accepting the monthly payment from the Housing Authority, the landlord certifies that the tenant is still in the unit, the rent is reasonable, the unit is in good condition, and the landlord is in compliance with the Housing Assistance Payments Contract.

G. TERMINATION OF TENANCY BY THE PARTICIPANT [24 CFR 982.309(b)(2)

The participant is not a party to the Housing Assistance Payments Contract, but the Contract will terminate at such time as the household moves out of the unit. The Housing Authority cannot make housing assistance payments for the unit after the household vacates. The household cannot move out of the unit in the first year of lease unless the landlord consents.

H. PROGRAM TERMINATION FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Participant households without U.S. citizens or eligible immigrants are not eligible for the Section 8 Program. If a participant household becomes ineligible due to no eligible members, the Housing Assistance Payments Contract will be terminated. If any member of the household claims eligible immigrant status, but the Immigration and Naturalization

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Service (INS) primary and secondary verifications fail to document the eligible status, the household may make an appeal to the INS. Assistance may not be terminated while verification of the eligible immigration status is pending. Prior to the time that the assistance is terminated, the household will be offered an Informal Hearing.
Assistance to the household may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal. In addition, assistance to a participant household may not be terminated or denied while the Housing Authority Informal Hearing is pending. However, assistance to an applicant household may be delayed pending the Housing Authority Informal Review.

INS Determination of Ineligibility

If a household member claims to be an eligible immigrant and the INS verification system and manual search do not verify the claim, the Housing Authority will notify the applicant or participant. The notice will be sent within 10 calendar days of determination to inform the household of their right to appeal to the INS within 30 calendar days. The household may also request an Informal Hearing with the Housing Authority either in lieu of or subsequent to the INS appeal. If the household appeals to the INS, they must give the Housing Authority a copy of the appeal and proof of mailing or the Housing Authority may proceed to deny or terminate assistance. The time period to request an appeal may be extended by the Housing Authority for good cause.

The written request for an Informal Hearing must be received by the Housing Authority within 30 calendar days from the date of the letter sent to the applicant or participant. If an appeal was made to the INS, then the request for Informal Hearing must be made within 30 calendar days of receipt of that notice. After receipt of the written request, an Informal Hearing will be conducted in accordance with the procedures described in Chapter 13 for participants. If the Hearing Officer decides that the individual is not eligible, and there are no other eligible household members, then the Housing Authority will deny assistance to the applicant household.

If there are eligible members in the household, the Housing Authority will offer to prorate the assistance or give the household the option to remove the ineligible members. There are other situations that pertain to the Non-Citizen Rule and involve the following actions:

1. If any household member fails to provide documentation or certification as required by the federal regulations, then that member is treated as ineligible.

2. Participants whose termination is carried out after temporary deferral may not request an Informal Hearing at time of termination because they had an

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opportunity to request one at the time of the eligibility determination.

3. Participants whose assistance is pro-rated are entitled to an Informal Hearing based on the grounds that their portion of the rent is being redetermined.

4. Households who are denied participation or are terminated from assistance for fraud in connection with the Non-Citizen Rule are entitled to an Informal Hearing.

Temporary Termination [24 CFR 5.514 (c)(1)(iii)]

If the Housing Authority determines that a household member has knowingly permitted another individual who is not eligible for assistance to reside on a permanent basis, the Housing Authority will terminate assistance for a period of 24 months. This provision does not apply if the ineligible household member was taken into consideration for proration of assistance.

I. TERMINATION OF HAP CONTRACT AND HOUSING CHOICE VOUCHERS (HCV) DUE TO INSUFFICIENT FUNDING [24 CFR 982.454]

The Housing Choice Voucher program regulations allow the Housing Authority to deny families permission to move and to terminate Housing Assistance Payments (HAP) contracts if funding under the Consolidated Annual Contributions Contract (CACC) is insufficient to support continued assistance for families participating in the program.

The Housing Authority will determine whether there is sufficient funding to pay for currently assisted families. Prior to terminating any HAP contracts, the Housing Authority will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures, there is not enough funding available to provide continued assistance for current participants, the Housing Authority will terminate HAP contracts as a last resort.

Before terminating HAP contracts, the Housing Authority will notify the HUD field office and the Financial Management Center (FMC). In addition, the Housing Authority Board must approve any HAP contract terminations due to insufficient funding.

The Housing Authority will terminate HAP contracts and/or cancel HCV in the following order:

1. Cancel all outstanding vouchers issued to applicants from the waiting list.
2. Contact receiving Housing Agencies to request absorption of portable contracts.
3. Cancel all outstanding vouchers for participants who are not currently being assisted in a contracted unit.
4. Participants with zero HAP contracts.

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5. Participants residing in income-restricted units including those properties with tax credits funds, HUD funding, former redevelopment agency funding, etc.
6. Participants with disregard income. Disregard income may include:
   a. Wages from adult full-time students.
   b. Foster care payments.
   c. Adoption assistance payments.
   d. Lump sum additions to household income (Inheritances, insurance settlements, etc.).
7. Participants that are non-elderly and non-disabled households.
8. Participants that are elderly and disabled households.
9. Participants with Special Purpose Vouchers (SPVs).

Participants whose termination was the result of insufficient funding will not be automatically reinstated when funding becomes available. Terminated participants will need to reapply for the HCV program once the waiting list is open. Reapplying does not guarantee the family will be selected to participate in the HCV program. Applicants will be placed on the waitlist in accordance with the Chapter 4 of the BHA Administrative Plan.

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CHAPTER 12

REPAYMENT/RECOVERY OF OUTSTANDING DEBTS

[24CFR 982.453(b), 982.552 (v)(vii)]

INTRODUCTION

This Chapter describes the policies to be followed to recover funds that are owed by tenants and landlords to the Burbank Housing Authority. In an effort to prevent overpayments, the Burbank Housing Authority informs Program participants about the Section 8 Program rules and regulations on a regular basis. Before a debt is assessed, the participant or the landlord will be given ample opportunity to present documentation that would dispute the Housing Authority assertion that an overpayment has been made. The case file will contain written documentation concerning the cause of the overpayment and the calculations to determine the amount of the debt. The Burbank Housing Authority will use a variety of collection methods to recover debts including, but not limited to:

1. Repayment agreements
2. Collection agencies
3. Abatements
4. Reductions
5. Income tax set-off programs
6. Civil Suits
7. Credit bureaus
8. Prosecutions

A. REPAYMENTS

There are situations where participants do not report changes in household income and receive more rental assistance than they are entitled to under the Program regulations. Case Managers will meet with participants to review the overpayment calculation and participants may submit any additional documents or paperwork relevant to the situation at this time. At the conclusion of this meeting, participant will be required to sign an Overpayment and Repayment Agreement that states the participant has 60 days to begin reimbursing the Housing Authority. Failure to sign the Agreement may result in termination of assistance. If the payment is not made within the 60 day period, the rental assistance may be terminated. If an overpayment occurs in the future due to the tenant's failure to report changes, the rental assistance may be terminated based on the amount of the overpayment. A second Repayment Agreement may be offered if the second overpayment, combined with the first overpayment, is not over $10,000. Under no circumstances, however, will a participant be offered a third Repayment Agreement. In the case of a third overpayment, rental assistance will be terminated for failure to comply with Program requirements.

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B. REPAYMENT AGREEMENTS FOR PARTICIPANTS

[24 CFR 982.552(c)(1)(v)(vii)]

Tenants will be offered a Repayment Agreement to recover the amount owed. A Repayment Agreement is the document entered into between the Housing Authority and the participant who owes the debt.

This agreement will contain the following information:

1. The reason for the overpayment.
2. The total amount of the overpayment.
3. A statement that failure to make a payment may result in termination of assistance.
4. A statement that the entire overpayment must be repaid before the participant can voluntarily move to another unit.
5. A statement that the participant must report all future changes in income and that a second violation may result in termination of assistance.
6. A statement that a third violation will result in termination of assistance.
7. Remedies available to the Housing Authority upon default of the agreement.

The typical arrangement for repayment of the debt will be to offer the participant the opportunity to repay the full amount in one lump sum or to make payments in the amount of $100 per month, or other amount affordable to the participant. The monthly payments must be received by the 10th of the month in order to be considered current. The Housing Authority will not charge interest on the amount that is owed.

There are situations where a tenant, who is current in making payments, would need to move to another unit before the debt is paid in full. In these instances, the Housing Authority will approve such a move if one of the following conditions is met:

1. The household size exceeds the maximum occupancy standards.
2. The Section 8 contract is terminated due to actions of the landlord.
3. The unit is declared to be uninhabitable due to a natural disaster.

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C. LANDLORD DEBTS TO THE HOUSING AUTHORITY [24 CFR 982.453(b)]

If the Housing Authority determines that the landlord has retained a rental assistance payment that the landlord is not entitled to, the Housing Authority will request reimbursement. If the landlord refuses to pay, then the Housing Authority may deduct the amounts from future rental assistance payments for any other units owned by that landlord. If future payments are not sufficient to recover the amount owed, the Housing Authority will require the landlord to pay the amount in full before being allowed to participate in the Section 8 Program in the future.

D. CRITERIA FOR INVESTIGATION OF SUSPECTED FRAUD AND ABUSE

The Housing Authority has the expectation that participants will comply with HUD requirements, provisions of the Voucher, and other Program rules. Staff will make a diligent effort to orient and educate all households in order to avoid unintentional violations. However, the Housing Authority has a responsibility to the federal government, to the community, and to eligible households in need of housing assistance to follow up on indicators of possible fraud and abuse. Under no circumstances will the Housing Authority arbitrarily undertake an inquiry or an audit of a participant household. The Housing Authority will initiate an investigation of a participant household in the event of one or more of the following:

Referrals, Complaints, or Tips. The Housing Authority will follow up on referrals from other agencies, companies or individuals which allege that a participant is in non-compliance with or is violating Program rules. Such follow-up will be made provided that the referral contains at least one item of information that is independently verifiable. The case file will be documented concerning the allegation.

Internal File Review. A follow-up will be made if Housing Authority staff discovers that information in the case file is in conflict with previous file data. Information received from the household which contradicts previous information will be pursued.

Verification of Documentation. A follow-up will be made if the Housing Authority receives independent verification conflicts with information in the case file. These documents may include computer matching reports from other agencies.

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CHAPTER 13

COMPLAINTS AND APPEALS

INTRODUCTION

It is the duty of the Burbank Housing Authority to comply with all Section 8 Program regulations and to exercise a superior level of customer service. All complaints received by the Housing Authority will be taken seriously. There is an appeal process for both applicants and participants who disagree with an action, decision or inaction of the Housing Authority. This Chapter describes the policies, procedures and standards to be used when applicants or participants disagree with Housing Authority decisions. The procedures for Informal Reviews and Informal Hearings will be explained in this section. It is the policy of the Burbank Housing Authority to ensure that all households have the benefits and protections due to them under the law.

A. COMPLAINTS TO THE HOUSING AUTHORITY

The Housing Authority will respond promptly to complaints from applicants, participants, landlords, employees and members of the public. All complaints will be documented in the case file or in the form of a memorandum to the file. Complaints against Housing Authority staff will be referred to the Housing Specialist for initial resolution. If the Housing Specialist is unable to resolve the matter, the complaint will be forwarded to the Housing Authority Manager. If the situation still cannot be resolved, the complaint will be forwarded up the chain of command for resolution.

B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

[24 CFR 982.54(d)(12), 982.554]

When the Housing Authority determines that an applicant is ineligible for the Program, a written notification will be mailed out that specifies the reason and the procedure for requesting an Informal Review. Housing Authority decisions that require the opportunity for an Informal Review include denial of placement on the Section 8 Applicant Waiting List or denial of a claimed preference. If the Housing Authority does not issue a Voucher to an ineligible applicant or does not allow the applicant to participate in the Program after being issued a Voucher, the applicant has the right to request an Informal Review.

There are situations where applicants are not entitled to an Informal Review. Disputes concerning certain established policies and procedures of the Housing Authority, even though they are the basis for a decision to deny assistance to the applicant family, are not included in the Informal Review process.

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The decisions that are not subject to an Informal Review include:

1. Discretionary administrative determinations by the Housing Authority.
2. General policy issues or class grievances.
3. Refusal to extend a Voucher beyond the 120-calendar day maximum.
4. Disapproval of a unit to be placed on the Program.
5. Disapproval of a lease provided by a landlord.
6. Determination that a unit does not meet Housing Quality Standards, including overcrowding.

Request for Informal Review

A request for an Informal Review must be received within 14 calendar days from the date of the Housing Authority written notice of assistance denial. Requests should be in writing for proper documentation, but may be verbal.

Procedure for Informal Review

The Housing Authority Manager or his/her designee will conduct the Informal Review. Information submitted during the informal review shall be limited to the documents and information received prior to the deadline provided by the Burbank Housing Authority. New information not provided within timeframes and deadlines specified, will not be accepted during the Informal Review process. A meeting is not required for this process, however, should a meeting be requested it will be scheduled. The applicant may have an attorney or other representative present at the applicant's own expense. If the tenant requests it, the Housing Authority will have an interpreter available whenever possible.

A written notice of the results of the Informal Review will be sent to the applicant within 14 calendar days of completion of the review process. The notice shall include the decision of the Housing Authority Manager or his/her designee and an explanation of the reasons for the decision. The request for an Informal Review, the supporting documentation, and a copy of the notice of the final decision will be retained in the case file.

C. INFORMAL HEARING PROCEDURES FOR PARTICIPANTS

[24 CFR 982.555 (a-f), 982.54(d) (13)]

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Current participants of the Section 8 Program have the right to request an Informal Hearing within timeframes and deadlines specified when an action adversely affects them. The Housing Authority must provide participants with the opportunity for an Informal Hearing to consider whether Housing Authority decisions are in accordance with HUD regulations and this Administrative Plan. The following areas are subject to the Informal Hearing procedures:

1. Calculation of the household income and the computation of the housing assistance payment.

2. Appropriate utility allowance used from the established schedule.

3. Determination of the number of bedrooms shown on Voucher.

4. Determination that the household is not entitled to an exception under the subsidy standards.

5. Decision to terminate assistance due to action or failure to act by the household, including overpayments, and Housing Quality Standards violations caused by the household.

6. Decision to terminate a Contract of Participation under the Family Self-Sufficiency Program and the forfeiture of escrow account.

Participants are not entitled to an Informal Hearing to dispute established policies and procedures of the Housing Authority, such as:

1. Discretionary administrative determination by the Housing Authority.

2. General policy issues or class grievances.

3. Amounts shown on the Utility Allowance Schedule.

4. Refusal to extend a Voucher beyond the 120-day maximum.

5. Disapproval of a unit to be placed on the Program.

6. Disapproval of a lease provided by a landlord or disapproval of a landlord.

7. Determination that a unit does not meet Housing Quality Standards due to deficiencies that are the responsibility of the landlord.

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8. Determination that the unit is overcrowded.

9. Housing Authority determination to exercise or not exercise any right or remedy against the landlord under the Housing Assistance Payments Contract.

When the Housing Authority determines that it is necessary to propose termination of assistance, the household will be provided with a written notification that contains the following information:

1. The proposed action or decision of the Housing Authority,

2. The date the proposed action or decision will take place,

3. Citation of the regulation used as the basis for the Housing Authority decision,

4. The procedures for requesting an Informal Hearing, and

5. The time limit for requesting an Informal Hearing.

Notification of Hearing

The Housing Authority will schedule an Informal Hearing subject to the earliest availability of the Hearing Officer. A notice of hearing will be sent to the household and will contain the following information:

1. The date and time of the Informal Hearing,

2. The location where the Informal Hearing will be held,

3. The participant's right to bring evidence, witnesses, legal counsel, advocate or other designated representative at their own expense,

4. The participant's right to view any documents or evidence upon which the decision for the proposed action was based. The participant may obtain a copy of such documents prior to the Informal Hearing.

The Informal Hearing

The Informal Hearing shall be conducted by a Hearing Officer, who is a representative from the Los Angeles County Bar Association Dispute Resolution Service. The Hearing Officer will record the Informal Hearing and the audio file will be retained by the Housing Authority after the final decision is rendered. The Informal Hearing shall concern only the issues which are relevant to the Housing Authority action or decision that is being

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contested. Evidence presented at the Informal Hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings. No documents may be presented which have not been provided to the other party before the Informal Hearing, if they were requested by the other party. Documents include records and regulations. At the Informal Hearing, participants have the right to:

1. Present written or oral objections to the Housing Authority's determination.

2. Examine the documents in the file which are the basis for the Housing Authority's action, and all documents submitted to the Hearing Officer.

3. Copy any relevant documents at their own expense.

4. Present any information or witnesses pertinent to the issue of the Informal Hearing.

5. Request that Housing Authority staff be available or present at the Informal Hearing to answer questions pertinent to the case.

6. Request that the Housing Authority provide an interpreter.

7. Be represented by legal counsel, advocate, or other designated representative at their own expense.

At the Informal Hearing, the Housing Authority has the right to:

1. Present evidence and any information pertinent to the issue of the Informal Hearing.
2. Be notified if the participant intends to be represented by legal counsel, advocate or another party.

3. Examine and copy any documents to be used by the participant prior to the Informal Hearing.

4. Have the Housing Authority attorney present.

5. Have staff persons or witnesses who are familiar with the case in attendance. During the Informal Hearing, the Hearing Officer may ask the household for additional information. The Hearing Officer may adjourn the Informal Hearing in order to reconvene at a later date, before reaching a final decision. Based upon the evidence and testimony provided at the Informal Hearing, the Hearing Officer will determine whether the action, inaction or decision of the Housing Authority is proper in accordance with HUD regulations and this Administrative Plan. Factual determinations relating to the individual circumstances of the

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household will be based on a preponderance of the evidence presented at the Informal Hearing. All requests for an Informal Hearing, supporting documentation, and a copy of the final decision will be retained in the case file.

A written notice of the final decision of the Hearing Officer will be provided to the Housing Authority within 30 calendar days of the date of the Informal Hearing. The participant will be given a written notice within 14 calendar days concerning this decision and that notice will contain all of the following information:

1. A clear summary of the decision and reasons for the decision.
2. The amount of monies owed, if applicable.
3. Documentation of the calculation of monies owed.
4. The date the decision goes into effect.

D. MITIGATING CIRCUMSTANCES FOR PARTICIPANTS WITH DISABILITIES

[24 CFR, 982.552(c)]

During the Informal Hearing process, participants will be informed in writing that the presence of a disability as defined in the Americans with Disabilities Act may be considered as a mitigating circumstance. An example of a mitigating circumstance would be a person with a cognitive disorder not understanding the requirement to report increases in income or the importance of making regularly scheduled payments on a Repayment Agreement. Participants who claim this mitigating circumstance will have their cases referred to the City of Burbank ADA Coordinator to engage in the interactive process as required by State and Federal laws.

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CHAPTER 14

FAMILY SELF-SUFFICIENCY PROGRAM AND SPECIAL PROVISIONS FOR USE OF TARGETED VOUCHERS

INTRODUCTION

The Family Self-Sufficiency (FSS) Program was created by the National Affordable Housing Act of 1990 and became a mandatory requirement for the receipt of Housing Choice Voucher funding in 1993. The intention of the Program is to leverage public and private sector resources to Housing Choice Voucher participants to achieve economic independence. The FSS Program offers a financial incentive to participants through the establishment of an escrow account which becomes available to the household upon successful completion of their Contract of Participation. The original purpose of the FSS Program has been incorporated in the federal welfare reform legislation of 1996 and consequently the FSS Program is gradually being phased out of the Housing Choice Voucher Programs. The information in this Chapter refers to the FSS requirements and procedures for those tenants who have chosen to participate in the FSS Program. The minimum size of the FSS Program will be reduced over time through attrition.

A. PROGRAM SIZE REQUIREMENTS [24 CFR 984.101]

Each time that the Housing Authority received additional funding from HUD during the period of October 1, 1993, through October 20, 1998, it was mandated that those units be designated as FSS Certificates or Vouchers. During that time period, the Burbank Housing Authority received 50 additional Certificates and Vouchers which made the minimum FSS Program size 50. The Housing Choice Voucher regulations have been changed to state that any FSS participants who successfully complete their Contract of Participation obligations after October 21, 1998, will reduce the minimum size of the FSS Program by that number. This process will continue until FSS is phased out completely.

B. CONTRACT OF PARTICIPATION

In order to participate in the FSS Program, the head of household must sign a Contract of Participation. By regulation, the contract of participation is considered to be concluded when the FSS family has fulfilled all of its obligations under the contract of participation on or before the expiration of the contract term, including any extension thereof. This contract may be extended if the participant needs additional time to accomplish certain goals. The FSS Case Manager and the participant develop short term and long-term goals that need to be accomplished in order to move forward in education and work experience. The Contract specifies the tenant responsibilities and the timelines to be followed. The FSS Case Manager will provide the participant with various resources and referrals concerning education and job placement. The Contract of Participation will be

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monitored annually to evaluate progress and to make modifications to short term goals if necessary. Contract of participation may be extended for good cause to include:

(i) Circumstances beyond the control of the FSS family, as determined by the PHA or owner, such as a serious illness or involuntary loss of employment;
(ii) Active pursuit of a current or additional goal that will result in furtherance of self-sufficiency during the period of the extension (e.g., completion of a college degree during which the participant is unemployed or under-employed, credit repair towards being homeownership ready, etc.) as determined by the PHA or owner or
(iii) Any other circumstances that the PHA or owner determines warrants an extension, as long as the request is reasonable and the PHA or owner is consistent in its determination as to which circumstances warrant an extension.

C. ESCROW ACCOUNT

The financial incentive for participants to use the FSS Program is the escrow account. The Housing Authority establishes an escrow account for a participant at the time that there is an increase in the tenant portion of rent based on increased income from earnings. Although the tenant actually pays the increase in tenant rent to the landlord, the Housing Authority calculates the differential between the previous payment and the new payment to determine the amount that is credited to the escrow account every month. If the participant who successfully completes the goals established in the Contract of Participation and is employed full time (working a minimum of 32 hours a week), at the time of Contract completion the escrow account will be dispersed to the tenant. If the FSS participant requests an interim disbursement, the Housing Authority will review on a case-by-case basis. Any funds owed to the Housing Authority by the tenant would be deducted from the escrow amount first. If the participant does not successfully complete the goals and the Contract of Participation is terminated, the escrow account will be forfeited.

D. PORTABILITY [24 CFR 984.306]

Participants in the FSS Program may request to move under portability to another jurisdiction. The Housing Authority will approve this request provided that the landlord and tenant have mutually agreed to terminate the Housing Choice Voucher lease and contract. After the first 12 months of participation in the FSS Program, the tenant may move to another jurisdiction under portability in the same manner as other Housing Choice Voucher participants.

E. TERMINATION OF CONTRACT OF PARTICIPATION

The participant may decide at any time to terminate the FSS Contract of Participation and the Housing Authority will close out the escrow account at that time. The participant will continue to receive Housing Choice Voucher rental assistance as before. The Housing

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Authority may terminate the FSS Contract of Participation when the participant does any of the following:

1. Fails to complete the requirements of the Contract of Participation within the term.

2. Violation of obligations under the Contract of Participation.

3. Violation of Housing Choice Voucher Program requirements.

Participants who are terminated from the FSS Program have the same right to an Informal Hearing. If at any time in the future, the head of FSS household may request to participate in the FSS Program again. The Housing Authority would need to document the file to explain why it is reasonable to believe that the previous problems have been corrected and the Contract of Participation will be reinstated.

F. ACTION PLAN [24 CFR 984.201]

The following Action Plan for the Family Self-Sufficiency Program was originally prepared in 1993 and was submitted to HUD to demonstrate that the Burbank Housing Authority had the administrative capacity to implement the FSS Program. It describes the cooperative effort between the Burbank Housing Authority and the Verdugo Private Industry Council in providing supportive services to Housing Choice Voucher participants to become financially independent. The format of the Action Plan follows a series of questions that needed to be answered to demonstrate to HUD that the Burbank Housing Authority had addressed the various issues of concern. The numbered sections correspond to the listing of these items in the Federal Register, Volume 58, No. 101 that was dated May 27, 1993. The Burbank Housing Authority was approved to participate in the FSS Program and this Action Plan is incorporated in the Administrative Plan for reference.

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FAMILY SELF-SUFFICIENCY PROGRAM

ACTION PLAN

November 1993
Updated March 2015 and September 2022

1. The participants in the Family Self-Sufficiency (FSS) Program administered by the Burbank Housing Authority will be taken from the Housing Choice Voucher Programs. The demographic composition of this population will reflect the characteristics of the current Program participants. The racial and ethnic breakdown of the Housing Choice Voucher Program in 1993 was 58% White, 6% Black, 2% Asian or Pacific Islander, 33% White/Hispanic, and 1% Other. As of 2022, the racial and ethnic breakdown of the Housing Choice Voucher Programs is 81% White, 5% Black, 2% Asian or Pacific Islander, and 12% Hispanic.

2. The supportive services that are required for the FSS participants include, but are not limited to, child care, transportation, education and skills assessment, remedial education, high school diploma or equivalency preparation, college education, vocational training, job training, job preparation and counseling, substance abuse treatment and counseling, homemaking and parenting skills, household management skills, money management and budgeting, grooming skills, job development and placement, social skills, health care, nutrition, legal assistance, motivation and self-esteem counseling, time management, assistance in dealing with various government agencies and mentoring. The case management approach is practiced in order to define and address the individual needs of the participant.

3. There are adequate supportive services in the community to accommodate the needs of the 50 households participating in the FSS Program. The Verdugo Private Industry Council serves as the resource center for the various supportive services for the cities of Burbank and Glendale. Participants have graduated from the program; therefore, the required figure continues to change over the years.

4. The Verdugo Private Industry Council (VPIC) is a consortium of the cities of Burbank, Glendale and La Canada/Flintridge which serves as the entity that receives federal Job Training Partnership Act funds for the Verdugo service delivery area. The VPIC coordinates various job training and Job placement activities that relate to low income people throughout the entire service delivery area. There are a number of private businesses and public agencies that have representation on the Board of Directors for the VPIC. The following list provides the names of the organizations that have representatives as members of the Coordinating Committee for the FSS Program administered by the Burbank Housing Authority and the Glendale Housing Authority.

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a. The Department of Public social Services for the County of Los Angeles which provides cash assistance, food stamps, and medical coverage to low income families through the Aid to Families with Dependent Children Program. This agency also administers the Greater Avenues to Independence Program (GAIN).

b. The Employment Development Department of the State of California which provides Unemployment Insurance Benefits to people who have been terminated from their jobs. This office also provides job referrals.

c. Alliance for Education is a job training and job placement provider for the long term unemployed, laid off workers and low-income job seekers.

d. Burbank Adult School provides courses designed to help clients obtain high school diplomas, General Education Certificates, reading and math skills, job readiness skills, post-employment skill development, computer training, and job skills for particular positions in the work force.

e. Burbank Temporary Aid Center provides food, temporary shelter, clothing and a variety of supportive services to low income Burbank residents.

f. Verdugo Mental Health Center provides counseling and assessment for low income people with multiple barriers to employment.

g. Armenian Relief Center provides social services to clients within the VPIC service delivery area.

h. Glendale Memorial Hospital Perinatal Clinic provides a variety of services to low income pregnant women and women with children.

i. Glendale Community College provides a variety of educational opportunities for low income students who want to obtain high school diplomas, college credit, job training and job placement.

5. The Housing Authority conducts an initial interview with the head of household and will complete an initial assessment of the individual needs of that household. The head of the FSS family is designated by the participating family. The Housing Authority may make itself available to consult with families on this decision, but it is the assisted household that chooses the head of FSS family that is most suitable for their individual household circumstances. The designation or any changes by the household to the Head of FSS Family must be submitted to the Burbank Housing Authority in writing. The Voucher head of household does not need to participate as the head of the FSS family. The FSS Program is labor intensive because each household will have unique characteristics and requirements. It is the responsibility of the FSS Case Manager to determine the specific needs of the household and to

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coordinate the various programs and community resources available to assist the participant household.

6. Various public and private resources are available throughout the VPIC service delivery area and additional agencies will be contacted if necessary. If there are needs that an individual household has that are not addressed by the agencies represented on the Coordinating Committee, the FSS Case Manager will contact the appropriate agencies for referral. Private employers serve as the resource for on the job training and final career placement.

7. The implementation of the FSS Program includes outreach, tenant selection, initial assessment and creation of an individual training and service plan (ITSP) for the household's successful completion of the goals listed in the Contract of Participation. Referrals can be made to the Verdugo Assessment Center to determine the type of remedial education or job training that the participant requires. A counselor at the Assessment Center will discuss potential career paths with each applicant.

8. The delivery of services related to assessment and job training and ultimately job placement is coordinated through the Verdugo Private Industry Council subcontractors, and various other City and community training and employment programs. The provision of the support services related to child care, transportation, money management and the other related needs is coordinated by the FSS Case Manager, if the tenant requests assistance in these areas. There are a variety of public and private service providers in the Burbank and Glendale area to accommodate the varied needs of the participating households.

9. Letters that describe the FSS program are sent to current tenants on the Voucher Program according to bedroom size. All tenants in that bedroom category are to be sent letters at the same time in order to give everyone an equal opportunity to apply for participation. Requests for participation in the FSS Program are based on date and time of request. The Burbank Housing Authority does not operate other self-sufficiency programs therefore no additional families are expected to enroll. The Burbank Housing Authority does not offer selection preference for porting families.

10. At the time that the tenant signs the Contract of Participation an ITSP is developed. The COP may be modified upon mutual agreement of the Housing Authority and the FSS family. This includes modification of goals in writing with respect to the ITSPs, the contract term and designation of the head of the FSS family. Established goals on the ITSP may be revised, providing that:

    a. The revised goals are comparable to those, which were initially established.

    b. The revised goals can be accomplished within the remaining term of the COP

    Various community resources will be identified that may provide assistance to the tenant. The relationship established between the Case Manager and the tenant

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carry through during the contract period and the tenant is encouraged to rely on the Case manager to assist and guide the tenant in arriving at the ultimate destination of gainful employment and severance from public assistance.

11. The Contract of Participation (COP) is described in the Administrative Plan. The COP is considered to be concluded when the FSS family has fulfilled all of its obligations under the COP, on or before the expiration of the contract term including any extensions thereof. This COP may be extended if the participant needs additional time to accomplish certain goals. The Housing Authority will require a combination of self-certification and third-party verification to document completion of ITSP goals.

12. Any Housing Choice Voucher program participant who declines participation in the FSS Program will remain on the Section 8 Program as before. There is no penalty for refusing to participate.

13. The outreach activities that the Burbank Housing Authority follows are described in the Administrative Plan.

14. Failure to cooperate with the FSS Program requirements can result in cancellation of the FSS Contract of Participation. The procedure to be followed includes giving prompt written notice to the participant concerning determinations that have been made that adversely affect the tenant. The participant will be advised that a further explanation may be requested. Additionally, the notice will advise the participant that a written request for an Informal Hearing may be submitted to the Housing Authority within 10 calendar day from the date of the notice.

    When a request for Informal Hearing is received within the proper time limits, the Hearing will be scheduled within 14 calendar days for receipt of the request. A letter of confirmation will be sent to the participant indicating the date and time for the Hearing. The Informal Hearing will be conducted in accordance to the procedures described in Chapter 13 of the Administrative Plan.

15. The Burbank Housing Authority and City of Burbank have a long-established working relationship with the Verdugo Private Industry Council. The original connection was the Summer Youth Employment and Training Program that was funded with Community Development Block Grant (CDBG) funds. The working relationship between the two agencies continues to be cooperative and productive.

    The fact that the Verdugo Private Industry Council is well-established in this service delivery area is an asset to the FSS program concept. The VPIC has an array of successful programs that have received State recognition. The Burbank Housing Authority and the Glendale Housing Authority are working cooperatively to implement the FSS Program.

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G. SPECIAL PROVISIONS FOR USE OF TARGETED VOUCHERS FOR SPECIAL NEEDS POPULATIONS

The Burbank Housing Authority may administer vouchers per HUD Guidelines, Rules and Regulations as they become available in the future. One such targeted and special use voucher program is the Permanent Supportive Housing Program "formerly Shelter Plus Care Program". The Burbank Housing Authority will oversee the administration and compliance with fiscal controls and accounting procedures of such programs.
For purposes of administering the daily program operations and functions of special needs populations, Interdepartmental Policies and Procedures will be developed and maintained.

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CHAPTER 15

ENTERPRISE INCOME VERIFICATION (EIV) SECURITY POLICY AND PROCEDURES

INTRODUCTION

The EIV system is intended to provide a single source of income-related data to PHAs for use in verifying the income reported by participants in the various assisted housing programs. The Office of Public and Indian Housing (PIH) is responsible for administering and maintaining the EIV system.

A. TYPES OF UPFRONT VERIFICATION OF INCOME PROVIDED BY EIV

The EIV system compares the participant income data obtained from various sources including:

1. Participant-supplied income data captured on Form HUD-50058 and maintained in the PIC databases;

2. U.S. Department of Health and Human Services, National Directory of New Hires (NDNH) data. NDNH becomes the single source for wage, unemployment insurance benefit information, and the new hire (employment) information;

3. Social Security and Supplemental Security Income from the Social Security Administration (information formerly accessed through TASS); and

4. User profile information from the PIC database.

B. WHAT EIV PARTICIPANT DATA IS USED FOR

EIV data is the first level in the hierarchy of income verification. The EIV data may be used in the following way:

1. To verify a participant's eligibility for participation in a HUD rental assistance program and to determine the level of assistance the participant is entitled to receive;

2. No adverse action can be taken against a participant until the PHA has independently verified the EIV and the participant has been granted an opportunity to contest any adverse findings through the established grievance hearing, or other legal procedures.

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Applicability

The procedures in this document apply to all Burbank Housing Authority staff that access EIV data.

Purpose

The purpose of this document is to establish the Burbank Housing Authority's policies and procedures to assure that the practices, controls and safeguards used by Public Housing are in compliance with the Federal laws regarding the protection of this information.

Privacy Act

The data provided via the EIV system will be protected to ensure that it is only used for official purposes and not disclosed in any way that would violate the privacy of the individuals represented in the system data. Privacy of data and data security for computer systems are covered by a variety of Federal laws and regulations. The Privacy Act of 1974 as amended, 5 U.S.C. 552 (a) is one such regulation. The full text of the Privacy Act can be accessed at http://www.usdoj.gov/fo is/privstat.htm.

Examples of Privacy Act Violations

Public Housing will not rely entirely upon staff to read and understand the Privacy Act. To ensure that staff has a complete understanding of the Privacy Act and how seemingly harmless actions may be violations, examples of Privacy Act violations will be provided during security awareness training. The following example of a security violation was explained during the HUD Satellite Broadcast introducing the EIV system:

EIV data can only be viewed by authorized PHA staff and the individual adult who the information pertains to. This means that EIV data for an adult household member in a participant family cannot be shared with another adult household member of the participant family (even the head of household) unless that family member is present or signs a waiver authorizing the other family member to view their EIV information. The Privacy Act protects the privacy of each adult family member from any unauthorized person viewing their EIV data, even another family member. However, EIV data for minor children may be viewed by the Head of Household.

C. PUBLIC HOUSING SECURITY OFFICER(S)

A Public Housing EIV Security Officer(s), is responsible for ensuring that proper technical, physical, and administrative safeguards are in place and enforced.

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The duties of the security officer are as follows:

1. Conducts quarterly reviews of all User IDs issued to determine if the users still have a valid need to access the EIV data and modifies or revokes access rights as appropriate;

2. At the request of the Director, updates the EIV Security Policy and Procedures;

3. Maintains a key control log or audits the key control log to ensure that one is properly maintained (locking file cabinets);

4. Maintains a list of users who can access the restricted areas;

5. Assures that a copy of Form HUD-9886 has been signed by each member of the household age 18 years or older and is in the household file;

6. Ensures compliance with the PHA security policies and procedures outlined in this document;

7. Communicates security information and requirements to appropriate personnel, including coordinating and conducting security awareness training sessions;

8. Ensures that any infractions of security procedures are promptly reported to Department Director for investigation and enforcement; and

9. Ensures that all EIV records and forms (i.e. signed user agreements) are kept and updated as needed.

Security Awareness Training

Security awareness training is a crucial aspect of ensuring the security of the EIV system and data. Users and potential users will be made aware of the importance of respecting the privacy of data, following established procedures to maintain privacy and security, and notifying management in the event of a security or privacy violation.

In addition to security awareness training, the Security Officer(s) will communicate security information and requirements to appropriate personnel. Security Awareness training will be provided to each employee upon granting access to the EIV system. Thereafter, annual security awareness refresher training will be provided to each employee with EIV access.

The PH EIV Officer(s) will conduct security awareness training in the following manner:

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1. The trainer and the employee will both sign a certification that EIV security training has been provided. The training certification and a record of the training material provided at the awareness training will be kept in the PH EIV Security binder.

2. At the end of the training, each employee will also sign the EIV Rules of Behavior and User Agreement form. One copy will be given to the employee to be placed in their desk manual and one copy will be retained in the PH EIV Security binder. The forms will be updated once a year at the refresher training.

3. The PH Security Officer(s) will limit the security awareness training to security awareness and compliance issues only. Instructing staff on how to navigate in the EIV modules and how to run reports or to interpret data is the responsibility of the Supervisor or designated trainer.

4. Examples of potential Privacy Act and security violations will be provided during the training.

D. TECHNICAL SAFEGUARDS

The purpose of these technical safeguards is as follows:

1. To reduce the risk of a security violation related to the EIV system's software, network, or applications;

2. To identify and authenticate all users seeking access to the EIV system;

3. To deter and detect attempts to access the system without authorization;

4. To monitor the user activity of the EIV system;

5. Each user is required to have their own User ID and Password;

6. The User ID identifies the PHA's and tenant information that the user is authorized to access;

7. Passwords are encrypted and the password file is protected from unauthorized access;

8. The system forces all user to change their password every 21 days and limit the reuse of previous passwords;

9. After three unsuccessful attempts to log in, the User ID is locked and the user must contact the HUD System Administrator to have the password reset; and

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10. Online warning messages that inform the user of the civil and criminal penalties associated with unauthorized use of the EIV system will be displayed.

In addition, the Burbank Housing Authority will follow the following technical security requirements:

1. Public Housing will not save EIV data to a computer hard drive or any other automated information system (i.e. network drive, disk or CD);

2. Public Housing staff will not leave their computer, printer or office unattended with EIV data displayed; and

3. Public Housing staff will not log in on another user's ID.

E. ADMINISTRATIVE SAFEGUARDS

The Security Officer(s) will maintain security-related records and monitor programmatic security issues. The Security Officer(s) will adhere to the following administrative safeguards:

1. Ensure that all users who have access to EIV data have an Access Authorization form signed by the Director of Housing on file;

2. Ensure that all users who access the EIV system have a current signed Rules of Behavior and User Agreement on file;

3. Conduct quarterly reviews of all User IDs to determine if the user still has a valid need to access the EIV data; and

4. Ensure the access rights are modified or revoked as appropriate.

The Public Housing Security Officer(s) will maintain the following EIV security records and forms:

1. EIV Rules of Behavior and User Agreement Forms;

2. EIV Access Authorization Forms;

3. EIV Disposal Records List;

4. EIV Security violation information;

5. Key Control Logs for secure areas or filing cabinets;

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6. EIV Security Awareness Training Records;

7. Records of internal audits to ensure that the Form HUD-9886 has been signed by each adult member of the household and is kept in the Confidential Resident File; and

8. A record of all users who have approved access to EIV data including the date the access was granted and the date access was terminated.

F. PHYSICAL SAFEGUARDS

The purpose of physical safeguards is to provide barriers between unauthorized persons and documents containing private data.

Confidential Participant Files

All EIV data will be printed and saved in the "Confidential" participant file. Each participant file will be clearly labeled on the front cover as "Confidential". This alerts staff that this file contains EIV data that must be protected at all times when not in use.

Locking File Cabinets for Confidential Files

Even though the Burbank Housing Authority has a monitored office building, persons unauthorized to view EIV data, such as maintenance staff, janitorial staff, or temporary staff, have access to the office spaces. In office settings where any staff other than the staff responsible for the participant file or their supervisor has access to the office; all Confidential Participant Files will be kept in locking file cabinets. The cabinets will be locked whenever the responsible staff leaves the workspace.

Hard Copy Security Violations

The Burbank Housing Authority will handle EIV data in such a manner that it does not become misplaced or available to unauthorized personnel. Any marked confidential participant file will contain EIV data. Therefore the file cannot be viewed by **any personnel** that are not expressly authorized (i.e. staff in charge of that file, the supervisor of the staff in charge of the file, the security officer, or the Public Housing Internal Auditor) and who do not have both an Access Authorization Form and a Rules of Behavior and User Agreement on file with the EIV Security Officer.

Viewing the EIV information of a participant outside of a staff's caseload assignment is considered a security violation for both the staff unlawfully viewing the EIV information and for the staff that left the information unattended. Unless a supervisor has specifically authorized staff to view another staff's EIV data, this is expressly prohibited.

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Disposal of EIV Information

To reduce the risk of improper destruction of EIV hard copy data and to eliminate the need for monitoring and tracking individual destruction logs, all EIV data will become part of the "Confidential" file. As part of the confidential file, the EIV data will be secured and disposed of like all other confidential file documents which require Privacy Act protection, in accordance with Public Housing policy and procedures and records retention procedures.

Reporting Improper Disclosures

Recognition, reporting and disciplinary action in response to security violations are crucial to successfully maintaining the security and privacy of the EIV system.

Security Violations may include the following:

1. Disclosure of private data;
2. Attempts to access unauthorized data; and
3. Sharing of User IDs and passwords.

Upon discovery of a possible improper disclosure of EIV information or another security violation by a Public Housing Employee or any other person, the individual making the observation or receiving the information should contact the Security Officer(s). The PHA Security Officer(s) will document all improper disclosures in writing on a security disclosure form providing details including who was involved, what was disclosed, how the disclosure occurred, and where it occurred.

The following contacts will be made:

1. The Security Officer(s) will contact and provide the Director of Public Housing the written documentation of the security violation;
2. The Administrator or his designee will provide the HUD Field Office Public Housing Director with the written documentation; and
3. The HUD Field Office Public Housing Director upon receipt of the documentation will make a determination regarding the referral and provision of the written documentation to the Headquarters EIV Coordinator and / or EIV Security Officer(s) for further review and follow-up action.

Safeguards Provided by the Privacy Act

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The Privacy Act provides safeguards for individuals against invasion of privacy by requiring Federal agencies, except as otherwise provided by law or regulation to:

1. Permit individuals to know what records pertaining to them are collected, maintained, used or disseminated;

2. Allow individuals to prevent records pertaining to them, obtained for a particular purpose from being used or made available for another purpose without their consent;

3. Permit individuals to gain access to information pertaining to them, obtain a copy of all or any portions thereof, and correct or amend such records;

4. Collect, maintain, use or disseminate personally identifiable information in a manner that ensures the information is current and accurate, and that adequate safeguards are provided to prevent misuses of such information;

5. Permit exemption from the requirements of the Act only where an important public policy need exists as determined by specific statutory authority; and

6. Be subject to a civil suit for any damages that occur as a result of action that violates any individual's rights under this Act.

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CHAPTER 16

PANDEMIC: CONTINUING OPERATIONS PLAN (COP)

INTRODUCTION

HUD recommends a PHA adopt a Continuing Operations Plan (COP) to continue service uninterrupted to the community. This chapter was developed in collaboration with the City's Emergency Operations Center (EOC) protocols. The World Health Organization (WHO) defines a pandemic as the "worldwide spread of a new disease." The COVID-19 pandemic is considered as the most crucial global health calamity of the century. A pandemic has a trickle down, chain reaction effect on all aspects of life. Since the threat to an organization's continuity of operations is high during a pandemic outbreak; it is important for the Burbank Housing Authority (BHA) to have a Continuing Operations Plan (COP) in place to ensure we can carry out our essential functions and services. While we may be forced to suspend some operations due to the severity of a pandemic outbreak, an effective COP can assist us in our efforts to remain operational, with the emphasis of maintaining our mission. The BHA has concluded that the following topics listed below are critical in our efforts to continue our essential functions and services while understanding that the safety and health of our tenants, landlords, and BHA staff is top priority.

A. TELEWORK

The purpose of telework is to support social distancing as a precautionary measure to inhibit the spread of a virus during a pandemic. The goal is to increase overall social distancing with the safety of the community in mind. When offices are temporarily closed to the public, telework allows BHA operations to continue and services to continue uninterrupted to the public. As the situation continues to evolve, staff will reassess service delivery and staffing levels following the guidance of city and local requirements.

B. MODIFYING REGULAR PROCESSES

The following processes will change during an emergency.

Housing Quality Standard (HQS) Unit Inspections

1. Annual/Biennial Inspections
    a. All annual/biennial inspections will be conducted over the phone with the tenant (or family representative) and/or the landlord.
2. Initial Inspections
    a. BHA staff will conduct initial inspections if the unit is vacant. Staff will wear personal protective equipment such as a mask, gloves, and shoe covers. Staff will ask the tenant, building manager or landlord to refrain from coming into the unit during the inspection. Tenant, building manager or

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landlord must wait outside of the unit to follow social distancing requirements.

b. If the unit is not vacant, the BHA will request a self-certification from the landlord to see if the unit passes HQS. BHA will confirm once inspections resume. This third-party verification will be documented in Housing Pro.

3. 24-Hour Emergency Inspections
    a. Emergency repairs for items which endanger health or safety must be corrected by the landlord within 24 hours of notification.
4. Quality Control (QC) Supervisory Inspections
    a. QC inspections will be cancelled until it is deemed by local officials to resume site visits.
5. If deficiencies are found in any type of inspection, the tenant and landlord will be sent a fail letter by United States Postal Service (USPS), mail, email, fax, Assistance Check or a phone call to the landlord will be made. Re-inspections will be conducted over the phone with the tenant, building manager or landlord. This third-party verification will be documented in Housing Pro.

ANNUAL RECERTIFICATIONS

1. Staff will continue to mail out recertification paperwork via USPS mail, email, fax, and Assistance Check.
2. Tenants may return documents via USPS mail, email, fax, Assistance Check, and through a drop box, as noted in Section C, below.
3. In addition to the normal process outlined in Chapter 6, case managers will utilize the following methods to complete a recertification:
    a. Documents submitted; whether complete or incomplete
    b. Income certifications older than 120 days, as a last resort. If applicable, staff will document as to why we do not have access to current verifications (i.e. COVID-19)
    c. All recertifications will be completed with information provided and collected. If the paperwork is not complete, case managers may utilize information from prior recertification.
    d. Self-certification for income and document completion over the phone. This can be performed as a last resort.

RECALCULATIONS

1. All recalculations (recalcs) will be completed in a timely manner to benefit the tenant as soon as possible. For example, the tenant or household member loses his/her job, hours are decreased, change in family composition, etc., this recalc will be a priority file. The effective date is dependent upon the timeframe when the information is submitted to the case manager. If the following month's Housing Assistance Payments (HAP) have already been processed, the change will take effect the first of the following month.

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2. The additional verification methods noted under Annual Recertifications will be utilized for recalcs.

PORT-IN FILES (HOUSEHOLDS MOVING TO THE CITY)

1. No in-person interviews with the tenant will be conducted. Phone interviews will be conducted once the portable file is received.
2. Staff will mail (USPS), email or fax all documents to be completed, signed and returned.
3. Initial inspection and other inspections will follow HQS Unit Inspections as outlined in this chapter.

REASONABLE ACCOMMODATION REQUESTS

No changes at this time.

PIC SUBMISSION

No changes at this time.

VMS SUBMISSION

No changes at this time.

SEMAP

The Section Eight Management Assessment Program (SEMAP) measures the performance of the public housing agencies (PHAs) that administer the Housing Choice Voucher program in 14 key areas. SEMAP helps HUD target monitoring and assistance to PHA programs that need the most improvement. During the COVID-19 pandemic, HUD will utilize the last SEMAP score for the BHA.
During an emergency, HUD may suspend regular SEMAP monitoring. The BHA will monitor HUD information and utilize waivers and flexibilities as provided.

EMERGENCY FUNDING

Emergency funding allocated to the BHA will follow expenditure rules and regulations noted with the fund award, including all monitoring and reporting requirements.

INCOME EXCLUSIONS

1. Stimulus Payments

   During a pandemic, certain income, such as, payments and benefits will be considered as excluded income. Pursuant to 24 CFR 5.609(c)(9), annual income does not include temporary, nonrecurring, or sporadic income. As distributed to

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individuals and families during the COVID-19 pandemic, therefore, any stimulus payments would be excluded from annual income, as they are temporary, non-recurring payments.

2. Regular Unemployment Benefits

   Regular unemployment benefits will continue to be considered income.

3. Pandemic Unemployment Assistance (PUA)

   PUA expands the qualification of unemployment insurance (UI) for people that are self-employed, work part-time, or who would otherwise not qualify for regular UI. PHAs shall include PUA in the income calculation, as it mirrors the regular UI benefit, which is included in income under 24 CFR 5.609(b)(5).

4. Federal Pandemic Unemployment Compensation (FPUC)

   FPUC provides a specific amount for a certain amount of time as an enhanced unemployment benefit. PHAs shall exclude this benefit because these payments are temporary and likely non-recurring.

5. Pandemic Emergency Unemployment Compensation (PEUC)

   PEUC allows regular unemployment compensation to receive up to 13 weeks of additional benefits (this extends regular UI from 26 weeks to 39 weeks in total). PHAs shall include PEUC in the income calculation, as it is simply an extension of regular UI benefits.

C. DROP BOX

The BHA has installed an interior drop-box for all paperwork to be submitted to our office without any physical contact. The interior drop-box will be available during normal office hours or specific times during the day.

D. ESSENTIAL SERVICES AND EMPLOYEES

Essential services are the services and functions that are necessary, even during a pandemic. They maintain the health and welfare of the municipality. Without these services, sickness, poverty, violence, and chaos would likely result. Housing Authority staff are essential employees and required personnel to maintain essential services, including the Housing Choice Voucher Program.

E. BUILDING CLOSURE

During a pandemic, the BHA office may be closed to the public for in-person service, following local city, county, and state orders. This decision protects the service

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population, many of them who are elderly and people with underlying medical conditions, as well as our employees. However, BHA staff will continue to serve participants and the general public via phone, USPS mail, email, fax, and Assistance Check. In the event of a building closure, the public will be notified via the city's public information office including the City website and social media outlets.

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CHAPTER 17

EMERGENCY HOUSING VOUCHERS (EHV)

INTRODUCTION

The Emergency Housing Voucher (EHV) program is available through the American Rescue Plan Act (ARPA), which was signed into law on March 11, 2021. Through EHV, HUD is providing approximately 70,000 housing choice vouchers to local Public Housing Agencies (PHAs) to assist individuals and families who are (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or (4) recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of house instability. Locally, HUD has provided a total of 67 vouchers distributed to the Burbank Housing Authority (BHA).

This chapter will outline the policies and procedures for the EHV program and if not noted here, the HUD issued Notice PIH 2021-15 will apply.

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs. Therefore, participants of the EHV programs are subject to the same basic family obligations, termination procedures, hearings etc. as set in the HCV Administrative Plan. Where there is a conflict between regulations outlined in the HCV Administrative Plan and the EHV Program regulations, the EHV program regulations will prevail.

A. QUALIFYING CATEGORIES FOR ELIGIBILITY

In order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

1. Homeless
2. At risk of homelessness
3. Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
4. Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

In general, the verification conducted that the individual or family meets one of these four eligibility categories is steered by the Continuum of Care (CoC) or another partnering agency that makes direct referrals to the BHA. The CoC or other direct referral partner must provide supporting documentation to the BHA verifying that the family meets one of the four eligible categories for EHV assistance.

The CoC must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the BHA. The CoC must certify that the EHV applicants they refer to the BHA meet at least one of the four EHV eligibility criteria. The CoC adopted an Interim Prioritization and Matching for Permanent

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Housing through HUD's Emergency Housing Voucher Program dated June 23, 2021. This document can be viewed at www.LAHSA/EHV.

B. VOUCHER ISSUANCE

In general, EHV families are issued EHVs as the result of either:

1. The direct referral process from the CoC Coordinated Entry System (CES) and/or other partnering organizations, or
2. A situation where the BHA makes an EHV available in order to facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) as outlined in the BHA's Emergency Transfer Plan.

C. REFERRALS

The BHA must also take direct referrals from outside the CoC CES if:

1. The CES does not have a sufficient number of eligible families to refer to the BHA, or
2. The CES does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the BHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC CES or other partner referral agencies (or the BHA and CoC cannot identify any such alternative referral partner agencies), HUD may permit the BHA on a temporary or permanent basis to take EHV applications directly from EHV applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

D. PREVAILING REGULATIONS

1. Requires partnership with the Coordinated Entry System (CES) for direct referrals.
    a. Direct referrals for EHV's are not added to the regular HCV waiting list. A separate waiting list for EHV referrals/applicants shall be established.
    b. Local preference for the Housing Choice Voucher (HCV) program is not applicable to EHV vouchers.

2. Self-certification of income may be accepted as the highest form of income verification at admission.
    a. This income will be verified within 90 days through the EIV system. Discrepancies in reported income can lead to adjustments of Tenant

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portions of rent, repayments to the Housing Authority, and/or termination from the program.

3. Applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the BHA's request. For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant's benefit amount for 2021 and was provided to the PHA in September 2021 would be an acceptable form of income verification.

4. Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the BHA must review reports to confirm/validate family-reported income within 90 days through the EIV System.

5. Self-Certification of social security number or eligible noncitizen status can be accepted at admission. Verification must be obtained within 180 days of voucher issuance.

6. Self-Certification of date of birth and disability status can be accepted at admission. Verification must be obtained within 90 days of voucher issuance.

E. MANDATORY PROHIBITIONS

1. The BHA must prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing to EHV applicants.
2. The BHA must prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program to EHV applicants.

F. PERMISSIBLE PROHIBITIONS

Before denying an EHV applicant, the BHA may consult with the CoC on the following permissive grounds, and may take the CoC's recommendation into consideration.

1. If the BHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
    a. Violent criminal activity.
    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.

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2. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
3. If the family engaged in or threatened abusive or violent behavior toward the BHA personnel within the previous 12 months.

G. ADMINISTRATIVE FEES AND FUNDING FOR OTHER ELIGIBLE EXPENSES

The BHA will maintain separate financial records from its regular HCV funding for all EHV funding, both HAP and administrative fee amounts.

Ongoing administrative fees

EHV ongoing administrative fees may be used for any eligible administrative expenses related to the EHVs. These fees may also be used to pay for any of the eligible activities under the EHV services fee.

Services Fee

One-time service fees support efforts in implementing and operating an effective EHV services program that will best address the needs of EHV eligible individuals and families in its jurisdiction. The BHA will determine eligible uses of service fees to assist families to successfully lease units with the EHVs. The BHA may limit the amount of assistance for any of the eligible uses or place other restrictions on those uses. However, the services fee funding must be initially used for these defined eligible uses and not for other administrative expenses of the EHV. Service fee funding may never be used for the HCV program.

If service fee funding is available, the BHA may consider these eligible uses:

1. Application Fees/non-refundable administrative or processing fee. The BHA may provide assistance with these expenses. Application fees will be paid directly to the owner.
2. Security deposit assistance. The BHA may provide security deposit assistance for the family. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum-security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner.

   The BHA may choose to pay the security deposit assistance directly to the owner or may pay the assistance to the family, provided the BHA verifies the family paid the security deposit. The BHA may place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the BHA at the end of the family's tenancy (less any amounts retained by the owner in accordance with the lease). Security deposit assistance

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returned to the BHA must be used for either services fee eligible uses or other EHV administrative costs.

3. Utility deposit assistance/utility arrears. The BHA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The BHA may choose to pay the utility deposit assistance directly to the utility company or may pay the assistance to the family, provided the BHA verifies the family paid the utility deposit. The BHA may place conditions on the utility deposit assistance, such as requiring the utility supplier or family to return the utility.

4. Essential housing items. The BHA may assist the family with some or all of the costs of acquiring essential household items such as but not limited to: Refrigerator, washer/dryer, tableware, bedding, etc.

5. Owner-related uses. The BHA may design the owner incentive payment to meet the specific needs of the eligible EHV individual or family.
    - Owner incentive payments may not exceed one month Fair Market Rent.
    - Owner incentive payments, such as holding fees or signing bonuses, are not required to be returned to the BHA.

6. Other eligible uses. To be determined by the BHA Housing Manager to best address the leasing challenges faced by EHV eligible families. Eligible activities of the EHV service fee are outlined in PIH 2023-23

H. WAITLIST PROCESS

The BHA will inform families on the HCV waiting list of the availability of the EHV program by posting on the City of Burbank's website and Assistance Connect. In addition, a letter will be mailed out to the families on the HCV waiting list with a homeless preference explaining the EHV Program. Families must contact the CoC or an applicable partnering referral agency if they believe they may be eligible for EHV assistance. The CoC or partnering referral agency will determine if the family is eligible for an EHV. A separate waiting list will be maintained for the EHV referrals/applicants that are eligible, however, a voucher is not available. The EHV Waiting List is based on eligible applicants/referrals from the CoC as required by HUD, and not applications of the general public.

Preferences

With the exception of a residency preference, the BHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHVs. The BHA may, however, choose to not establish any local preferences for the EHV waiting list.

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For purposes of this Program, the BHA and Los Angeles Homeless Services Authority (LAHSA) have chosen to give local preference to the EHVs waiting list, as follows:

1. BHA may accept referrals directly from service providers within the City of Burbank of individuals who are eligible for the EHV program under the category "*Individuals and families experiencing homelessness who are survivors of domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined under Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act), the Violence Against Women Act (VAWA) and Trafficking Victims Protection Act (TVPA).*" Such referrals shall be given first priority among eligible participants in the EHV Program.
2. Persons or households who are enrolled in CES who are enrolled in a time limited subsidy/interim local program within the City of Burbank, Glendale, North Hollywood, or Pacoima.
3. Persons or households who are enrolled in CES whose "field geolocation" or "community of origin" is within the City of Burbank, or who are enrolled in a local shelter or interim housing program within the City of Burbank or Project Room Key / Project Home Key.
4. Persons or households who are enrolled in CES whose "field geolocation" or "community of origin" is within the City of Glendale or communities of North Hollywood or Pacoima.
5. Moving On – Individuals only. As part of HUD's strategic priority to end homelessness, HACB will implement Moving On strategies for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing.
6. Prioritization of persons experiencing street homelessness, and a history of homelessness.
7. At- risk of becoming homeless and meeting one of the following conditions (**This group is to be prioritized when referrals from the above prioritized populations have been exhausted**):
    a. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
    b. Is living in the home of another because of economic hardship;
    c. Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
    d. Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals;
    e. Lives in a single room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than one and a half persons per room.

Applications of applicants that meet the requirements of the qualifying categories will be placed on the EHV Waiting List in order of date and time.

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I. FAMILY ELIGIBILITY

Social Security Number and Citizenship Status Verification

For the EHV program, the BHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, the BHA may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the BHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

Age and Disability Verification

If self-certification is used, the BHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

The BHA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the BHA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the BHA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The BHA will note the family's file that self- certification was used as initial verification and include an EIV printout or other third- party verification confirming the applicant's date of birth and/or disability status.

Income Targeting

The BHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and BHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. The BHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

The BHA will include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

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J. HOUSING SEARCH AND LEASING

Initial Voucher Term

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial voucher term of at least 120 days (a period to submit a Request for Tenancy Approval from the date of the voucher issuance). BHA policies on extensions as outlined in Chapter 8 – Section E, Extensions will apply.

All EHVs will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the BHA grants an extension.

Housing Search Assistance

The BHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the BHA or through the CoC or another partnering agency or entity.

Initial Lease Term

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months.

Payment Standards and Exception to Payment Standards

HUD is waiving § 982.503(a)(3) and establishing an alternative requirement permitting PHAs to establish separate higher payment standards for the EHVs in order to increase the potential pool of available units for EHV families. The Participants with an EHV voucher not residing in an already subsidized unit will receive the HUD approved Exception Payment Standard for a Zero, One, Two- and Three-Bedroom Voucher.

Termination of Vouchers upon Turnover after September 30, 2023

HUD is identifying whether a voucher issuance is a turnover voucher or a voucher that has never been leased by counting the number of cumulative EHV lease-ups. Once BHA's total cumulative leased EHV count reaches 67, any EHV issuance is considered a reissuance. Once the BHA has reached 67 cumulative EHV lease-ups, the BHA may not reissue any EHV voucher after September 30, 2023. All EHVs under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

If the BHA has not reached its 67 cumulative leased vouchers, the BHA may continue to issue vouchers to eligible households after September 30, 2023, until the cumulative

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leased vouchers equal 67, or until directed by HUD to stop issuing EHVs. If the BHA is reallocated additional EHVs, these EHVs are considered never leased and may be issued.

Household Moves and Changes

EHV participants may still move (including under portability) after September 30, 2023. The termination of vouchers upon turnover provision does not impact an individual or family's ability to move within the PHA's jurisdiction or their ability to move under the portability procedures to another PHA's jurisdiction.

K. USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

EHV funds allocated to the BHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the BHA may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the BHA are to be used for those purposes and must not be used for HAP. The appropriated funds for EHVs are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHVs and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts, or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.
The BHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.
The BHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHVs in accordance with the HCV program requirements at 24 CFR 982.158.

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CHAPTER 18

PROJECT-BASED VOUCHER PROGRAM

INTRODUCTION

The Burbank Housing Authority has the discretion whether to operate a project-based voucher program., and has elected to provide rental assistance under the Project Based Voucher Program (PBVP) to encourage property owners of existing housing, newly constructed housing or rehabilitated housing to make these properties available to low-income families at affordable rents. This will ensure that the city maintains an affordable rental housing stock that is at risk of becoming unaffordable for low-income families and/or to produce new affordable units. The PBVP provided by the Burbank Housing Authority may be used only for units within the City of Burbank.

The provision of assistance that is attached to units as project-based assistance is different in its application than that of tenant-based assistance typically provided by the Housing Choice Voucher Program. Under project-based assistance, the Burbank Housing Authority enters into a HAP Contract with the owner to make housing assistance payments during the contract term for a specific unit(s) that is leased and occupied by an eligible family.

The Burbank Housing Authority PBV program is funded with a portion of appropriated funding (budget authority) available under the Burbank Housing Authority's voucher annual contributions contract (ACC). The Burbank Housing Authority may provide up to 20% ACC and an additional 10% for homeless families, families with veterans, supportive housing for persons with disabilities or elderly persons, or in areas where vouchers are difficult to use. The Burbank Housing Authority will consider using up to 20% of its authorized units for project-based assistance. This will be done on a project by project basis.

However, only 25% of the units in a project or 25 units in a project, whichever is greater, may be project based with the exception of single-family dwellings and "excepted units or housing exemption" in a multifamily building.

"Excepted Units or Housing Exemption" means units in a multifamily building that are specifically made available for qualifying families who are elderly, disabled, or a family receiving supportive services. There is no special or additional funding for project-based vouchers and HUD does not reserve additional units for project-based vouchers.

HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT (HOTMA)

The Burbank Housing Authority will make a decision regarding implementation of HOTMA provisions for this chapter upon HUD's issuance of Notice or Regulation.

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A. HUD SUBMISSION

The Burbank Housing Authority may attach voucher assistance to PBV units in accordance with 24 CFR 983 if:

1. The number of units to be project-based does not exceed the applicable percent limit or number.
2. The number of units to become project-based are not under a tenant-based or project-based HAP Contract or otherwise committed (e.g., vouchers issued to families searching for housing or units under an Agreement).

Before implementing PBVP, the Burbank Housing Authority must submit the following information to the HUD field office for review:

1. The total number of units for which the Burbank Housing Authority is requesting approval to attach assistance.
2. The number of budgeted voucher units.
3. The number of voucher units available to be project-based; e.g., the number of budgeted voucher units that are not under a tenant-based or project-based HAP Contract or otherwise committed (e.g., vouchers issued to families searching for housing or units under an Agreement).

The Burbank Housing Authority must ensure that the amount of assistance that is attached to units is within the amounts available under the ACC.

B. OWNER APPLICATION SUBMISSION [24 CFR 983.51]

1. The BHA has adopted a written policy establishing competitive procedures for owners' submission of applications. This written policy identifies and specifies the weight to be given to the factors that will be used to rank and select applications. These factors are as follows:

Local Experience/Administrative Capacity:	20 Points
Need:	20 Points
Mixed Income:	20 Points
Financial/Marketability:	20 Points
Community Impact:	15 Points
Equal Opportunity Employment Practices:	5 Points

2. The Burbank Housing Authority will select units to which assistance is to be attached. These units must be selected in accordance with the Burbank Housing Authority's selection policy and 24 CFR 983.51.

3. The Burbank Housing Authority will advertise in a newspaper of general circulation that the Burbank Housing Authority will accept applications for assistance under the PBVP for specific projects. The advertisement must be approved by the HUD field office and may not be published until after HUD's authorization to implement a PBVP or ACC execution.

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The advertisement must: be published once a week for two to three consecutive weeks; specify an application deadline of at least 30 days after the date the advertisement is last published; specify the number of units the Burbank Housing Authority estimates it will be able to assist under the funding the Burbank Housing Authority is making available for this purpose; and state that only applications submitted in response to the advertisement will be considered.

4. The owner's application submittal must contain the following:

a. A description of the housing to be constructed or rehabilitated, including the number of units by size (square footage), bedroom count, bathroom count, sketches of the proposed new construction or rehabilitation, unit plans, listing of amenities and services, and estimated date of completion. For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation.

b. Evidence of site control, and for new construction identification and description of the proposed site, site plan and neighborhood.

c. Evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, if applicable.

d. Evidence to indicate that the needed re-zoning is likely and will not delay the project, if applicable.

e. The proposed contract rent per unit, including an indication of which utilities, services, and equipment are included in the rent. For those utilities that are not included in the rent, an estimate of the average monthly cost for each unit type for the first year of occupancy.

f. A statement identifying:

1. The number of persons (families, individuals, businesses and nonprofit organizations) occupying the property on the date of submission of the application.

2. The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex.

3. The estimated cost of relocation payments and services, and the sources of funding.

4. The organization(s) that will carry out the relocation activities.

5. The identity of the owner, project principals, names of officers, principal members, shareholders, investors and other parties having substantial interest. Certification showing that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and nonprocurement programs; a disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP Contract; and information on the qualifications and experience of the principal participants. Information concerning any participant who is not known at the time of the owner's submission must be provided to the Burbank Housing Authority as soon as the participant is known.

6. The owner's plan for managing and maintaining the units.

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7. Evidence of financing or lender interest and the proposed terms of financing.
8. The proposed term of the HAP Contract; and
9. Any other information the Burbank Housing Authority believes necessary.

C. ELIGIBLE AND INELIGIBLE PROPERTIES [24 CFR 983.9 & 983.53]

Newly constructed and existing structures of various types may be appropriate for attaching assistance to the units under 24 CFR 983, including single-family housing and multi-family housing. Eligible housing under 24 CFR 982.352 does not apply.
The Burbank Housing Authority may not attach or pay PBVP assistance in the following types of housing:

1. Housing for which the construction is started before Agreement execution.
2. Housing for which the rehabilitation is started before Agreement execution.
3. Shared housing, nursing homes, and facilities providing continual psychiatric, medical, nursing services, board and care or intermediate care.
4. Units within the grounds of penal, reformatory, medical, mental, or similar public or private institutions.
5. Housing located in an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards.
6. College or other school dormitories.
7. Units owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution.
8. Manufactured homes.
9. Cooperative housing.
10. Transitional housing.
11. Units occupied by the owner.

The Burbank Housing Authority may not attach or pay PBVP assistance to any of the following types of subsidized housing:

1. Public housing dwelling unit;
2. A unit subsidized by any other form of Section 8 assistance (tenant-based or project based);
3. A unit subsidized with any governmental rent subsidy (a subsidy that pays all or any part of the rent);
4. A unit subsidized with any government subsidy that covers all or any part of the operating costs of the housing;
5. A section 236 project (insured or noninsured) or a unit subsidized with Section 236 rental assistance payments;
6. A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949 (a Rural Housing Services Program);
7. A Section 202 project for non-elderly persons with disabilities (assistance under Section 162 of the Housing and Community Development Act of 1987);
8. Section 202 supportive housing for the elderly;
9. Section 811 supportive housing for persons with disabilities;
10. A Section 101 rent supplement project;

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11. A unit subsidized with tenant-based assistance (as defined at 24 CFR 982.1(b)(2)) (e.g. Home Program); or
12. Any unit with any other duplicative Federal, State, or local housing subsidy as determined by HUD. For this purpose, "housing subsidy" does not include the housing component of a welfare payment, a Social Security payment received by the family, or a rent reduction because of a tax credit.

D. SPECIAL HOUSING TYPES [24 CFR 983.9]

In PBVP, the Burbank Housing Authority will not provide assistance for shared housing, cooperative housing, manufactured homes space rental, or the homeownership option. A group home may include one or more group home units. A separate lease is executed for each elderly person or person with disabilities who resides in a group home.

E. DECONCENTRATION OF POVERTY AND EXPANSION OF HOUSING AND ECONOMIC OPPORTUNITIES

In accordance with HUD requirements, all PBVP HAP Contracts or assistance agreements must be for units located in census tracts with poverty rates of less than 20%, unless HUD specifically approves an exception. The City of Burbank meets this requirement. Activities under the PBVP are subject to HUD environmental regulations in 24 CFR 50 and 58.

F. AGREEMENT & SECTION 8 PROJECT BASED VOUCHER HOUSING ASSISTANCE PAYMENTS CONTRACT [24 CFR 983.202, 983.203, 983.204, & 983.205] on

The Burbank Housing Authority must enter into an Agreement with the owner. The owner agrees to develop the contract units to comply with the HQS, and the Burbank Housing Authority agrees that upon timely completion of such development in accordance with the terms of the Agreement, the Burbank Housing Authority will enter into an Agreement with the owner for the approved number of units. The Agreement will be canceled if the HAP Contract is not executed within 120 days of notification of completion.

The Burbank Housing Authority must enter into an Agreement with the owner stating the terms and conditions of the PBVP project. The initial Agreement term for existing housing may not be less than one year nor more than ten years. The initial Agreement term for new construction or rehabilitated housing may not be less than one year nor more than 20 years. The Burbank Housing Authority has sole discretion to determine the initial term of the HAP Contract with these limits.

Within one year before expiration of the Agreement, the Burbank Housing Authority may agree to extend the term of the Agreement for existing housing for an additional term up to 20 years for new construction or rehabilitated housing if the Burbank Housing Authority determines an extension is appropriate to continue to provide affordable housing for low-

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income families. Agreements maybe renewed for terms for an aggregate total of 40 years, subject to the availability of appropriated funds.

At the sole option of the Burbank Housing Authority, the Burbank Housing Authority may renew expiring Agreements for such period or periods as the HUD field office determines appropriate to achieve long term affordability of assisted housing. The Burbank Housing Authority must identify the funding source for renewals; different funding sources may be used for the initial term and review terms of the Agreement.

The Agreement must provide that the term of the Burbank Housing Authority contractual commitment is subject to the availability of sufficient appropriated funding (budget authority) as determined by HUD or by the Burbank Housing Authority in accordance with HUD instructions. If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the Agreement, the Burbank Housing Authority has the right to terminate the Agreement by notice to the owner for all or any of the contract units.

Once the Burbank Housing Authority has received owner notification that the construction or rehabilitation has been completed, the owner must submit at minimum the following evidence of completion to the Housing Department:

1. Owner certification that the work has been completed in accordance with the HQS and all requirements of the Agreement; and
2. Owner certification that the owner has complied with labor standards and equal opportunity requirements in the development of the housing.

At the Burbank Housing Authority discretion, the Agreement may specify additional documentation that must be submitted by the owner as evidence of housing completion.

1. Certificate of Occupancy; and
2. An architect's certification that the housing complies with HQS, State, local and/or other building codes

After the Housing Department has receive owner notice, the Burbank Housing Authority must inspect the building to determine if the housing has been completed in accordance with the Agreement, including compliance with the HQS and any additional requirements imposed by the Burbank Housing Authority under the Agreement. If the work has not been completed in accordance with the Agreement, the Burbank Housing Authority must not enter into the HAP Contract.

The Burbank Housing Authority must execute the HAP Contract if the Burbank Housing Authority accepts the unit(s). The effective date of the HAP Contract may not be earlier

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than the date of the Burbank Housing Authority inspection and acceptance of the Unit(s).

After commencement of the HAP Contract term, the Burbank Housing Authority must make monthly housing assistance payments for each unit occupied under lease by an eligible family.

At the discretion of the Burbank Housing Authority and subject to all PBVP requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same building for previously covered contract unit. Prior to such substitution, the Burbank Housing Authority must inspect the proposed substitute unit and must determine the reasonable rent.

The Quality Housing and Work Responsibility Act of 1998 (QHWRA) requires owners to provide not less than one-year written notice to tenants and HUD of expiration or termination of the Contract.

G. REDUCTION OF UNITS

Owners must lease all assisted units under a HAP Contract to eligible families. Leasing of vacant, assisted units to ineligible tenants is a violation of the Agreement and grounds for all available legal remedies, including suspension or debarment from the HUD program and reduction of the number of units under the Agreement. Once the Burbank Housing Authority determines that a violation exists, the Burbank Housing Authority must notify the HUD field office of its determination and the suggested remedies. At the direction of the HUD field office, the Burbank Housing Authority must take the appropriate action.

If at any time beginning 180 calendar days after the effective date of the Agreement, the owner fails to have the assisted units leased to families receiving housing assistance or to families who were eligible when they initially leased the unit, but are no longer receiving housing assistance, the Burbank Housing Authority may, on at least a 30 calendar days notice, reduce the number of units covered by the Agreement. The Burbank Housing Authority may reduce the number of units actually leased or available for leasing by eligible families, plus 10 percent (round up).

If the owner has only one unit under a HAP Contract, and if one year has elapsed since the date of the last housing assistance payment, the HAP Contract may be terminated with the consent of the owner.

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The Burbank Housing Authority will agree to an amendment of the Agreement to provide for subsequent restoration of any reduction made pursuant to the above-mentioned paragraph of this section, if:

1. The Burbank Housing Authority determines that the restoration is justified by demand.
2. The owner otherwise has a record of compliance with obligations under the Agreement; and
3. Contract authority is available.

H. RESPONSIBILITIES OF THE BURBANK HOUSING AUTHORITY [24 CFR 983.201]

The BHA must:

1. Inspect the project before, during, and upon completion of new construction or rehabilitation; and
2. Ensure that the amount of assistance that is attached to units is within the amounts available under the ACC.

I. RESPONSIBILITIES OF THE OWNER [24 CFR 983.208 & 24 CFR 982.452]

The owner is responsible for performing all of the owner responsibilities under the Agreement and the HAP Contract, providing the Burbank Housing Authority with a copy of any termination of tenancy notification, and offering vacant, accessible units to a family with one or more members with a disability requiring accessibility features of the vacant unit and occupying an assisted unit not having such features.

J. FAMILY PARTICIPATION [24 CFR 983.251]

The Burbank Housing Authority will use the tenant-based assistance waiting list for its PBVP, pursuant to 24 CFR 982.201, 982.202 except paragraph (b)(c), 982.203, 982.204 except paragraph (a)(b), 982.205 except paragraph (a), 982.206 and 982.207. When the owner notifies the Burbank Housing Authority of vacancies in the PBVP units, the Burbank Housing Authority will refer one or more families of the appropriate size from its waiting list. A family that refuses an offer of a PBVP unit will keep its place on the tenant-based waiting list. The owner must rent all vacant PBVP units to eligible families referred by the Burbank Housing Authority. The Burbank Housing Authority will determine eligibility of any family referred for a PBVP unit.

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Before the Burbank Housing Authority selects a specific unit to which assistance is to be attached, the Burbank Housing Authority must determine whether the unit is occupied, and if so, whether the occupants are eligible for assistance. If the unit is occupied by an eligible family (including a single person) and the Burbank Housing Authority selects the unit, the family must be given the opportunity to lease that unit or another appropriately sized, project-based unit in the project without requiring that the family be placed on the waiting list. The Burbank Housing Authority may not enter into an agreement to provide project-based assistance to a unit whose occupants are not eligible to participate in the program.

If the Burbank Housing Authority does not refer a sufficient number of interested families on the Burbank Housing Authority's waiting list to the owner within 30 days of the owner's notification to the BHA of a vacancy, the owner may advertise for or solicit applications from eligible, very low-income families. The owner must refer these families to the BHA to determine eligibility. The Burbank Housing Authority and/or owner may also partner with other agencies for referrals for project-based units.

The owner is responsible for screening and selection of tenants for their project parameters. The owner must adopt written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income households and with a family's ability to perform the lease obligations. The owner must promptly notify any rejected family in writing of the grounds for that rejection.

In order for a family to be eligible for participation under the PBVP, the family must meet the eligibility criteria outlined in Chapter 2 of this Plan, "Eligibility for Admission" and the family's annual income may not exceed the applicable income limit as set by HUD.

A family becomes a participant when the family and owner execute a lease for a unit with project-based assistance.

If the HAP Contract for the unit expires or if the Burbank Housing Authority terminates the HAP Contract for the unit:

1. The Burbank Housing Authority must issue the assisted family in occupancy of a unit a HCV for assistance under the Burbank Housing Authority's voucher program, unless the Burbank Housing Authority has determined that it does not have sufficient funds for continued assistance for the family, or unless the Burbank Housing Authority denies issuance of a HCV in accordance with 24 CFR 982.552.
2. If the unit is not occupied by an assisted family, then the available funds under the ACC that were previously committed for support of this project-based assistance for the unit must be used for the Burbank Housing Authority's tenant-based voucher program.

K. BRIEFING SESSIONS FOR PBVP PARTICIPANTS [24 CFR 983.252]

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Briefing sessions will be held for families who have been selected to occupy a project-based unit. The briefing session will provide the family with the following:

1. Information regarding the tenant rent and any applicable utility allowance.
2. A copy of the Lead-Based Paint information pamphlet.
3. Family and owner responsibilities under the lease and HAP Contract.
4. Information on Federal, State, and local equal opportunity laws.
5. The fact that the subsidy is tied to the unit, that the family must occupy a unit under the program, that a family that moves from the unit does not have any right to continued assistance.
6. The likelihood of the family receiving a HCV after the HAP Contract expires.
7. The family's options under the program if the family is required to move because of a change in family size or composition; and
8. Information on the Burbank Housing Authority's procedures for conducting informal hearings for participants, including a description of the circumstances in which the Burbank Housing Authority is required to provide the opportunity for an informal hearing, in accordance with 24 CFR 982.555, and the procedures for requesting a hearing (see Chapter 13 of this Plan).

L. PHYSICAL CONDITION STANDARDS & PHYSICAL INSPECTION REQUIREMENTS

Housing used in the PBVP must be maintained and inspected in accordance with the requirements in 24 CFR 5, subpart G prior to the HAP Contract execution. In addition to the standards in 24 CFR 5, subpart G, the dwelling unit must have a living room, a kitchen area, and a bathroom. The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.

The Lead-Based Paint Poisoning Prevention Act and implementing regulations at 24 CFR 35, subparts A, B, H, and R of this title apply to units assisted under this part.

The dwelling unit must be inspected and must pass HQS prior to the execution of the Lease.

M. MAINTENANCE, OPERATION AND INSPECTION [24 CFR 983.208]

The following sections do not apply to the PBVP:

1. 24 CFR 982.404: Maintenance: Owner and family responsibility; PHA remedies.
2. 24 CFR 982.405: PHA periodic unit inspections and enforcement of HQS.

The owner must provide all the services, maintenance and utilities as agreed under the HAP Contract, subject to abatement of housing assistance payments or other applicable remedies if the owner fails to meet these obligations.

In addition to the inspections required prior to execution of the HAP Contract, the Burbank Housing Authority must inspect or cause to be inspected each dwelling unit under a HAP Contract at least annually, and at such other times as may be necessary to ensure that

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the owner is meeting the obligations to maintain the unit in decent, safe, and sanitary conditions and to provide the agreed upon utilities and other services. The Burbank Housing Authority must take into account complaints and any other information coming to its attention in scheduling inspections.
If the Burbank Housing Authority notifies the owner that the units under HAP Contracts are not being maintained in decent, safe, and sanitary conditions and the owner fails to take corrective action within the time prescribed in the notice, the Burbank Housing Authority may exercise any of its rights or remedies under the HAP Contract, including abatement of housing assistance payments, even if the family continues in occupancy, or the termination of the HAP Contract and termination of assistance to the family, in accordance with 24 CFR 982.552.

N. OVERCROWDED, UNDEROCCUPIED, AND ACCESSIBLE UNITS [24 CFR 983.260]

If the Burbank Housing Authority determines that a family is occupying the wrong sized unit or the unit with accessibility features that the family does not require, and the unit is needed by a family that requires the accessibility features, the Burbank Housing Authority must promptly notify the family and the owner of this determination, and of the Burbank Housing Authority offer of continued assistance in another unit. If the Burbank Housing Authority's subsidy standards changed after the family moved into the unit and the family has not had a change in family composition, the family will not be considered in the wrong sized unit.

The owner must offer the family a suitable alternative unit if one is available and the family shall be required to move. If the owner does not have a suitable unit available within the family's ability to pay the rent, the Burbank Housing Authority (if it has sufficient funding) may offer tenant-based assistance to the family or otherwise assist the family in locating other standard housing in the Burbank Housing Authority's jurisdiction within the family's ability to pay and require the family to move to such a unit.

If the Burbank Housing Authority offers the family the opportunity to receive tenant-based rental assistance under the voucher program, the Burbank Housing Authority must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by the PHA).

If the Burbank Housing Authority offers the family the opportunity for another form of continued housing assistance in accordance with 24 CFR 983.261(b)(2) (not in the tenant-based voucher program), the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by the Burbank Housing Authority, or both, the Burbank Housing Authority must terminate the housing assistance payments for the wrong-sized or accessible unit, at the expiration of the reasonable period that was determined by the Burbank Housing Authority

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O. ASSISTED TENANCY AND TERMINATION OF TENANCY [24 CFR 983.206]

The term of a lease, including a new lease or a lease amendment, executed by the owner and the family must be for at least one year, or the remaining term of the HAP Contract if the remaining term of the HAP Contract is less than one year. The family must notify the Burbank Housing Authority and the owner before the family moves out of the unit. Term of assisted tenancy, 24 CFR 982.309, and owner termination of tenancy, 24 CFR 982.310(d)(1)(iii)(iv), do not apply to the PBVP.

The family is required to terminate the lease with a 60-day advance written notice to the owner and a copy of the notice to the Burbank Housing Authority. The owner may offer the family a new lease for execution by the family for a term beginning at any time after the first year of the term of the lease. The owner must give the family written notice of the offer at least 90 days before the proposed commencement date of the new lease term. The offer may specify a reasonable time for acceptance by the family. Failure by the family to accept the offer of a new lease in accordance with this paragraph shall be "other good cause" for termination of tenancy.

P. RENT AND HOUSING ASSISTANCE PAYMENT [24 CFR 983.302]

In 24 CFR 982 subpart K, rent and housing assistance payment for tenant-based program, the following are the only sections that apply to the PBVP under 24 CFR 982 subpart K (regular and interim re-examination of the family income and composition) and 24 CFR 982.517 (utility allowance schedule).

Q. LIMITS ON INITIAL RENT TO OWNER [24 CFR 983.301]

The initial rent to owner for a unit may not exceed the reasonable rent as determined by the Burbank Housing Authority, in accordance with 24 CFR 983.303.
The tenant rent under the PBVP is limited to 30% of the participant's adjusted monthly income minus tenant paid utilities.
The initial gross rent for a unit (rent to owner plus utility allowance) may not exceed the payment standard rent limit as determined by the BHA, in accordance with 24 CFR 982.503. However, at the time of initial occupancy by the eligible family, the family gross rent must not exceed 40% of the family adjusted monthly income.
The PBVP HAP Contract shall establish gross rents that do not exceed 110% of the established Fair Market Rent (FMR) or any HUD-approved "exception payment standard" for the City of Burbank. The HAP Contract will also allow for an annual rent adjustment. The initial and adjusted rents to the owner must also be reasonable in relation to rents charged in the private market for comparable unassisted units.

R. ANNUAL ADJUSTMENT OF RENT TO OWNER [24 CFR 983.302]

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At each annual anniversary date of the HAP Contract, the Burbank Housing Authority may re-determine the rent to owner in accordance with the following requirements:

1. The owner must request a rent increase (including a comparability study to determine the amount of such increase) by written notice to the Burbank Housing Authority, at least 60 days before the HAP Contract anniversary. The request must be submitted in the form and manner required by the Burbank Housing Authority.
2. The Burbank Housing Authority may not increase the rent at the annual anniversary unless:
    a. The owner requested the increase by the 60-day deadline; and
    b. During the year before the HAP Contract anniversary, the owner complied with all requirements of the HAP Contract, including compliance with HQS for all contract units.
3. Rent increases will be implemented at the time of HAP Contract Anniversary.

The adjusted rent to owner equals the lesser of:

1. The re-adjustment rent to owner multiplied by the applicable Section 8 Annual Adjustment Factor published by HUD.
2. The reasonable rent as determined by the Burbank Housing Authority, in accordance with 24 CFR 983.303; or
3. The rent requested by owner.

The applicable factor is the published annual adjustment factor in effect 60 days before the HAP Contract anniversary. In making the annual adjustment, the pre-adjustment rent to owner does not include any previously approved special adjustments. The rent to owner may be adjusted up or down, in accordance with 24 CFR 983.301.

S. SPECIAL ADJUSTMENT OF THE RENT TO OWNER [24 CFR 983.301]

At HUD's sole discretion, HUD may approve a special adjustment of the rent to owner. The Burbank Housing Authority may only make a special adjustment of the rent to owner if the adjustment has been approved by HUD.
A special adjustment may only be approved to reflect increases in the actual and necessary costs of owning and maintaining the contracted units because of substantial and general increases in:

1. Property taxes.
2. Special governmental assessments.
3. Utility rates; or
4. Cost of utilities not covered by the regulated rates.

A special adjustment may only be approved if and to the extent that the owner demonstrates that cost increases are not adequately compensated by application of the published annual adjustment factor at the HAP Contract anniversary. The owner must demonstrate that the rent to owner is not sufficient for proper operation of the housing.
The adjusted rent may not exceed the reasonable rent as determined by a comparability study, in accordance with 24 CFR 983.301. The owner must submit financial information,

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as requested by the BHA, that supports the grant or continuance of a special adjustment. For HAP Contracts of more than 20 units, such financial information must be audited. The Burbank Housing Authority may withdraw or limit the term of any special adjustment. If a special adjustment is approved to cover temporary or one-time costs, the special adjustment is only a temporary or one-time increase of the rent to owner.

T. REASONABLE RENT [24 CFR 983.303]

The Burbank Housing Authority may not enter an agreement to enter into a HAP Contract until the Burbank Housing Authority determines that the initial rent to owner under the HAP Contract is reasonable. During the term of a HAP Contract, the rent to owner may not exceed the reasonable rent as determined by the Burbank Housing Authority.
At least annually during the HAP Contract term, the BHA must re-determine that the current rent to owner does not exceed a reasonable rent. The BHA must determine whether the rent to owner is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, the BHA must consider:

1. The location, quality, size, unit type, and age of the contract unit; and
2. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

U. VACANT UNITS [24 CFR 983.352]

Vacancy payments will not be paid for vacant units

V. CONVERSION OF SECTION 8 PROJECT-BASED ASSISTANCE TO TENANT-BASED ASSISTANCE [PIH NOTICE 99-40, SEPTEMBER 1, 1999]

HUD currently provides additional funding to public housing agencies to assist eligible residents who are affected by "housing conversions." Housing conversions occur when a Section 8 Project-Based Contract is near expiration, has expired, or the owner chooses to "opt-out" of the Contract ("Contract termination"). In those instances where expiring Project-Based Rental Assistance is being replaced by Tenant-Based Rental Assistance (TBRA) Vouchers, HUD shall determine the appropriate actions and provide guidance and instruction to the Burbank Housing Authority.

The conversion process typically begins with HUD's receipt of the notice from the owner stating the intent to terminate the existing Contract. This notice must be in writing and provided to both the tenants and HUD, not less than one year from the Contract termination date. It is the responsibility of HUD to enforce the notification requirements of the owner. Based on the appropriate notification and at least 120 days prior to the termination date of the Contract, HUD shall determine the number of occupants in place, the composition of each family, and extend an invitation to the Burbank Housing Authority offering the Burbank Housing Authority the opportunity to administer TBRA to the eligible families. Once the Burbank Housing Authority has agreed to administer TBRA and issue

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HCVs, the existing ACC between the Burbank Housing Authority and HUD will require modification.

HUD shall transmit all pertinent family composition data to the Burbank Housing Authority. The Burbank Housing Authority shall utilize this information to begin the review of each family's eligibility for admission to the TBRA Program. As part of the determination of eligibility, the Burbank Housing Authority may require families to complete the following:

1. Submit a completed program application and any other required program form(s).

2. Submit any records pertinent to the determination of eligibility, i.e., identification cards, Birth Certificates, Social Security cards, proof of citizenship, proof of income, proof of assets, certification forms, affidavits, etc.

3. Attend an interview with Burbank Housing Authority staff; and

4. Attend mandatory briefing session conducted by Burbank Housing Authority staff (rental vouchers issued to eligible families).

Due to the severe time constraints often associated with these conversion actions, the Burbank Housing Authority may use the owner's most recent family income re-examinations, if:

1. The owner's certification for the family is no more than six months old; and

2. The Burbank Housing Authority determines that the owner's certifications are acceptable after reviewing a small sample for accuracy.

The Burbank Housing Authority is not required to use the owner's certifications and may opt to conduct its own income determination and verification.

The Burbank Housing Authority will make every effort to have the determination of eligibility completed and the rental vouchers issued to eligible families no later than 60 days before the termination date of the contract. Once these requirements are completed, the Burbank Housing Authority must:

1. Ensure the units selected by the families are eligible (see Chapter 2 of this Plan). " Eligibility for Admission"

2. Conduct HQS inspections for units selected by families, (see Chapter 10 of this Plan), "Housing Quality Standards and Inspections".

3. Ensure the rent is reasonable, see Chapter 9 of this Plan, "Request for lease approval and contract execution"; and

4. Execute a HAP Contract with the owner.

HUD encourages housing agencies to begin tasks such as certifying families and approving units before receiving the ACC funding exhibit to avoid the potential adverse

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impact on the families. However, the Burbank Housing Authority may not under any circumstances execute a HAP Contract prior to receiving the notification letter and the effective date of the funding contained on the ACC funding exhibit.
Housing conversions represent a very unique opportunity for the Burbank Housing Authority to be pro-active in safeguarding the welfare of families residing in affordable housing developments that are faced with rental increases or possible displacement. Although some actions may not be taken by the Burbank Housing Authority without seeking prior approval from HUD, the Burbank Housing Authority shall continue to be committed to providing supportive services and guidance to families that are affected by these circumstances.

W. MOVES WITH CONTINUED RENTAL ASSISTANCE

If the family decides to relocate after 3 years, the family may be eligible for other forms of rental assistance, if funding is available. Family may only move in accordance with Chapter 9 of this Plan, "Request for lease approval and contract execution".
Rental assistance under the PBVP will terminate for families that vacate the assisted unit during the initial term of the lease in accordance with Chapter 11 of this Plan, "Denial or Termination of Assistance".

X. FAMILY RIGHT TO MOVE [24 CFR 983.261]

The family may terminate the assisted lease at any time after the third year of occupancy in accordance with Chapter 9 of this Plan, "Request for Lease Approval and Contract Execution". The family must give the owner advance written notice of intent to vacate (with a copy to the Burbank Housing Authority) in accordance with the lease.
If the family has elected to terminate the lease in this manner, the Burbank Housing Authority must offer the family the opportunity for continued TBRA, in the form of either assistance under the HCVP or other comparable TBRA.

Before providing notice to terminate, the family must contact the Burbank Housing Authority, in writing, to request comparable TBRA if the family wishes to move with continued assistance. If a HCV or other comparable TBRA is not immediately available upon termination of the family's lease of a PBVP unit, the Burbank Housing Authority must give the family priority to receive the next available opportunity for continued TBRA. The family will receive the next available opportunity based on the date and time when their written requested was received.

The family will not be able to use a HCV in a project based unit. If a HCV has been issued and the family decides to remain in a project based unit, the owner must agree to continue the family's tenancy. At which time, the HCV will be cancelled. The family will be required to continue their search for a unit if the owner does not agree to continue the family's tenancy. Therefore, the HCV will expire if the family does not locate a suitable unit by the expiration date and the family's participation in the PBVP will end.

The family will not be eligible for a HCV or other comparable TBRA if the family fails to submit written request to the Burbank Housing Authority prior to serving a 60 Day Notice to terminate to the owner and/or the family is not in good standing with the terms of the

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lease and Family Obligations. Families may not be eligible for any other form of rental assistance if the property owner has served notice to vacate. Moves with continued assistance are allowed in accordance with Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution”.

If the family terminates the assisted lease before the end of one year, or if the family has violated program rules and regulations, the family relinquishes the opportunity for continued TBRA.

The Burbank Housing Authority will ensure the family is in compliance with the rules and regulations. The Burbank Housing Authority will follow the policies and procedures outlined in Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution” for the HCVP.

If the family is in compliance with the program rules and regulations, the family may move utilizing portability. The Burbank Housing Authority will follow the policies and procedures outlined in Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution” for the HCVP.

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CHAPTER 19

SPECIAL PURPOSE VOUCHERS

INTRODUCTION

Special Purpose Vouchers (SPVs) are a specific type of HCV program administered by the BHA. By collaborating with other partners, SPVs provide rental assistance resources to specific populations to support the community's plan to end homelessness.

The BHA administers the following types of special purpose vouchers:

- Veterans Affairs Supportive Housing (VASH)
- Foster Youth to Independence (FYI) program

This chapter describes HUD regulations and BHA policies for administering SPVs.

PART 1
VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) PROGRAM

The HUD-Veterans Affairs Supportive Housing (HUD-VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA). VA provides these services for participating Veterans at VA medical centers (VAMCs) and community-based outreach clinics (CBOCs).

A. SPECIAL RULES FOR THE HUD-VASH VOUCHER PROGRAM

This section outlines the waivers or alternative requirements for the administration of the HUD-VASH program. Unless expressly stated below, all HUD regulations regarding the HCV and PBV programs are applicable to HUD-VASH vouchers. The BHA's local discretionary policies adopted in this administrative plan apply to HUD-VASH vouchers unless the BHA policy conflicts with the requirements of the HUD-VASH vouchers outlined below. In such cases the requirements in this chapter supersede the local discretionary policy.

B. THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (VA)

The VA determines the eligibility of veterans based on the following criteria:

1. Veterans must meet the definition of homelessness defined in the McKinney-

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Vento Homeless Assistance Act as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2012.

2. Veterans must need case management services, as determined by VA case workers, to obtain and sustain independent community housing.
3. Eligible candidates for the program must participate in case management. The VA is responsible for providing appropriate treatment and supportive services to potential HUD- VASH program participants.

C. REFERRALS

VA HUD–VASH case managers will refer HUD–VASH-eligible families to the BHA for the issuance of vouchers. The BHA must accept referrals from the VA partner. Therefore, the BHA does not have the authority to maintain a waiting list or apply local preferences for HUD–VASH vouchers.

D. PARTICIPANT ELIGIBILITY

Eligible families are homeless veterans and their families that are referred to the BHA by the VA. Before making referrals to the BHA, VA staff screen families according to the VA's screening.

When the BHA receives a referral from the VA, the BHA may only screen the family for the criteria below:

1. Income eligibility
2. Citizenship; and
3. Subjectivity to a lifetime registration requirement under a state sex offender registration program.

E. BACKGROUND CHECK

The BHA may not screen for criminal background other than to determine if a household member is subject to a lifetime registration requirement under a state sex offender registration program.

If a family member is subject to lifetime registration under a state sex offender registration program, the remaining family members may be served if the family agrees to remove the sex offender from its family composition. If the family member subject to lifetime registration under a state sex offender registration program is the homeless veteran, the family will be denied admission to the program.

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F. SOCIAL SECURITY AND DATE OF BIRTH VERIFICATION

The BHA must accept DD-214 certificates and VA-verified Applications for Health Benefits as verification of social security numbers and birthdates. VA identification cards must be accepted as government-issued photo identification, and they can also be used to verify social security numbers and birthdates.

G. INCOME AND ELIGIBILITY

Under HUD VASH operating requirements, the Burbank Housing Authority must use up to 80% of the area median income for homeless veterans.

When determining the applicant's annual income for purposes of income eligibility, the BHA must exclude all VA service-connected benefits received by the HUD-VASH applicant in addition to the income exclusions listed under in Chapter 5 of this administrative plan. This special income exclusion only applies to the definition of annual income for purposes of determining income eligibility. VA service-connected benefits (with the exception of the normally excluded deferred VA disability payments) must still be included as annual income when calculating the family's adjusted income. In other words, the VA service-connected disability benefits are excluded for purposes of determining income eligibility but included for purposes of calculating the housing assistance payment of the participant.

BHA may not deny admission to a family with zero income. When the veteran family reports that they have zero income, the BHA must accept a self-certification of zero income from the family at admission and at reexamination without taking any additional steps to require that the family verify zero reported income. The self-certification does not need to be notarized. The BHA must verify families' income in the EIV System within 120 days after admission.

H. EXCEPTION PAYMENT STANDARD

To assist VASH participants in finding affordable housing, the BHA may establish a HUD-VASH exception payment standard. The BHA may go up to but no higher than 120 percent of the published area-wide fair market rent (FMR) or small area fair market rent (SAFMR) specifically for VASH families. Should the BHA establish a VASH exception payment standard over 120 percent, the BHA must request a waiver from HUD.

VASH participants not residing in a subsidized unit will receive the HUD approved Exception Payment Standard for a Zero, One, Two- and Three-Bedroom Voucher. This Exception Payment Standard may be applied at interim reexaminations.

I. VOUCHER SEARCH TERM AND LEASING

Families issued a HUD-VASH voucher:

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1. must be given a minimum of 120 days to search for a unit.
2. may enter into an initial lease with an owner for less than 12 months.
3. may live on the grounds of a VAMC in units owned by the VA.

BHA may pre-inspect units that veterans may be interested in leasing. If a family selects a unit that passed an HQS inspection (without intervening occupancy) within 90 days of the date of the Request for Tenancy Approval, the unit may be approved.

J. CASE MANAGEMENT

Veterans must agree to participate in case management in order to receive a HUD-VASH voucher. HUD-VASH voucher assistance must be terminated if the family refuses, without good cause, to participate in required case management as verified by the VA.

However, the VA determination that case management is no longer needed is not grounds for termination of assistance. In such cases, a family may be offered a regular voucher to free up the HUD-VASH voucher, or they may keep their HUD-VASH voucher.

K. CHANGE IN FAMILY COMPOSITION

When new family members are added after the veteran is a participant, regular BHA eligibility criteria apply. Other than the birth, adoption or court-awarded custody of a child, the addition of any other family member must be approved by the BHA in accordance with the BHA's administrative plan.

L. VOUCHER REASSIGNMENT UPON FAMILY BREAK-UP

Because the HUD-VASH program is targeted to provide housing to homeless veterans, in most cases of family break-up, the voucher must remain with the veteran.

The major exception to this rule is if a veteran's family member is receiving protection as a victim of domestic violence, dating violence, stalking or sexual assault and the veteran is the perpetrator of such violence, the victim must continue to be assisted. Upon termination of a veteran-perpetrator's HUD-VASH voucher due to the veteran-perpetrator's acts of domestic violence, dating violence, stalking, or sexual assault, the victim receiving VAWA protections may be given a regular HCV if one is available, and the perpetrator's HUD-VASH voucher can be used to serve another eligible veteran family. If a regular HCV is not available for the victim, the victim will continue to utilize the HUD-VASH voucher and the perpetrator must be removed from the household. In the case of the victim utilizing the HUD-VASH voucher upon termination of the perpetrator, the HUD-VASH voucher must be issued to another eligible veteran family upon the voucher's turnover.

If the veteran dies or is incarcerated, the voucher remains with the remaining members of the tenant family. The BHA may use one of its own HCVs to continue assisting this

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family and free up a voucher for another HUD-VASH eligible family. If an HCV is not available, the family will continue utilizing the HUD-VASH voucher. Once the HUD-VASH voucher turns over, however, it must go to a homeless veteran family.

M. PORTABILITY

In order to ensure that participants can continue to receive case management, there are additional guidelines related to portability for HUD-VASH. Families will be limited to moving to jurisdictions where VAMC or CBOC case management services are available if case management is still required. The BHA will consult with the initial VA facility prior to approving any move.

The additional guidelines for portability associated with the HUD-VASH program are described below:

1. *With Case Management and Within Initial VAMC's Catchment Area*: A HUD-VASH family can move within the VAMC's catchment area as long as case management can still be provided, as determined by the VA. If the receiving PHA does not have a HUD-VASH program, the receiving PHA must bill the BHA. If the receiving PHA does have a HUD-VASH program, they may absorb the family if they choose.
2. *With Case Management and Outside Initial VAMC's Catchment Area*: A HUD-VASH family can move if the referring VAMC confirms that the new VAMC has an available case management slot. The receiving PHA must have a HUD-VASH program and the HUD-VASH family must be absorbed.
3. *Case Management is No Longer Required*: If a HUD-VASH family wishes to move under portability and the veteran no longer requires case management, the family can move to a community where case management is not provided. The receiving PHA does not need to be a HUD-VASH PHA, and the receiving PHA may choose to bill the BHA or absorb the veteran with a regular voucher.

N. VOUCHER TURNOVER

HUD-VASH vouchers must be issued to eligible veteran families as identified by the VA upon turnover.

O. PROJECT BASING HUD-VASH VOUCHER

BHA must operate HUD-VASH PBVs under the regulations for the PBV except in cases where the VASH operating requirements supersede these regulations, such as regulations referring to admissions and waiting lists.

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General Requirements

The BHA may project-base HUD-VASH vouchers in projects alongside other PBV units and may execute a single HAP contract covering both the HUD-VASH PBVs and the other PBVs. However, the contract rents may not be different based on whether the unit is a HUD-VASH PBV unit or a non-HUD-VASH PBV unit.

Project Cap

All units exclusively made available to HUD-VASH families in a PBV project are exempted from the PBV income-mixing requirements (project cap).

Program Cap

HUD-VASH units made available under a competitive PIH notice for HUD-VASH PBV units are excluded from the PBV percentage limitation (program cap). All other HUD-VASH vouchers that the PHA opts to project-base, are still subject to the PBV program cap.

Termination from PBV due to failure to participate in case management:

Upon notification by the VA of the family's failure to participate in VA-required case management, the BHA must provide the family a 30/60/90 days to vacate the unit. The PHA must terminate assistance to the family at the earlier of:

(1) the time the family vacates or

(2) the expiration of the reasonable period given to vacate.

If the family fails to vacate the unit within the established time, the owner may evict the family. If the owner does not evict the family, the BHA must remove the unit from the HAP contract or amend the HAP contract to substitute a different unit in the project if the project is partially assisted.

Voluntary Moves from PBV:

If a HUD-VASH family is eligible to move from its PBV unit and there is no HUD-VASH tenant-based voucher available at the time the family requests to move, a family that still requires case management must wait for a HUD-VASH tenant-based voucher for a period not to exceed 180 days.

If a HUD-VASH tenant-based voucher is still not available after that period, the family must be allowed to move using its HUD-VASH voucher as tenant-based assistance. The BHA may allow the family to move using its HUD-VASH voucher as tenant-based assistance without having to meet this 180-day waiting period. The BHA may either amend the PBV HAP contract to replace the assistance in the PBV unit with one of its regular vouchers if the unit is eligible for a regular PBV or the BHA and owner may agree to temporarily remove the unit from the HAP contract. If a HUD-VASH veteran has been

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determined to no longer require case management, the BHA must allow the family to move with the first available tenant-based voucher if no HUD-VASH voucher is immediately available and cannot require the family to wait for a HUD-VASH voucher to become available.

Cases of a wrong-size PBV unit or a PBV unit with accessibility features that the family no longer requires.

If the BHA determines that a HUD-VASH family is occupying a wrong-size PBV unit or a PBV unit with accessibility features that the family does not require and the PBV unit is needed by a family that requires the accessibility features, the PHA must notify the family and the owner within 30 days of the BHA's determination. HUD applies an alternative requirement for HUD-VASH PBV units Specifically, the BHA's offer of continued housing assistance (that must be made within 60 days of the BHA's determination) must be in the form of either a HUD-VASH tenant-based voucher or another HUD-VASH PBV unit. If no HUD-VASH assistance is available for the BHA to offer within 60 days of the BHA's determination, the BHA must remove the wrong-sized or accessible unit from the HAP contract to make HUD-VASH voucher assistance available to issue the family a tenant-based HUD-VASH voucher. The required provision of tenant-based assistance requires that the family may elect to use its tenant-based assistance to remain in the same project when a PBV HAP contract terminates or expires, does not apply to families issued a HUD-VASH tenant-based voucher under this circumstance. The BHA may use another voucher to add the unit removed under this alternative requirement to the HAP contract after the family vacates the property.

Redesignation of unit

With VAMC approval, the BHA and owner may agree to amend a PBV HAP contract to re-designate a regular PBV unit as a unit specifically designated for HUD-VASH families. The BHA and owner may also agree to amend a PBV HAP contract to re-designate a unit designated for HUD-VASH families as a regular PBV unit, only if the unit is not funded through a HUD-VASH PBV set-aside award.

Zero- HAP admission

The BHA may select a unit occupied by a “zero-HAP” VASH eligible family or admit a “zero-HAP” VASH family to a unit if the PBV project is either on the grounds of a VA facility or there are VASH supportive services provided on-site at the project. During any period that the family's TTP falls below the gross rent, normal PBV requirements apply.

PART 2
FOSTER YOUTH TO INDEPENDENCE INITIATIVE

The Foster Youth to Independence (FYI) initiative makes HCV assistance available to

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PHAs in partnership with Public Child Welfare Agencies (PCWAs). Under FYI, PHAs provide housing assistance on behalf of eligible youth with a history of child welfare involvement that are homeless or at risk of being homeless. Eligible households receive rental assistance and supportive services for a period of 36 months. Youth may receive up to an additional 24 months of rental assistance if they meet certain requirements.

A. PUBLIC CHILD WELFARE AGENCY (PCWA) [Notice PIH 2023-04]

The BHA must enter into a partnership agreement with a PCWA in the BHA's jurisdiction in the form of a Memorandum of Understanding (MOU).

The partnering PCWA must meet the following requirements:

1. Identify FYI-eligible youth: The PCWA must have a system for identifying eligible youth within the agency's caseload and for reviewing third party referrals.
2. System of Prioritization: the PCWA must have a system of prioritization based on the level of need of the youth and the appropriateness of intervention.
3. Written Certification: The PCWA must provide written certification to the BHA that a youth is eligible.
4. Supportive Services: The PCWA must provide or secure supportive services that are required to be offered.

The BHA has partnered with the Los Angeles County Department of Child and Family Services (DCFS) to implement the Foster Youth to Independence (FYI) program.

B. SUPPORTIVE SERVICES [Notice PIH 2023-04]

The PCWA must provide or secure a commitment to provide supportive services for participating youth for a minimum of 36 months. At a minimum, the following supportive services must be offered:

1. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services).
2. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook- up fees, and utility deposits.
3. Providing such assurances to owners of rental property as are reasonable and necessary to assist eligible youth to rent a unit with a voucher.
4. Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.)
5. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED) or attendance/financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

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C. FYI ELIGIBILITY [Notice PIH 2023-04]

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. As determined by the PCWA, eligible youth:

1. Are at least 18 years of age and not more than 24 years of age (have not yet reached their 25th birthday).
2. Have left foster care or will leave foster care within ~~90~~ 180 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act.
3. Are homeless or at risk of becoming homeless at age 16 and older.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance assuming they otherwise meet eligibility requirements.

D. WAITING LIST ADMINISTRATION

Once the BHA receives the referral from the PCWA certifying the youth is eligible for the FYI program, the BHA must compare the list of referrals to its HCV waiting list to determine if any of the referrals are already on the BHA's HCV waiting list. PCWA referrals on the BHA's HCV waiting must be assisted in order of their position on the HCV waiting. Any referrals not on the HCV waiting list must be placed on the BHA's HCV waiting list. If the BHA has a closed HCV waiting list, it must reopen the waiting list and place the FYI eligible applicants on the waiting list. The BHA may reopen the waiting list to accept an FYI eligible youth without opening the waiting list for other applicants; however, the requirements at 24 CFR 982.206 for giving public notice when opening and closing the waiting list apply.
The BHA selects eligible youths based on the BHA's regular HCV waiting list selection policies. However, per federal regulation, the BHA may not apply any residence preference to FYI voucher applicants. ~~See~~ See chapters 3 and 4 for HCV waiting list policies.

E. HCV ELIGIBILITY DETERMINATION

Once the BHA selects an eligible youth from the HCV waiting list, the BHA must determine that the referral meets HCV program eligibility requirements. Applicants must be eligible under both FYI and HCV eligibility requirements. See chapter 2 for HCV eligibility requirements.

F. LEASE UP

The youth will be issued an FYI voucher once HCV eligibility has been determined.

The following must be discussed during the FYI voucher briefing:

1. The extension of assistance provisions and requirements.
2. The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list.

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3. The supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FYI assistance.
4. All other required briefing session information described in Chapter 8 Section B.

During the briefing session, the applicant will be issued a Voucher with a term of 120 calendar days. A youth may request an extension of the Voucher for an additional 90 calendar days. The BHA must approve the extension request, whether written or oral, if it the request is made on or prior to the expiration date of the Voucher. For households with a person with a disability, an extension of 60 calendar days, in addition to the 90 calendar days, will be granted upon request as a reasonable accommodation.

The BHA will issue the applicant a notice, a minimum of 30 calendar days prior to the initial term expiration, to remind them of about the term expiration date and the process for requesting an extension of the initial term, and to inquire if the applicant is in need of assistance with their housing search.

All other processes related to voucher issuance and administration follow HCV program regulations. See chapter 8 for Voucher Issuance information.

The youth may not be 25 before the HAP contract has been executed. Should a youth fail to use the voucher, the BHA may issue the voucher to another eligible youth if one has been identified.

Turnover Vouchers

When the recipient of the FYI voucher leaves the program, the BHA must continue to use the FYI voucher for eligible youth upon turnover. If another eligible youth is not available, the BHA must notify HUD, and HUD will reduce the BHA's HCV assistance to account for the removal of the FYI assistance from the BHA's HCV baseline.

G. LENGTH OF ASSISTANCE [FR Notice 1/24/22]

As required by statute, an FYI voucher may only be used to provide housing assistance for youth for a maximum of 36 months. However, youth may receive an extension of the 36-month time limit of assistance for up to an additional 24 months if the youth is:

1. Participating in a Family Self-Sufficiency (FSS) program
2. Engaged in education, workforce development, or employment activities for at least 9 months of the 12-month period preceding the extension, if the youth was unable to enroll in an FSS program.
3. Eligible for one of three statutory exceptions

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Extension of Assistance for FSS Enrollment prior to 36 Months

To receive the 24-month extension of voucher assistance, a FYI youth must enroll in the FSS program during their first 36 months of assistance (unless the youth meets one of the statutory exceptions described later in this section). If the BHA is unable to offer a FYI youth an FSS slot during their first 36 months of rental assistance, the youth is considered to have been "unable to enroll" in the program and may have their voucher extended by meeting the education, workforce development, or employment requirements, described later in this section.

The BHA must inform the FYI youth of the availability of the FSS program at the time the voucher is issued and offer them an FSS slot, if available, or offer to place them on the FSS waiting list.

Extension of Assistance for FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark the BHA must offer the slot to a FYI voucher participant who had their voucher extended based on other eligible criteria .The BHA must work with the FYI voucher holder to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the FYI voucher holder is engaged in and any statutory exceptions that apply to the FYI voucher holder, as well as the remaining time on their FYI voucher.

If the FYI voucher holder accepts the FSS slot, the BHA must work with them to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the period left on their FYI voucher. If the youth does not accept the FSS slot, the youth must meet one of the statutory exceptions or the education, workforce development, or employment requirement to receive an extension of rental assistance at the end of the 48 months.

Extension of Assistance for Youth Engaging in Education, Workforce Development, or Employment Activities

If the FYI youth has been unable to enroll in the FSS program during the first 36 months of receiving FYI assistance, the FYI voucher holder is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit. Extensions will be granted provided that the FYI voucher holder engaged in at least one of the education, workforce development, or employment activities described below for a minimum of nine months of the 12-month period preceding each extension.

To meet the nine months out of the preceding 12 months requirement, the FYI voucher holder may have engaged in one of the education, workforce development, or employment activities described below or a combination of these activities.

The education, workforce development, or employment criteria are as follows:

1. The FYI voucher holder was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized

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equivalent, as defined by the U.S. Department of Labor

2. The FYI voucher holder was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

    - The BHA requires that the FYI voucher holder must be enrolled on at least a half-time basis, as defined by the institution which they attend.

3. The FYI voucher holder was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

4. The FYI voucher holder was employed.

    - The BHA requires that the FYI voucher holder must be working at least 20 hours a week.

The BHA will remind the FYI voucher holder at their second regular reexam of the education, workforce development, and employment requirements described above if the youth was not provided with the opportunity to enroll in the FSS program during the first 24 months of FYI assistance.

The BHA will send FYI participants a notice on how to demonstrate that they meet one of the conditions described above prior to the 36-month or 48-month recertification period.

Due to the timing of when the BHA verifies compliance and conducts the annual reexamination, the FYI youth may have not yet met the 9-month requirement but may be able to demonstrate that they will meet the 9-month requirement as of the end of the 36-month or 48-month period. In such cases, the FYI youth will still be considered to have met the requirements. The BHA will then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the BHA must provide the FYI youth the extension of voucher assistance.

Statutory Exceptions

FYI voucher holders will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the BHA's FSS program or engaging in one of the education, workforce development, or employment activities if they certify that they meet one of the exceptions below:

1. The FYI voucher holder is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

    - The BHA defines an incapacitated person as a person under the age of eighteen years, or an adult individual who is unable to provide food, clothing, or shelter.

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2. The FYI voucher holder is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

3. The FYI voucher holder is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

- The BHA defines a medical condition as a specific health issue or illness that can be diagnosed by healthcare providers based on symptoms, medication use, or diagnostic testing.

The BHA will require a self-certification from the youth prior to the 36 month and 48 moth annual reexamination to verify that the youth meet one of the exceptions.

If the BHA determines that the youth meets one of the statutory conditions described above, the BHA will then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the BHA must provide the FYI youth the extension of voucher assistance.

H. TERMINATION OF ASSISTANCE

Failure of the FYI voucher holder to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FYI assistance prior to the annual reexam.

Termination of a FYI voucher is handled in the same way as with any HCV; therefore, termination of a FYI voucher must be consistent with HCV regulations at 24 CFR Part 982, Subpart L and BHA policies in Chapter 11.

Prior to termination, the BHA must offer the FYI voucher holder the opportunity to request an informal hearing, in accordance with Chapter 11.

Vouchers are limited by statute to a total of between 36 months and 60 months of housing assistance. At the end of the statutory period, assistance must be terminated. However, any period for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the limitation.

The FYI participant's rental assistance may not be terminated if they decline supportive services.

The BHA may not transfer the assistance of FYI voucher holders to regular HCV assistance upon the expiration of the limit on assistance. It is also not permissible to reissue another FYI to the same youth upon expiration of their FYI assistance.

I. PORTABILITY

Portability for an FYI youth is handled in the same way as for a regular HCV family. The BHA may not restrict or deny portability for an FYI youth for reasons other than those specified in the HCV program regulations.

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An FYI youth does not have to port to a jurisdiction that administers FYI vouchers.

If the receiving PHA absorbs the voucher, the receiving PHA may absorb the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of an FYI voucher.

The BHA and receiving PHA must work together to initiate termination of assistance upon expiration of the time limit on assistance if the receiving PHA does not absorb the youth into its regular HCV program.

J. PROJECT-BASING FYI VOUCHERS

The BHA may project-base certain FYI vouchers without HUD approval in accordance with all applicable PBV regulations and BHA policies in Chapter 18.

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GLOSSARY

ABATEMENT. The suspension of Housing Assistance Payments to the owner due to HQS noncompliance, until deficiencies are corrected and the unit passes inspection.

ADMINISTRATIVE PLAN. The HUD required written policy of the Housing Authority governing its administration of the Section 8 Program.

ABSORPTION. In portability, the point at which a receiving Housing Authority stops billing the initial Housing Authority for assistance on behalf of a household that is exercising portability.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A grant agreement between HUD and the Housing Authority which establishes the basic terms and conditions for the Housing Authority's public housing program.

ADJUSTED INCOME. Annual income minus allowable deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the Housing Authority for administration of the Section 8 Program.

ADMINISTRATIVE FEE RESERVE. Account established by the Housing Authority from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first Housing Assistance Payments contract on behalf of the very low-income household. This is the point when the applicant becomes a participant in the Program.

ANNUAL BUDGET AUTHORITY. The maximum annual amount of funds that HUD has allocated for each funding increment allocated to an individual Housing Authority.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) minus the allowances.

APPLICANT. A person or family that has applied for admission to the Section 8 Program but is not yet a participant in the program.

APPLICANT WAITING LIST. A list of Section 8 Program applicants that is organized by preference categories.

ASSETS. Value of equity in savings accounts, checking accounts, retirement accounts, real property, stocks, bonds, and other forms of capital investment.

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CHILD CARE EXPENSES. Amounts paid by the household for the care of minors under 13 years of age where such care is necessary to enable a household member to be employed or to attend school.

CITIZEN. A citizen or national of the United States.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. A written contract between HUD and the Housing Authority where HUD agrees to provide funding for operation of the Section 8 Program and the Housing Authority agrees to comply with all Program requirements.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the household is already receiving assistance under any 1937 Housing Act program when the household is admitted to the Section 8 Program.

DAY LABORER. An individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future.

DEPENDENT. A member of the family (which excludes foster children and foster adults) other than the family head or spouse who is under 18 years of age, or is a person with a disability, or is a full-time student.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled household members which enable a household member, including the disabled member, to work.

DISABLED PERSON. A person who is any of the following:
A person who has a disability as defined in section 223 of the Social Security Act.
A person who has a physical, mental, or emotional impairment that:

a. Is expected to be of long-continued and indefinite duration;
b. Substantially impedes his or her ability to live independently; and
c. Requires more suitable housing for independent living.

A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7).

DISABLED FAMILY. A family or household where the head or spouse meet any of the above criteria for disabled person.

DISPLACED PERSON. A person or household displaced by governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMESTIC VIOLENCE. Encompasses felony or misdemeanor crimes committed by a current or former spouse or intimate partner. It includes physical abuse, sexual abuse, or

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any pattern of coercive behaviors such as verbal, psychological, economic, or technological abuse, even if these behaviors are not criminal.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802).

EARNED INCOME. Income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payments (meaning payments made or income received in which no goods or services are being paid for, such as welfare, social security, and governmental subsidies for certain benefits), or any cash or in-kind benefits.

ECONOMIC ABUSE. In the context of domestic violence, dating violence, and abuse in later life, refers to controlling or manipulative behaviors that limit a person's access to or control over their economic resources. This includes actions such as:

1. Restricting access to money, assets, credit, or financial information.
2. Unfairly using someone else's financial resources for personal gain.
3. Exerting undue influence over financial decisions, such as forcing defaults on financial obligations or exploiting legal powers like powers of attorney, guardianship, or conservatorship.

ELDERLY FAMILY. A family or household whose head or spouse or whose sole member is at least 62 years of age; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and well-being.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

EXCEPTED UNITS OR HOUSING EXEMPTION. Units in a multifamily building that are specifically made available for qualifying families who are elderly, disabled, or a family receiving supportive services.

EXCEPTION PAYMENT STANDARD. As a reasonable accommodation, a PHA may approve a payment standard amount up to 120 percent of the published fair market rent (FMR) if its payment standards are set below 110 percent of the FMR. Such higher payment standards must be requested by the family and subsequently approved, as necessary, by the PHA after a family with a disabled person or an individual person with disabilities locates a unit. An exception payment standard exceeding 120 percent of the FMR will require HUD approval.

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EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled households in excess of 3% of Annual Income which are not reimbursable from any other source.

FAIR MARKET RENT. The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of a modest, non-luxury nature with suitable amenities. Fair market rents for existing housing are established by HUD according to bedroom size.

FAMILY. A person or group of persons, regardless of actual or perceived sexual orientation, gender identity or marital status, as defined in 24 CFR 5.403. Family does not include live-in aides or foster children/adults. Family size is used to calculate subsidies and payments.

FAMILY COMPOSITION. A family may be as single person, or a group of persons as defined in 24 CFR 982.201(c).

FAMILY OBLIGATIONS. Specific requirements that the participant must meet in order to remain eligible for the Section 8 Program as described in 24 CFR 982.551. These obligations include providing complete and truthful information and abiding by the lease and the lease addendum. The Family Obligations are clearly stated on the Voucher.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS). The component of the Section 8 Program where the participants enter into a Contract of Participation whereby, they agree to meet certain goals to become financially self-sufficient.

FEDERAL PREFERENCE. A preference under federal law for admission of applicant families that are any of the following:

a. Involuntarily displaced; or
b. Living in substandard housing (including the homeless); or
c. Paying more than 50 percent of household income for rent.

FOSTER ADULT. A member of the household who is 18 years of age or older and meets the definition of a foster adult under State law. In general, a foster adult is a person who is 18 years of age or older, is unable to live independently due to a debilitating physical or mental condition and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

FOSTER CHILD. A member of the household who meets the definition of a foster child under State law. In general, a foster child is placed with the family by an authorized placement agency (*e.g.,* public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction

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FOSTER CHILD CARE PAYMENT. Payment to eligible households by State, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school as well as an institution offering a college degree. A person pursuing full-time vocational training is considered a full-time student.

GROSS ANNUAL INCOME. The anticipated total Annual Income of an eligible applicant family and participant household from all sources for the 12-month period following the date of determination of income.

GROSS RENT. The sum of the rent charged and the utility allowance.

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HEALTH AND MEDICAL CARE EXPENSES. Health and medical care expenses are any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.

HOMELESS. As defined under SEC. 103. [42 USC 11302], the term “homeless”, means— (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence; (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. These households must be determined and referred to the Section 8 Program by qualified service providers.

HOUSEHOLD. The assisted family and the PHA-approved members who live in the unit including foster children/adults and live-in aides. Household members are used to determine unit size.

HOUSING ASSISTANCE PAYMENT. The monthly Section 8 payment paid directly to the landlord from the Housing Authority.

HOUSING ASSISTANCE PAYMENTS CONTRACT. A written contract between the Housing Authority and an owner in the form prescribed by HUD headquarters, in which the Housing Authority agrees to make monthly housing assistance payments to the owner on behalf of a Program participant.

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HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the section 8 Program.

HUD. The United States Department of Housing and Urban Development.

HUD REQUIREMENTS. The federal requirements for the Section 8 Program which are issued by HUD headquarters in Washington D.C. and are published in the Code of Federal Regulations, the Federal Register, HUD notices or other binding program directives.

IMPUTED INTEREST INCOME. When an asset does not have an established interest rate, the savings account passbook interest is applied to impute the annual earnings of the asset. This calculation is used when assets exceed $5,000.

INCOME. The amount of money coming into the applicant family or participant household from all sources for each member.

INDEPENDENT CONTRACTOR. An individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to the Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.

INFORMAL HEARING. The appeal procedure for Section 8 participants who have their assistance terminated. The Informal Hearing is conducted by an outside hearing officer from the Los Angeles County Bar Dispute Resolution Board.

INFORMAL REVIEW. The appeal procedure for applicants who are denied participation in the Section 8 Program due to ineligibility or failure to cooperate. The Informal Review is conducted by the Housing Authority Manager or his/her designee.

INITIAL HOUSING AUTHORITY. In portability, the term refers to the Housing Authority that issues the Voucher that is used by the participant exercising portability.

INS. The United States Immigration and Naturalization Service.

INVOLUNTARILY DISPLACED PERSON. Households are considered involuntarily displaced when they must move out of their units due to circumstances beyond their control.

The specific causes are listed in 24 CFR 5.420 and include:

a. A disaster (fire, flood, earthquake, etc.) has caused the unit to be uninhabitable;

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b. Federal, State or local government action related to code enforcement, public improvement or development;
c. Actions by the landlord, except rent increases, which are beyond the applicant's control;
d. Actual or threatened physical violence;
e. Participation in the Witness Protection Program;
f. Hate crimes;
g. Non-suitability of unit due to disability;
h. HUD disposition of a multi-family project under Section 203 of the Housing and Community Development Amendments of 1978.

JURISDICTION. The area in which the Housing Authority has authority under State and local law to administer the program.

LANDLORD. This term refers to either the owner of the property or his/her representative or the managing agent or his/her representative, as designated by the owner.

LEASE. A written agreement between an owner and a tenant for the rental of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by the tenant.

LEASE ADDENDUM. This is a document written by HUD which specifies certain Section 8 Program requirements.

LIVE-IN AIDE. A person who resides with an elderly or disabled person and who:
a. Is determined to be essential to the care and well-being of the person.
b. Is not obligated for the support of the person.
c. Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the Housing Authority to select among applicant families without regard to their federal preference status.

LOW-INCOME FAMILY. A family or household whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for household size.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance. A deduction for elderly households only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of annual income.

MINOR. A member of the household (excluding foster children) other than the head of household or spouse who is under 18 years of age.

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MIXED FAMILY. A family or household with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3).

MONTHLY ADJUSTED INCOME. One-twelfth of annual income minus allowances.

MONTHLY GROSS INCOME. One-twelfth of the gross annual income.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NET FAMILY ASSETS. The net cash value of all assets owned by the family, after deducting reasonable costs that would be incurred in disposing real property, savings, stocks, bonds, and other forms of capital investment.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. Standards established by the Housing Authority to determine the appropriate number of bedrooms for households of different sizes and compositions.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A household that has been admitted to the Section 8 Program. The applicant becomes a participant on the effective date of the Housing Assistance Payments contract.

PASSBOOK RATE. A HUD established minimum interest rate used to calculate income from a household's savings or assets.

PAYMENT STANDARD. The maximum subsidy payment according to bedroom size shown on the Voucher.

PEER-TO-PEER. A payment application *(e.g., Apple Pay, Venmo, Cash App, Pay Pal, Zelle, etc.)* can receive funds from anyone, including employers and buyers of goods. The Peer-to-Peer payment app can be used to receive income or hold assets *(money)*.

PERMANENT SUPPORTIVE HOUSING (FORMERLY SHELTER PLUS CARE). Is designed to provide housing and supportive services on a long-term basis for persons who meet the definition of homelessness as defined under 24 CFR 91.5, and are provided access to support services needed in order to remain housed.

PERSONS WITH DISABILITIES. Individuals with any condition or characteristic that renders a person an individual with a disability as defined in 24 CFR 8.2.

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PERSONALLY IDENTIFIABLE INFORMATION (PII). Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the Housing Authority that issued the Voucher.

PROJECT BASED VOUCHERS (PBV). A component of a public housing agency's Housing Choice Voucher program. The PHA uses its tenant-based voucher funding to allocate project-based units to a project.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market and for comparable unassisted units in the same building.

RECEIVING HOUSING AUTHORITY. In portability, the Housing Authority that accepts a Voucher that was issued by another Housing Authority.

RECERTIFICATION. The annual process of securing documentation of total household income used to determine the tenant portion of the rent for the next 12 months.

REMAINING MEMBER OF TENANT HOUSEHOLD. Person left in assisted housing after all of the other household members have vacated the unit.

SEASONAL WORKER. An individual who is hired into a short-term position and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the particular employer or industry.

SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION (SPII). Personally Identifiable Information (PII) that when lost, compromised or disclosed without authorization could substantially harm an individual. Examples of sensitive PII include social security or driver's license numbers, medical records, and financial account number such as credit or debit card numbers.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the Section 8 waiting list or without considering the applicant's waiting list position.

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SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for Single Room Occupancy housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPECIAL PURPOSE VOUCHER. A specific type of HCV program administered by the BHA that provides rental assistance resources to specific populations to support the community's plan to end homelessness.

SPOUSE. The husband or wife of the head of the household.

SUBSIDY STANDARDS. Standards established by the Housing Authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD HOUSING. Unpermitted structures as designated by a government official in the course and scope of their official duties such as a code enforcement officer or building inspector.

SUSPENSIONS. Stopping the clock on the term of a family's voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval (RTA) to lease a unit, until the time when the PHA approves or denies the request. This practice is also called "tolling".

TECHNOLOGICAL ABUSE. Refers to harmful behaviors within domestic violence, sexual assault, dating violence, or stalking that involve the use of technology. This includes actions like threatening, controlling, harassing, exploiting, or monitoring someone through devices like computers, mobile phones, cameras, apps, or location tracking tools, with the intent to cause harm or exert power over the victim.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNEARNED INCOME. Any annual income, as calculated under Chapter 5, that is not earned income.

UNIT. Residential space for the private use of a household.

UTILITIES. Utilities include water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

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VERY LOW-INCOME FAMILY. A family or household with an annual income below 50% of the median income for the area, as determined by HUD, with adjustments for household size.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released there from under conditions other than dishonorable.

VETERAN FAMILY. A family or household of a veteran or service person occurs in situations where:

a. The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a household member at the time of death.
b. The veteran or service person, unless deceased, is living in the household or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the household contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a household member at the time of hospitalization.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER. The document issued to an eligible applicant/participant by the Housing Authority to show that the person is eligible for the Section 8 Program.

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BURBANK HOUSING AUTHORITY

SECTION 8 PROGRAM ADMINISTRATIVE PLAN

PROPOSED CHANGES

FEBRUARY 2026

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CHAPTER 1

STATEMENT OF POLICIES AND OBJECTIVES

INTRODUCTION

The Section 8 Program was enacted as part of the Housing and Community Development Act of 1974, which recodified the U. S. Housing Act of 1937. On October 21, 1998, the Quality Housing and Work Responsibility of Act of 1998 was signed into law which substantially changed the Section 8 Program. In the past there had been two forms of assistance, namely Certificates and Vouchers, but this new Act combined the two into the new Housing Choice Voucher Program. This Administrative Plan implements those changes. Administration of the Section 8 Program and the functions and responsibilities of the Burbank Housing Authority staff shall be in compliance with the City of Burbank's Personnel Policy and the U. S. Department of Housing and Urban Development's (HUD) Section 8 Regulations, as well as all applicable federal and state laws.

The funding source for the Section 8 Program is an Annual Contributions Contract between the Burbank Housing Authority and the U. S. Department of Housing and Urban Development. The federal funds come directly to the Burbank Housing Authority and are used for Program implementation and administration. The Section 8 Program is self-supporting from the federal government and does not use local funds.

A. PROGRAM DESCRIPTION

The Section 8 Program is a federally funded rental assistance program where the Burbank Housing Authority makes rent payments to private landlords every month on behalf of very low-income tenant households. The U. S. Department of Housing and Urban Development enters an Annual Contributions Contract with the Housing Authority to pay a certain amount of money every year to administer the Program. The contract specifies the amount of money that will be received and the number of households that can be assisted. When the maximum number is reached, the Program is considered full and someone must leave the Program in order to allow a new person to participate.

When the Section 8 Program is open for new applications, an interested person can fill out an application and submit it directly to the Burbank Housing Authority. The applicant name is placed on the Applicant Waiting List and when the name is selected as outlined later in this Administrative Plan, the person is called to the office for an interview. In order to qualify for the Program, the income for the applicant family must be below 50% of median for Los Angeles County (new income limits are utilized as soon as they are available). Income is verified by the Housing Authority and new participants must be U. S. citizens or legal immigrants to qualify for assistance. After the tenant is determined eligible, a Section 8 Voucher is issued which gives the tenant 120 days to locate a suitable rental unit. The tenant may elect to stay in his/her current rental unit, if the landlord agrees

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to participate in the Program, or the tenant may locate a unit anywhere in the United States. The Voucher specifies a certain dollar amount that the Housing Authority will pay directly to the landlord on behalf of the tenant each month. The Section 8 Housing Choice Voucher Program is designed to give the tenant freedom and flexibility to choose a place to live.

The unit selected may be a house or an apartment, and it must be decent, safe, and sanitary. The rent must be reasonable compared to similar units that are not on the Section 8 Program. Every year the unit will be inspected by the Housing Authority to verify the condition. In addition, the income of the tenant household will be verified annually, and eligible tenants may remain on the Program indefinitely.

B. HISTORY OF THE BURBANK HOUSING AUTHORITY

The creation of the Burbank Housing Authority was authorized by Resolution 17,164, which was passed by the Burbank City Council on June 17, 1975, in accordance with Section 34240 of the Health and Safety Code of the State of California. The Burbank City Council also passed Resolution 17,165 on June 17, 1975, which declared that the City Council members would serve as the Commissioners of the Housing Authority in accordance with Section 34290(a) of the Health and Safety Code of the State of California. The by-laws for the Burbank Housing Authority were adopted on July 1, 1975, by Housing Authority Resolution H-4.

The initial allocation of funding for the Section 8 Program in 1975 was $92,000 for a total program size of 40 Certificates. Over the years, the Section 8 Program has increased in various funding increments to a total of 1,014 Certificates and Vouchers. Each year, as funding for the program is received, staff will provide an annual update to the Housing Authority Board on voucher utilization. In 1992, the Burbank Housing Authority started participating in the Family Self-Sufficiency component of the Section 8 Program which provides incentives to families to become financially independent. The Family Self-Sufficiency Program will be discussed in Chapter 14.

The jurisdiction of the Burbank Housing Authority is the City of Burbank; however, tenants are able to take their Section 8 assistance with them to other parts of the country. The Burbank Housing Authority works cooperatively with other Housing Authorities to transfer tenants when requested. This ability to move from one jurisdiction to another is called portability and will be discussed in Chapter 8.

C. PROGRAM GOALS AND OBJECTIVES [24 CFR 982.1]

The goal of the Burbank Housing Authority is to assist the most needy and vulnerable applicants in the City of Burbank such as those applicants that pay a disproportionate share of their income on rent. The Section 8 Program aims to provide affordable housing to those existing, very low-income applicants by implementing the Section 8 Program, the

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Burbank Housing Authority is able to take existing units in the private rental market and make them affordable to existing, very low-income applicant families (defined in Chapter 2). The Burbank Housing Authority has a commitment to provide the highest level of service to assist the greatest number of people possible while staying within the available funding. This commitment to the highest level of service will be supported by use of administrative fee reserve funds when necessary. It is the policy of the Burbank Housing Authority to achieve and maintain full lease-up of all Vouchers. The Section 8 Program is designed to achieve these major objectives:

1. To provide affordable rental housing that is decent, safe, and sanitary to existing, very low-income applicants.
2. To ensure that all units in the Program meet Housing Quality Standards and that tenants pay fair and reasonable rents.
3. To promote fair housing and the opportunity for very low-income applicants of all ethnic backgrounds to experience freedom of housing choice.
4. To promote a housing program which maintains quality service and integrity which encourages private property owners to rent to very low-income households.

D. PURPOSE OF THE PLAN [24 CFR 982.52 and 982.54]

The purpose of the Section 8 Administrative Plan is to establish policies and procedures to implement the Program in a manner consistent with HUD requirements and local objectives. Section 8 Program requirements are specified in the Code of Federal Regulations, and it is not the purpose of this Plan to restate those regulations. This Plan will describe the policies concerning the functions for which there is discretion to establish local policies and procedures. These policies will cover applicants and participants in the Section 8 Program. The Burbank Housing Authority is responsible for complying with all changes in HUD regulations pertaining to these programs. If such changes conflict with this Plan, HUD regulations will have precedence.

E. FAIR HOUSING POLICY [24 CFR 982.54(d)(6)]

It is the policy of the Burbank Housing Authority to comply fully with all applicable federal and state laws governing fair housing and equal opportunity in housing and employment. No applicant will be denied the opportunity to apply for or receive assistance under the Section 8 Program on the basis of race, color, sex, religion, creed, national or ethnic origin, and age or on the actual or perceived familial or marital status, sexual orientation, gender identity or disability.

To further its commitment to full compliance with applicable civil rights laws, the Burbank Housing Authority will provide information concerning federal and state legislation to Program participants. Such information will be made available during the initial briefing

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session and will be contained in the briefing packet. The discrimination complaint forms provided by HUD will also be included.

Tenant Outreach

The Burbank Housing Authority will publicize the availability of applications for Section 8 assistance when the size of the waiting list is not sufficient to accommodate new allocations of funding or existing Program turnover. Advertisements and articles will be placed in newspapers, such as The LA Times, The Daily News, La Opinion, The Sentinel, a local Armenian language newspaper and posted on social media. Notices will also be provided in English, Spanish and Armenian and will be placed in public places. Information concerning eligibility guidelines and Program benefits will be distributed to other service providers in the community to enable them to make client referrals for housing assistance.

Owner Outreach

The Burbank Housing Authority encourages owners of decent, safe and sanitary housing units to lease to Section 8 households. A list of available units is maintained for the Section 8 Program and is updated monthly. To ensure greater mobility and housing choice for very low-income tenants, the list contains information about available rental units that are located throughout the City of Burbank. This list is available in the Burbank Housing Authority office and can be mailed to Program participants upon request. The initial briefing packet for new participants will also include this list.

F. REASONABLE ACCOMMODATIONS POLICY [24 CFR 8.28]

The policies and practices of the Burbank Housing Authority are designed to provide equal access to services for a person with disabilities. A reasonable accommodation is an exception or adjustment made to a rule, policy, practice, or service that allows a person with a disability to have equal access to the HCV program. The Burbank Housing Authority will provide portable assisted hearing devices, sign language interpreters, and a Braille translation service, as necessary. In addition, the Burbank Housing Authority office is wheelchair accessible and informational posters are placed in such a manner as to make them easily readable from a wheelchair.

Pursuant to the federal Fair Housing Act, the Americans with Disabilities Act (ADA), and the California Fair Employment and Housing Act, the City of Burbank Housing Authority is dedicated to providing any accommodation that is reasonably necessary to afford persons with qualified disabilities an equal opportunity to participate in the Section 8 Program.

To have equal access to the HCV program, persons with qualifying disabilities may request a reasonable accommodation and shall be referred to the City of Burbank ADA

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Coordinator to participate in an interactive process with the Burbank Housing Authority, to determine what reasonable accommodation(s) may be granted.

G. ADMINISTRATIVE FEE RESERVE [24 CFR 982.155(B)]

The funding for the Section 8 Program allows the Burbank Housing Authority to earn administrative fees based on the number of units that are leased under the Program every month. There is an established HUD formula for calculating these administrative fees.

Any administrative fee reserve funds are to be used first to cover any Program expenses that are not covered by the annual earned administrative fees, but the remainder of the reserve funds may be used for other housing purposes. Any plans to spend reserve funds for purposes other than Program maintenance need to have Housing Authority Board approval.

H. TRANSLATION OF DOCUMENTS

The Burbank Housing Authority has bilingual staff to assist non-English speaking persons in Armenian and Spanish languages. The City of Burbank has the ability to provide translation services to the Housing Authority in the languages of Farsi, Arabic, Russian, Korean, Mandarin Chinese, Toisan Cantonese, Filipino Tagalog, and Spanish Tagalog upon request. Any written translation of documents will be reviewed on the basis of need and cost considerations. In determining whether it is feasible to provide translation of documents written in English into other languages, the Burbank Housing Authority will consider the number of applicants and participants who do not speak English and speak the other language. If it is determined translating a document into a different language is not feasible, Burbank Housing Authority will make other efforts to explain the information contained in such documents to applicants and participants in their language. At any time that a person not fluent in English requests an Informal Hearing, the Burbank Housing Authority will have an interpreter present at the hearing whenever possible. The interpreter will execute a statement that the tenant had all of the information explained at the time of the hearing. That document will be retained in the tenant file.

I. MANAGEMENT ASSESSMENT OBJECTIVES (SEMAP)

In an effort to monitor the performance of the housing agencies that administer the Section 8 Program, HUD has established the Section 8 Management Assessment Program (SEMAP). There are several areas of Program implementation that are included in SEMAP. Housing agencies are required to submit an annual certification that their policies and practices are in compliance with HUD standards. Every month, information concerning the Program is transmitted electronically to HUD for reporting purposes. This information gives HUD the ability to monitor performance without making a site visit. The quality control policies and practices of the Burbank Housing Authority are consistent with

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the goals and objectives of the Section 8 Management Assessment Program. The indicators that are included in this evaluation system include:

1. Selection from the Waiting List.
2. Rent Reasonableness.
3. Determination of Adjusted Income.
4. Utility Allowance Schedule
5. Quality Control Inspections for Housing Quality Standards.
6. Housing Quality Standards Enforcement.
7. Expanding Housing Opportunities.
8. Fair Market Rent/Exception Rent and Payment Standards Compliance.
9. Timeliness of Annual Recertification.
10. Correct Tenant Rent Calculations.
11. Pre-Contract Housing Quality Standards Inspections.
12. Annual Housing Quality Standards Inspections.
13. Lease-up Rate.
14. Family Self-Sufficiency Program Enrollment.
15. Percent of Family Self-Sufficiency Participants with Escrow Account Balances.

J. RECORDS MANAGEMENT

In order to demonstrate compliance with HUD regulations, the Burbank Housing Authority will maintain records, reports and other documentation for a period of three years. Effective January 1, 2011, all documents pertaining to active files will be scanned and stored electronically within the Housing Pro software system. Once scanned, all hardcopies will be stored for three years and then destroyed. The tenant file will contain the original hardcopy eligibility certification documents. Upon termination of a participant from the Program, records will be maintained for three years then destroyed.

K. THE HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT OF 2016 (HOTMA)

On July 29, 2016, The Housing Opportunity Through Modernization Act (HOTMA) was signed into law. HOTMA makes numerous amendments to Sections 3, 8, and 16 of the United States Housing Act of 1937(1937 Act), including significant changes to income calculation, net family assets, and income reviews. The rule was officially published in the Federal Register on February 14, 2023, and revises HUD regulations found in 24 CFR Part 5 and 24 CFR Part 982.

This administrative plan has been updated to comply with the following required HOTMA provisions; Use of HUD 9886-A (a HUD form), Income Exclusions, Definitions, De Minimis Errors. All remaining provisions in Section 102 and 104 will be issued at a later date per HUD guidance.

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CHAPTER 2

ELIGIBILITY FOR ADMISSION

[24 CFR Part 5, Subparts B, D & E; Part 982, Subpart E]

INTRODUCTION

This Chapter defines the criteria used to determine eligibility for admission to the Section 8 program. It is the policy of the Burbank Housing Authority to be objective and consistent in applying these criteria to evaluate the eligibility of those who apply. Only the factors described in this Chapter will be used to determine eligibility. Applicants will be provided the opportunity to explain their circumstances, to furnish additional information, and to receive an explanation of the basis for any decision made by the Burbank Housing Authority pertaining to their eligibility.

Eligibility Factors

To be eligible for participation, an applicant must: 1) meet the income guidelines as an applicant family1; 2) must provide Social Security numbers for every person listed on the application; and 3) must be a citizen of the United States or an eligible immigrant. Initial eligibility for placement on the Section 8 applicant waiting list will be made in accordance with these eligibility factors. Verification will not be obtained until the applicant is selected from the list.

A. FAMILY COMPOSITION [24 CFR 5.403, 982.201]

An applicant family includes every person listed on the application including but not limited to, the following, regardless of actual or perceived sexual orientation, gender identity or marital status. Each applicant for assistance under the Housing Choice Voucher program must meet the BHA's definition of family as described below:

(1) A single person, who may be:

(i) An elderly person, displaced person, disabled person, near-elderly person, or any other single person;

(ii) An otherwise eligible youth who has attained at least 18 years of age and not more than 24 years of age and who has 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 (42 U.S.C. 675(5)(H)), and is homeless or is at risk of becoming homeless at age 16 or older; or

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~~(1) A single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or~~

(2) A group of persons residing together, and such group includes, but is not limited to:

(i) A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family);

(ii) An elderly family;

(iii) A near-elderly family;

(iv) A disabled family;

(v) A displaced family; and

(vi) The remaining member of a tenant family.

Household

A household includes the applicant family (all the persons that applied together as described in Chapter 2), and any additional persons approved by the BHA to live (meeting residency timeframes in Chapter 5) in the assisted unit, including but not limited to: lodgers, foster children, wards of the State, care takers and live-in aides. A person living alone in a housing unit or a group of unrelated people sharing a housing unit such as partners or roommates are also counted as a household.
The various compositions of family and household include the following designations:

Head of Household

The head of household is the adult member of the household who is responsible for paying the rent. This person must have the legal capacity to enter into a lease under state or local law. Emancipated minors who qualify under state law will be recognized as the head of household.

Spouse of Head

Spouse means the husband or wife of the head of household. The term "spouse" does not apply to boyfriends, girlfriends, or significant others.

Live-in Aide

A household may include a live-in aide provided that she/he is determined by a medical doctor to be essential to the care and well-being of an elderly or disabled member of the household. The doctor must provide written verification concerning the medical need for the live-in aide and must include the hours the care will be provided. Relatives are not automatically excluded from being live-in aides. The live-in aide must not be obligated for the support of the person being cared for and would not be living in the unit except to provide care. Voucher Size Determination for a household with a Burbank Housing

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Authority approved live-in aide will follow policies outlined in Chapter 7 – Subsidy Standards.

The income of a live-in aide is not to be counted for purposes of determining eligibility. Live-in aides are not subject to Non-Citizen Rule requirements and they are not considered to be a remaining member of the household if the tenant leaves the unit. A live-in aide may only reside in the unit with the approval of the Burbank Housing Authority.

At any time, a particular individual may be disapproved as a live-in aide or previous approval maybe with drawn if:

1. The person commits fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program; or
2. The person commits drug-related criminal activity or violent criminal activity; or
3. The person currently owes rent or other amounts to the Burbank Housing Authority or to another Housing Authority in connection with Section 8 or public housing assistance under the 1937 Act.

Split Households Prior to Voucher Issuance

When an applicant family or household on the Section 8 applicant waiting list splits into two otherwise eligible households, the members of the family/household must decide which component will remain on the Section 8 Applicant Waiting List. It is not a decision to be made by the Housing Authority.

Income of Applicant Family Members

The incomes of all members of the applicant family, listed on the application, will be taken into consideration to determine eligibility for the Section 8 Program. Applicant family members cannot exclude themselves from consideration.

Joint Custody of Children

Children who are subject to a joint custody agreement and live with the parent who is applying for the Section 8 Program at least 51% of the time, will be considered members of the applicant family/household. The definition of "51% of the time" is 183 days of the year that do not need to be consecutive.

B. INCOME LIMITATIONS [24 CFR 982.201, 982.353]

In order to be eligible for assistance, the applicant family must have an income that is below 50% of median income for the Los Angeles/Long Beach Standard Metropolitan Statistical Area (for the fiscal year). To determine eligibility, the gross annual income of all the persons listed on the application is compared to the applicable income limit for that number of people. Calculated income that is more than 60 days old will need to be

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recalculated per HUD Regulations. Applicant families with annual incomes that exceed the income limit will be denied admission and offered an Informal Review.

New admissions to the Program will be monitored so that 75% of new, eligible applicant families have incomes below 30% of median income within the fiscal year. In very limited circumstances, lower income, eligible applicant families with incomes below 80% of median income that have been participating in other HUD Programs may qualify for Section 8 assistance. The applicable programs are specified in 24 CFR 982.201 (b).

C. SOCIAL SECURITY NUMBERS [24 CFR 5.216, 5.218]

Prior to admission to the Section 8 Program, applicants are required to provide verification of Social Security numbers for all persons listed on the application. This requirement also applies to persons joining the household after admission to the Program. Failure to furnish verification of Social Security numbers is grounds for denial of admission or termination of assistance.

D. CITIZENSHIP/IMMIGRATION STATUS [24 CFR Part 5, Subpart E]

In order to receive assistance, at least one applicant family member must be a U.S. citizen or an eligible immigrant. Eligible immigrants are persons who are in one of the immigrant categories as specified by HUD. The status of each member of the applicant family is considered individually before the applicant family's status is defined. The types of family status are as follows:

1. Mixed family. A family is eligible for assistance as long as at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are called "mixed households." Such applicant families will be given notice that their assistance will be pro-rated and that they may request an Informal Review if they contest this determination.

2. No eligible members. Applicant families that include no eligible members will be ineligible for assistance. Such families will be denied admission and offered an opportunity for an Informal Hearing.

3. Non-citizen students. Applicants falling into this category are not eligible for Section 8 assistance and will be offered an Informal Hearing.

E. INELIGIBILITY FACTORS [24 CFR 982.552(b)

Federal requirements mandate that admission to the Section 8 Program be denied to applicants in the following situations:

1. If any member of the applicant family fails to sign and submit the HUD or

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Housing Authority required consent forms for obtaining information.
2. If no member of the applicant family is a citizen of the United States or eligible immigrant.
3. If an individual in the applicant family is convicted of manufacturing or producing methamphetamine.
4. If an individual in the applicant family seeking initial eligibility is a medicinal marijuana user as further defined in Chapter 11 – Denial or Termination of Assistance.
5. If any member of the applicant family is subject to a lifetime registration requirement under a state sex offender registration program.

F. SCREENING PROCEDURES FOR APPLICANTS [24 CFR 982.307]

In an effort to prevent future drug-related and other violent criminal activity, the Housing Authority will endeavor to screen applicants as thoroughly and fairly as possible. All screening procedures shall be consistently administered in such a way as not to violate rights to privacy or to discriminate on the basis of race, color, nationality, religion, familial status, disability, sex or other legally protected classes under the law (as described in Chapter 1). Such screening procedures will apply to all members of the applicant family who are 18 years of age or older.

Criminal history reports will be obtained for all members of the applicant family who are 18 years of age or older. Assistance will be denied if any applicant family member has ever been convicted or is currently/recently engaged (as defined in each subsection below) in one or more of the following behaviors that meet these HUD definitions:

1. *Drug-related criminal activity* is the illegal manufacture, sale, distribution, use or possession with intent to manufacture, sell, distribute or use a controlled substance by any family member. Drug-related criminal activity means *on or off the* premises, *not just on or near the* premises within the last five (5) years of application review.

2. *Violent criminal activity* includes any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against a person or property, and the activity is being engaged in by any family member within the last 10 years of application review.

3. *Other criminal activity* that may threaten the health, safety, or peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity by any family member within the last five (5) years of application review.

4. Any *other activity* that may threaten the health, safety, or peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity by any family member within the last five (5) years of application review.

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For purposes of this section, the circumstances related to any drug related or other criminal/non-criminal, or violent criminal activity (e.g., probation, parole, status of parole, etc.) will be reviewed before denying admission. If an applicant family is denied based on criminal record, the Burbank Housing Authority will notify the household of the proposed action and will provide a copy of the record from which the denial is based. For Informal Review procedures for Applicants please see Chapter 13 – Complaints and Appeals.

It is a HUD requirement that persons evicted from public housing, Indian Housing, Section 23 or any Section 8 Program because of drug-related criminal activity are ineligible for admission to the Section 8 Program for a three-year period beginning on the date of such eviction.

G. SUITABILITY AS TENANTS [24 CFR 982.202(b)(1)]

The Burbank Housing Authority may not screen for factors which relate to the suitability of the applicant family as tenants. It is the responsibility of the landlord to screen the applicants as to their suitability for tenancy. If an applicant feels that she/he has been discriminated against by a landlord, the Housing Authority will counsel them about their fair housing rights. The applicant will be referred to the local housing rights office to pursue housing discrimination complaints. The applicant will also be given a *Housing Discrimination Complaint* form (HUD-903) to complete and submit to the HUD Local Area Office.

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CHAPTER 3

APPLICATION PROCESS
[24 CFR 982.204]

INTRODUCTION

It is the policy of the Burbank Housing Authority to ensure that all people who express an interest in housing assistance are given an equal opportunity to apply and are treated in a fair and consistent manner. This Chapter describes the policies and procedures for handling new applications and the placement of those applications on the Section 8 Applicant Waiting List.

A. OVERVIEW OF THE APPLICATION PROCESS

When the Section 8 Program is open, any person who wants to apply for assistance may fill out an application. In an effort to make the application process accessible to all, the application may be given to someone other than the applicant. Upon request from a person with a disability, the application will be provided in an accessible format.

The application process will involve two phases. The first phase is the initial application for assistance, which is referred to as the pre-application. The second phase is the full application where the final determination of eligibility will be made. The full application is taken at the time that the applicant is requested to provide verification of the information provided on the pre-application.

B. OPENING AND CLOSING THE WAITING LIST [24 CFR 982.206, 982.54(d)(1)]

Opening the Applicant Waiting List

New applications will be taken when there are less than 100 Burbank residents on the Section 8 Applicant Waiting List. When the Applicant Waiting List is open, the Burbank Housing Authority will advertise through public notices in local newspapers and minority publications, including The LA Times, The Daily News, La Opinion, The Sentinel, a local Armenian language newspaper and posted on social media. The notice that is published will contain the following information:

1. The dates, times, and the locations where applicants may apply.
2. A brief description of the Section 8 program.
3. A statement that public housing residents must submit a separate application if they want to apply for the Section 8 Program.

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The notices will be made in an accessible format if requested. They will provide potential applicants with information that includes the Burbank Housing Authority office address and telephone number, how to submit an application, information on eligibility requirements, and the availability of local preferences.

Applications will be made available online and will be distributed to any social service agency that requests them. These social service agencies will include, but are not limited to, the Burbank Temporary Aid Center, the Salvation Army, the Armenian Relief Society, the Burbank Family Service Agency, the Burbank Human Relations Council, the Burbank Advisory Council to the Disabled, and the Burbank Landlord Tenant Commission. Applications will also be available at all three branches of the Burbank Public Library and all of the Burbank Parks and Recreation facilities. Applications must be returned in the manner advertised by the Housing Authority Office.

Closing the Applicant Waiting List

The Burbank Housing Authority will discontinue receiving applications and close the Section 8 Applicant Waiting List per the deadline(s) given on the public notices inviting applications. The names of the new applicants will be added to the Section 8 Applicant Waiting List within the preference categories.

C. INITIAL APPLICATION PROCEDURES [24 CFR 982.204(b)]

The Burbank Housing Authority will use a pre-application for the initial application phase. The purpose of the pre-application is to provide enough information for a preliminary assessment of eligibility and to determine preference category for the Applicant Waiting List. The pre-application will contain questions designed to obtain the following information:

1. Names and ages of all members of the applicant family
2. Sex and relationship of all members.
3. Street address and phone numbers.
4. Mailing address, if different. Homeless applicants should use the address of the service provider in Burbank as further defined in Chapter – 4 Applicant Waiting List
5. Amount and source of income received by applicant family members.
6. Information regarding disabilities pertinent to allowances and deductions.
7. Information related to qualification for preferences.
8. Social Security numbers.
9. Race/ethnicity of head of household.
10. Request for specific accommodation needed to fully utilize program and services.
11. Telephone number for emergency contact person.

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Pre-applications will not require an interview. The information on the application will not be verified until the applicant has been selected from the Section 8 Applicant Waiting List. Final eligibility will be determined when the full application process is completed and all information is verified. Applicants who submit pre-applications showing applicant family income that exceeds the eligibility limit will be sent a letter of ineligibility. These applicants will not be placed on the Section 8 Applicant Waiting List. The applicant may request an Informal Review and may submit other information to be used for a redetermination of eligibility.

D. STATUS ON THE APPLICANT WAITING LIST [CFR 982.204]

After the pre-application has been reviewed for income eligibility, a written confirmation of placement on the Section 8 Applicant Waiting List will be sent to the head of household. Applicants are required to inform the Burbank Housing Authority in writing when they have a change of address. Applicants are also required to respond to requests for information from the Burbank Housing Authority.

E. TIME OF SELECTION [24 CFR 982.204]

Applicants will be selected from the Section 8 Applicant Waiting List randomly based on a preference point system (described in Chapter 4) through the software program. When the applicant is selected from the Applicant Waiting List, a written request for program eligibility will be sent out, which will specify the time period (deadline) for submitting the required information. Information on incomplete submittals or changes in circumstance will not be accepted after deadline has passed, and the applicant will be removed from the Waiting List. After all of the timely verification has been received, and the applicant has been determined eligible, the applicant will be scheduled for a full application interview.

F. FULL APPLICATION PROCEDURES

All preferences claimed on the pre-application or while the applicant family is on the Section 8 Applicant Waiting List will be verified at the time that the applicant is selected. The qualification for preference must exist at the time the preference is claimed and at the time of verification. Requests for verification of all pertinent factors, such as income, assets, household composition, disability, and citizenship status will be mailed to the applicant before the interview is scheduled.

After all the verification forms have been received, the final determination of eligibility will be made. If the applicant family is determined to be ineligible for the Program, a written notification will be mailed out. The letter will contain an explanation of the reason for ineligibility determination and an opportunity to request an Informal Review.

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If the applicant family is determined to be eligible, an appointment will be made for a full application interview. The applicant is required to participate in a full application interview. The Burbank Housing Authority staff person will complete the formal application and the applicant will need to sign the form and certify that all information is complete and accurate.

All adult members must sign the *Release of Information* (HUD 9886) and the declarations and consent forms related to citizenship or immigration status. Depending on individual circumstances, applicants will be required to sign specific verification forms for information which is not covered by the HUD form 9886. All applicants will be required to authorize the Burbank Housing Authority to obtain their credit reports and criminal histories. Refusal to sign any of these documents will be cause for denial of admission to the Section 8 Program for failure to provide necessary certifications and release as required by the Burbank Housing Authority.

G. VERIFICATION [24 CFR 982.201(e)]

Information provided by the applicant will be verified by using the procedures in Chapter 6. Household composition, income, allowances and deductions, assets, full-time student status, disability, eligibility factors, and other pertinent information will be verified. Written verification may not be more than 60 calendar days old at the time of issuance of a Voucher.

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CHAPTER 4

APPLICANT WAITING LIST

[24 CFR Part 5, Subpart D; 982.54(d)(1); 982.204, 982.205, 982.206]

INTRODUCTION

It is the objective of the Burbank Housing Authority to maintain an accurate Applicant Waiting List to provide an adequate pool of qualified applicants to fill vacancies in the Section 8 Program. This Chapter explains the preference categories that determine the order of placement of the applications on the Applicant Waiting List. Maintenance of accurate information on the Applicant Waiting List ensures that applicants are admitted to the Program in the proper order and in a timely manner.

A. APPLICANT WAITING LIST [24 CFR 982.202(c) and 982.204]

Names will be selected from the Section 8 Applicant Waiting List in accordance with policies and preferences defined in this Administrative Plan. The Applicant Waiting List will be maintained in a manner that an application can be tracked from date of receipt to final disposition. The pre-applications will be sorted by preference category and will be a permanent file while active on the Waiting List. While all can apply, no applicant has a right or entitlement to be listed on the waiting list, or to any particular position on the waiting list.

B. PREFERENCE CATEGORIES [24 CFR 982.207 and 982.4]

The Section 8 Program allows Housing Authorities to apply local preferences to the applications in order to determine placement on the Applicant Waiting List. These preferences are intended to meet the needs of the community. The local preferences that will be used by the Burbank Housing Authority will be as follows:

Residency Preference

Applicants who reside in the City of Burbank or applicant families with a member who works or has been hired to work in the City of Burbank will be given preference over non-residents. The Section 8 Applicant Waiting List will be separated into the two broad categories of residents and non-residents. Applicants claiming additional preferences will be placed within that preference category. Burbank homeless individuals/families that have been working with qualified Burbank service providers, should utilize the Burbank address of the service provider.

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Risk of Rental Assistance Loss Preference

This preference will be given to households participating in any Burbank Housing Authority Special Purpose Voucher program, who are at risk of losing rental assistance because of funding limitations, program changes, or shifts in eligibility requirements.

Persons Displaced by Government Action Preference

Very low-income tenants who are displaced by government action of the Burbank Housing Authority or the City of Burbank will be given this preference based on involuntary displacement. The activity causing the displacement must be taken in connection with code enforcement or a public improvement or a development program.

Veteran Preference

This preference will be given to applicants who have a current member of the U. S. Military Armed Forces in their applicant family. Veterans and surviving spouses of veterans will also be given this preference.

Disability Preference

This preference is extended to disabled persons or families with a disabled member as defined in this Plan. Proof of disability will be required at time of selection from the waiting list.

Homeless Preference

This preference is for Burbank homeless individuals and families that have been working with qualified Burbank service providers. These service providers will certify that adult applicant members meet the specific criteria for this category and the program and commits to providing on-going supportive services for a minimum of six (6) months after issuance of a housing voucher in order to ensure that the individual/family is able to live independently.

This preference will assist those applicants that become homeless while on the waiting list; and homeless applicants in the future that apply to the Program with no home address that instead will utilize a Burbank service provider address with an Authorization form on file.

Severely Rent Burdened Preference

This preference is for applicant families that pay more than 50% of their gross annual income towards the rent. Proof that 50% or more of applicant family income

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(as defined by HUD and included in Chapter 5 of this Administrative Plan) is utilized to pay rent will be required at the time of selection from the waiting list.

Substandard Housing Preference

This preference is for applicant families that are living in unpermitted structures as designated by a government official in the course and scope of their official duties such as code enforcement officer or building inspector. This category is different than the Homeless preference and does not apply to homeless households.

C. PREFERENCE ELIGIBILITY [24 CFR 982.207]

Applicants are allowed to claim the preferences at time of pre-application and their names will be placed on the Section 8 Applicant Waiting List according to that preference category. At time of final eligibility determination, the applicant will be required to provide verification of the preference. Changes in an applicant's circumstances while on the Section 8 Applicant Waiting List may qualify the applicant family for a preference. Applicants are required to notify the Burbank Housing Authority in writing when their circumstances change. When applicants claim to have recently become eligible for a preference, they will be placed on the Applicant Waiting List within the newly claimed preference.

D. PREFERENCE DENIAL [24 CFR 982.207

If an applicant cannot provide third party verification to prove a preference at the time that the name is selected from the Applicant Waiting List, then the preference will be denied. Applicants will be informed in writing why the preference was denied, and they will be placed back on the Section 8 Applicant Waiting List without the denied preference. Applicants will have the right to an Informal Review.

E. ORDER OF SELECTION [24 CFR 982.207(e)]

When the preliminary applications are received, the preference categories claimed by the applicants will be honored. The verification of the preferences will be obtained at the time that the applicant name is selected from the Section 8 Applicant Waiting List. The applications will be placed on the Applicant Waiting List within weighted preference categories.

Burbank Residents

Applicants that live or work in Burbank (25 points).
Additional Points for:

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i. Burbank Housing Authority Special Purpose Voucher households whose assistance is at risk of termination due to lack of program funding (50 points)
~~i.~~ii. Involuntarily displaced by the City of Burbank or Burbank Housing Authority preference (10 points).
~~ii.~~iii. Homeless working with a qualified service provider preference (10 points).
~~iii.~~iv. Severely rent burdened preference (5 points).
~~iv.~~v. Substandard housing preference (5 points).
~~v.~~vi. Veteran preference (2.5 points).
~~vi.~~vii. Disability preference (2.5 points).

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Non-Residents

i. Homeless Preference (5 points).
ii. Severely rent burdened preference (5 points).
iii. Substandard housing preference (5 points).
iv. Veteran preference (2.5 points).
v. Disability preference (2.5 points).
vi. All other non-residents.

F. TARGETED FUNDING [24 CFR 982.203]

When HUD awards special funding for specific applicants, the Section 8 Applicant Waiting List will be searched for the first available applicant family meeting the targeted funding criteria. Applicants who meet the specific requirements for the targeted funding will be placed on a separate Applicant Waiting List for use in the targeted program.

G. REMOVAL FROM WAITING LIST [24 CFR 982.204(c)]

In order to ensure applicants on the waiting list receive correspondence from the Burbank Housing Authority, it is the responsibility of each applicant to provide in writing any changes to address and contact information. Current and updated contact information will allow the Burbank Housing Authority to manage and maintain the waiting list, as required by HUD, for optimum implementation of the Section 8 Program. To that end, the Section 8 Applicant Waiting List will be updated periodically to ensure that contact, and preference information is on file for all applicants. Letters will be sent to all applicants on the Applicant Waiting List informing them that any changes in address must be sent in writing to the Burbank Housing Authority. The applicants will also be advised to send written notification of any change in household circumstance that would qualify them for a preference. Applicants will be required to complete an information update form and return it to the Housing Authority office within the specified time period. The Burbank Housing Authority has no control over postal delivery and will assume correspondence was delivered as addressed. Any applicant who fails to respond within the stated time period will have their name removed from the Section 8 Applicant Waiting List. The applicant will be informed in writing of their removal.

If any correspondence that is sent out by the Burbank Housing Authority is returned by the Post Office for any reason without a forwarding address, the name will be removed from the Section 8 Applicant Waiting List without further notice. If a forwarding address is provided by the Post Office, the correspondence will be forwarded, however, time periods to respond will remain unchanged. The envelope will be scanned and attached to the applicants file as proof of no forwarding address.

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H. EXCEPTIONS FOR SPECIAL ADMISSIONS [24 CFR 982.203, 982.54(d)(3)]

If HUD awards special funding to the Burbank Housing Authority for specifically targeted groups, these households will be admitted to the Section 8 Program under a special admission procedure which is outside of the regular Section 8 Applicant Waiting List process. These applicant families will not have to qualify for any preferences, nor are they required to be on the Section 8 Applicant Waiting List. The Burbank Housing Authority will maintain separate records of these admissions. The following are examples of the types of low-income households that may be designated by HUD for special admission based on their participation in the following programs:

1. A household displaced due to demolition or disposition of a public or Indian housing project;

2. A household residing in a multi-family rental housing project when HUD sells, forecloses or demolishes the project;

3. A household residing in housing covered by the Low-Income Housing Preservation and Resident Homeownership Act of 1990;

4. A household residing in a project covered by a project-based Section 8 Housing Assistance Payments contract at or near the end of the contract term; and

5. A non-purchasing household residing in a HOPE 1 or HOPE 2 project.

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CHAPTER 5

INCOME, ASSETS AND ALLOWANCES

[24 CFR Part 5, Subparts B, D & E; Part 982, subpart E]

INTRODUCTION

The Burbank Housing Authority will use the methods described in this Administrative Plan to verify and determine that applicant family income at admission and reexamination is correct. The accurate calculation of annual income and adjusted income will ensure that participants are paying the proper amount of rent under the Section 8 Program regulations. This Chapter defines the sources of income that are included and excluded as well as allowable expenses and deductions.

A. INCOME [24 CFR 5.609]

Income includes all monetary amounts that are received by all members of the applicant family and participant household. Annual income is defined as the gross amount of income anticipated to be received during the future 12-month period after certification or recertification. The amount of annual income is used to determine whether or not applicants are within the applicable income limits. Gross income is the amount of income prior to any allowable expenses or deductions. Adjusted income is defined as the annual income minus any allowable expenses and deductions and cannot be more than 60 days old at the time of admission to the Program. Annual income includes, with respect to the family:

1. All amounts received from all sources by each member of the family who is 18 years of age or older or is the head of household or spouse of the head of household, plus unearned income by or on behalf of each dependent who is under 18 years of age.
2. Imputed returns on the net family asset based on the current passbook savings rate, for net family assets which exceed the HUD determined threshold. Imputed returns are only calculated when the actual returns from a given asset cannot be calculated,

Annual income, as defined by 24 CFR 5.609(b), does not include amounts specifically excluded below:

1. Any imputed return on an asset when net family assets total more than the HUD determined threshold and no actual income from the net family assets can be determined.
2. The following types of trust distributions:

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i. For an irrevocable trust or a revocable excluded from the definition of net family assets:
   a. Distributions of the principal or corpus of the trust; and
   b. Distributions of income from the trust when the distributions are used to pay the costs of health and medical care expenses for a minor.
ii. For a revocable trust under the control of the family, any distributions from the trust; except that any actual income earned by the trust, regardless of whether it is distributed, shall be considered income to the family at the time it is received by the trust.

3. Earned income of children under the 18 years of age.
4. Payments received for the care of foster children or foster adults, or State or Tribal kinship or guardianship care payments.
5. Insurance payments and settlements for personal or property losses, including but not limited to payments through health insurance, motor vehicle insurance, and workers' compensation.
6. Amounts received by the family that are specifically for, or in reimbursement of, the cost of health and medical care expenses for any family member.
7. Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law, that resulted in a member of the family becoming disabled.
8. Income of a live-in aide, foster child, or foster adult.
9.
   i. Any assistance that section 479B of the Higher Education Act of 1965, as amended (20 U.S.C. 1087uu), requires be excluded from a family's income; and
   ii. Student financial assistance for tuition, books, and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, and other fees required and charged to a student by an institution of higher education (as defined under Section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.
      a. Student financial assistance, for the purpose of this program, means a grant or scholarship received from
         1. The Federal government
         2. A State, Tribe, or local government
         3. A private foundation registered as a nonprofit under 26 U.S.C. 501(c)(3);
         4. A business entity (such as corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, or nonprofit entity); or
         5. An institution of higher education.
      b. Student financial assistance does not include:

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1. Any assistance that is excluded in section 9(i).
2. Financial support provided to the student in the form of a fee for services performed (e.g., a work study or teaching fellowship)
3. Gifts, including gifts from family or friends; or
4. Any amount of the scholarship or grant that, either by itself or in combination with assistance excluded in section 9(i), exceeds the actual covered costs of the student. The actual covered costs of the student are the actual costs of tuition, books and supplies (including supplies and equipment to support students with learning disabilities or other disabilities), room and board, or other fees required and charged to a student by the education institution, and, for a student who is not the head of household or spouse, the reasonable and actual costs of housing while attending the institution of higher education and not residing in an assisted unit.

10. Income and distributions from any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986 or any qualified tuition program under section 529 of such Code; and income earned by government contributions to, and distributions from, “baby bond” accounts created, authorized, or funded by Federal, State, or local government.
11. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire.
12.
    i. Amounts received by a person with a disability that are disregarded for a limited time for purposes of Supplemental Security Income eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
    ii. Amounts received by a participant in other publicly assisted programs which are specifically for or in reimbursement of out-of-pocket expenses incurred (e.g., special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
    iii. Amounts received under a resident service stipend not to exceed $200 per month. A resident service stipend is a modest amount received by a resident for performing a service for the PHA or owner, on a part-time basis, that enhances the quality of life in the development.

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iv. Incremental earnings and benefits resulting to any family member from participation in training programs funded by HUD or in qualifying Federal, State, Tribal, or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives and are excluded only for the period during which the family member participates in the employment training program unless those amounts are excluded under paragraph 9(i) of this section.

13. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
14. Earned income of dependent full-time students in excess of the amount of the deduction for a dependent currently established by HUD.
15. Adoption assistance payments for a child in excess of the amount of the deduction for a dependent currently established by HUD.
16. Deferred periodic amounts from Supplemental Security Income and Social Security benefits that are received in a lump sum amount or in prospective monthly amounts, or any deferred Department of Veterans Affairs disability benefits that are received in a lump sum amount or in prospective monthly amounts.
17. Payments related to aid and attendance under 38 U.S.C. 1521 to veterans in need of regular aid and attendance.
18. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit.
19. Payments made by or authorized by a State Medicaid agency (including through a managed care entity) or other State or Federal agency to a family to enable a family member who has a disability to reside in the family's assisted unit. Authorized payments may include payments to a member of the assisted family through the State Medicaid agency (including through a managed care entity) or other State or Federal agency for caregiving services the family member provides to enable a family member who has a disability to reside in the family's assisted unit.
20. Loan proceeds, under the terms of a loan agreement, received by the family or a third party.
21. Payments received by Tribal members as a result of claims relating to the mismanagement of assets held in trust by the United States, to the extent such payments are also excluded from gross income under the Internal Revenue Code or other Federal law.
22. Amounts that HUD is required by Federal statute to exclude from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under any program to which the exclusions set forth in this section apply. HUD will publish a notice in the Federal Register to identify the benefits that qualify for this exclusion. Updates will be published when necessary.

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23. Replacement housing “gap” payments made in accordance with 49 CFR part 24 that offset increased out of pocket costs of displaced persons that move from one federally subsidized housing unit to another Federally subsidized housing unit. Such replacement housing “gap” payments are not excluded from annual income if the increased cost of rent and utilities is subsequently reduced or eliminated, and the displaced person retains or continues to receive the replacement housing “gap” payments.
24. Nonrecurring income, which is income that will not be repeated in the coming year based on information provided by the family. Income received as an independent contractor, day laborer, or seasonal worker is not excluded from income under this paragraph, even if the source, date, or amount of the income varies. Nonrecurring income includes:
    i. Payments from the U.S. Census Bureau for employment (relating to decennial census or the American Community Survey) lasting no longer than 180 days and not culminating in permanent employment.
    ii. Direct Federal or State payments intended for economic stimulus or recovery.
    iii. Amounts directly received by the family as a result of State refundable tax credits or State tax refunds at the time they are received.
    iv. Amounts directly received by the family as a result of Federal refundable tax credits and Federal tax refunds at the time they are received.
    v. Gifts for holidays, birthdays, or other significant life events or milestones
    vi. Non-monetary, in-kind donations, such as food, clothing, or toiletries, received from a food bank or similar organization.
    vii. Lump-sum additions to net family assets, including but not limited to lottery or other contest winnings.
25. Civil rights settlements or judgments, including settlements or judgments for back pay.
26. Income received from any account under a retirement plan recognized as such by the Internal Revenue Service, including individual retirement arrangements (IRAs), employer retirement plans, and retirement plans for self-employed individuals; except that any distribution of periodic payments from such accounts shall be income at the time they are received by the family.
27. Income earned on amounts placed in a family's Family Self Sufficiency Account.
28. Gross income a family member receives through self-employment or operation of a business; except that the following shall be considered income to a family member:
    i. Net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations; and
    ii. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation.

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For fully excluded income, the PHA is not required to follow the verification hierarchy, document when third-party verification is not available, or report the income on the 50058. Fully excluded income is defined as income that is entirely excluded from the annual income determination (for example, food stamps, earned income of a minor, or foster care funds) [Notice PIH 2013-04]. PHAs may accept a family's signed application or reexamination form as self-certification of fully excluded income. They do not have to require additional documentation.

B. COMPUTATION OF ANNUAL INCOME [24 CFR 5.611 and 5.617]

Gross annual income will be determined by combining all sources of income to derive the total income for a one-year period. The calculation method to be used for the various types of income will be calculated as follows:

Earned Income

1. Gross monthly – multiply gross monthly income by 12 pay periods.
2. Semi-monthly – multiply the gross semi-monthly income by 24 pay periods.
3. Hourly – multiply the gross hourly rate by the number of hours worked each week by 52 pay periods.
4. Weekly – multiply the gross weekly rate by 52 pay periods.
5. Bi-weekly – multiply the gross bi-weekly rate by 26 pay periods.

Income Other Than Wages

For applicant families or participant households having income other than wages, such as Temporary Aid to Needy Families, Social Security payments, SSI, disability income or pensions, the computations will be based on the gross monthly amount multiplied by 12 months.

Fluctuating Income

For applicant families or participant households that have fluctuating amounts of income over a 12-month, such as Unemployment Insurance payments or earnings from a temporary employment agency, the monthly amount will be projected for a 12-month period to determine income. If the income changes, the head of household may request a recalculation at any time to adjust their portion of rent.

Lump Sum Payments [24 CFR 5.609]

Lump-sum payments caused by delays in processing periodic payments, such as unemployment or welfare assistance, are counted as income in the same manner as bonuses. Lump sum payments from Social Security or SSI are excluded from income,

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but any amount remaining, such as accumulated interest, will be considered an asset. The head of household needs to report the lump sum payment within 30 calendar days from receipt of the funds and a recalculation will be performed at that time.

De Minimis Errors

The BHA will not be considered out of compliance when making annual income determinations solely due to de minimis errors in calculating family income. A de minimis error is an error where the BHA determination of family income deviates from the correct income determination by no more than $30 per month in monthly adjusted income per family.

If the BHA determines that there has been an income calculation error, the error(s) will be corrected retroactive to the effective date the action resulting in an error, regardless of the dollar amount associated with the error. Families will not be required to repay the BHA in instances where the BHA miscalculated income resulting in the family being undercharged for rent. Once the BHA becomes aware of the error, the family will be provided a 30-day notice of the increase to their rent portion.

The BHA will take corrective action to credit a family if the family was overcharged tenant rent in income determination.

The families rent portion will be temporarily adjusted down with additional HAP going to the property owner. The BHA will send a letter to the family and the landlord prior to the change in the payments notifying them of the change and the duration of the change.

C. ASSETS [24 CFR 5.609]

Net household assets will include equity in real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land. Personal property, such as automobiles and furniture, will be excluded.
In the case of a trust fund, the value of the trust will not be considered as an asset as long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining annual income. When the net household assets are in excess of $5,000, the annual income shall include the greater of the actual income derived from all net household assets or a percentage of the value of such assets based on the current passbook savings rate.

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D. CHANGE OF INCOME

The head of a participant household must report any changes in household income within 30 calendar days of the change. The change of household income may have a direct impact on the calculation of total tenant payment. The Housing Authority must have information by the 5th day of the month in order to process the change for the following month. If the household income increases, and the household does not report the change, a retroactive calculation will be made to the point in time when the changes would have taken place.

E. INCOME CHANGES FROM WELFARE PROGRAM REQUIREMENTS

[24 CFR 5.618]

Annual income will not be reduced for purposes of calculating rental assistance payments when the reduction in welfare payments is the result of fraud or failure to comply with welfare requirements. When a household requests a rent reduction based on lower welfare payments, written verification must be obtained from the Department of Public Social Services that the reduction in benefits is not based on failure to participate in an economic self-sufficiency program or to comply with work activity requirements. Households that fall into this category will be provided the opportunity for an Informal Hearing. A recalculation of income will be performed when a reduction in benefits is the result of the following factors:

1. The expiration of a lifetime limit has been reached.
2. The participant has sought but has been unable to obtain employment.
3. The household has complied with welfare program requirements but loses welfare because of a durational time limit, such as a cap of welfare benefits for a period of no more than two years in a five-year period.

F. INCOME FROM ADDITIONAL HOUSEHOLD MEMBERS

The head of a participant household must report changes in household composition within 30 calendar days. The addition of people to the household may have a direct impact on household income and the calculation of total tenant payment. Any change to the household composition will be evaluated to determine if a recalculation of assistance needs to be made.

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Visitors

Any adult, not included as a member of the household, who has been in the unit more than 14 consecutive days without Burbank Housing Authority approval, or a total of 30 days in a 12-month period, will be considered to be living in the unit as an unauthorized household member. The household will need to include this person as a member of the household for calculation of income eligibility. If the head of household denies that this person is living in the assisted unit, then the burden of proof will rest with the tenant. In the absence of such proof, the individual will be considered an unauthorized member of the household. Written statements from the landlord concerning occupancy will be considered in making the determination. If the tenant is unable to prove that the person lives at another address, then the assistance will be terminated. The participant will have the right to request an Informal Hearing before the termination date.

Caretakers

There are situations where neither one of the parents remain in the household, due to death, illness, incarceration, or abandonment. In some cases, another adult moves into the unit to care for the minor children. In these situations, the caretaker will be considered a visitor for the first 90 days. At the end of that period, the income of the caretaker will be taken into account. As soon as the caretaker has been granted court-awarded custody or legal guardianship, the caretaker will be designated as the head of household. If the appropriate agency cannot confirm the guardianship status of the caretaker, the Housing Authority will review the status every 60 days.

Children

Minors and full-time students over 18 years of age who were a part of the household, but who now live away from home during the school year, may visit for up to 120 days per year without being considered a member of the household. These visits are subject to the approval of the landlord. In a joint custody arrangement, if the minor is in the household less than 120 days per year, the minor will be considered an eligible visitor and not a household member.

G. INCOME FROM ABSENT HOUSEHOLD MEMBERS

There are times when a member of the household leaves the unit, either temporarily or permanently. It is the responsibility of the head of household to report these changes to the Housing Authority within 30 calendar days of the absence. Depending on the type of absence, the income of the absent member may or may not be taken into consideration. An evaluation will need to be made to determine if the total household income has changed. If the income does change, a recalculation of the housing assistance payment will be made.

Temporary Absences

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Any person who is absent from the household for a period of less than 90 days will still be considered part of the household. With temporary absences, the income of the person will be taken into account when determining household income and total tenant payment.

Permanent Absences

Any member of the household who leaves the assisted unit for more than 90 days will be considered permanently absent. In cases where the entire household leaves the assisted unit for more than 90 days, the assistance will be terminated.

In order to determine that the household member is absent from the unit, the Burbank Housing Authority will try to contact the head of household by telephone; send a certified letter; send the Housing Inspector to the unit; and will verify if the utilities are still in service. If there is no response from the household, then the assistance will be terminated. Under no circumstance does HUD allow an absence for more than 180 days.

H. ALLOWANCES AND DEDUCTIONS [24 CFR 5.611]

In calculating adjusted annual income, the HUD established allowances and deductions will be subtracted from the gross annual income. The adjusted annual income is used to determine the amount of rent that the tenant will pay toward the rent.

The following list details mandatory deductions from annual income:

1) Dependent Allowance. There is an allowance of $480 for each person under 18 years of age (other than the head or spouse); for household members who are 18 or older and are full-time students and members who are disabled.

2) Elderly/Disabled Household Allowance. There is an allowance of $400 per household where the head or spouse is at least 62 years of age or is disabled.

3) Unreimbursed Expenses. The sum of the following unreimbursed expenses will be deducted to the extent that the sum of these expenses exceeds three percent of annual income:

    a. Unreimbursed medical expenses of any elderly or disabled household member.
    b. Unreimbursed reasonable attendant care and auxiliary apparatus expenses for each member of the household who is a person with a disability, to the extent necessary to enable any member of the household (including the member with a disability) to be employed,

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4) Childcare Expenses. HUD allows any reasonable childcare expenses necessary to enable a member of the household to be employed or to further his or her education. The Burbank Housing Authority will utilize the tax code Child and Dependent Care Credit amount or the actual cost of the childcare; whichever is less per year, for children under 13.

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CHAPTER 6

VERIFICATION PROCEDURES
[24 CFR Part 5, Subparts B, D, E and F; 982.108]

INTRODUCTION

Proper verification of information is essential to the integrity of the Section 8 Program. Factors of eligibility and total tenant payment will be confirmed by third party verification and retained in the tenant file. Written verification will be obtained from independent sources whenever possible and any deviation from this policy will need to be thoroughly documented in the tenant file. Applicants and Program participants must provide true and complete information to the Burbank Housing Authority whenever information is requested. This Chapter explains the procedures and standards for verification of preferences, income, assets, allowable deductions, citizenship or immigration status, and changes in household composition. The Burbank Housing Authority will obtain written authorization from applicants and participants before requesting information from independent sources.

A. METHODS OF VERIFICATION [24 CFR 5.233]

The verification methods used to confirm the accuracy of information provided by the applicant or participant will have the following order of priority:

1. HUD's Enterprise Income Verification system (EIV).
2. Non-HUD Income Verification system (EIV).
3. Third-Party Written Verification.
4. Third-Party Written Verification form.
5. Oral Third-Party Verification form.
6. Tenant Declaration form.

Verifications may not be more than 60 days old at the time that the Voucher is issued. This requirement applies to both applicants and participants.

Enterprise Income Verification (EIV) System

HUD's EIV system contains data showing earned income, unemployment benefits, Social Security, and SSI benefits for participant families. Tenant Income Data (TID) reports will be obtained on a monthly basis. Reports will be generated as a part of the regular reexamination process. Tenant Income Data reports will be used in interim reexaminations when it is necessary to verify and calculate earned income, unemployment benefits, Social Security, and/or SSI benefits.

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INCOME VERIFICATION TOOL (IVT)

The IVT is a tool for identifying families who may have concealed or under-reported income. When it appears that a family may have concealed or under-reported income, third party written verification of the income in question will be requested.

EIV Identity Verification

The EIV system verifies tenant identities against SSA records. These records are compared to PIC data for a match on Social Security number, name, and date of birth. Program participants whose identity verification has failed will be identified as part of the annual reexamination process.

Work Number

Participating employers provide employment verification information to The Work Number to act as their official agent for issuing employment verifications.

Third Party Written Verification

Third-party written verification is used to verify information directly with the source. These verification forms must be marked with the office stamp of the independent third party or the information must be provided on their letterhead. Verifications received electronically from the information sources are considered to be third-party written verification. Computer matching reports from other agencies will be considered to be third-party written verification. Each adult member of the household will be required to sign an authorization form for the information source to release the specified information.

Third-party written verification must be an original or authentic document generated by a third-party source dated within 120 days of the date received by the BHA. For fixed-income sources, a statement dated within the appropriate benefit year is acceptable documentation.

Third-Party Oral Verification

Third-party oral verification will be used when written third-party verification is delayed or not possible. When third-party oral verification is used, staff will be required to complete a *Certification of Document Viewed or Person Contacted form*, noting with whom they spoke, the date of the conversation, and the facts provided. If the information was obtained by telephone, the Housing Authority must originate the call. This type of verification must be approved by a supervisor.

Review of Documents

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In the event that third-party written or oral verification is unavailable, the reason for this situation will be noted in the tenant file. At that point, the documents provided by the applicant or participant will be used as the primary source to provide complete information. This type of verification must be approved by a supervisor. All documents, excluding government checks, will be photocopied and retained in the tenant file. In cases where documents are viewed, which cannot be photocopied, staff viewing the documents will complete a *Certification of Document Viewed or Person Contacted form*. If third-party verification is received after documents have been accepted as provisional verification, and there is a discrepancy, staff will utilize the third-party verification.

Self-Certification/Self-Declaration

This type of verification is not to be used except in extremely unusual situations. When verification cannot be made by third-party verification or review of documents, applicants and participants will be required to submit a self-certification. The form of the self-certification must be a notarized statement of fact that is signed under penalty of perjury. This type of verification must be approved by a supervisor.

B. ITEMS TO BE VERIFIED [24 CFR 982.516]

The applicant or participant needs to provide whatever information is necessary to determine initial or ongoing eligibility for the Section 8 Program. The following list gives examples of the various items that need to be verified, however, this list is not all-inclusive.

1. All income not specifically excluded by the regulations.
2. Full-time student status, including high school students who are 18 or over.
3. Current assets, including assets disposed of for less than fair market value in preceding two years.
4. Child care expense where it allows an adult household member to be employed or to attend an educational or vocational program.
5. Total medical expenses for households whose head or spouse is elderly or disabled.
6. Disability assistance expenses to include only those costs associated with attendant care or auxiliary apparatus for a disabled member of the household which allow the disabled person or another adult household member to be employed.
7. Legal identity of all household members, including birth certificates, driver's licenses or state identification cards.
8. Disability for determination of preferences, allowances or deductions.
9. U.S. citizenship or eligible immigrant status.
10. Social Security numbers for all household members who are 6 years of age or older.
11. "Preference" status for local preferences as described in Section I of this Chapter.

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12. Familial or marital status when needed for head or spouse definition under the Non-Citizen Rule.

C. INCOME VERIFICATION [24 CFR 982.516]

This section defines the methods that will be used to verify the various types of income. Applicants and participants are required to report all sources of income at initial certification and recertification, as well as any other time during the year when there are changes.

Credit History Reports

For applicants and participants, all adult members of the household will be required to sign an authorization to allow the Burbank Housing Authority to obtain a credit history report on that individual. This report indicates the amount of monthly expenditures that the household is making and that information will be compared to the amount of reported income. If the monthly payments are more than 50% of reported income, the applicant or participant will need to provide written verification concerning their ability to pay those monthly bills.

Employment Income

The employer will need to complete a verification form that requires the following information:

1. Dates of employment,
2. Amount and frequency of pay,
3. Likelihood of change of employment status and effective date of any known salary increase during the next 12 months,
4. Year to date earnings, and
5. Estimated income from overtime, tips, bonus pay expected during next 12 months.

Acceptable methods of verification include, in this order:

1. Employment verification form completed by the employer with two or more recent pay stubs which indicate the employee's gross pay, frequency of pay, and year to date earnings.
2. W-2 forms plus income tax return forms.
3. Self-certifications or income tax returns signed by the applicant or participant may be used for verifying self-employment income, or income from tips and other gratuities. This type of verification requires approval of the supervisor.

Applicants and participants may be required to sign an authorization for release of information from the Internal Revenue Service for further verification of income. Where

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doubt exists regarding income, a referral to the Internal Revenue Service for confirmation will be made on a case-by-case basis.

Social Security, Pensions, Supplementary Security Income (SSI), Disability Income

Acceptable methods of verification include, in this order:

1. Benefit verification form completed by agency providing the benefits.
2. Award or benefit notification letters prepared and signed by the providing agency.
3. Computer reports obtained electronically or in hard copy.

Unemployment Compensation

Acceptable methods of verification include, in this order:

1. Verification form completed by the unemployment compensation agency.
2. Computer printouts from unemployment office stating payment dates and amounts.
3. Payment stubs.

Temporary Aid to Needy Families (TANF) and General Relief

Acceptable methods of verification include, in this order:

1. Verification form completed by the County of Los Angeles Department of Public Social Services (DPSS).
2. Written statement from payment provider indicating the amount of grant or payment, start date of payments, and anticipated changes in payment in the next 12 months.
3. Computer-generated Notice of Action form or list of recipients from the Welfare Office.

Alimony or Child Support Payments

Acceptable methods of verification include, in this order:

1. Copy of a separation or settlement agreement or a divorce decree stating amount and type of support and payment schedules.
2. A notarized letter from the person paying the support.
3. Copy of latest check and/or payment stubs from the Court Trustee.
4. Self-certification of amount received and the likelihood of support payments being received in the future, or that support payments are not being received. This form of verification must be approved by a supervisor.

If payments are sporadic, the applicant or participant must provide a list of actual

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payments received, otherwise the full amount that is specified in the divorce decree will be used to calculate income.

Net Income from a Business

In order to verify the net income from a business, the Housing Authority will view IRS forms and financial documents from prior years to anticipate the income for the next 12 months. Acceptable methods of verification include:

1. IRS Form 1040 or Record of Account Transcript from IRS, including:
   a. Schedule C (Small Business)
   b. Schedule E (Rental Property Income)
   c. Schedule F (Farm Income)
2. Audited financial statement(s) of the business.
3. Credit report or loan application.
4. Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six months (or lesser period if not in business for six months) to project income for the next 12 months. The applicant or participant will be advised to maintain these documents in the future if they are not available.
5. Self-certification concerning the net income realized from the business during previous years. This form of verification must be approved by a supervisor.

Child Care Business

If an applicant or participant is operating a licensed day care business, income will be verified as with any other business.

Recurring Gifts/Loans

The applicant or participant must furnish a self-certification which identifies the person who provides the gifts, the value, and the regularity of the gifts.

Zero Income Status

Applicants or participants who claim to have no income will be required to provide verification forms to determine that income, such as Temporary Aid to Needy Families, EDD or SSI are not being received by the member.

Full-time Student Status

Verification of full-time student status must be provided for household members who are over 18 years of age and are not the head of household or spouse. Verification includes the following:

1. Written verification from the registrar's office or other school official.

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2. School records indicating enrollment for sufficient number of credits to be considered a full-time student by the educational institution; and showing completion of course(s).
3. Written verification from the provider of the vocational training.

D. INCOME FROM ASSETS [24 CFR 982.516]

Acceptable methods of verification for savings account interest income and dividends will be verified in this order:

1. Written verification form completed by the financial institution or account statements generated by the financial institution.
2. Broker's statements showing the value of stocks or bonds and the earnings credited to the household.
3. IRS Form 1099 from the financial institution.

E. ASSET VERIFICATION

Current assets need to be verified to determine the current cash value or the net amount that the household would receive if the asset were converted to cash. The net value of the assets is used to determine initial eligibility. The forms of verification are as follows:

1. Verification forms, letters, or documents from a financial institution or broker.
2. Passbooks, checking account statements, certificates of deposit, bonds, or financial statements completed by a financial institution or broker.
3. Quotes from a stock broker or realty agent as to net amount that the household would receive if the securities or real estate were liquidated.
4. Real estate appraisals.
5. Financial statements for business assets.
6. Copies of closing documents showing the selling price and disposition of proceeds.

F. VERIFICATION OF ALLOWABLE DEDUCTIONS [24 CFR 982.516]

Child Care Expenses

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Written verification from the person who receives the payments is required. The childcare provider must provide a statement of the amount charged to the household for services. Verifications must specify the childcare provider's name, address, telephone number, the names of the children cared for, the number of hours the childcare occurs, the rate of pay, and the typical yearly amount paid, including school and vacation periods. The applicant or participant must declare whether any of those payments have been or will be paid or reimbursed by outside sources. The Burbank Housing Authority will utilize the tax code Child and Dependent Care Credit amount or the actual cost of the childcare; whichever is less per year, for children under 13.

Medical Expenses

Applicants or participants who claim medical expenses or expenses to assist a person with a disability will be required to submit a certification as to whether or not any expense payments have been, or will be, reimbursed by an outside source. All expense claims will be verified by one or more of the methods listed below:

1. Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, concerning the anticipated medical costs to be incurred by the household.
2. Written confirmation by the insurance company or employer of health insurance premiums to be paid by the household and the amount of medical expenses that will be paid out of pocket.
3. Written confirmation from the Social Security Administration showing the amount of the Medicare premiums to be paid by the household over the next 12 months. A computer printout will be accepted.
4. Receipts, canceled checks, or pay stubs that verify medical costs and insurance expenses likely to be incurred in the next 12 months.
5. Copies of payment agreements or most recent invoice that verify payments made on outstanding medical bills that will continue over all or part of the next 12 months.
6. Receipts or other record of medical expenses incurred during the past 12 months that can be used to anticipate future medical expenses. This approach may be used for general medical expenses, such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, nonrecurring expenses from the previous year.
7. Mileage charged at the IRS allowable rate for personal vehicles, cab fare, bus fare, or other public transit cost for transportation directly related to medical treatment.

Attendant Care

The following verifications would be required for expenses related to attendant care:

1. A doctor’s certification that an attendant is necessary as a medical expense and a projection of the number of hours the care is needed for calculation

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purposes.
2. Attendant's written confirmation of hours of care provided and the amount and frequency of payments received from the household or agency. Copies of canceled checks the household used to make those payments or stubs from the agency providing the services may be used.

Assistance to Persons with Disabilities [24 CFR 5.611(c)]

In all cases where the household is claiming a deduction based on assistance to persons with disabilities, the following verification is required:

1. Written certification from a medical doctor that the person with disabilities requires the services of an attendant and/or the use of auxiliary apparatus to permit him/her to be employed or to function sufficiently independently to enable another adult household member to be employed.
2. Certification from the applicant or participant concerning the amount of reimbursement they receive for any of the expenses of disability assistance.

Auxiliary Apparatus

In cases where auxiliary apparatus is claimed as a deduction, the following verification is required:

1. Receipts for purchases or proof of monthly payments and maintenance expenses for auxiliary apparatus.
2. In the case where the person with disabilities is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

G. VERIFICATION OF NON-FINANCIAL FACTORS [24 CFR Part 5, Subpart B

In order to prevent Program abuse, the Burbank Housing Authority will require applicants to furnish verification of legal identity for all household members. The documents listed below will be considered acceptable verification of legal identity for adults. If a document that is submitted is illegible or otherwise questionable, more than one of these documents may be required.

Legal Identity for Adults

1. Birth Certificate.
2. Naturalization papers.
3. Current valid driver's license.
4. U.S. military discharge (DD 214).
5. U.S. passport.

Legal Identity for Children

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1. Birth certificate.
2. Hospital birth record.
3. Adoption papers.
4. Custody agreement.
5. School records.

Verification of Marital Status

Marital status verification is needed to comply with requirements under the Non-Citizen Rule. A marriage certificate would be required to prove that a non-citizen member of the household qualifies as an eligible household member based on being the spouse of the head of household.

Verification of Permanent Absence of Household Member

If an adult member, who was formerly a member of the household, is reported to be permanently absent, the Housing Authority will consider any of the following as verification:

1. Husband or wife institutes divorce or legal separation.
2. Protective Order or Restraining Order obtained by one household member against another.
3. Proof of another home address, such as utility bills, canceled checks for rent, driver's license, or lease or rental agreement, if available.
4. Statements from other agencies, such as the Department of Public Social Services, or a written statement from the landlord or manager that the adult household member is no longer living at that location.
5. If a household member is incarcerated, a document from the Court or prison should be obtained stating how long s/he will be incarcerated.

Verification of Change in Household Composition

The Housing Authority may verify changes in household composition, which are either reported or unreported, through letters, telephone calls, utility records, inspections, landlords, neighbors, credit data, school records, and other sources.

Verification of Disability

Verification of disability must be receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7). Proof of disability may be provided by a written statement from a medical doctor on the Housing Authority approved form.

Verification of Citizenship or Eligible Immigrant Status

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To be eligible for assistance, individuals must be U.S. citizens or eligible immigrants. Eligible immigrants must fall into one of the categories specified by the HUD regulations and must have their status verified by Immigration and Naturalization Service. Each household member must declare his/her status. Assistance cannot be delayed, denied, or terminated while verification of status is pending. The form that must be completed is as follows:

Citizens or nationals of the United States are required to sign a declaration under penalty of perjury. Proof of citizenship is required.

Eligible immigrants, who were Section 8 participants and 62 years of age or more on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.

Non-citizens, with eligible immigration status, must sign a declaration of status and verification consent form. They must also submit their original immigration documents which will be copied front and back. The Burbank Housing Authority will verify the status through the Systematic Alien Verification for Entitlements system provided by the Immigration and Naturalization Service. If this primary verification fails to verify status within ten days, then the Housing Authority will request a manual search.

Ineligible household members, who do not claim to be citizens or eligible immigrants, must be listed on a statement of ineligible household members signed by the head of household or spouse.

Non-citizen students on student visas are ineligible members even though they are in the country lawfully. They must provide their student visa, but their status will not be verified. They do not need to sign a declaration, but they will be listed on the statement of ineligible members.

Any applicant or participant household member who fails to sign the required declarations and consent forms or provide documents will be listed as an ineligible member. If the entire household fails to provide and sign as required, they may be denied participation or terminated from assistance for failure to provide required information.

Time of Verification

Verification of U.S. citizenship or eligible immigrant status occurs at the same time that the applicant is selected from the Applicant Waiting List. Any new members to the household after initial eligibility determination and any households with portable Certificates or Vouchers that move into Burbank will need to provide the appropriate information.

Extensions of Time to Provide Documents

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An extension of 30 calendar days will be granted to households to submit evidence of eligible immigrant status. The notice of extension shall be in writing and will specify the dates of the extension period.

Acceptable Documents of Eligible Immigration

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register.

1. Resident Alien Card (I-551).
2. Alien Registration Receipt Card (I-151).
3. Arrival-Departure Record (I-94).
4. Temporary Resident Card (I-688).
5. Employment Authorization Card (I-688B).
6. Receipt issued by the INS for issuance of replacement of any of the above documents that shows individual's entitlement has been verified.

A birth certificate is not acceptable verification of status for persons born outside of the United States. All documents in connection with U.S. citizenship or eligible immigrant status will be kept for five years. If the Housing Authority determines that a household member has knowingly permitted another individual who is not eligible for assistance to reside permanently in the unit, the Section 8 assistance will be discontinued.

H. SOCIAL SECURITY NUMBER VERIFICATION [24 CFR 5.216]

Social Security numbers must be provided as a condition of eligibility for all household members, if they have been issued a number. Verification of Social Security numbers will be done through a Social Security card issued by the Social Security Administration. If a household member cannot produce a Social Security card, then the documents listed below showing the Social Security number may be used for verification. The household member would also be required to certify in writing that the documents submitted in lieu of the Social Security card information provided are complete and accurate:

1. A driver's license.
2. An identification card issued by a federal, state or local agency.
3. An identification card issued by a medical insurance company or provider, including Medicare and Medicaid.
4. An identification card issued by an employer or trade union.
5. An identification card issued by a medical insurance company.
6. Earnings statements or payroll stubs.
7. Bank Statements.
8. IRS Form 1099.
9. Benefit award letters from government agencies.
10. Retirement benefit letter.
11. Life insurance policies.

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12. Court records such as real estate, tax notices, marriage and divorce, judgment or bankruptcy records.
13. Verification of benefits or Social Security number from Social Security Office.

New household members, who are 6 years of age or older, will be required to produce their Social Security card or provide the substitute documentation described above together with their certification that the substitute information provided is complete and accurate. This information is to be provided at the time the change in household composition is reported to the Housing Authority.

When a participant family request to add a new household member, who is under the age of six, and does not have an assigned Social Security number, the family must provide the Social Security documentation within 90 calendar days of the child being added to the household. If the family cannot provide the documentation within the allotted time frame, due to circumstances out of their control (delayed processing of Social Security numbers), the family will be granted an additional 90 days.

If an applicant or participant is able to disclose the Social Security number, but cannot meet the documentation requirements, the applicant or participant must sign a certification to that effect. Any household member will have an additional 60 calendar days to provide proof of the Social Security number. If they fail to provide this documentation, the rental assistance will be terminated.

In the case of an individual, who is at least 62 years of age, an extension may be granted for an additional 60 calendar days to a total of 120 days. If, at the end of this time, the elderly individual has not provided documentation, the rental assistance will be terminated. If the household member states s/he has not been issued a number, then s/he will be required to sign a certification to this effect. The person will be required to apply for a Social Security number.

I. VERIFICATION OF PREFERENCES [24 CFR 982.207]

Residency Preference

This preference will be provided to applicants who reside in the City of Burbank or applicant families with a member who works or has been hired to work in the City of Burbank. In order to verify the address, the applicant must provide third party documentation which may include a driver's license, utility bills, school records, voter registration records, bank statements or credit reports. When residency cannot be verified based on documentation provided, the Burbank Housing Authority may conduct on-site inspections of the current, claimed residence in order to prove permanent Burbank residency.

A letter from the Burbank employer will be required to show employment or the commitment of employment for any member of the applicant family.

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Homeless applicants must provide certification from the Burbank community organizations and service providers they are working with in order to verify eligibility for residence status.

Persons Displaced by Government Action

This preference will be provided to applicants who are displaced by government action of the Burbank Housing Authority or the City of Burbank. The applicant must provide the certification from the local government agency that the involuntary displacement will be caused by an activity in connection with code enforcement or a public improvement or a development program.

Veteran Preference

This preference will be provided to applicants who have a current member of the U.S. Military Armed Forces in their applicant family. Veterans and surviving spouses of veterans will also be given this preference and they must provide a U.S. military discharge (DD214) as proof of military service.

Disability Preference

This preference will be provided to applicant families with a member who has a disability. Verification of disability can be shown by receipt of SSI or SSA disability payments under Section 223 of the Social Security Act or 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7). Proof of disability may be provided by a written statement from a medical doctor on the Housing Authority approved form.

Homeless Preference

This preference is for Burbank homeless individuals and families that have been working with qualified Burbank service providers. These service providers will certify that the adult applicant members meets the specific criteria for this category, and commits to providing on-going supportive services for a minimum of six (6) months after issuance of a housing voucher in order to ensure that the applicant is able to live independently. The service provider is responsible for certifying that the homeless applicant meets the requirements of the Program as outlined in this Administrative Plan.

Severely Rent-Burdened Preference

This preference will be provided to applicant families that pay more than 50% of gross annual income on rent (income as defined and described in Chapter 5 of this Plan). A rental agreement in the applicant family's name will be required, along with proof that the applicant pays the contracted rent through copies of rent receipts, cancelled checks, money order receipts, etc. for the timeframe specified on the eligibility paperwork. The information will be reviewed and a calculation for severely rent-burdened will be

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conducted.

Substandard Housing Preference

Families who claim to be living in an unpermitted structure must provide written verification/documentation from a government official in the course and scope of their official duties such as a code enforcement officer or building inspector. This preference may also require visual verification by Building and Safety/HQS inspection staff.

J. RELEASE OF INFORMATION [24 CFR 5.230]

Applicants or participants 18 years or older will be required to sign specific authorization forms when information is needed that is not covered by the *Authorization for Release of Information/Privacy Act Notice* (HUD 9886-A). Refusal to sign this form will result in denial of admission to the Program or termination of assistance.

The consent form remains effective until the earliest of:
1) the rendering of a final adverse decision for an assistance applicant;
2) the cessation of a participant's eligibility for assistance from HUD and the HA; or
3) The express revocation by the assistance applicant or recipient (or applicable family member) of the authorization, in a written notification to HUD or the BHA.

K. PRIVACY RIGHTS [24 CFR Part 16]

The Burbank Housing Authority is required to safeguard personally identifiable information (PII) as required by HUD and for preventing potential breaches of this sensitive data. HUD expects Public Housing Authorities, who collect, use, maintain or disseminate HUD information to protect the privacy of that information in accordance with applicable law. Applicants and participants, including all adults in the household, are required to sign the form, Authorization *for Release of Information* (HUD 9886). This document incorporates the *Federal Privacy Act Statement* and describes the conditions under which HUD will release household information. Any request for the release of information that is presented to the Burbank Housing Authority will be forwarded to the City Attorney's Office. The request will be reviewed for compliance with federal and state laws which may restrict the release of household information.

Written authorization must be on file in order for Burbank Housing Authority staff to release information to other persons besides the applicant or participant.

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CHAPTER 7

SUBSIDY STANDARDS

INTRODUCTION

The subsidy standards used in the Section 8 Program determine the amount of assistance that each eligible applicant family and participant household will receive on a monthly basis. This Chapter explains how the subsidy standards are applied and the methods of calculation that will be used to determine the amount of subsidy.

A. VOUCHER SIZE DETERMINATION

The number of bedrooms shown on the Voucher indicates the maximum subsidy that would be available to the household before any deductions. The subsidy amount increases with the number of bedrooms. The household size is the determining factor when establishing Voucher size. If the household size changes, the subsidy standard will be changed at the next annual re-examination date. The standards in this section relate to the amount of subsidy only and do not dictate the actual living arrangements of the household.

Guideline for Determining Voucher Size

Voucher Size	Household Members
1 Bedroom	1 - 2
2 Bedrooms	3 - 4
3 Bedrooms	5 - 6
4 Bedrooms	7 - 8

Changes in Household Composition

The head of household must report the names of all members of the household that are residing in the unit, including any approved live-in aide. The head of household must obtain approval from the Housing Authority before moving any additional people into the unit. The exceptions to this rule are additions to the household by birth or adoption of a child or court-awarded custody. Any increase or decrease in household members must be reported within 30 calendar days.

Changes in Bedroom Size

If the size of the household increases, and the unit does not have an adequate number of bedrooms to meet the Housing Quality Standards, the household will need to move to

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another unit. A new Voucher, in the correct bedroom size, will be issued and the household will be given up to 120 calendar days to relocate. The Housing Authority will assist the household in locating another unit by providing a current list of available apartments where the landlords will accept the Section 8 Program. If the household does not relocate to another unit within the 120 days, the Section 8 rental assistance will be terminated.

B. UNIT SIZE SELECTED [24 CFR 982.505 (c) (i)(ii)]

The payment standard is based on the number of people in the household and specifies the maximum amount of subsidy. The household may select a unit with a different number of bedrooms than what is specified on the Voucher. In those situations, the following guidelines will apply:

1. Subsidy Limitation: In the Voucher Program, the subsidy amount will be the lower of the payment standard or the payment standard amount for the number of bedrooms in the actual unit selected. In cases where the rent is lower than the payment standard, the subsidy amount will be the balance of the rent after the tenant portion is deducted.

2. Utility Allowance: The utility allowance used to calculate the gross rent is based on the lower of the actual unit size or the voucher bedroom size.

3. Housing Quality Standards: These standards allow two persons per living or sleeping room. The following table gives the guidelines for occupancy in order to prevent overcrowding:

Bedrooms	Maximum Number of People
0	2
1	4
2	6
3	8
4	10

C. PAYMENT STANDARDS [24 CFR 982.503 (a)(b) and 982.505 (a)(b)]

A payment standard is used to calculate the monthly housing assistance for a household. The payment standard is the maximum monthly subsidy payment before any deductions. It is the policy of the Burbank Housing Authority to set the payment standard in the basic range of 90% and 110% of the fair market rent. This payment standard level will enable

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very low-income households to obtain rental units in the City which meet the affordability requirement. Each year when the fair market rent limits are published (usually in September of each year and take effect October 1st of each year), the payment standards may be adjusted accordingly.[2] The payment standards will be reviewed annually to determine whether the tenants are able to find quality units in a timely manner. Each year during the Annual Plan approval and adoption process by the Housing Authority Board, the Housing Authority Board will be presented with the payment standard for the upcoming federal fiscal year (October 1 – September 30).

Notification will be provided to Program participants at least 12 months in advance of a reduction in payment standard per HUD rules and regulations during the annual recertification process. An increase in the payment standard will be calculated at the next, regularly scheduled annual recertification for an existing participant. Furthermore, all participants of the Program will receive advance notification of any Resident Advisory Board (RAB) and Housing Authority Board meetings when a reduction in payment standard/subsidy level will be considered (increasing a participants' portion of the rent).

Small Area Fair Market Rents (SAFMRs) [24 CFR 888.113(c)(3)]

Small Area Fair Market Rents (SAFMRs) are Fair Market Rents (FMRs) calculated at the ZIP code level rather than for the entire metropolitan area. SAFMRs are designed to help families access low-poverty, high-opportunity areas by offering rental assistance that matches the local market rent, making housing in these neighborhoods more affordable for families. The Burbank Housing Authority has been designated by HUD as an SAFMR PHA and, in accordance with 24 CFR 888.113(c)(3), and was required to implement SAFMR-based payment standards no later than January 1, 2025.

SAFMRs will apply to all tenant-based vouchers in the BHA's jurisdiction, including special vouchers such as the Veterans Affairs Supportive Housing (HUD-VASH) Program, Foster Youth to Independence (FYI), and special housing types such as Single Room Occupancies (SROs).

The BHA may, without HUD approval, establish an exception payment standard of up to and including 120% of the SAFMR if required as a reasonable accommodation for a family that includes a person with a disability (or, in the case of HUD-VASH, up to 140% of the SAFMR). The BHA may request HUD approval to establish a payment standard exceeding 120% of the SAFMR (or 140% in the case of HUD-VASH), if necessary, as a reasonable accommodation for such a family.

Hold Harmless

If the amount on the payment standard schedule is decreased while the family continues to reside in the assisted unit, the payment standard in effect as of the recertification prior

2 The Housing Opportunities and Modernization Act of 2016 (HOTMA) allows PHAs to continue to use the higher payment standard (outside of the basic range as the result of a reduction in FMRs) for as long as the family continues to reside in the assisted unit.

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to the decrease will remain in place. The payment standard shall be frozen at this level until one of the following occurs:

- The payment standard is equal to or above the frozen level.
- The family moves.
- A change in household composition requires a change in payment standard at the next annual reexamination.

Increases in Payment Standard during HAP Contract

If the payment standard amount is increased during the term of the HAP contract, the BHA must use the increased payment standard amount to calculate the monthly housing assistance payment for the family beginning no later than the earliest of:

- The effective date of an increase in the gross rent that would result in an increase in the family share;
- The family's first regular or interim reexamination; or
- One year following the effective date of the increase in the payment standard amount.

PBVs

The BHA will not apply SAFMRs to the Project-Based Voucher (PBV) Program but will apply the Metropolitan Area Fair Market Rents (MAFMRs) to the PBV Program.

Exception to Payment Standard as a Reasonable Accommodation

Federal regulations stipulate that requests for accommodations will be considered reasonable if they do not create an "undue financial and administrative burden" for the Public Housing Agency or result in a “fundamental alteration” in the nature of the program or service offered. The BHA may, as an accommodation, grant a higher payment standard if the BHA determines it is necessary and reasonable to enable a person with a disability to obtain a suitable housing unit. The BHA may approve a higher payment standard up to 120% of the FMR. Requests for accommodations requiring approval of a payment standard exceeding 120% of the FMR will require HUD approval.
(See Chapter 1 for policies regarding the request for reasonable accommodations)

D. TENANT PAYMENT [24 CFR 5.628]

In the Voucher Program, the tenant payment is the difference between the rent and the Housing Authority subsidy. In cases where the rent is lower than the payment standard,

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the tenant portion is the greatest of 30% of the adjusted monthly income or 10% of gross income. The Housing Authority does not have a minimum rent amount.

E. SUBSIDY AMOUNTS [982.505]

For the Voucher Program, the subsidy is based on the payment standard for the number of household members and the size of the unit selected. The subsidy amount is equal to the lower of the payment standard minus the tenant payment or the gross rent minus the tenant payment.

In situations where special housing types are allowed for participation in the Program as a reasonable accommodation for a household with a disabled member, there are specific rules that apply to the calculation method for the amount of subsidy. These various types of subsidy are found in 24 CFR 982.604, 608, 613, 617 and 619 (Including HOTMA 2016).

F. CHANGES IN HOUSEHOLD SUBSIDY [24 CFR 982.505 (c)]

The payment standard that was used at the time that the unit was placed under Section 8 contract will remain in effect, unless the household composition changes. If the household size increases or decreases during the HAP contract term, the new family unit size may be used to determine the payment standard amount for the family immediately but no later than the family's first regular reexamination following the change in family unit size.~~the new family size must be used to determine the payment standard amount for the family beginning at the family's first regular reexamination following the change in family size.~~

G. AFFORDABILITY STANDARD [24 CFR 982.508]

At the time that a household initially receives Section 8 assistance, the tenant portion of the rent cannot be higher than 40% of adjusted income for the first year of occupancy. This requirement applies to new admissions and moves.

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H. UTILITY ALLOWANCES [24 CFR 982.517)]

The Housing Authority has a Schedule of Utility Allowances which shows the typical cost of utilities not included in the rent. The allowances are based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same geographical areas. Allowances are not based on an individual household's actual energy consumption. The Schedule of Utility Allowances is updated on an annual basis.

HCV program regulations require a PHA to approve a utility allowance amount higher than shown on the PHA's schedule if a higher allowance is needed as a reasonable accommodation for a family member with a disability. (See Chapter 1 for policies regarding the request for reasonable accommodations).

I. PRORATION OF ASSISTANCE [24 CFR 5.520]

Proration of assistance must be offered to any mixed household, which includes at least one U.S. citizen or eligible immigrant, and any number of ineligible members based on immigration status. Mixed households that were participants on June 19, 1995, and who do not qualify for continued assistance at full subsidy, must be offered prorated assistance. Prorated assistance is calculated by determining the amount of assistance payable if all household members were eligible and multiplying that figure by the percent of the members who actually are eligible. The tenant payment is the gross rent minus the prorated assistance.

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CHAPTER 8

VOUCHER ISSUANCE AND BRIEFING SESSIONS
[24 CFR 982.301, 982.302]

INTRODUCTION

The procedures described in this Chapter are designed to ensure that applicants selected to participate in the Section 8 Program are given enough information and guidance to locate an acceptable housing unit. After eligibility has been determined, the applicant will be given a briefing session to explain how the Section 8 Program works. The briefing session will provide a broad description of landlord and tenant responsibilities, Program procedures, and steps to follow in finding a unit. The applicant will also receive a briefing packet which provides more detailed information about the Section 8 Program, including the portability provision. Under portability, a participant household may move to another jurisdiction with the Section 8 rental assistance.

A. VOUCHER ISSUANCE [24 CFR 982.204(d), 982.54(d)(2)]

When funding is available, Vouchers will be issued to applicants whose eligibility has been determined. The number of Vouchers issued will ensure that the Program is fully utilized.

B. BRIEFING SESSIONS [24 CFR 982.301]

A briefing session will be conducted after the applicant family has been determined to be eligible for assistance. The purpose of the briefing session is to explain the documents in the Voucher holder's packet to ensure that the head of household is fully informed about the Section 8 Program. This briefing session will prepare the tenant to discuss the Program with potential landlords and property managers. The Housing Authority staff will provide assistance whenever necessary to ensure that the tenant is successful in locating a unit.

A briefing packet will be given to the tenant which contains the following information:

1. The Voucher with the expiration date and the procedure to follow if an extension of time is needed.

2. A statement concerning rent reasonableness.

3. An explanation of the payment standards used in the Voucher Program. A sample case study will be included to illustrate how the amount of subsidy is calculated.

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4. A map of Burbank showing the boundaries of the geographical area under the jurisdiction of the Burbank Housing Authority.

5. A written statement concerning portability which explains that Burbank residents are allowed to move anywhere in the United States with their Voucher. Non-residents must move into the City of Burbank to participate in the Program. They would be required to live in Burbank for a period of one year before being allowed to move outside of Burbank.

6. A Request for Tenancy Approval form, a Rent Schedule to show the rents for other units in the same building, an IRS W-9 form and a Direct Deposit Authorization form all to be completed by the landlord.

7. Procedures for meeting the timelines for submission of the appropriate forms.

8. A sample lease to be used by the landlord and the *Addendum to the Lease* form for the landlord and tenant to sign.

9. The HUD brochure "A Good Place to Live."

10. The HUD brochure on lead-based paint.

11. Information on equal opportunity laws and a copy of the *Housing Discrimination Complaint* (HUD-903).

12. Information concerning the Southern California Housing Rights Center.

13. A list of available apartments that has been supplied by landlords who are interested in renting their units to Section 8 tenants.

14. The "Family Obligations" under the Section 8 Program as shown on the Voucher.

15. The grounds on which the Burbank Housing Authority may terminate assistance based on Program violations or failure to cooperate.

16. The Informal Hearing procedures, including the reasons why an Informal Hearing may be requested, and the procedures to request an Informal Hearing.

17. The HUD-required "tenancy addendum" that must be included in the lease.

18. A statement of the PHA policy on providing information about a family to prospective owners.

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19. An explanation of subsidy standards, including when the BHA will consider granting exceptions to the standards and when exceptions are required as a reasonable accommodation for persons with disabilities.

20. The advantages of areas that do not have a high concentration of low-income families.

21. Information on how to request a reasonable accommodation or modification including information on requesting exception payment standards as a reasonable accommodation. if the family includes a person with disabilities, the BHA is required to provide a current listing of accessible units known to the BHA and, if necessary, other assistance in locating an available accessible dwelling unit.

The printed material will be explained at the briefing session and the tenant will be encouraged to ask questions. The briefing session will emphasize the fact that the tenant has the ability to choose a unit that is geographically advantageous to be near employment, schools, medical facilities, childcare providers and any other service that may be required by the household. The tenant will be encouraged to keep in contact with the Housing Authority office to report on any difficulties that may be encountered in trying to locate a suitable unit. The BHA will also provide information regarding the reasonable accommodation process at this time.

The Burbank Housing Authority will comply with the reauthorized and amended Violence Against Women Reauthorization Act of 2022 (VAWA), which protects individuals who are survivors of domestic violence, dating violence, sexual assault and stalking, regardless of sex, sexual orientation, or gender identity from being evicted or terminated from housing assistance based on acts of such violence against them. More information in Chapter 11.

Requests to Move

An individual briefing session will be held for participants who will be issued Vouchers to move. These tenants will need to provide current income information and will need to provide a copy of the written 30-Day Notice to Move that they have given to their current landlord. A briefing session will be given to incoming and outgoing portable households.

C. ENCOURAGING PARTICIPATION IN AREAS WITHOUT LOW INCOME OR MINORITY CONCENTRATION

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At the briefing session, the tenant will be encouraged to locate housing that meets their individual needs. The Housing Authority does not select the location of the housing and leaves the freedom of choice entirely to the tenant. A map of Burbank, which shows the areas with the highest percentage of low-income residents, will be discussed. During the briefing session, the tenant will be encouraged to move outside of those areas.

D. DISCRIMINATION CLAIMS

Tenants who claim that they have been discriminated against will be encouraged to contact the Housing Authority and to report such violations. The tenants will be referred to the Southern California Housing Rights Center for counseling and investigation. The City of Burbank has a contract with this agency to handle any complaints concerning discrimination in housing. The head of household will be given the *Housing Discrimination Complaint* (HUD-903) to be filed with federal government.

E. TERM OF THE VOUCHER [24 CFR 982.303]

During the briefing session, the applicant will be issued a Voucher with a term of 60 calendar days. This document represents a contractual agreement between the Burbank Housing Authority and the tenant, which specifies the rights and responsibilities of each party.

Extensions

An eligible household may request an extension of the Voucher for an additional 60 calendar days. This request does not need to be in writing, but it must be requested prior to the expiration date of the Voucher. The head of household needs to provide an explanation of the efforts made to find a unit. The Housing Authority will assist the household in finding a suitable unit by providing updated listings of available apartments, online rental information, current listings from local newspapers, and negotiating with landlords as needed.

Suspensions

The PHA must provide for suspension of the initial or any extended term of the voucher from the date that the family submits a request for PHA approval of the tenancy (RTA) until the date the PHA notifies the family in writing whether the request has been approved or denied.

Expirations

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The Voucher is valid for a total term of 120 calendar days. The household must submit a *Request for Tenancy Approval* within that period or the Voucher will expire. If the Voucher does expire, the head of household may request an Informal Review. For households with a person with a disability, an extension of 60 calendar days will be granted upon request as a reasonable accommodation. The Housing Authority does allow for suspensions (tolling) of time on the term of the Voucher.

F. PORTABILITY [24 CFR 982.353, 355

Portability is the practice of Section 8 tenants being allowed to take their rental assistance with them when they move. A Program participant has a statutory right of nationwide portability to any jurisdiction where a Housing Authority is administering the Section 8 Voucher Program. The Housing Authority that issues the Voucher for the first time is called the initial Housing Authority. When the household relocates to another jurisdiction that Housing Authority is referred to as the receiving Housing Authority.

For admission to the Program, the household must be income eligible in the area where the household initially leases a unit with assistance. The receiving Housing Authority does not re-determine eligibility for a portable household that was already receiving assistance in the initial Housing Authority's Section 8 Program. However, for a portable household that was not already receiving assistance, the initial Housing Authority must determine whether the household is eligible for admission to the Receiving Housing Authority's Program.

Burbank residents will be allowed to move out of the jurisdiction during their first year on the Program if they desire. Non-residents need to live in Burbank for their first year of Program participation before being allowed to move to another jurisdiction. In order to qualify for portability, the household must be income eligible in the geographical area where the assisted unit is located.

The receiving Housing Authority must issue a Voucher to the Household. The term of the receiving Housing Authority Voucher may not expire before 30 calendar days from the expiration date of the initial PHA voucher. The receiving Housing Authority must determine whether to extend the Voucher term. The household must submit a Request for Tenancy Approval to the receiving Housing Authority during the term of the Voucher issued by the receiving Housing Authority.

Households that are moving out of Burbank will need to inform the Housing Authority of the location of the new unit. The Burbank Housing Authority will contact the receiving Housing Authority and send the agency the appropriate transfer documents. In situations where household are moving into Burbank under portability, the sending Housing Authority will need to follow the same procedure. If other Housing Authorities decide to bill the Burbank Housing Authority for tenants who moved out of Burbank, the payments will be made on a monthly basis to the appropriate Housing Authority at the same time as the other payments to landlords are made.

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G. VOUCHER ISSUANCE FOR SPLIT HOUSEHOLDS [24 CFR 982.315]

In instances where an assisted household is divided into two otherwise eligible components, due to divorce or legal separation, the tenants will need to decide which household component will receive the Voucher. A reduction in household size may require a reduction in the bedroom size shown on the Voucher.

H. REMAINING HOUSEHOLD MEMBER [24 CFR 982.315]

In cases where the head of household is no longer in the unit, the household member remaining in the unit may be entitled to continued assistance. The remaining household member must have been on the lease and must have been approved by the Burbank Housing Authority to be living in the unit before the head of household vacated. A live-in aide, by definition, is not a member of the household (although considered in household size for appropriate voucher issuance) and will not be considered a remaining member.

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CHAPTER 9

REQUEST FOR TENANCY APPROVAL AND CONTRACT EXECUTION

INTRODUCTION

This Chapter describes the policies and procedures that pertain to processing the required forms to place a rental unit under the Section 8 Program. All of these procedures must be followed in the proper sequence and all documents must be executed by all parties before the first housing assistance payment is made.

A. REQUEST FOR TENANCY APPROVAL [24 CFR 982.305 (b)]

The *Request for Tenancy Approval* (RTA) is the first document that is signed when the tenant finds a suitable unit for the Program. This form must be signed by the landlord and the tenant and needs to be submitted to the Housing Authority during the period that the Voucher is valid. The information on the form will be reviewed to determine whether the unit qualifies for the Section 8 Program. The landlord must also submit a rent schedule for the other units in the building. The rent for the selected unit will be reviewed in comparison with the unassisted units. In addition, the landlord will need to provide proof of ownership, such as a grant deed or tax bill, and must sign the W-9 form for the IRS. If the property is managed by a professional property management company, a copy of the management agreement must be provided. The unit will be inspected after all of this documentation is received.

If the *Request for Tenancy Approval* cannot be approved for any reason, the landlord and the tenant will be contacted immediately. They will be advised concerning the steps that would be necessary to approve the unit. If the landlord does not want to take steps to change the circumstances, such as reducing the rent or making the repairs, then the tenant will be encouraged to look for another unit. At that time, the tenant will be given a new *Request for Tenancy Approval* form to be used elsewhere.

B. ELIGIBLE TYPES OF HOUSING [24 CFR 982.352]

All typical structure types, including but not limited to single-family houses, condominiums, townhouses, multi-family apartment units and mobile homes are eligible for inclusion in the Section 8 Program. However, there are no existing mobile home parks in the City of Burbank. If at any point in the future, one such park is developed, this type of housing will be included as being eligible for participation in the Section 8 Program.

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C. SPECIAL HOUSING TYPES [24 CFR 982.601]

There are special housing types that are eligible for Section 8 assistance as a reasonable accommodation for a person with a disability. The participant must provide a certification from a medical professional that this type of housing is necessary. The following types of housing fall within this category:

Single Room Occupancy (SRO) Housing [24 CFR 982.604]

For a person residing in SRO housing, the payment standard is 75 percent of the zero-bedroom payment standard and the utility allowance is 75 percent of the zero-bedroom utility allowance.

Congregate Housing [24 CFR 982.608]

Unless there is a live-in aide, the household residing in congregate housing, the payment standard is the zero-bedroom payment standard amount. If there are two or more rooms in the unit (not including kitchen or sanitary facilities), the payment standard is the one-bedroom payment standard amount.

Group Home [24 CFR 982.613]

Unless there is a live-in aide, the payment standard for a person who resides in a group home is the lower of the payment standard for the household size or the pro-rata share of the payment standard for the group home size. The utility allowance for each assisted person residing in a group home is the pro-rata portion of the utility allowance for the group home unit size.

Shared Housing [24 CFR 982.617]

An assisted household may live in shared housing with other assisted or unassisted residents including the owner of the residence. The payment standard is the lower of the payment standard for the household size or the pro-rata portion of the payment standard for the shared housing unit size. The utility allowance is the pro-rata portion of the utility allowance for the shared housing unit.

Cooperative Housing [24 CFR 982.619]

For this type of housing, the rent to landlord is the monthly carrying charge under the agreement between the assisted member and the cooperative. The carrying charge consists of the amount assessed to the member which covers the member's share of the cooperative debt service, operating expenses, and necessary payments to cooperative reserve funds. This monthly amount is subject to the rent limitations in the Section 8 Program.

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D. LEASE REVIEW [24 CFR 982.308]

The Housing Authority will provide a sample lease and will encourage the landlord to use that form. If the landlord submits a different lease, the Housing Authority may review the lease to determine if the lease complies with State and local law. The Housing Authority may decline to approve the tenancy if the Housing Authority determines that the lease does not comply with State or local law. House rules of the landlord may be attached to the lease as an addendum, provided that they do not violate any fair housing provisions and do not conflict with the *Addendum to Lease* form that is required by HUD.

E. RENT REASONABLENESS [24 CFR 982.507]

The Housing Authority will not approve a lease until it has been determined that the rent is reasonable compared to rents for unassisted units.

This determination will be made:

1. At initial lease-up,
2. Any time the landlord requests a rent increase,
3. When directed by HUD,
4. At the HAP contract anniversary if there is a 10 percent decrease in the published fair market rent (FMR) in effect 60 days before the HAP contract anniversary.

The Housing Authority may also re-determine reasonable rents at any time. The rent charged for a unit under the Section 8 Program cannot be the highest rent for that size unit in the building. Landlords will be required to provide rent schedules for all of the units in their building where the Section 8 unit is located.

The Housing Authority will maintain a Rent Comparable Reference Guide to be used to determine rent reasonableness. The items that will be included will be:

1. Number of bedrooms,
2. Square footage,
3. Quality,
4. Amenities (dishwasher, air conditioning, covered parking),
5. Age of unit,
6. Neighborhood, and
7. Unit type.

The listings in the Reference Guide will be updated annually. A point system to rate the comparability of units will be used and documented in the case file. At least three

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comparables will be used for new units (initial lease-up) and one comparable will be used when the landlord requests a rent increase.

Units considered assisted due to a rent restriction remain excluded from rent reasonableness determinations until the PHA is notified by the owner or otherwise determines that the rent restriction has expired, or the restricted rents are no longer below market.

F. INFORMATION TO LANDLORDS [24 CFR 982.307(B), 982.54 (d)(7)]

When landlords call the Burbank Housing Authority to obtain information concerning tenants, they will be told that information about tenants is not given to individuals. Landlords will be encouraged to follow their standard screening procedures to determine the suitability of Voucher holders as tenants. If a landlord needs to obtain specific information about a previous tenant who is still on the Section 8 Program, a staff person will call the tenant and request that the tenant call the landlord.

G. DISAPPROVAL OF LANDLORDS [24 CFR 982.306]

A landlord does not have a right to participate in the Section 8 Program. There are certain circumstances under which a property landlord will be disapproved for participation. These circumstances include but are not limited to:

1. HUD has informed the Burbank Housing Authority that the landlord has been disbarred, suspended, or subject to a limited denial of participation under federal regulations.

2. HUD has informed the Housing Authority that the federal government has instituted an administrative or judicial action against the landlord for violation of the Fair Housing Act or other federal equal opportunity requirements and such action is pending.

3. HUD has informed the Housing Authority that a court or administrative agency has determined that the landlord has violated the Fair housing Act or other federal equal opportunity requirements.

4. The landlord has a conflict of interest with the Section 8 Program.

5. The landlord has violated his/her obligations under the Section 8 Program with other tenants.

6. The landlord has a history or practice of non-compliance with the Housing Quality Standards for units leased under the Section 8 Program.

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7. The landlord is verbally abusive or belligerent to any member of the Housing Authority staff.

8. The landlord threatens violence against any member of the Housing Authority staff.

9. The landlord is related to any household member as a parent, child, grandparent, grandchild, sister or brother. This restriction will be waived as a reasonable accommodation for a household that has a person with a disability.

H. CONTRACT EXECUTION PROCESS [24 CFR 982.305(c)]

In order to finalize the contract process, the landlord and the tenant will execute the Lease and the *Addendum to the Lease*. The landlord and the Housing Authority will execute the *Housing Assistance Payments Contract* and copies will be given to all parties. The unit must pass inspection prior to the first payment under the contract. Payments to landlords are made on the first day of the month unless the first falls on a weekend or holiday, then the payment will be made the first following business day. The term of the contract is specified on the documents as the first day of assistance. The contract continues as long as the tenant continues to receive assistance in that unit.

I. RECERTIFICATIONS [24 CFR 982.516]

The income of each participant household is required to be recertified annually. Third party verification will be obtained for income and assets. The recertification process will commence 90 days before the anniversary date of the Housing Assistance Payments Contract. Income limits are not used as a test for continued eligibility at recertification. The household remains eligible for participation as long as the tenant portion does not equal the rent.

J. RENT INCREASES

Rent increases in the Voucher Program must be given in writing to the tenant and the Housing Authority 60 days in advance. In all cases, the new rent must be considered reasonable when compared to unassisted units.

The Housing Authority will not approve a rent increase for a unit that is in failed HQS status or subject to abatement of Housing Assistance Payments.

K. CHANGE IN OWNERSHIP

The Housing Authority will process a change of ownership upon the request of the new landlord when it is accompanied by a copy of the escrow statement or a recorded grant

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deed showing the transfer of title. The new landlord must sign the W-9 form for the IRS. The Housing Authority will confirm that the Taxpayer Identification Number (TIN) matches the IRS records by ordering an online TinCheck report. All of this documentation must be complete before a payment is made to the new landlord. The recertification date for the tenant will remain the same.

L. MOVES [24 CFR 982.354]

The Program regulations allow households to move with continued assistance provided that they are in good standing with the Housing Authority. The household is informed that they should not move in the first year of a new Housing Assistance Payments Contract. However, there are situations that may necessitate the household to move.

These situations include the following circumstances:

1. The lease was terminated by mutual agreement between the landlord and the tenant.

2. The landlord has given the household a notice to vacate or has commenced an action to evict the tenant.

3. The household has given the landlord a written 30-Day Notice of Intent to Vacate and has provided a copy to the Housing Authority.

4. The lease for the old unit has termination because the Housing Authority has canceled the Housing Assistance Payments Contract for landlord breach of obligations or the unit does not pass inspection.

At the time of a move, the assistance will stop at the old unit at the end of the month in which the tenant ceases to occupy the unit. Assistance will start in the new unit on the effective date of the lease and contract. Assistance payments may overlap for the month in which the household moves. A move within the same building or project will be processed like any other move.

Households that owe the Burbank Housing Authority money under a Repayment Agreement must pay all monies owed in full before being allowed to move. This requirement may be waived if the inability to move would present a hardship to the tenant. Any exception to this rule would need to be approved by the Housing Administrator.

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CHAPTER 10

HOUSING QUALITY STANDARDS AND INSPECTIONS
[24 CFR 982.401]

INTRODUCTION

Housing Quality Standards are the HUD minimum quality standards for the Section 8 Program. Units are required to meet these standards at both initial occupancy and during the term of the assistance. These standards apply to the unit, the building, and the premises. Newly leased units must pass the Housing Quality Standards inspection before the beginning date of assistance.

The Burbank Housing Authority will inspect each unit under the Section 8 Program at least once per year. Quality control inspections will be performed by a Housing staff member on at least five percent of all units under contract. This Chapter describes the procedures for performing Housing Quality Standards inspections and the time frames to be used for repairs. It also explains the responsibilities of the landlord and tenant as well as the consequences of non-compliance with the Housing Quality Standards requirements.

A. TYPES OF INSPECTIONS [24 CFR 982.401(a), 982.405]

Initial Inspections

At the time that the *Request for Tenancy Approval* is submitted, an initial inspection will be scheduled to be performed within five working days. The purpose of the initial inspection is to make sure that the unit meets the minimum requirements for decent, safe and sanitary housing, which are contained in the Housing Quality Standards. The requirements for the various items to be inspected are contained in the *HUD Inspection Report*. This report form is completed for all units approved for the Section 8 Program.

If a unit does not pass inspection, the landlord and tenant are notified immediately, and the landlord will be given 14 calendar days to make the repairs3. The landlord will be allowed to have two reinspection's to check that the repairs have been made. The maximum time period to make these repairs will be 30 calendar days. If the landlord does not make the repairs within the maximum time period, the tenant will need to find another unit. In addition, the utilities must be in service and the appliances must be present and in working order prior to the effective date of the *Housing Assistance Payments Contract*.

3 The HQS Inspection Manual requires the Burbank Housing Authority Inspector to check for minimum standards of habitability. Using the guidance available, the inspector makes determinations as to whether or not a unit passes inspection. In recent years, bed bugs have reemerged in the United States. Inspectors will utilize the HQS Inspection Manual to determine if a bed bug infestation exists and subsequently the unit may fail the HQS inspection.

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Biennial Inspections

All units under the Section 8 Program will be inspected at least every two years. However, the Housing Authority reserves the right to inspect units more often as deemed necessary, such as units that do not pass inspection. Those units will be inspected as often as necessary, and more often than once every two years. The landlord and tenant are advised of the inspection date and they must make the unit available for inspection.

Move-Out Inspections

At the time that a tenant moves out of the unit, either the landlord or the tenant may request a move-out inspection in order to verify the condition of the unit.

Special Inspections

If at any time that the landlord or tenant notifies the Housing Authority that the unit does not meet Housing Quality Standards, a special inspection will be performed. The unit will be inspected, and the Inspector will notify the landlord and tenant of any repairs that need to be made. A special inspection may also be conducted as the result of a complaint by a responsible party, such as a property manager, that unauthorized people are living in the unit.

Quality Control Inspections [24 CFR 982.405(b)]

Each month a Housing staff member or other qualified person will conduct quality inspections of at least 5 percent of the total number of units under contract during the fiscal year. The unit sample must include only units that have been inspected within the preceding three months. The purpose of the quality control inspections is to ascertain that each inspector is conducting accurate and complete inspections. This procedure will also ensure that there is consistency among the inspectors in the application of the Housing Quality Standards. A log will be maintained to document the dates that the quality control inspections were conducted.

Time Standards for Repairs

1. Emergency items which endanger health or safety must be corrected by the landlord within 24 hours of notification.
2. For non-emergency items, repairs must be made within 30 calendar days.
3. For major repairs, time periods beyond 30 calendar days may be granted.

B. EMERGENCY REPAIR ITEMS [24 CFR 982.401(a)]

The following items are considered to be of an emergency nature and must be corrected within 24 hours of notice by the Inspector:

1. Missing doors.

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2. Waterlogged ceiling in imminent danger of falling.
3. Major plumbing leaks or flooding.
4. Natural gas leak or fumes.
5. Electrical problem which could result in shock or fire.
6. Lack of heat.
7. Utilities not in service.
8. Lack of running hot water.
9. Broken glass where someone could be injured.
10. Obstacle which prevents entrance or exit.
11. Lack of functioning toilet.

C. LEAD-BASED PAINT

The Burbank Housing Authority will notify property owners of their responsibility to remediate lead-based paint in accordance with EPA standards as outlined in CCR § 745.227. If an Inspector makes note of deteriorated (peeling, chipping, chalking, cracking or otherwise damaged) paint in a unit (during visual assessment inspections), the Inspector will notify the owner that he or she is legally required to hire an Environmental Protection Agency (EPA) certified tester to determine if lead-based paint exists; and to remediate, if necessary. Once assessment, and if required, remediation is complete, the report is required to be retained by the property owner for review at the request of the Burbank Housing Authority.

D. FAILED INSPECTIONS [24 CFR 982.405, 982.453] [24 CFR 982.404(b)]

If a unit fails to meet Housing Quality Standards, the Housing Authority will abate the rental assistance payment to the landlord. After the repairs have been made, an inspection will be conducted, and rental assistance payments will be resumed if the unit passes inspection. No retroactive payments will be made to the landlord for the period of time that the unit did not comply with the Housing Quality Standards.

E. OWNER AND FAMILY RESPONSIBILITY FOR HQS COMPLIANCE

The Housing Authority will require that owners maintain assisted units in compliance with Housing Quality Standards (HQS) at all times. A unit is considered in noncompliance when HQS deficiencies are identified during inspection, the owner is notified in writing, and the deficiencies are not corrected within the required timeframes.

- **Life-threatening** deficiencies must be corrected within 24 hours.
- **Non-life-threatening** deficiencies must be corrected within 30 days, or within a longer period approved by the BHA.

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The family is responsible for HQS deficiencies caused by the family or household members, including failure to pay family-paid utilities, failure to maintain family-supplied appliances, and conditions such as excessive clutter or poor housekeeping.

Families will be notified in writing with an appointment to come into the office for counselling if their annual inspection fails for poor housekeeping two consecutive years. If the family does not show improvement with their housekeeping habits, the Housing Authority may propose termination of the family's rental assistance for breach of HQS and violation of the program's Family Obligations.

F. DETERMINATION OF HQS NONCOMPLIANCE

A unit is considered in HQS noncompliance when:

1. HQS deficiencies are identified during inspection;
2. The owner has been notified in writing;
3. The deficiencies are not corrected within required or approved timeframes.

G. REINSPECTION AND RESUMPTION OF ASSISTANCE

Upon notification by the owner that all HQS deficiencies have been corrected, the Housing Authority will conduct a reinspection within a reasonable timeframe. If the unit passes HQS inspection within 60 days, or within a longer period approved by the Housing Authority, HAP will resume effective the date the unit is determined to be HQS compliant. No HAP will be paid for the period during which assistance was abated.

H. TERMINATION OF THE HAP CONTRACT DUE TO HQS NONCOMPLIANCE

If the owner fails to correct HQS deficiencies within 60 days of the notice of abatement, or within a longer period approved by the BHA, the BHA will terminate the HAP contract. The BHA will issue the family a voucher to relocate at least 30 days prior to the effective date of HAP contract termination.

I. RELOCATION AND VOUCHER SEARCH PERIOD

When the HAP contract is terminated due to owner-caused HQS noncompliance, the BHA will provide the family with at least 90 days to locate and lease a new unit. The BHA may grant extensions in accordance with Administrative Plan policies. Assistance may be terminated if the family is unable to lease a unit within the BHA-approved search period.

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J. NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) [24 CFR, 5.703]

HUD is currently transitioning its HQS inspection requirements to the National Standards for the Physical Inspection of Real Estate (NSPIRE). The BHA shall comply with all NSPIRE requirements upon HUD's formal implementation mandate. Until such time, the BHA shall continue to administer inspections in accordance with the pre-NSPIRE protocols set forth in this chapter. Program participants and property owners shall be provided advance notice prior to the effective date of BHA's NSPIRE implementation.

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CHAPTER 11

DENIAL OR TERMINATION OF ASSISTANCE

INTRODUCTION

The federal regulations dictate circumstances when assistance must be denied or terminated due to willful action or inaction by the applicant or participant household. The Burbank Housing Authority has not established any other circumstances under which such action is necessary. There is a concerted effort made to inform applicants and participants about their responsibilities and obligations under the Section 8 Program. At the initial briefing session, the requirements of the Program are discussed with the head of household and the reasons for denial or termination of assistance are explained. This Chapter also describes the situations where the Housing Authority is required to deny or terminate assistance.

VIOLENCE AGAINST WOMEN AND REAUTHORIZATION ACT OF 2022 (VAWA)

The Burbank Housing Authority will comply with the reauthorized and amended Violence Against Women Reauthorization Act of 2022 (VAWA). VAWA protects individuals who are survivors of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, sexual orientation, or gender identity from being evicted or terminated from housing assistance based on acts of such violence against them. Victims will need to complete any of the HUD forms that would best apply to their situation under current law, signed and submitted by the family along with written certification from a knowledgeable professional. Finally, staff will follow HUD rules and regulations when an applicant, resident, or tenant requests admission or continued residency as a result of being a self-petitioner under VAWA (non-citizen victims) and will have on file an Emergency Transfer Plan as required by HUD. HUD's Offices of Fair Housing and Equal Opportunity and General Counsel will enforce VAWA 2022 using existing Fair Housing Act complaint process. The BHA will continue to comply as regulations and policies are issued and implemented by HUD.

VAWA 2022 revises the definition of "domestic violence" and adds the definitions of "economic abuse" and technological abuse as noted in the Glossary."

A. GROUNDS FOR DENIAL OF ASSISTANCE TO APPLICANTS [24 CFR 982.552 and 982.553]

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A person who applies for the Section 8 Program is considered an applicant from the time that the initial application is submitted and ends with the expiration of the Voucher or the execution of a Housing Assistance Payments Contract. Applicants will have their admission denied for any of the following as mandated by HUD and outlined in Chapter 2:

1. If any member of the applicant family fails to sign and submit the HUD or Housing Authority required consent forms for obtaining information.
2. If no member of the applicant family is a citizen of the United States or eligible immigrant.
3. If an individual in the applicant family is convicted of manufacturing or producing methamphetamine.
4. If any member of the applicant family is subject to a lifetime registration requirement under a state sex offender registration program.

In addition, applicants may have their ability to participate in the Program denied due to the following reasons:

1. The existing applicant family income at the time eligibility is reviewed exceeds the limits for the Program.

2. Any adult member of the applicant family has a conviction for drug-related or is or has been currently engaged in drug-related or criminal activity as outlined in Chapter 2 – Section F, Eligibility for Admission.

3. Any adult member of the applicant family that has a conviction for violent criminal activity as outlined in Chapter 2 – Section F, Eligibility for Admission.

4. Pursuant to the Quality Housing and Work Responsibility Act of 1998 (QHWRA), the use of medicinal marijuana constitutes use of an illegal drug and is grounds for denial in this federally funded Program. The Burbank Housing Authority may admit an applicant family with a member that no longer uses medicinal marijuana by including the following for review:

    a. Certifies in writing that he or she is not currently engaged in the use of medicinal marijuana, and

    b. Either provides verifiable documentation from a physician of having successfully completed a supervised drug rehabilitation program since the last instance of medicinal marijuana use, or

    c. Provides verifiable documentation from a physician that he or she is no longer using medicinal marijuana.

5. Any adult member of the applicant family violates the “Family Obligations” under the Section 8 Program as listed in Section D of this Chapter.

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6. Any member of the applicant family engages in or threatens abusive or violent behavior toward Burbank Housing Authority personnel. Abusive or violent behavior 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 denial of assistance. Threatening behavior refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence. Actual physical abuse or violence will always be cause for denial of assistance. A detailed policy related to this item is on file with the Burbank Housing Authority Office.

B. GROUNDS FOR TERMINATION OF ASSISTANCE TO PARTICIPANTS

[24 CFR 982.552, 982.553

A tenant is considered a participant from the time that a Housing Assistance Payments Contract is executed, and first rental assistance payment is made. Termination of assistance will occur under the following circumstances:

1. Any member of the household commits drug-related, violent or other criminal activity as described in Section C of this Chapter.

2. Any member of the household violates any one of the "Family Obligations" under the Section 8 Program as listed Section D of this Chapter.

3. The head of household breaches the terms of a Repayment Agreement with the Burbank Housing Authority to repay amounts owed.

4. The household has had a zero rental assistance payment for a period of 180 days due to the fact that the household income is so high that the tenant portion equals the rent.

5. Any member of the household engages in or threatens abusive or violent behavior toward Burbank Housing Authority personnel. Abusive or violent behavior 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. Threatening behavior refers to oral or written threats or physical gestures that communicate an intent to abuse or commit violence. Actual physical abuse or violence will always be cause for termination. A detailed policy related to this item is on file with the Burbank Housing Authority Office.

6. If it is determined existing participants are using medicinal marijuana, defined by the U.S. Department of Housing and Urban Development as marijuana which, when recommended by a physician to treat a serious illness such as

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AIDS, cancer, or glaucoma is legal under California State Law, the Burbank Housing Authority will issue a warning to the participant that use of medicinal marijuana is grounds for termination of assistance.4 The Burbank Housing Authority will offer conditions on assistance to the family and the family must sign the agreement acknowledging that they understand the policy. If the family violates the terms of the Burbank Housing Authority's agreement, program assistance may be terminated.

Participants who have been convicted of manufacturing or producing methamphetamine on the premises of an assisted housing project will have their assistance terminated and will be permanently ineligible for future participation in the Section 8 Program. The Burbank Housing Authority will not deny admission to or terminate assistance under the Section 8 Program ~~to~~ for a tenant or an immediate family member if any members of the household are victims or threatened victims of domestic violence, dating violence, sexual assault, ~~or~~ stalking, economic abuse, or technological abuse.

If the tenant claims that the denial or termination of assistance is based upon behavior resulting from a disability, the Housing Authority will refer the matter to the ADA Coordinator for the City of Burbank. The ADA Coordinator will review the case to determine if there is an accommodation which would negate the behavior resulting from the disability. This referral will occur before any final determination is effective.

C. "ONE STRIKE" POLICY [HUD Notice PIH 96-27]

The "One Strike" Policy established by HUD is designed to emphasize the fact that federally assisted housing is intended to provide a decent, safe and sanitary place to live and raise families. Assisted housing is not meant to be a place to commit crime, to use drugs, to sell drugs or to terrorize neighbors. It is the intention of the Burbank Housing Authority to fully endorse and implement a policy which is designed to encourage a safe and drug-free community and to keep Program participants free from threats to their personal safety.

Notice of Termination of Assistance

If an adult member of the household is convicted of or engaged in drug-related, violent criminal activity or other criminal activity during the time that the household is participating in the Section 8 Program, the Housing Authority will terminate assistance. In this case, the Housing Authority will give the household a written notice that contains the following information:

4 The Quality Housing and Work Responsibility Act (QHWRA) of 1998 (42 U.S.C. 13661) prohibits the illegal use of controlled substances, including state legalized medicinal marijuana, in housing assistance programs. State laws that legalize medicinal marijuana directly conflict with requirements set forth in QHWRA and are thus subject to federal preemption.

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1. The effective date of the proposed termination,

2. The reason(s) for the proposed termination,

3. The participant's right to request an Informal Hearing to be held before the termination of assistance.

4. The date by which the written request for an Informal Hearing must be received by the Housing Authority.

The Housing Authority will simultaneously provide a written notice of the Housing Assistance Payments Contract termination to the landlord. This notice will not include any details regarding the reason for the termination of assistance.

Confidentiality of Criminal Records

The Housing Authority will ensure that any criminal record received is maintained confidentially, not misused or improperly disseminated, and destroyed after the purpose for which it was requested is accomplished. All criminal reports, while needed, will be housed in a locked file with access limited to Housing Authority personnel. If the household is deemed eligible for initial or continued assistance, the criminal report shall be shredded as soon as the information is no longer necessary for such determination. If the household's assistance is denied or terminated, the criminal record information shall be shredded upon completion of the review or hearing procedures and a final decision has been made. The Housing Authority will confirm the destruction date with the City Attorney's office before any documents are destroyed. The circumstances of the criminal report and the date that the report was destroyed will be included in the case file.

D. FAMILY OBLIGATIONS [24 CFR 982.551]

In the Section 8 Program, there are certain requirements that applicants and participants must meet in order to remain eligible for Section 8 assistance. These obligations are included in the initial briefing packet and are discussed with new participants. These requirements are sent out to the participants annually at the time of recertification. The family obligations under the Section 8 Program include:

1. The household must supply any information that the Housing Authority or HUD determines is necessary in the administration of the Program, including submission of required evidence of continuing eligibility, including but not limited to citizenship or eligible immigration status (as provided by 24 CFR part 5), and any other additional information, certification, release or other documentation.

2. The household must supply any information requested by the Housing Authority or HUD for use in a regularly scheduled reexamination or interim

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reexamination of household income and composition in accordance with HUD requirements.

3. The household must disclose and verify Social Security Numbers (as provided by 24 CFR part 5, subpart B) and must sign and submit consent forms for obtaining information in accordance with 24 CFR part 5, subpart B.

4. All information supplied by the household must be true and complete.

5. The household is responsible for any Housing Quality Standards breach caused by the household as described in 982.404(b).

6. The household must allow the Housing Authority to inspect the unit at reasonable times and after reasonable notice.

7. The household may not commit any serious or repeated violations of the lease.

8. The household must notify the landlord and, at the same time, notify the Housing Authority before moving out of the unit or terminating the lease.

9. The household must promptly give the Housing Authority a copy of any owner eviction notice.

10. The household must use the assisted unit for residence by the household. The unit must be the household's only residence.

11. The household must promptly inform the Housing Authority of the addition of any members to the household. This requirement includes additions to the household from birth, adoption or court-awarded custody of a child. The addition of adult household members will require screening for drug-related or violent criminal activity convictions.

12. The household must promptly notify the Housing Authority if any household member no longer resides in the unit.

13. If the Housing Authority has given approval, a foster child or a live-in aide may reside in the unit. If the household does not request approval or Housing Authority approval is denied, the household may not allow a foster child or live-in aide to reside with the assisted household.

14. Members of the household may engage in legal profit-making activities in the unit, but only if such activities are incidental to the primary use of the unit as a residence by members of the household.

15. The household must not sublease or let the unit.

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16. The household must not assign the lease or transfer the unit.

17. The household must supply any information or certification requested by the Housing Authority to verify that the household is living in the unit. Conversely, the household must promptly notify the Housing Authority of any household absences from the unit.

18. The household must not own or have any interest in the unit, unless authorized under the homeownership provision of the Section 8 Program or as a reasonable accommodation for a person with a disability.

19. The members of the household must not commit fraud, bribery or any other corrupt or criminal act in connection with the Section 8 Program.

20. The members of the household may not engage in drug-related, violent criminal activity or other criminal activity (as outlined in Chapter 2 of this Administrative Plan) that may threaten the health, safety or right to peaceful enjoyment of the premises by other resides or person residing in the immediate vicinity.

21. The members of the household must not abuse alcohol or engage in other disruptive intimidating or abusive activity in a way that threatens the health, safety or right to peaceful enjoyment of other residents and persons residing in the immediate vicinity of the premises.

22. Members of the household may not receive Section 8 tenant-based assistance while receiving another housing subsidy, for the same unit or for a different unit, under any duplicative federal, state or local housing assistance program.

E. HOUSING ASSISTANCE PAYMENTS CONTRACT TERMINATION [24 CFR 982.311]

The Housing Assistance Payments Contract ("Contract") is the contract between the landlord and the Housing Authority which defines the responsibilities of both parties. The term of the Contract is the same as the term of the lease agreement between the landlord and the tenant. After the first year of participation, the lease becomes a month-to-month rental agreement. The Contract may be terminated by the Housing Authority or the landlord. The tenancy may be terminated by the tenant or the landlord.

No future subsidy payments on behalf of the household will be made after the month in which the Contract is terminated. If the household continues to occupy the unit after the Section 8 Contract is terminated, then the household will be responsible for the total amount of rent due to the landlord. If the household decides to move and is still eligible for the Program, then the assistance will be transferred to another unit.

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Any time that the Housing Authority proposes termination of the Housing Assistance Payments Contract, the participant will be given an opportunity for an Informal Hearing. The Housing Authority will give both the participant and the landlord a written 30-Day Notice of Termination. The Housing Assistance Payments Contract will be terminated in the following situations:

1. When the Housing Authority terminates assistance to the participant household.

2. When the household is required to move from a unit due to overcrowding.

3. When the unit does not pass the Housing Quality Standards inspection.

4. When there has been a zero rental assistance payment for 180 days due to the tenant portion of the rent being equal to the rent.

5. When funding is no longer available under the Annual Contributions Contract from the federal government.

F. TERMINATION OF TENANCY BY THE LANDLORD [24 CFR 982.310, 982.455]

If the landlord wishes to terminate the tenancy, the eviction procedures found in the California Civil Code must be followed. The landlord must provide the Housing Authority with a copy of the eviction notice. Housing assistance payments will continue while the tenant remains in the unit provided that the unit meets the Housing Quality Standards. By accepting the monthly payment from the Housing Authority, the landlord certifies that the tenant is still in the unit, the rent is reasonable, the unit is in good condition, and the landlord is in compliance with the Housing Assistance Payments Contract.

G. TERMINATION OF TENANCY BY THE PARTICIPANT [24 CFR 982.309(b)(2)

The participant is not a party to the Housing Assistance Payments Contract, but the Contract will terminate at such time as the household moves out of the unit. The Housing Authority cannot make housing assistance payments for the unit after the household vacates. The household cannot move out of the unit in the first year of lease unless the landlord consents.

H. PROGRAM TERMINATION FOR NON-CITIZENS [24 CFR 5.514, 5.516, 5.518]

Participant households without U.S. citizens or eligible immigrants are not eligible for the Section 8 Program. If a participant household becomes ineligible due to no eligible members, the Housing Assistance Payments Contract will be terminated. If any member of the household claims eligible immigrant status, but the Immigration and Naturalization

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Service (INS) primary and secondary verifications fail to document the eligible status, the household may make an appeal to the INS. Assistance may not be terminated while verification of the eligible immigration status is pending. Prior to the time that the assistance is terminated, the household will be offered an Informal Hearing.
Assistance to the household may not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decision on the INS appeal. In addition, assistance to a participant household may not be terminated or denied while the Housing Authority Informal Hearing is pending. However, assistance to an applicant household may be delayed pending the Housing Authority Informal Review.

INS Determination of Ineligibility

If a household member claims to be an eligible immigrant and the INS verification system and manual search do not verify the claim, the Housing Authority will notify the applicant or participant. The notice will be sent within 10 calendar days of determination to inform the household of their right to appeal to the INS within 30 calendar days. The household may also request an Informal Hearing with the Housing Authority either in lieu of or subsequent to the INS appeal. If the household appeals to the INS, they must give the Housing Authority a copy of the appeal and proof of mailing or the Housing Authority may proceed to deny or terminate assistance. The time period to request an appeal may be extended by the Housing Authority for good cause.

The written request for an Informal Hearing must be received by the Housing Authority within 30 calendar days from the date of the letter sent to the applicant or participant. If an appeal was made to the INS, then the request for Informal Hearing must be made within 30 calendar days of receipt of that notice. After receipt of the written request, an Informal Hearing will be conducted in accordance with the procedures described in Chapter 13 for participants. If the Hearing Officer decides that the individual is not eligible, and there are no other eligible household members, then the Housing Authority will deny assistance to the applicant household.

If there are eligible members in the household, the Housing Authority will offer to prorate the assistance or give the household the option to remove the ineligible members. There are other situations that pertain to the Non-Citizen Rule and involve the following actions:

1. If any household member fails to provide documentation or certification as required by the federal regulations, then that member is treated as ineligible.

2. Participants whose termination is carried out after temporary deferral may not request an Informal Hearing at time of termination because they had an

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opportunity to request one at the time of the eligibility determination.

3. Participants whose assistance is pro-rated are entitled to an Informal Hearing based on the grounds that their portion of the rent is being redetermined.

4. Households who are denied participation or are terminated from assistance for fraud in connection with the Non-Citizen Rule are entitled to an Informal Hearing.

Temporary Termination [24 CFR 5.514 (c)(1)(iii)]

If the Housing Authority determines that a household member has knowingly permitted another individual who is not eligible for assistance to reside on a permanent basis, the Housing Authority will terminate assistance for a period of 24 months. This provision does not apply if the ineligible household member was taken into consideration for proration of assistance.

I. TERMINATION OF HAP CONTRACT AND HOUSING CHOICE VOUCHERS (HCV) DUE TO INSUFFICIENT FUNDING [24 CFR 982.454]

The Housing Choice Voucher program regulations allow the Housing Authority to deny families permission to move and to terminate Housing Assistance Payments (HAP) contracts if funding under the Consolidated Annual Contributions Contract (CACC) is insufficient to support continued assistance for families participating in the program.

The Housing Authority will determine whether there is sufficient funding to pay for currently assisted families. Prior to terminating any HAP contracts, the Housing Authority will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures, there is not enough funding available to provide continued assistance for current participants, the Housing Authority will terminate HAP contracts as a last resort.

Before terminating HAP contracts, the Housing Authority will notify the HUD field office and the Financial Management Center (FMC). In addition, the Housing Authority Board must approve any HAP contract terminations due to insufficient funding.

The Housing Authority will terminate HAP contracts and/or cancel HCV in the following order:

1. Cancel all outstanding vouchers issued to applicants from the waiting list.
2. Contact receiving Housing Agencies to request absorption of portable contracts.
3. Cancel all outstanding vouchers for participants who are not currently being assisted in a contracted unit.
4. Participants with zero HAP contracts.

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5. Participants residing in income-restricted units including those properties with tax credits funds, HUD funding, former redevelopment agency funding, etc.
6. Participants with disregard income. Disregard income may include:
   a. Wages from adult full-time students.
   b. Foster care payments.
   c. Adoption assistance payments.
   d. Lump sum additions to household income (Inheritances, insurance settlements, etc.).
7. Participants that are non-elderly and non-disabled households.
8. Participants that are elderly and disabled households.
9. Participants with Special Purpose Vouchers (SPVs).

Participants whose termination was the result of insufficient funding will not be automatically reinstated when funding becomes available. Terminated participants will need to reapply for the HCV program once the waiting list is open. Reapplying does not guarantee the family will be selected to participate in the HCV program. Applicants will be placed on the waitlist in accordance with the Chapter 4 of the BHA Administrative Plan.

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CHAPTER 12

REPAYMENT/RECOVERY OF OUTSTANDING DEBTS

[24CFR 982.453(b), 982.552 (v)(vii)]

INTRODUCTION

This Chapter describes the policies to be followed to recover funds that are owed by tenants and landlords to the Burbank Housing Authority. In an effort to prevent overpayments, the Burbank Housing Authority informs Program participants about the Section 8 Program rules and regulations on a regular basis. Before a debt is assessed, the participant or the landlord will be given ample opportunity to present documentation that would dispute the Housing Authority assertion that an overpayment has been made. The case file will contain written documentation concerning the cause of the overpayment and the calculations to determine the amount of the debt. The Burbank Housing Authority will use a variety of collection methods to recover debts including, but not limited to:

1. Repayment agreements
2. Collection agencies
3. Abatements
4. Reductions
5. Income tax set-off programs
6. Civil Suits
7. Credit bureaus
8. Prosecutions

A. REPAYMENTS

There are situations where participants do not report changes in household income and receive more rental assistance than they are entitled to under the Program regulations. Case Managers will meet with participants to review the overpayment calculation and participants may submit any additional documents or paperwork relevant to the situation at this time. At the conclusion of this meeting, participant will be required to sign an Overpayment and Repayment Agreement that states the participant has 60 days to begin reimbursing the Housing Authority. Failure to sign the Agreement may result in termination of assistance. If the payment is not made within the 60 day period, the rental assistance may be terminated. If an overpayment occurs in the future due to the tenant's failure to report changes, the rental assistance may be terminated based on the amount of the overpayment. A second Repayment Agreement may be offered if the second overpayment, combined with the first overpayment, is not over $10,000. Under no circumstances, however, will a participant be offered a third Repayment Agreement. In the case of a third overpayment, rental assistance will be terminated for failure to comply with Program requirements.

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B. REPAYMENT AGREEMENTS FOR PARTICIPANTS

[24 CFR 982.552(c)(1)(v)(vii)]

Tenants will be offered a Repayment Agreement to recover the amount owed. A Repayment Agreement is the document entered into between the Housing Authority and the participant who owes the debt.

This agreement will contain the following information:

1. The reason for the overpayment.
2. The total amount of the overpayment.
3. A statement that failure to make a payment may result in termination of assistance.
4. A statement that the entire overpayment must be repaid before the participant can voluntarily move to another unit.
5. A statement that the participant must report all future changes in income and that a second violation may result in termination of assistance.
6. A statement that a third violation will result in termination of assistance.
7. Remedies available to the Housing Authority upon default of the agreement.

The typical arrangement for repayment of the debt will be to offer the participant the opportunity to repay the full amount in one lump sum or to make payments in the amount of $100 per month, or other amount affordable to the participant. The monthly payments must be received by the 10th of the month in order to be considered current. The Housing Authority will not charge interest on the amount that is owed.

There are situations where a tenant, who is current in making payments, would need to move to another unit before the debt is paid in full. In these instances, the Housing Authority will approve such a move if one of the following conditions is met:

1. The household size exceeds the maximum occupancy standards.
2. The Section 8 contract is terminated due to actions of the landlord.
3. The unit is declared to be uninhabitable due to a natural disaster.

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C. LANDLORD DEBTS TO THE HOUSING AUTHORITY [24 CFR 982.453(b)]

If the Housing Authority determines that the landlord has retained a rental assistance payment that the landlord is not entitled to, the Housing Authority will request reimbursement. If the landlord refuses to pay, then the Housing Authority may deduct the amounts from future rental assistance payments for any other units owned by that landlord. If future payments are not sufficient to recover the amount owed, the Housing Authority will require the landlord to pay the amount in full before being allowed to participate in the Section 8 Program in the future.

D. CRITERIA FOR INVESTIGATION OF SUSPECTED FRAUD AND ABUSE

The Housing Authority has the expectation that participants will comply with HUD requirements, provisions of the Voucher, and other Program rules. Staff will make a diligent effort to orient and educate all households in order to avoid unintentional violations. However, the Housing Authority has a responsibility to the federal government, to the community, and to eligible households in need of housing assistance to follow up on indicators of possible fraud and abuse. Under no circumstances will the Housing Authority arbitrarily undertake an inquiry or an audit of a participant household. The Housing Authority will initiate an investigation of a participant household in the event of one or more of the following:

Referrals, Complaints, or Tips. The Housing Authority will follow up on referrals from other agencies, companies or individuals which allege that a participant is in non-compliance with or is violating Program rules. Such follow-up will be made provided that the referral contains at least one item of information that is independently verifiable. The case file will be documented concerning the allegation.

Internal File Review. A follow-up will be made if Housing Authority staff discovers that information in the case file is in conflict with previous file data. Information received from the household which contradicts previous information will be pursued.

Verification of Documentation. A follow-up will be made if the Housing Authority receives independent verification conflicts with information in the case file. These documents may include computer matching reports from other agencies.

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CHAPTER 13

COMPLAINTS AND APPEALS

INTRODUCTION

It is the duty of the Burbank Housing Authority to comply with all Section 8 Program regulations and to exercise a superior level of customer service. All complaints received by the Housing Authority will be taken seriously. There is an appeal process for both applicants and participants who disagree with an action, decision or inaction of the Housing Authority. This Chapter describes the policies, procedures and standards to be used when applicants or participants disagree with Housing Authority decisions. The procedures for Informal Reviews and Informal Hearings will be explained in this section. It is the policy of the Burbank Housing Authority to ensure that all households have the benefits and protections due to them under the law.

A. COMPLAINTS TO THE HOUSING AUTHORITY

The Housing Authority will respond promptly to complaints from applicants, participants, landlords, employees and members of the public. All complaints will be documented in the case file or in the form of a memorandum to the file. Complaints against Housing Authority staff will be referred to the Housing Specialist for initial resolution. If the Housing Specialist is unable to resolve the matter, the complaint will be forwarded to the Housing Authority Manager. If the situation still cannot be resolved, the complaint will be forwarded up the chain of command for resolution.

B. INFORMAL REVIEW PROCEDURES FOR APPLICANTS

[24 CFR 982.54(d)(12), 982.554]

When the Housing Authority determines that an applicant is ineligible for the Program, a written notification will be mailed out that specifies the reason and the procedure for requesting an Informal Review. Housing Authority decisions that require the opportunity for an Informal Review include denial of placement on the Section 8 Applicant Waiting List or denial of a claimed preference. If the Housing Authority does not issue a Voucher to an ineligible applicant or does not allow the applicant to participate in the Program after being issued a Voucher, the applicant has the right to request an Informal Review.

There are situations where applicants are not entitled to an Informal Review. Disputes concerning certain established policies and procedures of the Housing Authority, even though they are the basis for a decision to deny assistance to the applicant family, are not included in the Informal Review process.

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The decisions that are not subject to an Informal Review include:

1. Discretionary administrative determinations by the Housing Authority.
2. General policy issues or class grievances.
3. Refusal to extend a Voucher beyond the 120-calendar day maximum.
4. Disapproval of a unit to be placed on the Program.
5. Disapproval of a lease provided by a landlord.
6. Determination that a unit does not meet Housing Quality Standards, including overcrowding.

Request for Informal Review

A request for an Informal Review must be received within 14 calendar days from the date of the Housing Authority written notice of assistance denial. Requests should be in writing for proper documentation, but may be verbal.

Procedure for Informal Review

The Housing Authority Manager or his/her designee will conduct the Informal Review. Information submitted during the informal review shall be limited to the documents and information received prior to the deadline provided by the Burbank Housing Authority. New information not provided within timeframes and deadlines specified, will not be accepted during the Informal Review process. A meeting is not required for this process, however, should a meeting be requested it will be scheduled. The applicant may have an attorney or other representative present at the applicant's own expense. If the tenant requests it, the Housing Authority will have an interpreter available whenever possible.

A written notice of the results of the Informal Review will be sent to the applicant within 14 calendar days of completion of the review process. The notice shall include the decision of the Housing Authority Manager or his/her designee and an explanation of the reasons for the decision. The request for an Informal Review, the supporting documentation, and a copy of the notice of the final decision will be retained in the case file.

C. INFORMAL HEARING PROCEDURES FOR PARTICIPANTS

[24 CFR 982.555 (a-f), 982.54(d) (13)]

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Current participants of the Section 8 Program have the right to request an Informal Hearing within timeframes and deadlines specified when an action adversely affects them. The Housing Authority must provide participants with the opportunity for an Informal Hearing to consider whether Housing Authority decisions are in accordance with HUD regulations and this Administrative Plan. The following areas are subject to the Informal Hearing procedures:

1. Calculation of the household income and the computation of the housing assistance payment.

2. Appropriate utility allowance used from the established schedule.

3. Determination of the number of bedrooms shown on Voucher.

4. Determination that the household is not entitled to an exception under the subsidy standards.

5. Decision to terminate assistance due to action or failure to act by the household, including overpayments, and Housing Quality Standards violations caused by the household.

6. Decision to terminate a Contract of Participation under the Family Self-Sufficiency Program and the forfeiture of escrow account.

Participants are <u>not</u> entitled to an Informal Hearing to dispute established policies and procedures of the Housing Authority, such as:

1. Discretionary administrative determination by the Housing Authority.

2. General policy issues or class grievances.

3. Amounts shown on the Utility Allowance Schedule.

4. Refusal to extend a Voucher beyond the 120-day maximum.

5. Disapproval of a unit to be placed on the Program.

6. Disapproval of a lease provided by a landlord or disapproval of a landlord.

7. Determination that a unit does not meet Housing Quality Standards due to deficiencies that are the responsibility of the landlord.

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8. Determination that the unit is overcrowded.

9. Housing Authority determination to exercise or not exercise any right or remedy against the landlord under the Housing Assistance Payments Contract.

When the Housing Authority determines that it is necessary to propose termination of assistance, the household will be provided with a written notification that contains the following information:

1. The proposed action or decision of the Housing Authority,

2. The date the proposed action or decision will take place,

3. Citation of the regulation used as the basis for the Housing Authority decision,

4. The procedures for requesting an Informal Hearing, and

5. The time limit for requesting an Informal Hearing.

Notification of Hearing

The Housing Authority will schedule an Informal Hearing subject to the earliest availability of the Hearing Officer. A notice of hearing will be sent to the household and will contain the following information:

1. The date and time of the Informal Hearing,

2. The location where the Informal Hearing will be held,

3. The participant's right to bring evidence, witnesses, legal counsel, advocate or other designated representative at their own expense,

4. The participant's right to view any documents or evidence upon which the decision for the proposed action was based. The participant may obtain a copy of such documents prior to the Informal Hearing.

The Informal Hearing

The Informal Hearing shall be conducted by a Hearing Officer, who is a representative from the Los Angeles County Bar Association Dispute Resolution Service. The Hearing Officer will record the Informal Hearing and the audio file will be retained by the Housing Authority after the final decision is rendered. The Informal Hearing shall concern only the issues which are relevant to the Housing Authority action or decision that is being

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contested. Evidence presented at the Informal Hearing may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings. No documents may be presented which have not been provided to the other party before the Informal Hearing, if they were requested by the other party. Documents include records and regulations. At the Informal Hearing, participants have the right to:

1. Present written or oral objections to the Housing Authority's determination.

2. Examine the documents in the file which are the basis for the Housing Authority's action, and all documents submitted to the Hearing Officer.

3. Copy any relevant documents at their own expense.

4. Present any information or witnesses pertinent to the issue of the Informal Hearing.

5. Request that Housing Authority staff be available or present at the Informal Hearing to answer questions pertinent to the case.

6. Request that the Housing Authority provide an interpreter.

7. Be represented by legal counsel, advocate, or other designated representative at their own expense.

At the Informal Hearing, the Housing Authority has the right to:

1. Present evidence and any information pertinent to the issue of the Informal Hearing.
2. Be notified if the participant intends to be represented by legal counsel, advocate or another party.

3. Examine and copy any documents to be used by the participant prior to the Informal Hearing.

4. Have the Housing Authority attorney present.

5. Have staff persons or witnesses who are familiar with the case in attendance. During the Informal Hearing, the Hearing Officer may ask the household for additional information. The Hearing Officer may adjourn the Informal Hearing in order to reconvene at a later date, before reaching a final decision. Based upon the evidence and testimony provided at the Informal Hearing, the Hearing Officer will determine whether the action, inaction or decision of the Housing Authority is proper in accordance with HUD regulations and this Administrative Plan. Factual determinations relating to the individual circumstances of the

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household will be based on a preponderance of the evidence presented at the Informal Hearing. All requests for an Informal Hearing, supporting documentation, and a copy of the final decision will be retained in the case file.

A written notice of the final decision of the Hearing Officer will be provided to the Housing Authority within 30 calendar days of the date of the Informal Hearing. The participant will be given a written notice within 14 calendar days concerning this decision and that notice will contain all of the following information:

1. A clear summary of the decision and reasons for the decision.

2. The amount of monies owed, if applicable.

3. Documentation of the calculation of monies owed.

4. The date the decision goes into effect.

D. MITIGATING CIRCUMSTANCES FOR PARTICIPANTS WITH DISABILITIES

[24 CFR, 982.552(c)]

During the Informal Hearing process, participants will be informed in writing that the presence of a disability as defined in the Americans with Disabilities Act may be considered as a mitigating circumstance. An example of a mitigating circumstance would be a person with a cognitive disorder not understanding the requirement to report increases in income or the importance of making regularly scheduled payments on a Repayment Agreement. Participants who claim this mitigating circumstance will have their cases referred to the City of Burbank ADA Coordinator to engage in the interactive process as required by State and Federal laws.

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CHAPTER 14

FAMILY SELF-SUFFICIENCY PROGRAM AND SPECIAL PROVISIONS FOR USE OF TARGETED VOUCHERS

INTRODUCTION

The Family Self-Sufficiency (FSS) Program was created by the National Affordable Housing Act of 1990 and became a mandatory requirement for the receipt of Housing Choice Voucher funding in 1993. The intention of the Program is to leverage public and private sector resources to Housing Choice Voucher participants to achieve economic independence. The FSS Program offers a financial incentive to participants through the establishment of an escrow account which becomes available to the household upon successful completion of their Contract of Participation. The original purpose of the FSS Program has been incorporated in the federal welfare reform legislation of 1996 and consequently the FSS Program is gradually being phased out of the Housing Choice Voucher Programs. The information in this Chapter refers to the FSS requirements and procedures for those tenants who have chosen to participate in the FSS Program. The minimum size of the FSS Program will be reduced over time through attrition.

A. PROGRAM SIZE REQUIREMENTS [24 CFR 984.101]

Each time that the Housing Authority received additional funding from HUD during the period of October 1, 1993, through October 20, 1998, it was mandated that those units be designated as FSS Certificates or Vouchers. During that time period, the Burbank Housing Authority received 50 additional Certificates and Vouchers which made the minimum FSS Program size 50. The Housing Choice Voucher regulations have been changed to state that any FSS participants who successfully complete their Contract of Participation obligations after October 21, 1998, will reduce the minimum size of the FSS Program by that number. This process will continue until FSS is phased out completely.

B. CONTRACT OF PARTICIPATION

In order to participate in the FSS Program, the head of household must sign a Contract of Participation. By regulation, the contract of participation is considered to be concluded when the FSS family has fulfilled all of its obligations under the contract of participation on or before the expiration of the contract term, including any extension thereof. This contract may be extended if the participant needs additional time to accomplish certain goals. The FSS Case Manager and the participant develop short term and long-term goals that need to be accomplished in order to move forward in education and work experience. The Contract specifies the tenant responsibilities and the timelines to be followed. The FSS Case Manager will provide the participant with various resources and referrals concerning education and job placement. The Contract of Participation will be

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monitored annually to evaluate progress and to make modifications to short term goals if necessary. Contract of participation may be extended for good cause to include:

(i) Circumstances beyond the control of the FSS family, as determined by the PHA or owner, such as a serious illness or involuntary loss of employment;
(ii) Active pursuit of a current or additional goal that will result in furtherance of self-sufficiency during the period of the extension (e.g., completion of a college degree during which the participant is unemployed or under-employed, credit repair towards being homeownership ready, etc.) as determined by the PHA or owner or
(iii) Any other circumstances that the PHA or owner determines warrants an extension, as long as the request is reasonable and the PHA or owner is consistent in its determination as to which circumstances warrant an extension.

C. ESCROW ACCOUNT

The financial incentive for participants to use the FSS Program is the escrow account. The Housing Authority establishes an escrow account for a participant at the time that there is an increase in the tenant portion of rent based on increased income from earnings. Although the tenant actually pays the increase in tenant rent to the landlord, the Housing Authority calculates the differential between the previous payment and the new payment to determine the amount that is credited to the escrow account every month. If the participant who successfully completes the goals established in the Contract of Participation and is employed full time (working a minimum of 32 hours a week), at the time of Contract completion the escrow account will be dispersed to the tenant. If the FSS participant requests an interim disbursement, the Housing Authority will review on a case-by-case basis. Any funds owed to the Housing Authority by the tenant would be deducted from the escrow amount first. If the participant does not successfully complete the goals and the Contract of Participation is terminated, the escrow account will be forfeited.

D. PORTABILITY [24 CFR 984.306]

Participants in the FSS Program may request to move under portability to another jurisdiction. The Housing Authority will approve this request provided that the landlord and tenant have mutually agreed to terminate the Housing Choice Voucher lease and contract. After the first 12 months of participation in the FSS Program, the tenant may move to another jurisdiction under portability in the same manner as other Housing Choice Voucher participants.

E. TERMINATION OF CONTRACT OF PARTICIPATION

The participant may decide at any time to terminate the FSS Contract of Participation and the Housing Authority will close out the escrow account at that time. The participant will continue to receive Housing Choice Voucher rental assistance as before. The Housing

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Authority may terminate the FSS Contract of Participation when the participant does any of the following:

1. Fails to complete the requirements of the Contract of Participation within the term.

2. Violation of obligations under the Contract of Participation.

3. Violation of Housing Choice Voucher Program requirements.

Participants who are terminated from the FSS Program have the same right to an Informal Hearing. If at any time in the future, the head of FSS household may request to participate in the FSS Program again. The Housing Authority would need to document the file to explain why it is reasonable to believe that the previous problems have been corrected and the Contract of Participation will be reinstated.

F. ACTION PLAN [24 CFR 984.201]

The following Action Plan for the Family Self-Sufficiency Program was originally prepared in 1993 and was submitted to HUD to demonstrate that the Burbank Housing Authority had the administrative capacity to implement the FSS Program. It describes the cooperative effort between the Burbank Housing Authority and the Verdugo Private Industry Council in providing supportive services to Housing Choice Voucher participants to become financially independent. The format of the Action Plan follows a series of questions that needed to be answered to demonstrate to HUD that the Burbank Housing Authority had addressed the various issues of concern. The numbered sections correspond to the listing of these items in the Federal Register, Volume 58, No. 101 that was dated May 27, 1993. The Burbank Housing Authority was approved to participate in the FSS Program and this Action Plan is incorporated in the Administrative Plan for reference.

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FAMILY SELF-SUFFICIENCY PROGRAM

ACTION PLAN

November 1993
Updated March 2015 and September 2022

1. The participants in the Family Self-Sufficiency (FSS) Program administered by the Burbank Housing Authority will be taken from the Housing Choice Voucher Programs. The demographic composition of this population will reflect the characteristics of the current Program participants. The racial and ethnic breakdown of the Housing Choice Voucher Program in 1993 was 58% White, 6% Black, 2% Asian or Pacific Islander, 33% White/Hispanic, and 1% Other. As of 2022, the racial and ethnic breakdown of the Housing Choice Voucher Programs is 81% White, 5% Black, 2% Asian or Pacific Islander, and 12% Hispanic.

2. The supportive services that are required for the FSS participants include, but are not limited to, child care, transportation, education and skills assessment, remedial education, high school diploma or equivalency preparation, college education, vocational training, job training, job preparation and counseling, substance abuse treatment and counseling, homemaking and parenting skills, household management skills, money management and budgeting, grooming skills, job development and placement, social skills, health care, nutrition, legal assistance, motivation and self-esteem counseling, time management, assistance in dealing with various government agencies and mentoring. The case management approach is practiced in order to define and address the individual needs of the participant.

3. There are adequate supportive services in the community to accommodate the needs of the 50 households participating in the FSS Program. The Verdugo Private Industry Council serves as the resource center for the various supportive services for the cities of Burbank and Glendale. Participants have graduated from the program; therefore, the required figure continues to change over the years.

4. The Verdugo Private Industry Council (VPIC) is a consortium of the cities of Burbank, Glendale and La Canada/Flintridge which serves as the entity that receives federal Job Training Partnership Act funds for the Verdugo service delivery area. The VPIC coordinates various job training and Job placement activities that relate to low income people throughout the entire service delivery area. There are a number of private businesses and public agencies that have representation on the Board of Directors for the VPIC. The following list provides the names of the organizations that have representatives as members of the Coordinating Committee for the FSS Program administered by the Burbank Housing Authority and the Glendale Housing Authority.

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a. The Department of Public social Services for the County of Los Angeles which provides cash assistance, food stamps, and medical coverage to low income families through the Aid to Families with Dependent Children Program. This agency also administers the Greater Avenues to Independence Program (GAIN).

b. The Employment Development Department of the State of California which provides Unemployment Insurance Benefits to people who have been terminated from their jobs. This office also provides job referrals.

c. Alliance for Education is a job training and job placement provider for the long term unemployed, laid off workers and low-income job seekers.

d. Burbank Adult School provides courses designed to help clients obtain high school diplomas, General Education Certificates, reading and math skills, job readiness skills, post-employment skill development, computer training, and job skills for particular positions in the work force.

e. Burbank Temporary Aid Center provides food, temporary shelter, clothing and a variety of supportive services to low income Burbank residents.

f. Verdugo Mental Health Center provides counseling and assessment for low income people with multiple barriers to employment.

g. Armenian Relief Center provides social services to clients within the VPIC service delivery area.

h. Glendale Memorial Hospital Perinatal Clinic provides a variety of services to low income pregnant women and women with children.

i. Glendale Community College provides a variety of educational opportunities for low income students who want to obtain high school diplomas, college credit, job training and job placement.

5. The Housing Authority conducts an initial interview with the head of household and will complete an initial assessment of the individual needs of that household. The head of the FSS family is designated by the participating family. The Housing Authority may make itself available to consult with families on this decision, but it is the assisted household that chooses the head of FSS family that is most suitable for their individual household circumstances. The designation or any changes by the household to the Head of FSS Family must be submitted to the Burbank Housing Authority in writing. The Voucher head of household does not need to participate as the head of the FSS family. The FSS Program is labor intensive because each household will have unique characteristics and requirements. It is the responsibility of the FSS Case Manager to determine the specific needs of the household and to

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coordinate the various programs and community resources available to assist the participant household.

6. Various public and private resources are available throughout the VPIC service delivery area and additional agencies will be contacted if necessary. If there are needs that an individual household has that are not addressed by the agencies represented on the Coordinating Committee, the FSS Case Manager will contact the appropriate agencies for referral. Private employers serve as the resource for on the job training and final career placement.

7. The implementation of the FSS Program includes outreach, tenant selection, initial assessment and creation of an individual training and service plan (ITSP) for the household's successful completion of the goals listed in the Contract of Participation. Referrals can be made to the Verdugo Assessment Center to determine the type of remedial education or job training that the participant requires. A counselor at the Assessment Center will discuss potential career paths with each applicant.

8. The delivery of services related to assessment and job training and ultimately job placement is coordinated through the Verdugo Private Industry Council subcontractors, and various other City and community training and employment programs. The provision of the support services related to child care, transportation, money management and the other related needs is coordinated by the FSS Case Manager, if the tenant requests assistance in these areas. There are a variety of public and private service providers in the Burbank and Glendale area to accommodate the varied needs of the participating households.

9. Letters that describe the FSS program are sent to current tenants on the Voucher Program according to bedroom size. All tenants in that bedroom category are to be sent letters at the same time in order to give everyone an equal opportunity to apply for participation. Requests for participation in the FSS Program are based on date and time of request. The Burbank Housing Authority does not operate other self-sufficiency programs therefore no additional families are expected to enroll. The Burbank Housing Authority does not offer selection preference for porting families.

10. At the time that the tenant signs the Contract of Participation an ITSP is developed. The COP may be modified upon mutual agreement of the Housing Authority and the FSS family. This includes modification of goals in writing with respect to the ITSPs, the contract term and designation of the head of the FSS family. Established goals on the ITSP may be revised, providing that:

    a. The revised goals are comparable to those, which were initially established.

    b. The revised goals can be accomplished within the remaining term of the COP

    Various community resources will be identified that may provide assistance to the tenant. The relationship established between the Case Manager and the tenant

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carry through during the contract period and the tenant is encouraged to rely on the Case manager to assist and guide the tenant in arriving at the ultimate destination of gainful employment and severance from public assistance.

11. The Contract of Participation (COP) is described in the Administrative Plan. The COP is considered to be concluded when the FSS family has fulfilled all of its obligations under the COP, on or before the expiration of the contract term including any extensions thereof. This COP may be extended if the participant needs additional time to accomplish certain goals. The Housing Authority will require a combination of self-certification and third-party verification to document completion of ITSP goals.

12. Any Housing Choice Voucher program participant who declines participation in the FSS Program will remain on the Section 8 Program as before. There is no penalty for refusing to participate.

13. The outreach activities that the Burbank Housing Authority follows are described in the Administrative Plan.

14. Failure to cooperate with the FSS Program requirements can result in cancellation of the FSS Contract of Participation. The procedure to be followed includes giving prompt written notice to the participant concerning determinations that have been made that adversely affect the tenant. The participant will be advised that a further explanation may be requested. Additionally, the notice will advise the participant that a written request for an Informal Hearing may be submitted to the Housing Authority within 10 calendar day from the date of the notice.

    When a request for Informal Hearing is received within the proper time limits, the Hearing will be scheduled within 14 calendar days for receipt of the request. A letter of confirmation will be sent to the participant indicating the date and time for the Hearing. The Informal Hearing will be conducted in accordance to the procedures described in Chapter 13 of the Administrative Plan.

15. The Burbank Housing Authority and City of Burbank have a long-established working relationship with the Verdugo Private Industry Council. The original connection was the Summer Youth Employment and Training Program that was funded with Community Development Block Grant (CDBG) funds. The working relationship between the two agencies continues to be cooperative and productive.

    The fact that the Verdugo Private Industry Council is well-established in this service delivery area is an asset to the FSS program concept. The VPIC has an array of successful programs that have received State recognition. The Burbank Housing Authority and the Glendale Housing Authority are working cooperatively to implement the FSS Program.

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G. SPECIAL PROVISIONS FOR USE OF TARGETED VOUCHERS FOR SPECIAL NEEDS POPULATIONS

The Burbank Housing Authority may administer vouchers per HUD Guidelines, Rules and Regulations as they become available in the future. One such targeted and special use voucher program is the Permanent Supportive Housing Program "formerly Shelter Plus Care Program". The Burbank Housing Authority will oversee the administration and compliance with fiscal controls and accounting procedures of such programs.
For purposes of administering the daily program operations and functions of special needs populations, Interdepartmental Policies and Procedures will be developed and maintained.

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CHAPTER 15

ENTERPRISE INCOME VERIFICATION (EIV) SECURITY POLICY AND PROCEDURES

INTRODUCTION

The EIV system is intended to provide a single source of income-related data to PHAs for use in verifying the income reported by participants in the various assisted housing programs. The Office of Public and Indian Housing (PIH) is responsible for administering and maintaining the EIV system.

A. TYPES OF UPFRONT VERIFICATION OF INCOME PROVIDED BY EIV

The EIV system compares the participant income data obtained from various sources including:

1. Participant-supplied income data captured on Form HUD-50058 and maintained in the PIC databases;

2. U.S. Department of Health and Human Services, National Directory of New Hires (NDNH) data. NDNH becomes the single source for wage, unemployment insurance benefit information, and the new hire (employment) information;

3. Social Security and Supplemental Security Income from the Social Security Administration (information formerly accessed through TASS); and

4. User profile information from the PIC database.

B. WHAT EIV PARTICIPANT DATA IS USED FOR

EIV data is the first level in the hierarchy of income verification. The EIV data may be used in the following way:

1. To verify a participant's eligibility for participation in a HUD rental assistance program and to determine the level of assistance the participant is entitled to receive;

2. No adverse action can be taken against a participant until the PHA has independently verified the EIV and the participant has been granted an opportunity to contest any adverse findings through the established grievance hearing, or other legal procedures.

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Applicability

The procedures in this document apply to all Burbank Housing Authority staff that access EIV data.

Purpose

The purpose of this document is to establish the Burbank Housing Authority's policies and procedures to assure that the practices, controls and safeguards used by Public Housing are in compliance with the Federal laws regarding the protection of this information.

Privacy Act

The data provided via the EIV system will be protected to ensure that it is only used for official purposes and not disclosed in any way that would violate the privacy of the individuals represented in the system data. Privacy of data and data security for computer systems are covered by a variety of Federal laws and regulations. The Privacy Act of 1974 as amended, 5 U.S.C. 552 (a) is one such regulation. The full text of the Privacy Act can be accessed at http://www.usdoj.gov/fo is/privstat.htm.

Examples of Privacy Act Violations

Public Housing will not rely entirely upon staff to read and understand the Privacy Act. To ensure that staff has a complete understanding of the Privacy Act and how seemingly harmless actions may be violations, examples of Privacy Act violations will be provided during security awareness training. The following example of a security violation was explained during the HUD Satellite Broadcast introducing the EIV system:

EIV data can only be viewed by authorized PHA staff and the individual adult who the information pertains to. This means that EIV data for an adult household member in a participant family cannot be shared with another adult household member of the participant family (even the head of household) unless that family member is present or signs a waiver authorizing the other family member to view their EIV information. The Privacy Act protects the privacy of each adult family member from any unauthorized person viewing their EIV data, even another family member. However, EIV data for minor children may be viewed by the Head of Household.

C. PUBLIC HOUSING SECURITY OFFICER(S)

A Public Housing EIV Security Officer(s), is responsible for ensuring that proper technical, physical, and administrative safeguards are in place and enforced.

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The duties of the security officer are as follows:

1. Conducts quarterly reviews of all User IDs issued to determine if the users still have a valid need to access the EIV data and modifies or revokes access rights as appropriate;

2. At the request of the Director, updates the EIV Security Policy and Procedures;

3. Maintains a key control log or audits the key control log to ensure that one is properly maintained (locking file cabinets);

4. Maintains a list of users who can access the restricted areas;

5. Assures that a copy of Form HUD-9886 has been signed by each member of the household age 18 years or older and is in the household file;

6. Ensures compliance with the PHA security policies and procedures outlined in this document;

7. Communicates security information and requirements to appropriate personnel, including coordinating and conducting security awareness training sessions;

8. Ensures that any infractions of security procedures are promptly reported to Department Director for investigation and enforcement; and

9. Ensures that all EIV records and forms (i.e. signed user agreements) are kept and updated as needed.

Security Awareness Training

Security awareness training is a crucial aspect of ensuring the security of the EIV system and data. Users and potential users will be made aware of the importance of respecting the privacy of data, following established procedures to maintain privacy and security, and notifying management in the event of a security or privacy violation.

In addition to security awareness training, the Security Officer(s) will communicate security information and requirements to appropriate personnel. Security Awareness training will be provided to each employee upon granting access to the EIV system. Thereafter, annual security awareness refresher training will be provided to each employee with EIV access.

The PH EIV Officer(s) will conduct security awareness training in the following manner:

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1. The trainer and the employee will both sign a certification that EIV security training has been provided. The training certification and a record of the training material provided at the awareness training will be kept in the PH EIV Security binder.

2. At the end of the training, each employee will also sign the EIV Rules of Behavior and User Agreement form. One copy will be given to the employee to be placed in their desk manual and one copy will be retained in the PH EIV Security binder. The forms will be updated once a year at the refresher training.

3. The PH Security Officer(s) will limit the security awareness training to security awareness and compliance issues only. Instructing staff on how to navigate in the EIV modules and how to run reports or to interpret data is the responsibility of the Supervisor or designated trainer.

4. Examples of potential Privacy Act and security violations will be provided during the training.

D. TECHNICAL SAFEGUARDS

The purpose of these technical safeguards is as follows:

1. To reduce the risk of a security violation related to the EIV system's software, network, or applications;

2. To identify and authenticate all users seeking access to the EIV system;

3. To deter and detect attempts to access the system without authorization;

4. To monitor the user activity of the EIV system;

5. Each user is required to have their own User ID and Password;

6. The User ID identifies the PHA's and tenant information that the user is authorized to access;

7. Passwords are encrypted and the password file is protected from unauthorized access;

8. The system forces all user to change their password every 21 days and limit the reuse of previous passwords;

9. After three unsuccessful attempts to log in, the User ID is locked and the user must contact the HUD System Administrator to have the password reset; and

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10. Online warning messages that inform the user of the civil and criminal penalties associated with unauthorized use of the EIV system will be displayed.

In addition, the Burbank Housing Authority will follow the following technical security requirements:

1. Public Housing will not save EIV data to a computer hard drive or any other automated information system (i.e. network drive, disk or CD);

2. Public Housing staff will not leave their computer, printer or office unattended with EIV data displayed; and

3. Public Housing staff will not log in on another user's ID.

E. ADMINISTRATIVE SAFEGUARDS

The Security Officer(s) will maintain security-related records and monitor programmatic security issues. The Security Officer(s) will adhere to the following administrative safeguards:

1. Ensure that all users who have access to EIV data have an Access Authorization form signed by the Director of Housing on file;

2. Ensure that all users who access the EIV system have a current signed Rules of Behavior and User Agreement on file;

3. Conduct quarterly reviews of all User IDs to determine if the user still has a valid need to access the EIV data; and

4. Ensure the access rights are modified or revoked as appropriate.

The Public Housing Security Officer(s) will maintain the following EIV security records and forms:

1. EIV Rules of Behavior and User Agreement Forms;

2. EIV Access Authorization Forms;

3. EIV Disposal Records List;

4. EIV Security violation information;

5. Key Control Logs for secure areas or filing cabinets;

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6. EIV Security Awareness Training Records;

7. Records of internal audits to ensure that the Form HUD-9886 has been signed by each adult member of the household and is kept in the Confidential Resident File; and

8. A record of all users who have approved access to EIV data including the date the access was granted and the date access was terminated.

F. PHYSICAL SAFEGUARDS

The purpose of physical safeguards is to provide barriers between unauthorized persons and documents containing private data.

Confidential Participant Files

All EIV data will be printed and saved in the "Confidential" participant file. Each participant file will be clearly labeled on the front cover as "Confidential". This alerts staff that this file contains EIV data that must be protected at all times when not in use.

Locking File Cabinets for Confidential Files

Even though the Burbank Housing Authority has a monitored office building, persons unauthorized to view EIV data, such as maintenance staff, janitorial staff, or temporary staff, have access to the office spaces. In office settings where any staff other than the staff responsible for the participant file or their supervisor has access to the office; all Confidential Participant Files will be kept in locking file cabinets. The cabinets will be locked whenever the responsible staff leaves the workspace.

Hard Copy Security Violations

The Burbank Housing Authority will handle EIV data in such a manner that it does not become misplaced or available to unauthorized personnel. Any marked confidential participant file will contain EIV data. Therefore the file cannot be viewed by **any personnel** that are not expressly authorized (i.e. staff in charge of that file, the supervisor of the staff in charge of the file, the security officer, or the Public Housing Internal Auditor) and who do not have both an Access Authorization Form and a Rules of Behavior and User Agreement on file with the EIV Security Officer.

Viewing the EIV information of a participant outside of a staff's caseload assignment is considered a security violation for both the staff unlawfully viewing the EIV information and for the staff that left the information unattended. Unless a supervisor has specifically authorized staff to view another staff's EIV data, this is expressly prohibited.

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Disposal of EIV Information

To reduce the risk of improper destruction of EIV hard copy data and to eliminate the need for monitoring and tracking individual destruction logs, all EIV data will become part of the "Confidential" file. As part of the confidential file, the EIV data will be secured and disposed of like all other confidential file documents which require Privacy Act protection, in accordance with Public Housing policy and procedures and records retention procedures.

Reporting Improper Disclosures

Recognition, reporting and disciplinary action in response to security violations are crucial to successfully maintaining the security and privacy of the EIV system.

Security Violations may include the following:

1. Disclosure of private data;

2. Attempts to access unauthorized data; and

3. Sharing of User IDs and passwords.

Upon discovery of a possible improper disclosure of EIV information or another security violation by a Public Housing Employee or any other person, the individual making the observation or receiving the information should contact the Security Officer(s). The PHA Security Officer(s) will document all improper disclosures in writing on a security disclosure form providing details including who was involved, what was disclosed, how the disclosure occurred, and where it occurred.

The following contacts will be made:

1. The Security Officer(s) will contact and provide the Director of Public Housing the written documentation of the security violation;

2. The Administrator or his designee will provide the HUD Field Office Public Housing Director with the written documentation; and

3. The HUD Field Office Public Housing Director upon receipt of the documentation will make a determination regarding the referral and provision of the written documentation to the Headquarters EIV Coordinator and / or EIV Security Officer(s) for further review and follow-up action.

Safeguards Provided by the Privacy Act

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The Privacy Act provides safeguards for individuals against invasion of privacy by requiring Federal agencies, except as otherwise provided by law or regulation to:

1. Permit individuals to know what records pertaining to them are collected, maintained, used or disseminated;

2. Allow individuals to prevent records pertaining to them, obtained for a particular purpose from being used or made available for another purpose without their consent;

3. Permit individuals to gain access to information pertaining to them, obtain a copy of all or any portions thereof, and correct or amend such records;

4. Collect, maintain, use or disseminate personally identifiable information in a manner that ensures the information is current and accurate, and that adequate safeguards are provided to prevent misuses of such information;

5. Permit exemption from the requirements of the Act only where an important public policy need exists as determined by specific statutory authority; and

6. Be subject to a civil suit for any damages that occur as a result of action that violates any individual's rights under this Act.

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CHAPTER 16

PANDEMIC: CONTINUING OPERATIONS PLAN (COP)

INTRODUCTION

HUD recommends a PHA adopt a Continuing Operations Plan (COP) to continue service uninterrupted to the community. This chapter was developed in collaboration with the City's Emergency Operations Center (EOC) protocols. The World Health Organization (WHO) defines a pandemic as the "worldwide spread of a new disease." The COVID-19 pandemic is considered as the most crucial global health calamity of the century. A pandemic has a trickle down, chain reaction effect on all aspects of life. Since the threat to an organization's continuity of operations is high during a pandemic outbreak; it is important for the Burbank Housing Authority (BHA) to have a Continuing Operations Plan (COP) in place to ensure we can carry out our essential functions and services. While we may be forced to suspend some operations due to the severity of a pandemic outbreak, an effective COP can assist us in our efforts to remain operational, with the emphasis of maintaining our mission. The BHA has concluded that the following topics listed below are critical in our efforts to continue our essential functions and services while understanding that the safety and health of our tenants, landlords, and BHA staff is top priority.

A. TELEWORK

The purpose of telework is to support social distancing as a precautionary measure to inhibit the spread of a virus during a pandemic. The goal is to increase overall social distancing with the safety of the community in mind. When offices are temporarily closed to the public, telework allows BHA operations to continue and services to continue uninterrupted to the public. As the situation continues to evolve, staff will reassess service delivery and staffing levels following the guidance of city and local requirements.

B. MODIFYING REGULAR PROCESSES

The following processes will change during an emergency.

Housing Quality Standard (HQS) Unit Inspections

1. Annual/Biennial Inspections
    a. All annual/biennial inspections will be conducted over the phone with the tenant (or family representative) and/or the landlord.
2. Initial Inspections
    a. BHA staff will conduct initial inspections if the unit is vacant. Staff will wear personal protective equipment such as a mask, gloves, and shoe covers. Staff will ask the tenant, building manager or landlord to refrain from coming into the unit during the inspection. Tenant, building manager or

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landlord must wait outside of the unit to follow social distancing requirements.

b. If the unit is not vacant, the BHA will request a self-certification from the landlord to see if the unit passes HQS. BHA will confirm once inspections resume. This third-party verification will be documented in Housing Pro.

3. 24-Hour Emergency Inspections
    a. Emergency repairs for items which endanger health or safety must be corrected by the landlord within 24 hours of notification.
4. Quality Control (QC) Supervisory Inspections
    a. QC inspections will be cancelled until it is deemed by local officials to resume site visits.
5. If deficiencies are found in any type of inspection, the tenant and landlord will be sent a fail letter by United States Postal Service (USPS), mail, email, fax, Assistance Check or a phone call to the landlord will be made. Re-inspections will be conducted over the phone with the tenant, building manager or landlord. This third-party verification will be documented in Housing Pro.

ANNUAL RECERTIFICATIONS

1. Staff will continue to mail out recertification paperwork via USPS mail, email, fax, and Assistance Check.
2. Tenants may return documents via USPS mail, email, fax, Assistance Check, and through a drop box, as noted in Section C, below.
3. In addition to the normal process outlined in Chapter 6, case managers will utilize the following methods to complete a recertification:
    a. Documents submitted; whether complete or incomplete
    b. Income certifications older than 120 days, as a last resort. If applicable, staff will document as to why we do not have access to current verifications (i.e. COVID-19)
    c. All recertifications will be completed with information provided and collected. If the paperwork is not complete, case managers may utilize information from prior recertification.
    d. Self-certification for income and document completion over the phone. This can be performed as a last resort.

RECALCULATIONS

1. All recalculations (recalcs) will be completed in a timely manner to benefit the tenant as soon as possible. For example, the tenant or household member loses his/her job, hours are decreased, change in family composition, etc., this recalc will be a priority file. The effective date is dependent upon the timeframe when the information is submitted to the case manager. If the following month's Housing Assistance Payments (HAP) have already been processed, the change will take effect the first of the following month.

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2. The additional verification methods noted under Annual Recertifications will be utilized for recalcs.

PORT-IN FILES (HOUSEHOLDS MOVING TO THE CITY)

1. No in-person interviews with the tenant will be conducted. Phone interviews will be conducted once the portable file is received.
2. Staff will mail (USPS), email or fax all documents to be completed, signed and returned.
3. Initial inspection and other inspections will follow HQS Unit Inspections as outlined in this chapter.

REASONABLE ACCOMMODATION REQUESTS

No changes at this time.

PIC SUBMISSION

No changes at this time.

VMS SUBMISSION

No changes at this time.

SEMAP

The Section Eight Management Assessment Program (SEMAP) measures the performance of the public housing agencies (PHAs) that administer the Housing Choice Voucher program in 14 key areas. SEMAP helps HUD target monitoring and assistance to PHA programs that need the most improvement. During the COVID-19 pandemic, HUD will utilize the last SEMAP score for the BHA.
During an emergency, HUD may suspend regular SEMAP monitoring. The BHA will monitor HUD information and utilize waivers and flexibilities as provided.

EMERGENCY FUNDING

Emergency funding allocated to the BHA will follow expenditure rules and regulations noted with the fund award, including all monitoring and reporting requirements.

INCOME EXCLUSIONS

1. Stimulus Payments

   During a pandemic, certain income, such as, payments and benefits will be considered as excluded income. Pursuant to 24 CFR 5.609(c)(9), annual income does not include temporary, nonrecurring, or sporadic income. As distributed to

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individuals and families during the COVID-19 pandemic, therefore, any stimulus payments would be excluded from annual income, as they are temporary, non-recurring payments.

2. Regular Unemployment Benefits

   Regular unemployment benefits will continue to be considered income.

3. Pandemic Unemployment Assistance (PUA)

   PUA expands the qualification of unemployment insurance (UI) for people that are self-employed, work part-time, or who would otherwise not qualify for regular UI. PHAs shall include PUA in the income calculation, as it mirrors the regular UI benefit, which is included in income under 24 CFR 5.609(b)(5).

4. Federal Pandemic Unemployment Compensation (FPUC)

   FPUC provides a specific amount for a certain amount of time as an enhanced unemployment benefit. PHAs shall exclude this benefit because these payments are temporary and likely non-recurring.

5. Pandemic Emergency Unemployment Compensation (PEUC)

   PEUC allows regular unemployment compensation to receive up to 13 weeks of additional benefits (this extends regular UI from 26 weeks to 39 weeks in total). PHAs shall include PEUC in the income calculation, as it is simply an extension of regular UI benefits.

C. DROP BOX

The BHA has installed an interior drop-box for all paperwork to be submitted to our office without any physical contact. The interior drop-box will be available during normal office hours or specific times during the day.

D. ESSENTIAL SERVICES AND EMPLOYEES

Essential services are the services and functions that are necessary, even during a pandemic. They maintain the health and welfare of the municipality. Without these services, sickness, poverty, violence, and chaos would likely result. Housing Authority staff are essential employees and required personnel to maintain essential services, including the Housing Choice Voucher Program.

E. BUILDING CLOSURE

During a pandemic, the BHA office may be closed to the public for in-person service, following local city, county, and state orders. This decision protects the service

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population, many of them who are elderly and people with underlying medical conditions, as well as our employees. However, BHA staff will continue to serve participants and the general public via phone, USPS mail, email, fax, and Assistance Check. In the event of a building closure, the public will be notified via the city's public information office including the City website and social media outlets.

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CHAPTER 17

EMERGENCY HOUSING VOUCHERS (EHV)

INTRODUCTION

The Emergency Housing Voucher (EHV) program is available through the American Rescue Plan Act (ARPA), which was signed into law on March 11, 2021. Through EHV, HUD is providing approximately 70,000 housing choice vouchers to local Public Housing Agencies (PHAs) to assist individuals and families who are (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking; or (4) recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of house instability. Locally, HUD has provided a total of 67 vouchers distributed to the Burbank Housing Authority (BHA).

This chapter will outline the policies and procedures for the EHV program and if not noted here, the HUD issued Notice PIH 2021-15 will apply.

Except as addressed by this chapter and as required under federal statute and HUD requirements, the general requirements of the HCV program apply to EHVs. Therefore, participants of the EHV programs are subject to the same basic family obligations, termination procedures, hearings etc. as set in the HCV Administrative Plan. Where there is a conflict between regulations outlined in the HCV Administrative Plan and the EHV Program regulations, the EHV program regulations will prevail.

A. QUALIFYING CATEGORIES FOR ELIGIBILITY

In order to be eligible for an EHV, an individual or family must meet one of four eligibility categories:

1. Homeless
2. At risk of homelessness
3. Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking
4. Recently homeless and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability.

In general, the verification conducted that the individual or family meets one of these four eligibility categories is steered by the Continuum of Care (CoC) or another partnering agency that makes direct referrals to the BHA. The CoC or other direct referral partner must provide supporting documentation to the BHA verifying that the family meets one of the four eligible categories for EHV assistance.

The CoC must establish and implement a system to identify EHV-eligible individuals and families within the agency's caseload and make referrals to the BHA. The CoC must certify that the EHV applicants they refer to the BHA meet at least one of the four EHV eligibility criteria. The CoC adopted an Interim Prioritization and Matching for Permanent

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Housing through HUD's Emergency Housing Voucher Program dated June 23, 2021. This document can be viewed at www.LAHSA/EHV.

B. VOUCHER ISSUANCE

In general, EHV families are issued EHVs as the result of either:

1. The direct referral process from the CoC Coordinated Entry System (CES) and/or other partnering organizations, or
2. A situation where the BHA makes an EHV available in order to facilitate an emergency transfer in accordance with the Violence Against Women Act (VAWA) as outlined in the BHA's Emergency Transfer Plan.

C. REFERRALS

The BHA must also take direct referrals from outside the CoC CES if:

1. The CES does not have a sufficient number of eligible families to refer to the BHA, or
2. The CES does not identify families that may be eligible for EHV assistance because they are fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking or human trafficking.

If at any time the BHA is not receiving enough referrals or is not receiving referrals in a timely manner from the CoC CES or other partner referral agencies (or the BHA and CoC cannot identify any such alternative referral partner agencies), HUD may permit the BHA on a temporary or permanent basis to take EHV applications directly from EHV applicants and admit eligible families to the EHV program in lieu of or in addition to direct referrals in those circumstances.

D. PREVAILING REGULATIONS

1. Requires partnership with the Coordinated Entry System (CES) for direct referrals.
    a. Direct referrals for EHV's are not added to the regular HCV waiting list. A separate waiting list for EHV referrals/applicants shall be established.
    b. Local preference for the Housing Choice Voucher (HCV) program is not applicable to EHV vouchers.

2. Self-certification of income may be accepted as the highest form of income verification at admission.
    a. This income will be verified within 90 days through the EIV system. Discrepancies in reported income can lead to adjustments of Tenant

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portions of rent, repayments to the Housing Authority, and/or termination from the program.

3. Applicants may provide third-party documentation which represents the applicant's income within the 60-day period prior to admission or voucher issuance but is not dated within 60 days of the BHA's request. For example, a Supplemental Security Income (SSI) benefit letter that was issued in November 2020 to represent the applicant's benefit amount for 2021 and was provided to the PHA in September 2021 would be an acceptable form of income verification.

4. Once HUD makes the EIV data available to PHAs under this waiver and alternative requirement, the BHA must review reports to confirm/validate family-reported income within 90 days through the EIV System.

5. Self-Certification of social security number or eligible noncitizen status can be accepted at admission. Verification must be obtained within 180 days of voucher issuance.

6. Self-Certification of date of birth and disability status can be accepted at admission. Verification must be obtained within 90 days of voucher issuance.

E. MANDATORY PROHIBITIONS

1. The BHA must prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing to EHV applicants.
2. The BHA must prohibit admission to the program if any member of the household is subject to a lifetime registration requirement under a state sex offender registration program to EHV applicants.

F. PERMISSIBLE PROHIBITIONS

Before denying an EHV applicant, the BHA may consult with the CoC on the following permissive grounds, and may take the CoC's recommendation into consideration.

1. If the BHA determines that any household member is currently engaged in, or has engaged in within the previous 12 months:
    a. Violent criminal activity.
    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.

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2. If any member of the family has committed fraud, bribery, or any other corrupt or criminal act in connection with any Federal housing program within the previous 12 months.
3. If the family engaged in or threatened abusive or violent behavior toward the BHA personnel within the previous 12 months.

G. ADMINISTRATIVE FEES AND FUNDING FOR OTHER ELIGIBLE EXPENSES

The BHA will maintain separate financial records from its regular HCV funding for all EHV funding, both HAP and administrative fee amounts.

Ongoing administrative fees

EHV ongoing administrative fees may be used for any eligible administrative expenses related to the EHVs. These fees may also be used to pay for any of the eligible activities under the EHV services fee.

Services Fee

One-time service fees support efforts in implementing and operating an effective EHV services program that will best address the needs of EHV eligible individuals and families in its jurisdiction. The BHA will determine eligible uses of service fees to assist families to successfully lease units with the EHVs. The BHA may limit the amount of assistance for any of the eligible uses or place other restrictions on those uses. However, the services fee funding must be initially used for these defined eligible uses and not for other administrative expenses of the EHV. Service fee funding may never be used for the HCV program.

If service fee funding is available, the BHA may consider these eligible uses:

1. Application Fees/non-refundable administrative or processing fee. The BHA may provide assistance with these expenses. Application fees will be paid directly to the owner.
2. Security deposit assistance. The BHA may provide security deposit assistance for the family. The amount of the security deposit assistance may not exceed the lesser of two months' rent to owner, the maximum-security deposit allowed under applicable state and/or local law, or the actual security deposit required by the owner.

   The BHA may choose to pay the security deposit assistance directly to the owner or may pay the assistance to the family, provided the BHA verifies the family paid the security deposit. The BHA may place conditions on the security deposit assistance, such as requiring the owner or family to return the security deposit assistance to the BHA at the end of the family's tenancy (less any amounts retained by the owner in accordance with the lease). Security deposit assistance

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returned to the BHA must be used for either services fee eligible uses or other EHV administrative costs.

3. Utility deposit assistance/utility arrears. The BHA may provide utility deposit assistance for some or all of the family's utility deposit expenses. Assistance can be provided for deposits (including connection fees) required for the utilities to be supplied by the tenant under the lease. The BHA may choose to pay the utility deposit assistance directly to the utility company or may pay the assistance to the family, provided the BHA verifies the family paid the utility deposit. The BHA may place conditions on the utility deposit assistance, such as requiring the utility supplier or family to return the utility.

4. Essential housing items. The BHA may assist the family with some or all of the costs of acquiring essential household items such as but not limited to: Refrigerator, washer/dryer, tableware, bedding, etc.

5. Owner-related uses. The BHA may design the owner incentive payment to meet the specific needs of the eligible EHV individual or family.
    - Owner incentive payments may not exceed one month Fair Market Rent.
    - Owner incentive payments, such as holding fees or signing bonuses, are not required to be returned to the BHA.

6. Other eligible uses. To be determined by the BHA Housing Manager to best address the leasing challenges faced by EHV eligible families. Eligible activities of the EHV service fee are outlined in PIH 2023-23

H. WAITLIST PROCESS

The BHA will inform families on the HCV waiting list of the availability of the EHV program by posting on the City of Burbank's website and Assistance Connect. In addition, a letter will be mailed out to the families on the HCV waiting list with a homeless preference explaining the EHV Program. Families must contact the CoC or an applicable partnering referral agency if they believe they may be eligible for EHV assistance. The CoC or partnering referral agency will determine if the family is eligible for an EHV. A separate waiting list will be maintained for the EHV referrals/applicants that are eligible, however, a voucher is not available. The EHV Waiting List is based on eligible applicants/referrals from the CoC as required by HUD, and not applications of the general public.

Preferences

With the exception of a residency preference, the BHA may choose, in coordination with the CoC and other referral partners, to establish separate local preferences for EHVs. The BHA may, however, choose to not establish any local preferences for the EHV waiting list.

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For purposes of this Program, the BHA and Los Angeles Homeless Services Authority (LAHSA) have chosen to give local preference to the EHVs waiting list, as follows:

1. BHA may accept referrals directly from service providers within the City of Burbank of individuals who are eligible for the EHV program under the category "*Individuals and families experiencing homelessness who are survivors of domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined under Homeless Emergency Assistance and Rapid Transition to Housing Act (HEARTH Act), the Violence Against Women Act (VAWA) and Trafficking Victims Protection Act (TVPA).*" Such referrals shall be given first priority among eligible participants in the EHV Program.
2. Persons or households who are enrolled in CES who are enrolled in a time limited subsidy/interim local program within the City of Burbank, Glendale, North Hollywood, or Pacoima.
3. Persons or households who are enrolled in CES whose "field geolocation" or "community of origin" is within the City of Burbank, or who are enrolled in a local shelter or interim housing program within the City of Burbank or Project Room Key / Project Home Key.
4. Persons or households who are enrolled in CES whose "field geolocation" or "community of origin" is within the City of Glendale or communities of North Hollywood or Pacoima.
5. Moving On – Individuals only. As part of HUD's strategic priority to end homelessness, HACB will implement Moving On strategies for clients in permanent supportive housing (PSH) who may no longer need or want the intensive services offered in PSH but continue to need assistance to maintain their housing.
6. Prioritization of persons experiencing street homelessness, and a history of homelessness.
7. At- risk of becoming homeless and meeting one of the following conditions (**This group is to be prioritized when referrals from the above prioritized populations have been exhausted**):
    a. Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for assistance;
    b. Is living in the home of another because of economic hardship;
    c. Has been notified that their right to occupy their current housing or living situation will be terminated within 21 days after the date of application for assistance;
    d. Lives in a hotel or motel and the cost is not paid for by charitable organizations or by Federal, State, or local government programs for low-income individuals;
    e. Lives in a single room occupancy or efficiency apartment unit in which there reside more than two persons or lives in a larger housing unit in which there reside more than one and a half persons per room.

Applications of applicants that meet the requirements of the qualifying categories will be placed on the EHV Waiting List in order of date and time.

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I. FAMILY ELIGIBILITY

Social Security Number and Citizenship Status Verification

For the EHV program, the BHA is not required to obtain and verify SSN documentation and documentation evidencing eligible noncitizen status before admitting the family to the EHV program. Instead, the BHA may adopt policies to admit EHV applicants who are unable to provide the required SSN or citizenship documentation during the initial eligibility determination. As an alternative requirement, such individuals must provide the required documentation within 180 days of admission to be eligible for continued assistance, pending verification, unless the BHA provides an extension based on evidence from the family or confirmation from the CoC or other partnering agency that the family has made a good-faith effort to obtain the documentation.

Age and Disability Verification

If self-certification is used, the BHA must obtain a higher level of verification within 90 days of admission or verify the information in EIV.

The BHA will accept self-certification of date of birth and disability status if a higher form of verification is not immediately available. The certification must be made in a format acceptable to the BHA and must be signed by the family member whose information or status is being verified. If self-certification is accepted, within 90 days of admission, the BHA will verify the information in EIV or through other third-party verification if the information is not available in EIV. The BHA will note the family's file that self- certification was used as initial verification and include an EIV printout or other third- party verification confirming the applicant's date of birth and/or disability status.

Income Targeting

The BHA must determine income eligibility for EHV families in accordance with 24 CFR 982.201 and BHA policy in Chapter 3; however, income targeting requirements do not apply for EHV families. The BHA may still choose to include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

The BHA will include the admission of extremely low-income EHV families in its income targeting numbers for the fiscal year in which these families are admitted.

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J. HOUSING SEARCH AND LEASING

Initial Voucher Term

Unlike the standard HCV program, which requires an initial voucher term of at least 60 days, EHV vouchers must have an initial voucher term of at least 120 days (a period to submit a Request for Tenancy Approval from the date of the voucher issuance). BHA policies on extensions as outlined in Chapter 8 – Section E, Extensions will apply.

All EHVs will have an initial term of 120 calendar days.

The family must submit a Request for Tenancy Approval and proposed lease within the 120-day period unless the BHA grants an extension.

Housing Search Assistance

The BHA must ensure housing search assistance is made available to EHV families during their initial housing search. The housing search assistance may be provided directly by the BHA or through the CoC or another partnering agency or entity.

Initial Lease Term

Unlike in the standard the HCV program, EHV voucher holders may enter into an initial lease that is for less than 12 months.

Payment Standards and Exception to Payment Standards

HUD is waiving § 982.503(a)(3) and establishing an alternative requirement permitting PHAs to establish separate higher payment standards for the EHVs in order to increase the potential pool of available units for EHV families. The Participants with an EHV voucher not residing in an already subsidized unit will receive the HUD approved Exception Payment Standard for a Zero, One, Two- and Three-Bedroom Voucher.

Termination of Vouchers upon Turnover after September 30, 2023

HUD is identifying whether a voucher issuance is a turnover voucher or a voucher that has never been leased by counting the number of cumulative EHV lease-ups. Once BHA's total cumulative leased EHV count reaches 67, any EHV issuance is considered a reissuance. Once the BHA has reached 67 cumulative EHV lease-ups, the BHA may not reissue any EHV voucher after September 30, 2023. All EHVs under lease on or after October 1, 2023, may not under any circumstances be reissued to another family when the participant leaves the program for any reason.

If the BHA has not reached its 67 cumulative leased vouchers, the BHA may continue to issue vouchers to eligible households after September 30, 2023, until the cumulative

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leased vouchers equal 67, or until directed by HUD to stop issuing EHVs. If the BHA is reallocated additional EHVs, these EHVs are considered never leased and may be issued.

Household Moves and Changes

EHV participants may still move (including under portability) after September 30, 2023. The termination of vouchers upon turnover provision does not impact an individual or family's ability to move within the PHA's jurisdiction or their ability to move under the portability procedures to another PHA's jurisdiction.

K. USE OF FUNDS, REPORTING, AND FINANCIAL RECORDS

EHV funds allocated to the BHA for HAP (both funding for the initial allocation and HAP renewal funding) may only be used for eligible EHV HAP purposes. EHV HAP funding obligated to the BHA may not be used for EHV administrative expenses or the other EHV eligible expenses under this notice. Likewise, EHV administrative fees and funding obligated to the BHA are to be used for those purposes and must not be used for HAP. The appropriated funds for EHVs are separate from the regular HCV program and may not be used for the regular HCV program but may only be expended for EHV eligible purposes. EHV HAP funds may not roll into the regular HCV restricted net position (RNP) and must be tracked and accounted for separately as EHV RNP. EHV administrative fees and funding for other eligible expenses permitted by Notice PIH 2021-15 may only be used in support of the EHVs and cannot be used for regular HCVs. EHV funding may not be used for the repayment of debts, or any amounts owed to HUD by HUD program participants including, but not limited to, those resulting from Office of Inspector General (OIG), Quality Assurance Division (QAD), or other monitoring review findings.
The BHA must comply with EHV reporting requirements in the Voucher Management System (VMS) and Financial Data Schedule (FDS) as outlined in Notice PIH 2021-15.
The BHA must maintain complete and accurate accounts and other records for the program and provide HUD and the Comptroller General of the United States full and free access to all accounts and records that are pertinent the administration of the EHVs in accordance with the HCV program requirements at 24 CFR 982.158.

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CHAPTER 18

PROJECT-BASED VOUCHER PROGRAM

INTRODUCTION

The Burbank Housing Authority has the discretion whether to operate a project-based voucher program., and has elected to provide rental assistance under the Project Based Voucher Program (PBVP) to encourage property owners of existing housing, newly constructed housing or rehabilitated housing to make these properties available to low-income families at affordable rents. This will ensure that the city maintains an affordable rental housing stock that is at risk of becoming unaffordable for low-income families and/or to produce new affordable units. The PBVP provided by the Burbank Housing Authority may be used only for units within the City of Burbank.

The provision of assistance that is attached to units as project-based assistance is different in its application than that of tenant-based assistance typically provided by the Housing Choice Voucher Program. Under project-based assistance, the Burbank Housing Authority enters into a HAP Contract with the owner to make housing assistance payments during the contract term for a specific unit(s) that is leased and occupied by an eligible family.

The Burbank Housing Authority PBV program is funded with a portion of appropriated funding (budget authority) available under the Burbank Housing Authority's voucher annual contributions contract (ACC). The Burbank Housing Authority may provide up to 20% ACC and an additional 10% for homeless families, families with veterans, supportive housing for persons with disabilities or elderly persons, or in areas where vouchers are difficult to use. The Burbank Housing Authority will consider using up to 20% of its authorized units for project-based assistance. This will be done on a project by project basis.

However, only 25% of the units in a project or 25 units in a project, whichever is greater, may be project based with the exception of single-family dwellings and "excepted units or housing exemption" in a multifamily building.

"Excepted Units or Housing Exemption" means units in a multifamily building that are specifically made available for qualifying families who are elderly, disabled, or a family receiving supportive services. There is no special or additional funding for project-based vouchers and HUD does not reserve additional units for project-based vouchers.

HOUSING OPPORTUNITY THROUGH MODERNIZATION ACT (HOTMA)

The Burbank Housing Authority will make a decision regarding implementation of HOTMA provisions for this chapter upon HUD's issuance of Notice or Regulation.

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A. HUD SUBMISSION

The Burbank Housing Authority may attach voucher assistance to PBV units in accordance with 24 CFR 983 if:

1. The number of units to be project-based does not exceed the applicable percent limit or number.
2. The number of units to become project-based are not under a tenant-based or project-based HAP Contract or otherwise committed (e.g., vouchers issued to families searching for housing or units under an Agreement).

Before implementing PBVP, the Burbank Housing Authority must submit the following information to the HUD field office for review:

1. The total number of units for which the Burbank Housing Authority is requesting approval to attach assistance.
2. The number of budgeted voucher units.
3. The number of voucher units available to be project-based; e.g., the number of budgeted voucher units that are not under a tenant-based or project-based HAP Contract or otherwise committed (e.g., vouchers issued to families searching for housing or units under an Agreement).

The Burbank Housing Authority must ensure that the amount of assistance that is attached to units is within the amounts available under the ACC.

B. OWNER APPLICATION SUBMISSION [24 CFR 983.51]

1. The BHA has adopted a written policy establishing competitive procedures for owners' submission of applications. This written policy identifies and specifies the weight to be given to the factors that will be used to rank and select applications. These factors are as follows:

Local Experience/Administrative Capacity:	20 Points
Need:	20 Points
Mixed Income:	20 Points
Financial/Marketability:	20 Points
Community Impact:	15 Points
Equal Opportunity Employment Practices:	5 Points

2. The Burbank Housing Authority will select units to which assistance is to be attached. These units must be selected in accordance with the Burbank Housing Authority's selection policy and 24 CFR 983.51.

3. The Burbank Housing Authority will advertise in a newspaper of general circulation that the Burbank Housing Authority will accept applications for assistance under the PBVP for specific projects. The advertisement must be approved by the HUD field office and may not be published until after HUD's authorization to implement a PBVP or ACC execution.

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The advertisement must: be published once a week for two to three consecutive weeks; specify an application deadline of at least 30 days after the date the advertisement is last published; specify the number of units the Burbank Housing Authority estimates it will be able to assist under the funding the Burbank Housing Authority is making available for this purpose; and state that only applications submitted in response to the advertisement will be considered.

4. The owner's application submittal must contain the following:

a. A description of the housing to be constructed or rehabilitated, including the number of units by size (square footage), bedroom count, bathroom count, sketches of the proposed new construction or rehabilitation, unit plans, listing of amenities and services, and estimated date of completion. For rehabilitation, the description must describe the property as is and must also describe the proposed rehabilitation.

b. Evidence of site control, and for new construction identification and description of the proposed site, site plan and neighborhood.

c. Evidence that the proposed new construction or rehabilitation is permitted by current zoning ordinances or regulations, if applicable.

d. Evidence to indicate that the needed re-zoning is likely and will not delay the project, if applicable.

e. The proposed contract rent per unit, including an indication of which utilities, services, and equipment are included in the rent. For those utilities that are not included in the rent, an estimate of the average monthly cost for each unit type for the first year of occupancy.

f. A statement identifying:

1. The number of persons (families, individuals, businesses and nonprofit organizations) occupying the property on the date of submission of the application.

2. The number of persons to be displaced, temporarily relocated or moved permanently within the building or complex.

3. The estimated cost of relocation payments and services, and the sources of funding.

4. The organization(s) that will carry out the relocation activities.

5. The identity of the owner, project principals, names of officers, principal members, shareholders, investors and other parties having substantial interest. Certification showing that the above-mentioned parties are not on the U.S. General Services Administration list of parties excluded from Federal procurement and nonprocurement programs; a disclosure of any possible conflict of interest by any of these parties that would be a violation of the Agreement or the HAP Contract; and information on the qualifications and experience of the principal participants. Information concerning any participant who is not known at the time of the owner's submission must be provided to the Burbank Housing Authority as soon as the participant is known.

6. The owner's plan for managing and maintaining the units.

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7. Evidence of financing or lender interest and the proposed terms of financing.
8. The proposed term of the HAP Contract; and
9. Any other information the Burbank Housing Authority believes necessary.

C. ELIGIBLE AND INELIGIBLE PROPERTIES [24 CFR 983.9 & 983.53]

Newly constructed and existing structures of various types may be appropriate for attaching assistance to the units under 24 CFR 983, including single-family housing and multi-family housing. Eligible housing under 24 CFR 982.352 does not apply.
The Burbank Housing Authority may not attach or pay PBVP assistance in the following types of housing:

1. Housing for which the construction is started before Agreement execution.
2. Housing for which the rehabilitation is started before Agreement execution.
3. Shared housing, nursing homes, and facilities providing continual psychiatric, medical, nursing services, board and care or intermediate care.
4. Units within the grounds of penal, reformatory, medical, mental, or similar public or private institutions.
5. Housing located in an area that has been identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards.
6. College or other school dormitories.
7. Units owned or controlled by an educational institution or its affiliate and are designated for occupancy by students of the institution.
8. Manufactured homes.
9. Cooperative housing.
10. Transitional housing.
11. Units occupied by the owner.

The Burbank Housing Authority may not attach or pay PBVP assistance to any of the following types of subsidized housing:

1. Public housing dwelling unit;
2. A unit subsidized by any other form of Section 8 assistance (tenant-based or project based);
3. A unit subsidized with any governmental rent subsidy (a subsidy that pays all or any part of the rent);
4. A unit subsidized with any government subsidy that covers all or any part of the operating costs of the housing;
5. A section 236 project (insured or noninsured) or a unit subsidized with Section 236 rental assistance payments;
6. A unit subsidized with rental assistance payments under Section 521 of the Housing Act of 1949 (a Rural Housing Services Program);
7. A Section 202 project for non-elderly persons with disabilities (assistance under Section 162 of the Housing and Community Development Act of 1987);
8. Section 202 supportive housing for the elderly;
9. Section 811 supportive housing for persons with disabilities;
10. A Section 101 rent supplement project;

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11. A unit subsidized with tenant-based assistance (as defined at 24 CFR 982.1(b)(2)) (e.g. Home Program); or
12. Any unit with any other duplicative Federal, State, or local housing subsidy as determined by HUD. For this purpose, "housing subsidy" does not include the housing component of a welfare payment, a Social Security payment received by the family, or a rent reduction because of a tax credit.

D. SPECIAL HOUSING TYPES [24 CFR 983.9]

In PBVP, the Burbank Housing Authority will not provide assistance for shared housing, cooperative housing, manufactured homes space rental, or the homeownership option. A group home may include one or more group home units. A separate lease is executed for each elderly person or person with disabilities who resides in a group home.

E. DECONCENTRATION OF POVERTY AND EXPANSION OF HOUSING AND ECONOMIC OPPORTUNITIES

In accordance with HUD requirements, all PBVP HAP Contracts or assistance agreements must be for units located in census tracts with poverty rates of less than 20%, unless HUD specifically approves an exception. The City of Burbank meets this requirement. Activities under the PBVP are subject to HUD environmental regulations in 24 CFR 50 and 58.

F. AGREEMENT & SECTION 8 PROJECT BASED VOUCHER HOUSING ASSISTANCE PAYMENTS CONTRACT [24 CFR 983.202, 983.203, 983.204, & 983.205] on

The Burbank Housing Authority must enter into an Agreement with the owner. The owner agrees to develop the contract units to comply with the HQS, and the Burbank Housing Authority agrees that upon timely completion of such development in accordance with the terms of the Agreement, the Burbank Housing Authority will enter into an Agreement with the owner for the approved number of units. The Agreement will be canceled if the HAP Contract is not executed within 120 days of notification of completion.

The Burbank Housing Authority must enter into an Agreement with the owner stating the terms and conditions of the PBVP project. The initial Agreement term for existing housing may not be less than one year nor more than ten years. The initial Agreement term for new construction or rehabilitated housing may not be less than one year nor more than 20 years. The Burbank Housing Authority has sole discretion to determine the initial term of the HAP Contract with these limits.

Within one year before expiration of the Agreement, the Burbank Housing Authority may agree to extend the term of the Agreement for existing housing for an additional term up to 20 years for new construction or rehabilitated housing if the Burbank Housing Authority determines an extension is appropriate to continue to provide affordable housing for low-

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income families. Agreements maybe renewed for terms for an aggregate total of 40 years, subject to the availability of appropriated funds.

At the sole option of the Burbank Housing Authority, the Burbank Housing Authority may renew expiring Agreements for such period or periods as the HUD field office determines appropriate to achieve long term affordability of assisted housing. The Burbank Housing Authority must identify the funding source for renewals; different funding sources may be used for the initial term and review terms of the Agreement.

The Agreement must provide that the term of the Burbank Housing Authority contractual commitment is subject to the availability of sufficient appropriated funding (budget authority) as determined by HUD or by the Burbank Housing Authority in accordance with HUD instructions. If it is determined that there may not be sufficient funding to continue housing assistance payments for all contract units and for the full term of the Agreement, the Burbank Housing Authority has the right to terminate the Agreement by notice to the owner for all or any of the contract units.

Once the Burbank Housing Authority has received owner notification that the construction or rehabilitation has been completed, the owner must submit at minimum the following evidence of completion to the Housing Department:

1. Owner certification that the work has been completed in accordance with the HQS and all requirements of the Agreement; and
2. Owner certification that the owner has complied with labor standards and equal opportunity requirements in the development of the housing.

At the Burbank Housing Authority discretion, the Agreement may specify additional documentation that must be submitted by the owner as evidence of housing completion.

1. Certificate of Occupancy; and
2. An architect’s certification that the housing complies with HQS, State, local and/or other building codes

After the Housing Department has receive owner notice, the Burbank Housing Authority must inspect the building to determine if the housing has been completed in accordance with the Agreement, including compliance with the HQS and any additional requirements imposed by the Burbank Housing Authority under the Agreement. If the work has not been completed in accordance with the Agreement, the Burbank Housing Authority must not enter into the HAP Contract.

The Burbank Housing Authority must execute the HAP Contract if the Burbank Housing Authority accepts the unit(s). The effective date of the HAP Contract may not be earlier

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than the date of the Burbank Housing Authority inspection and acceptance of the Unit(s).

After commencement of the HAP Contract term, the Burbank Housing Authority must make monthly housing assistance payments for each unit occupied under lease by an eligible family.

At the discretion of the Burbank Housing Authority and subject to all PBVP requirements, the HAP contract may be amended to substitute a different unit with the same number of bedrooms in the same building for previously covered contract unit. Prior to such substitution, the Burbank Housing Authority must inspect the proposed substitute unit and must determine the reasonable rent.

The Quality Housing and Work Responsibility Act of 1998 (QHWRA) requires owners to provide not less than one-year written notice to tenants and HUD of expiration or termination of the Contract.

G. REDUCTION OF UNITS

Owners must lease all assisted units under a HAP Contract to eligible families. Leasing of vacant, assisted units to ineligible tenants is a violation of the Agreement and grounds for all available legal remedies, including suspension or debarment from the HUD program and reduction of the number of units under the Agreement. Once the Burbank Housing Authority determines that a violation exists, the Burbank Housing Authority must notify the HUD field office of its determination and the suggested remedies. At the direction of the HUD field office, the Burbank Housing Authority must take the appropriate action.

If at any time beginning 180 calendar days after the effective date of the Agreement, the owner fails to have the assisted units leased to families receiving housing assistance or to families who were eligible when they initially leased the unit, but are no longer receiving housing assistance, the Burbank Housing Authority may, on at least a 30 calendar days notice, reduce the number of units covered by the Agreement. The Burbank Housing Authority may reduce the number of units actually leased or available for leasing by eligible families, plus 10 percent (round up).

If the owner has only one unit under a HAP Contract, and if one year has elapsed since the date of the last housing assistance payment, the HAP Contract may be terminated with the consent of the owner.

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The Burbank Housing Authority will agree to an amendment of the Agreement to provide for subsequent restoration of any reduction made pursuant to the above-mentioned paragraph of this section, if:

1. The Burbank Housing Authority determines that the restoration is justified by demand.
2. The owner otherwise has a record of compliance with obligations under the Agreement; and
3. Contract authority is available.

H. RESPONSIBILITIES OF THE BURBANK HOUSING AUTHORITY [24 CFR 983.201]

The BHA must:

1. Inspect the project before, during, and upon completion of new construction or rehabilitation; and
2. Ensure that the amount of assistance that is attached to units is within the amounts available under the ACC.

I. RESPONSIBILITIES OF THE OWNER [24 CFR 983.208 & 24 CFR 982.452]

The owner is responsible for performing all of the owner responsibilities under the Agreement and the HAP Contract, providing the Burbank Housing Authority with a copy of any termination of tenancy notification, and offering vacant, accessible units to a family with one or more members with a disability requiring accessibility features of the vacant unit and occupying an assisted unit not having such features.

J. FAMILY PARTICIPATION [24 CFR 983.251]

The Burbank Housing Authority will use the tenant-based assistance waiting list for its PBVP, pursuant to 24 CFR 982.201, 982.202 except paragraph (b)(c), 982.203, 982.204 except paragraph (a)(b), 982.205 except paragraph (a), 982.206 and 982.207. When the owner notifies the Burbank Housing Authority of vacancies in the PBVP units, the Burbank Housing Authority will refer one or more families of the appropriate size from its waiting list. A family that refuses an offer of a PBVP unit will keep its place on the tenant-based waiting list. The owner must rent all vacant PBVP units to eligible families referred by the Burbank Housing Authority. The Burbank Housing Authority will determine eligibility of any family referred for a PBVP unit.

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Before the Burbank Housing Authority selects a specific unit to which assistance is to be attached, the Burbank Housing Authority must determine whether the unit is occupied, and if so, whether the occupants are eligible for assistance. If the unit is occupied by an eligible family (including a single person) and the Burbank Housing Authority selects the unit, the family must be given the opportunity to lease that unit or another appropriately sized, project-based unit in the project without requiring that the family be placed on the waiting list. The Burbank Housing Authority may not enter into an agreement to provide project-based assistance to a unit whose occupants are not eligible to participate in the program.

If the Burbank Housing Authority does not refer a sufficient number of interested families on the Burbank Housing Authority's waiting list to the owner within 30 days of the owner's notification to the BHA of a vacancy, the owner may advertise for or solicit applications from eligible, very low-income families. The owner must refer these families to the BHA to determine eligibility. The Burbank Housing Authority and/or owner may also partner with other agencies for referrals for project-based units.

The owner is responsible for screening and selection of tenants for their project parameters. The owner must adopt written tenant selection procedures that are consistent with the purpose of improving housing opportunities for very low-income households and with a family's ability to perform the lease obligations. The owner must promptly notify any rejected family in writing of the grounds for that rejection.

In order for a family to be eligible for participation under the PBVP, the family must meet the eligibility criteria outlined in Chapter 2 of this Plan, "Eligibility for Admission" and the family's annual income may not exceed the applicable income limit as set by HUD.

A family becomes a participant when the family and owner execute a lease for a unit with project-based assistance.

If the HAP Contract for the unit expires or if the Burbank Housing Authority terminates the HAP Contract for the unit:

1. The Burbank Housing Authority must issue the assisted family in occupancy of a unit a HCV for assistance under the Burbank Housing Authority's voucher program, unless the Burbank Housing Authority has determined that it does not have sufficient funds for continued assistance for the family, or unless the Burbank Housing Authority denies issuance of a HCV in accordance with 24 CFR 982.552.
2. If the unit is not occupied by an assisted family, then the available funds under the ACC that were previously committed for support of this project-based assistance for the unit must be used for the Burbank Housing Authority's tenant-based voucher program.

K. BRIEFING SESSIONS FOR PBVP PARTICIPANTS [24 CFR 983.252]

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Briefing sessions will be held for families who have been selected to occupy a project-based unit. The briefing session will provide the family with the following:

1. Information regarding the tenant rent and any applicable utility allowance.

2. A copy of the Lead-Based Paint information pamphlet.
3. Family and owner responsibilities under the lease and HAP Contract.
4. Information on Federal, State, and local equal opportunity laws.
5. The fact that the subsidy is tied to the unit, that the family must occupy a unit under the program, that a family that moves from the unit does not have any right to continued assistance.
6. The likelihood of the family receiving a HCV after the HAP Contract expires.
7. The family's options under the program if the family is required to move because of a change in family size or composition; and
8. Information on the Burbank Housing Authority's procedures for conducting informal hearings for participants, including a description of the circumstances in which the Burbank Housing Authority is required to provide the opportunity for an informal hearing, in accordance with 24 CFR 982.555, and the procedures for requesting a hearing (see Chapter 13 of this Plan).

L. PHYSICAL CONDITION STANDARDS & PHYSICAL INSPECTION REQUIREMENTS

Housing used in the PBVP must be maintained and inspected in accordance with the requirements in 24 CFR 5, subpart G prior to the HAP Contract execution. In addition to the standards in 24 CFR 5, subpart G, the dwelling unit must have a living room, a kitchen area, and a bathroom. The dwelling unit must have at least one bedroom or living/sleeping room for each two persons.
The Lead-Based Paint Poisoning Prevention Act and implementing regulations at 24 CFR 35, subparts A, B, H, and R of this title apply to units assisted under this part.
The dwelling unit must be inspected and must pass HQS prior to the execution of the Lease.

M. MAINTENANCE, OPERATION AND INSPECTION [24 CFR 983.208]

The following sections do not apply to the PBVP:

1. 24 CFR 982.404: Maintenance: Owner and family responsibility; PHA remedies.

2. 24 CFR 982.405: PHA periodic unit inspections and enforcement of HQS.

The owner must provide all the services, maintenance and utilities as agreed under the HAP Contract, subject to abatement of housing assistance payments or other applicable remedies if the owner fails to meet these obligations.
In addition to the inspections required prior to execution of the HAP Contract, the Burbank Housing Authority must inspect or cause to be inspected each dwelling unit under a HAP Contract at least annually, and at such other times as may be necessary to ensure that

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the owner is meeting the obligations to maintain the unit in decent, safe, and sanitary conditions and to provide the agreed upon utilities and other services. The Burbank Housing Authority must take into account complaints and any other information coming to its attention in scheduling inspections.
If the Burbank Housing Authority notifies the owner that the units under HAP Contracts are not being maintained in decent, safe, and sanitary conditions and the owner fails to take corrective action within the time prescribed in the notice, the Burbank Housing Authority may exercise any of its rights or remedies under the HAP Contract, including abatement of housing assistance payments, even if the family continues in occupancy, or the termination of the HAP Contract and termination of assistance to the family, in accordance with 24 CFR 982.552.

N. OVERCROWDED, UNDEROCCUPIED, AND ACCESSIBLE UNITS [24 CFR 983.260]

If the Burbank Housing Authority determines that a family is occupying the wrong sized unit or the unit with accessibility features that the family does not require, and the unit is needed by a family that requires the accessibility features, the Burbank Housing Authority must promptly notify the family and the owner of this determination, and of the Burbank Housing Authority offer of continued assistance in another unit. If the Burbank Housing Authority's subsidy standards changed after the family moved into the unit and the family has not had a change in family composition, the family will not be considered in the wrong sized unit.

The owner must offer the family a suitable alternative unit if one is available and the family shall be required to move. If the owner does not have a suitable unit available within the family's ability to pay the rent, the Burbank Housing Authority (if it has sufficient funding) may offer tenant-based assistance to the family or otherwise assist the family in locating other standard housing in the Burbank Housing Authority's jurisdiction within the family's ability to pay and require the family to move to such a unit.

If the Burbank Housing Authority offers the family the opportunity to receive tenant-based rental assistance under the voucher program, the Burbank Housing Authority must terminate the housing assistance payments for a wrong-sized or accessible unit at expiration of the term of the family's voucher (including any extension granted by the PHA).

If the Burbank Housing Authority offers the family the opportunity for another form of continued housing assistance in accordance with 24 CFR 983.261(b)(2) (not in the tenant-based voucher program), the family does not accept the offer, does not move out of the PBV unit within a reasonable time as determined by the Burbank Housing Authority, or both, the Burbank Housing Authority must terminate the housing assistance payments for the wrong-sized or accessible unit, at the expiration of the reasonable period that was determined by the Burbank Housing Authority

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O. ASSISTED TENANCY AND TERMINATION OF TENANCY [24 CFR 983.206]

The term of a lease, including a new lease or a lease amendment, executed by the owner and the family must be for at least one year, or the remaining term of the HAP Contract if the remaining term of the HAP Contract is less than one year. The family must notify the Burbank Housing Authority and the owner before the family moves out of the unit. Term of assisted tenancy, 24 CFR 982.309, and owner termination of tenancy, 24 CFR 982.310(d)(1)(iii)(iv), do not apply to the PBVP.

The family is required to terminate the lease with a 60-day advance written notice to the owner and a copy of the notice to the Burbank Housing Authority. The owner may offer the family a new lease for execution by the family for a term beginning at any time after the first year of the term of the lease. The owner must give the family written notice of the offer at least 90 days before the proposed commencement date of the new lease term. The offer may specify a reasonable time for acceptance by the family. Failure by the family to accept the offer of a new lease in accordance with this paragraph shall be “other good cause” for termination of tenancy.

P. RENT AND HOUSING ASSISTANCE PAYMENT [24 CFR 983.302]

In 24 CFR 982 subpart K, rent and housing assistance payment for tenant-based program, the following are the only sections that apply to the PBVP under 24 CFR 982 subpart K (regular and interim re-examination of the family income and composition) and 24 CFR 982.517 (utility allowance schedule).

Q. LIMITS ON INITIAL RENT TO OWNER [24 CFR 983.301]

The initial rent to owner for a unit may not exceed the reasonable rent as determined by the Burbank Housing Authority, in accordance with 24 CFR 983.303.
The tenant rent under the PBVP is limited to 30% of the participant’s adjusted monthly income minus tenant paid utilities.
The initial gross rent for a unit (rent to owner plus utility allowance) may not exceed the payment standard rent limit as determined by the BHA, in accordance with 24 CFR 982.503. However, at the time of initial occupancy by the eligible family, the family gross rent must not exceed 40% of the family adjusted monthly income.
The PBVP HAP Contract shall establish gross rents that do not exceed 110% of the established Fair Market Rent (FMR) or any HUD-approved “exception payment standard” for the City of Burbank. The HAP Contract will also allow for an annual rent adjustment. The initial and adjusted rents to the owner must also be reasonable in relation to rents charged in the private market for comparable unassisted units.

R. ANNUAL ADJUSTMENT OF RENT TO OWNER [24 CFR 983.302]

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At each annual anniversary date of the HAP Contract, the Burbank Housing Authority may re-determine the rent to owner in accordance with the following requirements:

1. The owner must request a rent increase (including a comparability study to determine the amount of such increase) by written notice to the Burbank Housing Authority, at least 60 days before the HAP Contract anniversary. The request must be submitted in the form and manner required by the Burbank Housing Authority.
2. The Burbank Housing Authority may not increase the rent at the annual anniversary unless:
    a. The owner requested the increase by the 60-day deadline; and
    b. During the year before the HAP Contract anniversary, the owner complied with all requirements of the HAP Contract, including compliance with HQS for all contract units.
3. Rent increases will be implemented at the time of HAP Contract Anniversary.

The adjusted rent to owner equals the lesser of:

1. The re-adjustment rent to owner multiplied by the applicable Section 8 Annual Adjustment Factor published by HUD.
2. The reasonable rent as determined by the Burbank Housing Authority, in accordance with 24 CFR 983.303; or
3. The rent requested by owner.

The applicable factor is the published annual adjustment factor in effect 60 days before the HAP Contract anniversary. In making the annual adjustment, the pre-adjustment rent to owner does not include any previously approved special adjustments. The rent to owner may be adjusted up or down, in accordance with 24 CFR 983.301.

S. SPECIAL ADJUSTMENT OF THE RENT TO OWNER [24 CFR 983.301]

At HUD's sole discretion, HUD may approve a special adjustment of the rent to owner. The Burbank Housing Authority may only make a special adjustment of the rent to owner if the adjustment has been approved by HUD.
A special adjustment may only be approved to reflect increases in the actual and necessary costs of owning and maintaining the contracted units because of substantial and general increases in:

1. Property taxes.
2. Special governmental assessments.
3. Utility rates; or
4. Cost of utilities not covered by the regulated rates.

A special adjustment may only be approved if and to the extent that the owner demonstrates that cost increases are not adequately compensated by application of the published annual adjustment factor at the HAP Contract anniversary. The owner must demonstrate that the rent to owner is not sufficient for proper operation of the housing.
The adjusted rent may not exceed the reasonable rent as determined by a comparability study, in accordance with 24 CFR 983.301. The owner must submit financial information,

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as requested by the BHA, that supports the grant or continuance of a special adjustment. For HAP Contracts of more than 20 units, such financial information must be audited.
The Burbank Housing Authority may withdraw or limit the term of any special adjustment. If a special adjustment is approved to cover temporary or one-time costs, the special adjustment is only a temporary or one-time increase of the rent to owner.

T. REASONABLE RENT [24 CFR 983.303]

The Burbank Housing Authority may not enter an agreement to enter into a HAP Contract until the Burbank Housing Authority determines that the initial rent to owner under the HAP Contract is reasonable. During the term of a HAP Contract, the rent to owner may not exceed the reasonable rent as determined by the Burbank Housing Authority.
At least annually during the HAP Contract term, the BHA must re-determine that the current rent to owner does not exceed a reasonable rent. The BHA must determine whether the rent to owner is a reasonable rent in comparison to rent for other comparable unassisted units. To make this determination, the BHA must consider:

1. The location, quality, size, unit type, and age of the contract unit; and
2. Any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.

U. VACANT UNITS [24 CFR 983.352]

Vacancy payments will not be paid for vacant units

V. CONVERSION OF SECTION 8 PROJECT-BASED ASSISTANCE TO TENANT-BASED ASSISTANCE [PIH NOTICE 99-40, SEPTEMBER 1, 1999]

HUD currently provides additional funding to public housing agencies to assist eligible residents who are affected by “housing conversions.” Housing conversions occur when a Section 8 Project-Based Contract is near expiration, has expired, or the owner chooses to “opt-out” of the Contract (“Contract termination”). In those instances where expiring Project-Based Rental Assistance is being replaced by Tenant-Based Rental Assistance (TBRA) Vouchers, HUD shall determine the appropriate actions and provide guidance and instruction to the Burbank Housing Authority.

The conversion process typically begins with HUD’s receipt of the notice from the owner stating the intent to terminate the existing Contract. This notice must be in writing and provided to both the tenants and HUD, not less than one year from the Contract termination date. It is the responsibility of HUD to enforce the notification requirements of the owner. Based on the appropriate notification and at least 120 days prior to the termination date of the Contract, HUD shall determine the number of occupants in place, the composition of each family, and extend an invitation to the Burbank Housing Authority offering the Burbank Housing Authority the opportunity to administer TBRA to the eligible families. Once the Burbank Housing Authority has agreed to administer TBRA and issue

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HCVs, the existing ACC between the Burbank Housing Authority and HUD will require modification.

HUD shall transmit all pertinent family composition data to the Burbank Housing Authority. The Burbank Housing Authority shall utilize this information to begin the review of each family's eligibility for admission to the TBRA Program. As part of the determination of eligibility, the Burbank Housing Authority may require families to complete the following:

1. Submit a completed program application and any other required program form(s).

2. Submit any records pertinent to the determination of eligibility, i.e., identification cards, Birth Certificates, Social Security cards, proof of citizenship, proof of income, proof of assets, certification forms, affidavits, etc.

3. Attend an interview with Burbank Housing Authority staff; and

4. Attend mandatory briefing session conducted by Burbank Housing Authority staff (rental vouchers issued to eligible families).

Due to the severe time constraints often associated with these conversion actions, the Burbank Housing Authority may use the owner's most recent family income re-examinations, if:

1. The owner's certification for the family is no more than six months old; and

2. The Burbank Housing Authority determines that the owner's certifications are acceptable after reviewing a small sample for accuracy.

The Burbank Housing Authority is not required to use the owner's certifications and may opt to conduct its own income determination and verification.

The Burbank Housing Authority will make every effort to have the determination of eligibility completed and the rental vouchers issued to eligible families no later than 60 days before the termination date of the contract. Once these requirements are completed, the Burbank Housing Authority must:

1. Ensure the units selected by the families are eligible (see Chapter 2 of this Plan). " Eligibility for Admission"

2. Conduct HQS inspections for units selected by families, (see Chapter 10 of this Plan), "Housing Quality Standards and Inspections".

3. Ensure the rent is reasonable, see Chapter 9 of this Plan, "Request for lease approval and contract execution"; and

4. Execute a HAP Contract with the owner.

HUD encourages housing agencies to begin tasks such as certifying families and approving units before receiving the ACC funding exhibit to avoid the potential adverse

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impact on the families. However, the Burbank Housing Authority may not under any circumstances execute a HAP Contract prior to receiving the notification letter and the effective date of the funding contained on the ACC funding exhibit.
Housing conversions represent a very unique opportunity for the Burbank Housing Authority to be pro-active in safeguarding the welfare of families residing in affordable housing developments that are faced with rental increases or possible displacement. Although some actions may not be taken by the Burbank Housing Authority without seeking prior approval from HUD, the Burbank Housing Authority shall continue to be committed to providing supportive services and guidance to families that are affected by these circumstances.

W. MOVES WITH CONTINUED RENTAL ASSISTANCE

If the family decides to relocate after 3 years, the family may be eligible for other forms of rental assistance, if funding is available. Family may only move in accordance with Chapter 9 of this Plan, “Request for lease approval and contract execution”.
Rental assistance under the PBVP will terminate for families that vacate the assisted unit during the initial term of the lease in accordance with Chapter 11 of this Plan, “Denial or Termination of Assistance”.

X. FAMILY RIGHT TO MOVE [24 CFR 983.261]

The family may terminate the assisted lease at any time after the third year of occupancy in accordance with Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution”. The family must give the owner advance written notice of intent to vacate (with a copy to the Burbank Housing Authority) in accordance with the lease.
If the family has elected to terminate the lease in this manner, the Burbank Housing Authority must offer the family the opportunity for continued TBRA, in the form of either assistance under the HCVP or other comparable TBRA.

Before providing notice to terminate, the family must contact the Burbank Housing Authority, in writing, to request comparable TBRA if the family wishes to move with continued assistance. If a HCV or other comparable TBRA is not immediately available upon termination of the family's lease of a PBVP unit, the Burbank Housing Authority must give the family priority to receive the next available opportunity for continued TBRA. The family will receive the next available opportunity based on the date and time when their written requested was received.

The family will not be able to use a HCV in a project based unit. If a HCV has been issued and the family decides to remain in a project based unit, the owner must agree to continue the family’s tenancy. At which time, the HCV will be cancelled. The family will be required to continue their search for a unit if the owner does not agree to continue the family’s tenancy. Therefore, the HCV will expire if the family does not locate a suitable unit by the expiration date and the family’s participation in the PBVP will end.

The family will not be eligible for a HCV or other comparable TBRA if the family fails to submit written request to the Burbank Housing Authority prior to serving a 60 Day Notice to terminate to the owner and/or the family is not in good standing with the terms of the

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lease and Family Obligations. Families may not be eligible for any other form of rental assistance if the property owner has served notice to vacate. Moves with continued assistance are allowed in accordance with Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution”.

If the family terminates the assisted lease before the end of one year, or if the family has violated program rules and regulations, the family relinquishes the opportunity for continued TBRA.

The Burbank Housing Authority will ensure the family is in compliance with the rules and regulations. The Burbank Housing Authority will follow the policies and procedures outlined in Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution” for the HCVP.

If the family is in compliance with the program rules and regulations, the family may move utilizing portability. The Burbank Housing Authority will follow the policies and procedures outlined in Chapter 9 of this Plan, “Request for Lease Approval and Contract Execution” for the HCVP.

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CHAPTER 19

SPECIAL PURPOSE VOUCHERS

INTRODUCTION

Special Purpose Vouchers (SPVs) are a specific type of HCV program administered by the BHA. By collaborating with other partners, SPVs provide rental assistance resources to specific populations to support the community's plan to end homelessness.

The BHA administers the following types of special purpose vouchers:

- Veterans Affairs Supportive Housing (VASH)
- Foster Youth to Independence (FYI) program

This chapter describes HUD regulations and BHA policies for administering SPVs.

PART 1
VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) PROGRAM

The HUD-Veterans Affairs Supportive Housing (HUD-VASH) program combines Housing Choice Voucher (HCV) rental assistance for homeless Veterans with case management and clinical services provided by the Department of Veterans Affairs (VA). VA provides these services for participating Veterans at VA medical centers (VAMCs) and community-based outreach clinics (CBOCs).

A. SPECIAL RULES FOR THE HUD-VASH VOUCHER PROGRAM

This section outlines the waivers or alternative requirements for the administration of the HUD-VASH program. Unless expressly stated below, all HUD regulations regarding the HCV and PBV programs are applicable to HUD-VASH vouchers. The BHA's local discretionary policies adopted in this administrative plan apply to HUD-VASH vouchers unless the BHA policy conflicts with the requirements of the HUD-VASH vouchers outlined below. In such cases the requirements in this chapter supersede the local discretionary policy.

B. THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS (VA)

The VA determines the eligibility of veterans based on the following criteria:

1. Veterans must meet the definition of homelessness defined in the McKinney-

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Vento Homeless Assistance Act as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2012.

2. Veterans must need case management services, as determined by VA case workers, to obtain and sustain independent community housing.
3. Eligible candidates for the program must participate in case management. The VA is responsible for providing appropriate treatment and supportive services to potential HUD- VASH program participants.

C. REFERRALS

VA HUD–VASH case managers will refer HUD–VASH-eligible families to the BHA for the issuance of vouchers. The BHA must accept referrals from the VA partner. Therefore, the BHA does not have the authority to maintain a waiting list or apply local preferences for HUD–VASH vouchers.

D. PARTICIPANT ELIGIBILITY

Eligible families are homeless veterans and their families that are referred to the BHA by the VA. Before making referrals to the BHA, VA staff screen families according to the VA's screening.

When the BHA receives a referral from the VA, the BHA may only screen the family for the criteria below:

1. Income eligibility
2. Citizenship; and
3. Subjectivity to a lifetime registration requirement under a state sex offender registration program.

E. BACKGROUND CHECK

The BHA may not screen for criminal background other than to determine if a household member is subject to a lifetime registration requirement under a state sex offender registration program.

If a family member is subject to lifetime registration under a state sex offender registration program, the remaining family members may be served if the family agrees to remove the sex offender from its family composition. If the family member subject to lifetime registration under a state sex offender registration program is the homeless veteran, the family will be denied admission to the program.

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F. SOCIAL SECURITY AND DATE OF BIRTH VERIFICATION

The BHA must accept DD-214 certificates and VA-verified Applications for Health Benefits as verification of social security numbers and birthdates. VA identification cards must be accepted as government-issued photo identification, and they can also be used to verify social security numbers and birthdates.

G. INCOME AND ELIGIBILITY

Under HUD VASH operating requirements, the Burbank Housing Authority must use up to 80% of the area median income for homeless veterans.

When determining the applicant's annual income for purposes of income eligibility, the BHA must exclude all VA service-connected benefits received by the HUD-VASH applicant in addition to the income exclusions listed under in Chapter 5 of this administrative plan. This special income exclusion only applies to the definition of annual income for purposes of determining income eligibility. VA service-connected benefits (with the exception of the normally excluded deferred VA disability payments) must still be included as annual income when calculating the family's adjusted income. In other words, the VA service-connected disability benefits are excluded for purposes of determining income eligibility but included for purposes of calculating the housing assistance payment of the participant.

BHA may not deny admission to a family with zero income. When the veteran family reports that they have zero income, the BHA must accept a self-certification of zero income from the family at admission and at reexamination without taking any additional steps to require that the family verify zero reported income. The self-certification does not need to be notarized. The BHA must verify families' income in the EIV System within 120 days after admission.

H. EXCEPTION PAYMENT STANDARD

To assist VASH participants in finding affordable housing, the BHA may establish a HUD-VASH exception payment standard. The BHA may go up to but no higher than 120 percent of the published area-wide fair market rent (FMR) or small area fair market rent (SAFMR) specifically for VASH families. Should the BHA establish a VASH exception payment standard over 120 percent, the BHA must request a waiver from HUD.

VASH participants not residing in a subsidized unit will receive the HUD approved Exception Payment Standard for a Zero, One, Two- and Three-Bedroom Voucher. This Exception Payment Standard may be applied at interim reexaminations.

I. VOUCHER SEARCH TERM AND LEASING

Families issued a HUD-VASH voucher:

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1. must be given a minimum of 120 days to search for a unit.
2. may enter into an initial lease with an owner for less than 12 months.
3. may live on the grounds of a VAMC in units owned by the VA.

BHA may pre-inspect units that veterans may be interested in leasing. If a family selects a unit that passed an HQS inspection (without intervening occupancy) within 90 days of the date of the Request for Tenancy Approval, the unit may be approved.

J. CASE MANAGEMENT

Veterans must agree to participate in case management in order to receive a HUD-VASH voucher. HUD-VASH voucher assistance must be terminated if the family refuses, without good cause, to participate in required case management as verified by the VA.

However, the VA determination that case management is no longer needed is not grounds for termination of assistance. In such cases, a family may be offered a regular voucher to free up the HUD-VASH voucher, or they may keep their HUD-VASH voucher.

K. CHANGE IN FAMILY COMPOSITION

When new family members are added after the veteran is a participant, regular BHA eligibility criteria apply. Other than the birth, adoption or court-awarded custody of a child, the addition of any other family member must be approved by the BHA in accordance with the BHA's administrative plan.

L. VOUCHER REASSIGNMENT UPON FAMILY BREAK-UP

Because the HUD-VASH program is targeted to provide housing to homeless veterans, in most cases of family break-up, the voucher must remain with the veteran.

The major exception to this rule is if a veteran's family member is receiving protection as a victim of domestic violence, dating violence, stalking or sexual assault and the veteran is the perpetrator of such violence, the victim must continue to be assisted. Upon termination of a veteran-perpetrator's HUD-VASH voucher due to the veteran-perpetrator's acts of domestic violence, dating violence, stalking, or sexual assault, the victim receiving VAWA protections may be given a regular HCV if one is available, and the perpetrator's HUD-VASH voucher can be used to serve another eligible veteran family. If a regular HCV is not available for the victim, the victim will continue to utilize the HUD-VASH voucher and the perpetrator must be removed from the household. In the case of the victim utilizing the HUD-VASH voucher upon termination of the perpetrator, the HUD-VASH voucher must be issued to another eligible veteran family upon the voucher's turnover.

If the veteran dies or is incarcerated, the voucher remains with the remaining members of the tenant family. The BHA may use one of its own HCVs to continue assisting this

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family and free up a voucher for another HUD-VASH eligible family. If an HCV is not available, the family will continue utilizing the HUD-VASH voucher. Once the HUD-VASH voucher turns over, however, it must go to a homeless veteran family.

M. PORTABILITY

In order to ensure that participants can continue to receive case management, there are additional guidelines related to portability for HUD-VASH. Families will be limited to moving to jurisdictions where VAMC or CBOC case management services are available if case management is still required. The BHA will consult with the initial VA facility prior to approving any move.

The additional guidelines for portability associated with the HUD-VASH program are described below:

1. *With Case Management and Within Initial VAMC's Catchment Area*: A HUD-VASH family can move within the VAMC's catchment area as long as case management can still be provided, as determined by the VA. If the receiving PHA does not have a HUD-VASH program, the receiving PHA must bill the BHA. If the receiving PHA does have a HUD-VASH program, they may absorb the family if they choose.
2. *With Case Management and Outside Initial VAMC's Catchment Area*: A HUD-VASH family can move if the referring VAMC confirms that the new VAMC has an available case management slot. The receiving PHA must have a HUD-VASH program and the HUD-VASH family must be absorbed.
3. *Case Management is No Longer Required*: If a HUD-VASH family wishes to move under portability and the veteran no longer requires case management, the family can move to a community where case management is not provided. The receiving PHA does not need to be a HUD-VASH PHA, and the receiving PHA may choose to bill the BHA or absorb the veteran with a regular voucher.

N. VOUCHER TURNOVER

HUD-VASH vouchers must be issued to eligible veteran families as identified by the VA upon turnover.

O. PROJECT BASING HUD-VASH VOUCHER

BHA must operate HUD-VASH PBVs under the regulations for the PBV except in cases where the VASH operating requirements supersede these regulations, such as regulations referring to admissions and waiting lists.

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General Requirements

The BHA may project-base HUD-VASH vouchers in projects alongside other PBV units and may execute a single HAP contract covering both the HUD-VASH PBVs and the other PBVs. However, the contract rents may not be different based on whether the unit is a HUD-VASH PBV unit or a non-HUD-VASH PBV unit.

Project Cap

All units exclusively made available to HUD-VASH families in a PBV project are exempted from the PBV income-mixing requirements (project cap).

Program Cap

HUD-VASH units made available under a competitive PIH notice for HUD-VASH PBV units are excluded from the PBV percentage limitation (program cap). All other HUD-VASH vouchers that the PHA opts to project-base, are still subject to the PBV program cap.

Termination from PBV due to failure to participate in case management:

Upon notification by the VA of the family's failure to participate in VA-required case management, the BHA must provide the family a 30/60/90 days to vacate the unit. The PHA must terminate assistance to the family at the earlier of:

(1) the time the family vacates or

(2) the expiration of the reasonable period given to vacate.

If the family fails to vacate the unit within the established time, the owner may evict the family. If the owner does not evict the family, the BHA must remove the unit from the HAP contract or amend the HAP contract to substitute a different unit in the project if the project is partially assisted.

Voluntary Moves from PBV:

If a HUD-VASH family is eligible to move from its PBV unit and there is no HUD-VASH tenant-based voucher available at the time the family requests to move, a family that still requires case management must wait for a HUD-VASH tenant-based voucher for a period not to exceed 180 days.

If a HUD-VASH tenant-based voucher is still not available after that period, the family must be allowed to move using its HUD-VASH voucher as tenant-based assistance. The BHA may allow the family to move using its HUD-VASH voucher as tenant-based assistance without having to meet this 180-day waiting period. The BHA may either amend the PBV HAP contract to replace the assistance in the PBV unit with one of its regular vouchers if the unit is eligible for a regular PBV or the BHA and owner may agree to temporarily remove the unit from the HAP contract. If a HUD-VASH veteran has been

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determined to no longer require case management, the BHA must allow the family to move with the first available tenant-based voucher if no HUD-VASH voucher is immediately available and cannot require the family to wait for a HUD-VASH voucher to become available.

Cases of a wrong-size PBV unit or a PBV unit with accessibility features that the family no longer requires.

If the BHA determines that a HUD-VASH family is occupying a wrong-size PBV unit or a PBV unit with accessibility features that the family does not require and the PBV unit is needed by a family that requires the accessibility features, the PHA must notify the family and the owner within 30 days of the BHA's determination. HUD applies an alternative requirement for HUD-VASH PBV units Specifically, the BHA's offer of continued housing assistance (that must be made within 60 days of the BHA's determination) must be in the form of either a HUD-VASH tenant-based voucher or another HUD-VASH PBV unit. If no HUD-VASH assistance is available for the BHA to offer within 60 days of the BHA's determination, the BHA must remove the wrong-sized or accessible unit from the HAP contract to make HUD-VASH voucher assistance available to issue the family a tenant-based HUD-VASH voucher. The required provision of tenant-based assistance requires that the family may elect to use its tenant-based assistance to remain in the same project when a PBV HAP contract terminates or expires, does not apply to families issued a HUD-VASH tenant-based voucher under this circumstance. The BHA may use another voucher to add the unit removed under this alternative requirement to the HAP contract after the family vacates the property.

Redesignation of unit

With VAMC approval, the BHA and owner may agree to amend a PBV HAP contract to re-designate a regular PBV unit as a unit specifically designated for HUD-VASH families. The BHA and owner may also agree to amend a PBV HAP contract to re-designate a unit designated for HUD-VASH families as a regular PBV unit, only if the unit is not funded through a HUD-VASH PBV set-aside award.

Zero- HAP admission

The BHA may select a unit occupied by a “zero-HAP” VASH eligible family or admit a “zero-HAP” VASH family to a unit if the PBV project is either on the grounds of a VA facility or there are VASH supportive services provided on-site at the project. During any period that the family's TTP falls below the gross rent, normal PBV requirements apply.

PART 2
FOSTER YOUTH TO INDEPENDENCE INITIATIVE

The Foster Youth to Independence (FYI) initiative makes HCV assistance available to

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PHAs in partnership with Public Child Welfare Agencies (PCWAs). Under FYI, PHAs provide housing assistance on behalf of eligible youth with a history of child welfare involvement that are homeless or at risk of being homeless. Eligible households receive rental assistance and supportive services for a period of 36 months. Youth may receive up to an additional 24 months of rental assistance if they meet certain requirements.

A. PUBLIC CHILD WELFARE AGENCY (PCWA) [Notice PIH 2023-04]

The BHA must enter into a partnership agreement with a PCWA in the BHA's jurisdiction in the form of a Memorandum of Understanding (MOU).

The partnering PCWA must meet the following requirements:

1. Identify FYI-eligible youth: The PCWA must have a system for identifying eligible youth within the agency's caseload and for reviewing third party referrals.
2. System of Prioritization: the PCWA must have a system of prioritization based on the level of need of the youth and the appropriateness of intervention.
3. Written Certification: The PCWA must provide written certification to the BHA that a youth is eligible.
4. Supportive Services: The PCWA must provide or secure supportive services that are required to be offered.

The BHA has partnered with the Los Angeles County Department of Child and Family Services (DCFS) to implement the Foster Youth to Independence (FYI) program.

B. SUPPORTIVE SERVICES [Notice PIH 2023-04]

The PCWA must provide or secure a commitment to provide supportive services for participating youth for a minimum of 36 months. At a minimum, the following supportive services must be offered:

1. Basic life skills information/counseling on money management, use of credit, housekeeping, proper nutrition/meal preparation, and access to health care (e.g., doctors, medication, and mental and behavioral health services).
2. Counseling on compliance with rental lease requirements and with HCV program participant requirements, including assistance/referrals for assistance on security deposits, utility hook- up fees, and utility deposits.
3. Providing such assurances to owners of rental property as are reasonable and necessary to assist eligible youth to rent a unit with a voucher.
4. Job preparation and attainment counseling (where to look/how to apply, dress, grooming, relationships with supervisory personnel, etc.)
5. Educational and career advancement counseling regarding attainment of general equivalency diploma (GED) or attendance/financing of education at a technical school, trade school, or college, including successful work ethic and attitude models.

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C. FYI ELIGIBILITY [Notice PIH 2023-04]

The PCWA is responsible for certifying that the youth has prior qualifying foster care involvement. As determined by the PCWA, eligible youth:

1. Are at least 18 years of age and not more than 24 years of age (have not yet reached their 25th birthday).
2. Have left foster care or will leave foster care within ~~90~~ 180 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act.
3. Are homeless or at risk of becoming homeless at age 16 and older.

Eligibility is not limited to single persons. For example, pregnant and/or parenting youth are eligible to receive assistance assuming they otherwise meet eligibility requirements.

D. WAITING LIST ADMINISTRATION

Once the BHA receives the referral from the PCWA certifying the youth is eligible for the FYI program, the BHA must compare the list of referrals to its HCV waiting list to determine if any of the referrals are already on the BHA's HCV waiting list. PCWA referrals on the BHA's HCV waiting must be assisted in order of their position on the HCV waiting. Any referrals not on the HCV waiting list must be placed on the BHA's HCV waiting list. If the BHA has a closed HCV waiting list, it must reopen the waiting list and place the FYI eligible applicants on the waiting list. The BHA may reopen the waiting list to accept an FYI eligible youth without opening the waiting list for other applicants; however, the requirements at 24 CFR 982.206 for giving public notice when opening and closing the waiting list apply.
The BHA selects eligible youths based on the BHA's regular HCV waiting list selection policies. However, per federal regulation, the BHA may not apply any residence preference to FYI voucher applicants. See chapters 3 and 4 for HCV waiting list policies.

E. HCV ELIGIBILITY DETERMINATION

Once the BHA selects an eligible youth from the HCV waiting list, the BHA must determine that the referral meets HCV program eligibility requirements. Applicants must be eligible under both FYI and HCV eligibility requirements. See chapter 2 for HCV eligibility requirements.

F. LEASE UP

The youth will be issued an FYI voucher once HCV eligibility has been determined.

The following must be discussed during the FYI voucher briefing:

1. The extension of assistance provisions and requirements.
2. The availability of the FSS program and offer them an FSS slot, if available, or offer to place them on the FSS waiting list.

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3. The supportive services available to them, the existence of any other programs or services, and their eligibility for such programs and services. However, participation in supportive services cannot be required as a condition of receiving FYI assistance.
4. All other required briefing session information described in Chapter 8 Section B.

During the briefing session, the applicant will be issued a Voucher with a term of 120 calendar days. A youth may request an extension of the Voucher for an additional 90 calendar days. The BHA must approve the extension request, whether written or oral, if it the request is made on or prior to the expiration date of the Voucher. For households with a person with a disability, an extension of 60 calendar days, in addition to the 90 calendar days, will be granted upon request as a reasonable accommodation.

The BHA will issue the applicant a notice, a minimum of 30 calendar days prior to the initial term expiration, to remind them of about the term expiration date and the process for requesting an extension of the initial term, and to inquire if the applicant is in need of assistance with their housing search.

All other processes related to voucher issuance and administration follow HCV program regulations. See chapter 8 for Voucher Issuance information.

The youth may not be 25 before the HAP contract has been executed. Should a youth fail to use the voucher, the BHA may issue the voucher to another eligible youth if one has been identified.

Turnover Vouchers

When the recipient of the FYI voucher leaves the program, the BHA must continue to use the FYI voucher for eligible youth upon turnover. If another eligible youth is not available, the BHA must notify HUD, and HUD will reduce the BHA's HCV assistance to account for the removal of the FYI assistance from the BHA's HCV baseline.

G. LENGTH OF ASSISTANCE [FR Notice 1/24/22]

As required by statute, an FYI voucher may only be used to provide housing assistance for youth for a maximum of 36 months. However, youth may receive an extension of the 36-month time limit of assistance for up to an additional 24 months if the youth is:

1. Participating in a Family Self-Sufficiency (FSS) program
2. Engaged in education, workforce development, or employment activities for at least 9 months of the 12-month period preceding the extension, if the youth was unable to enroll in an FSS program.
3. Eligible for one of three statutory exceptions

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Extension of Assistance for FSS Enrollment prior to 36 Months

To receive the 24-month extension of voucher assistance, a FYI youth must enroll in the FSS program during their first 36 months of assistance (unless the youth meets one of the statutory exceptions described later in this section). If the BHA is unable to offer a FYI youth an FSS slot during their first 36 months of rental assistance, the youth is considered to have been "unable to enroll" in the program and may have their voucher extended by meeting the education, workforce development, or employment requirements, described later in this section.

The BHA must inform the FYI youth of the availability of the FSS program at the time the voucher is issued and offer them an FSS slot, if available, or offer to place them on the FSS waiting list.

Extension of Assistance for FSS Enrollment Between 36 and 48 Months

If an FSS slot becomes available between the 36-month and 48-month mark the BHA must offer the slot to a FYI voucher participant who had their voucher extended based on other eligible criteria .The BHA must work with the FYI voucher holder to determine whether enrollment in FSS is feasible and in their best interest given any education, workforce development, or employment activities that the FYI voucher holder is engaged in and any statutory exceptions that apply to the FYI voucher holder, as well as the remaining time on their FYI voucher.

If the FYI voucher holder accepts the FSS slot, the BHA must work with them to establish Contract of Participation goals and an Individual Training and Services Plan (ITSP) that can be accomplished within the period left on their FYI voucher. If the youth does not accept the FSS slot, the youth must meet one of the statutory exceptions or the education, workforce development, or employment requirement to receive an extension of rental assistance at the end of the 48 months.

Extension of Assistance for Youth Engaging in Education, Workforce Development, or Employment Activities

If the FYI youth has been unable to enroll in the FSS program during the first 36 months of receiving FYI assistance, the FYI voucher holder is entitled to receive an extension of assistance for up to two successive 12-month periods beyond the 36-month time limit. Extensions will be granted provided that the FYI voucher holder engaged in at least one of the education, workforce development, or employment activities described below for a minimum of nine months of the 12-month period preceding each extension.

To meet the nine months out of the preceding 12 months requirement, the FYI voucher holder may have engaged in one of the education, workforce development, or employment activities described below or a combination of these activities.

The education, workforce development, or employment criteria are as follows:

1. The FYI voucher holder was engaged in obtaining a recognized postsecondary credential or a secondary school diploma or its recognized

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equivalent, as defined by the U.S. Department of Labor

2. The FYI voucher holder was enrolled in an *institution of higher education*, as such term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or an institution that meets the definition of a *proprietary institution of higher education* or a *postsecondary vocational institution* under sections 102(b)(1) and (c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)(1) and (c)(1)), respectively.

    - The BHA requires that the FYI voucher holder must be enrolled on at least a half-time basis, as defined by the institution which they attend.

3. The FYI voucher holder was participating in a career pathway, as such term is defined in Section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

4. The FYI voucher holder was employed.

    - The BHA requires that the FYI voucher holder must be working at least 20 hours a week.

The BHA will remind the FYI voucher holder at their second regular reexam of the education, workforce development, and employment requirements described above if the youth was not provided with the opportunity to enroll in the FSS program during the first 24 months of FYI assistance.

The BHA will send FYI participants a notice on how to demonstrate that they meet one of the conditions described above prior to the 36-month or 48-month recertification period.

Due to the timing of when the BHA verifies compliance and conducts the annual reexamination, the FYI youth may have not yet met the 9-month requirement but may be able to demonstrate that they will meet the 9-month requirement as of the end of the 36-month or 48-month period. In such cases, the FYI youth will still be considered to have met the requirements. The BHA will then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the BHA must provide the FYI youth the extension of voucher assistance.

Statutory Exceptions

FYI voucher holders will be entitled to receive an extension of assistance for up to 24 months beyond the 36-month time limit without participating in the BHA's FSS program or engaging in one of the education, workforce development, or employment activities if they certify that they meet one of the exceptions below:

1. The FYI voucher holder is a parent or other household member responsible for the care of a dependent child under the age of six or for the care of an incapacitated person.

    - The BHA defines an incapacitated person as a person under the age of eighteen years, or an adult individual who is unable to provide food, clothing, or shelter.

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2. The FYI voucher holder is a person who is regularly and actively participating in a drug addiction or alcohol treatment and rehabilitation program.

3. The FYI voucher holder is a person who is incapable of complying with the requirement to participate in a FSS program as described above or engage in education, workforce development, or employment activities as described below, as applicable, due to a documented medical condition.

- The BHA defines a medical condition as a specific health issue or illness that can be diagnosed by healthcare providers based on symptoms, medication use, or diagnostic testing.

The BHA will require a self-certification from the youth prior to the 36 month and 48 moth annual reexamination to verify that the youth meet one of the exceptions.

If the BHA determines that the youth meets one of the statutory conditions described above, the BHA will then conduct an annual reexamination. If the annual reexamination determines that the youth is still eligible for the HCV program, the BHA must provide the FYI youth the extension of voucher assistance.

H. TERMINATION OF ASSISTANCE

Failure of the FYI voucher holder to meet one of the above conditions will only impact their ability to receive subsequent extensions of assistance. It will not serve as a basis for terminating the FYI assistance prior to the annual reexam.

Termination of a FYI voucher is handled in the same way as with any HCV; therefore, termination of a FYI voucher must be consistent with HCV regulations at 24 CFR Part 982, Subpart L and BHA policies in Chapter 11.

Prior to termination, the BHA must offer the FYI voucher holder the opportunity to request an informal hearing, in accordance with Chapter 11.

Vouchers are limited by statute to a total of between 36 months and 60 months of housing assistance. At the end of the statutory period, assistance must be terminated. However, any period for which no subsidy (HAP) is being paid on behalf of the youth does not count toward the limitation.

The FYI participant’s rental assistance may not be terminated if they decline supportive services.

The BHA may not transfer the assistance of FYI voucher holders to regular HCV assistance upon the expiration of the limit on assistance. It is also not permissible to reissue another FYI to the same youth upon expiration of their FYI assistance.

I. PORTABILITY

Portability for an FYI youth is handled in the same way as for a regular HCV family. The BHA may not restrict or deny portability for an FYI youth for reasons other than those specified in the HCV program regulations.

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An FYI youth does not have to port to a jurisdiction that administers FYI vouchers.

If the receiving PHA absorbs the voucher, the receiving PHA may absorb the youth into its regular HCV program if it has vouchers available to do so. If the receiving PHA absorbs the youth into its regular HCV program, that youth becomes a regular HCV participant with none of the limitations of an FYI voucher.

The BHA and receiving PHA must work together to initiate termination of assistance upon expiration of the time limit on assistance if the receiving PHA does not absorb the youth into its regular HCV program.

J. PROJECT-BASING FYI VOUCHERS

The BHA may project-base certain FYI vouchers without HUD approval in accordance with all applicable PBV regulations and BHA policies in Chapter 18.

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GLOSSARY

ABATEMENT. The suspension of Housing Assistance Payments to the owner due to HQS noncompliance, until deficiencies are corrected and the unit passes inspection.

ADMINISTRATIVE PLAN. The HUD required written policy of the Housing Authority governing its administration of the Section 8 Program.

ABSORPTION. In portability, the point at which a receiving Housing Authority stops billing the initial Housing Authority for assistance on behalf of a household that is exercising portability.

ANNUAL CONTRIBUTIONS CONTRACT (ACC). A grant agreement between HUD and the Housing Authority which establishes the basic terms and conditions for the Housing Authority's public housing program.

ADJUSTED INCOME. Annual income minus allowable deductions.

ADMINISTRATIVE FEE. Fee paid by HUD to the Housing Authority for administration of the Section 8 Program.

ADMINISTRATIVE FEE RESERVE. Account established by the Housing Authority from excess administrative fee income. The administrative fee reserve must be used for housing purposes.

ADMISSION. The effective date of the first Housing Assistance Payments contract on behalf of the very low-income household. This is the point when the applicant becomes a participant in the Program.

ANNUAL BUDGET AUTHORITY. The maximum annual amount of funds that HUD has allocated for each funding increment allocated to an individual Housing Authority.

ANNUAL INCOME AFTER ALLOWANCES. The Annual Income (described above) minus the allowances.

APPLICANT. A person or family that has applied for admission to the Section 8 Program but is not yet a participant in the program.

APPLICANT WAITING LIST. A list of Section 8 Program applicants that is organized by preference categories.

ASSETS. Value of equity in savings accounts, checking accounts, retirement accounts, real property, stocks, bonds, and other forms of capital investment.

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CHILD CARE EXPENSES. Amounts paid by the household for the care of minors under 13 years of age where such care is necessary to enable a household member to be employed or to attend school.

CITIZEN. A citizen or national of the United States.

CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT. A written contract between HUD and the Housing Authority where HUD agrees to provide funding for operation of the Section 8 Program and the Housing Authority agrees to comply with all Program requirements.

CONTINUOUSLY ASSISTED. An applicant is continuously assisted under the 1937 Housing Act if the household is already receiving assistance under any 1937 Housing Act program when the household is admitted to the Section 8 Program.

DAY LABORER. An individual hired and paid one day at a time without an agreement that the individual will be hired or work again in the future.

DEPENDENT. A member of the family (which excludes foster children and foster adults) other than the family head or spouse who is under 18 years of age, or is a person with a disability, or is a full-time student.

DISABILITY ASSISTANCE EXPENSE. Anticipated costs for care attendants and auxiliary apparatus for disabled household members which enable a household member, including the disabled member, to work.

DISABLED PERSON. A person who is any of the following:
A person who has a disability as defined in section 223 of the Social Security Act.
A person who has a physical, mental, or emotional impairment that:

a. Is expected to be of long-continued and indefinite duration;
b. Substantially impedes his or her ability to live independently; and
c. Requires more suitable housing for independent living.

A person who has a developmental disability as defined in section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7).

DISABLED FAMILY. A family or household where the head or spouse meet any of the above criteria for disabled person.

DISPLACED PERSON. A person or household displaced by governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized under federal disaster relief laws.

DOMESTIC VIOLENCE. Encompasses felony or misdemeanor crimes committed by a current or former spouse or intimate partner. It includes physical abuse, sexual abuse, or

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any pattern of coercive behaviors such as verbal, psychological, economic, or technological abuse, even if these behaviors are not criminal.

DRUG-RELATED CRIMINAL ACTIVITY. The illegal manufacture, sale, distribution, use, or the possession with intent to manufacture, sell distribute or use, of a controlled substance (as defined in Section 102 of the Controlled Substance Act (21 U.S.C. 802).

EARNED INCOME. Income or earnings from wages, tips, salaries, other employee compensation, and net income from self-employment. Earned income does not include any pension or annuity, transfer payments (meaning payments made or income received in which no goods or services are being paid for, such as welfare, social security, and governmental subsidies for certain benefits), or any cash or in-kind benefits.

ECONOMIC ABUSE. In the context of domestic violence, dating violence, and abuse in later life, refers to controlling or manipulative behaviors that limit a person's access to or control over their economic resources. This includes actions such as:

1. Restricting access to money, assets, credit, or financial information.
2. Unfairly using someone else's financial resources for personal gain.
3. Exerting undue influence over financial decisions, such as forcing defaults on financial obligations or exploiting legal powers like powers of attorney, guardianship, or conservatorship.

ELDERLY FAMILY. A family or household whose head or spouse or whose sole member is at least 62 years of age; may include two or more elderly persons living together or one or more such persons living with another person who is determined to be essential to his/her care and well-being.

EVIDENCE. Evidence of citizenship or eligible immigration status means the documents which must be submitted to evidence citizenship or eligible immigration status.

EXCEPTED UNITS OR HOUSING EXEMPTION. Units in a multifamily building that are specifically made available for qualifying families who are elderly, disabled, or a family receiving supportive services.

EXCEPTION PAYMENT STANDARD. As a reasonable accommodation, a PHA may approve a payment standard amount up to 120 percent of the published fair market rent (FMR) if its payment standards are set below 110 percent of the FMR. Such higher payment standards must be requested by the family and subsequently approved, as necessary, by the PHA after a family with a disabled person or an individual person with disabilities locates a unit. An exception payment standard exceeding 120 percent of the FMR will require HUD approval.

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EXCESS MEDICAL EXPENSES. Any medical expenses incurred by elderly or disabled households in excess of 3% of Annual Income which are not reimbursable from any other source.

FAIR MARKET RENT. The rent including the cost of utilities (except telephone) that would be required to be paid in the housing market area to obtain privately owned existing decent, safe and sanitary rental housing of a modest, non-luxury nature with suitable amenities. Fair market rents for existing housing are established by HUD according to bedroom size.

FAMILY. A person or group of persons, regardless of actual or perceived sexual orientation, gender identity or marital status, as defined in 24 CFR 5.403. Family does not include live-in aides or foster children/adults. Family size is used to calculate subsidies and payments.

FAMILY COMPOSITION. A family may be as single person, or a group of persons as defined in 24 CFR 982.201(c).

FAMILY OBLIGATIONS. Specific requirements that the participant must meet in order to remain eligible for the Section 8 Program as described in 24 CFR 982.551. These obligations include providing complete and truthful information and abiding by the lease and the lease addendum. The Family Obligations are clearly stated on the Voucher.

FAMILY SELF-SUFFICIENCY PROGRAM (FSS). The component of the Section 8 Program where the participants enter into a Contract of Participation whereby, they agree to meet certain goals to become financially self-sufficient.

FEDERAL PREFERENCE. A preference under federal law for admission of applicant families that are any of the following:

a. Involuntarily displaced; or
b. Living in substandard housing (including the homeless); or
c. Paying more than 50 percent of household income for rent.

FOSTER ADULT. A member of the household who is 18 years of age or older and meets the definition of a foster adult under State law. In general, a foster adult is a person who is 18 years of age or older, is unable to live independently due to a debilitating physical or mental condition and is placed with the family by an authorized placement agency or by judgment, decree, or other order of any court of competent jurisdiction.

FOSTER CHILD. A member of the household who meets the definition of a foster child under State law. In general, a foster child is placed with the family by an authorized placement agency (*e.g.,* public child welfare agency) or by judgment, decree, or other order of any court of competent jurisdiction

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FOSTER CHILD CARE PAYMENT. Payment to eligible households by State, local, or private agencies appointed by the State, to administer payments for the care of foster children.

FULL-TIME STUDENT. A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school as well as an institution offering a college degree. A person pursuing full-time vocational training is considered a full-time student.

GROSS ANNUAL INCOME. The anticipated total Annual Income of an eligible applicant family and participant household from all sources for the 12-month period following the date of determination of income.

GROSS RENT. The sum of the rent charged and the utility allowance.

HEAD OF HOUSEHOLD. The head of household is the person who assumes legal and financial responsibility for the household and is listed on the application as head.

HEALTH AND MEDICAL CARE EXPENSES. Health and medical care expenses are any costs incurred in the diagnosis, cure, mitigation, treatment, or prevention of disease or payments for treatments affecting any structure or function of the body. Health and medical care expenses include medical insurance premiums and long-term care premiums that are paid or anticipated during the period for which annual income is computed.

HOMELESS. As defined under SEC. 103. [42 USC 11302], the term “homeless”, means— (1) an individual or family who lacks a fixed, regular, and adequate nighttime residence; (2) an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground. These households must be determined and referred to the Section 8 Program by qualified service providers.

HOUSEHOLD. The assisted family and the PHA-approved members who live in the unit including foster children/adults and live-in aides. Household members are used to determine unit size.

HOUSING ASSISTANCE PAYMENT. The monthly Section 8 payment paid directly to the landlord from the Housing Authority.

HOUSING ASSISTANCE PAYMENTS CONTRACT. A written contract between the Housing Authority and an owner in the form prescribed by HUD headquarters, in which the Housing Authority agrees to make monthly housing assistance payments to the owner on behalf of a Program participant.

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HOUSING QUALITY STANDARDS (HQS). The HUD minimum quality standards for housing assisted under the section 8 Program.

HUD. The United States Department of Housing and Urban Development.

HUD REQUIREMENTS. The federal requirements for the Section 8 Program which are issued by HUD headquarters in Washington D.C. and are published in the Code of Federal Regulations, the Federal Register, HUD notices or other binding program directives.

IMPUTED INTEREST INCOME. When an asset does not have an established interest rate, the savings account passbook interest is applied to impute the annual earnings of the asset. This calculation is used when assets exceed $5,000.

INCOME. The amount of money coming into the applicant family or participant household from all sources for each member.

INDEPENDENT CONTRACTOR. An individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to the Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.

INFORMAL HEARING. The appeal procedure for Section 8 participants who have their assistance terminated. The Informal Hearing is conducted by an outside hearing officer from the Los Angeles County Bar Dispute Resolution Board.

INFORMAL REVIEW. The appeal procedure for applicants who are denied participation in the Section 8 Program due to ineligibility or failure to cooperate. The Informal Review is conducted by the Housing Authority Manager or his/her designee.

INITIAL HOUSING AUTHORITY. In portability, the term refers to the Housing Authority that issues the Voucher that is used by the participant exercising portability.

INS. The United States Immigration and Naturalization Service.

INVOLUNTARILY DISPLACED PERSON. Households are considered involuntarily displaced when they must move out of their units due to circumstances beyond their control.

The specific causes are listed in 24 CFR 5.420 and include:

a. A disaster (fire, flood, earthquake, etc.) has caused the unit to be uninhabitable;

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b. Federal, State or local government action related to code enforcement, public improvement or development;
c. Actions by the landlord, except rent increases, which are beyond the applicant's control;
d. Actual or threatened physical violence;
e. Participation in the Witness Protection Program;
f. Hate crimes;
g. Non-suitability of unit due to disability;
h. HUD disposition of a multi-family project under Section 203 of the Housing and Community Development Amendments of 1978.

JURISDICTION. The area in which the Housing Authority has authority under State and local law to administer the program.

LANDLORD. This term refers to either the owner of the property or his/her representative or the managing agent or his/her representative, as designated by the owner.

LEASE. A written agreement between an owner and a tenant for the rental of a dwelling unit to the tenant. The lease establishes the conditions for occupancy of the dwelling unit by the tenant.

LEASE ADDENDUM. This is a document written by HUD which specifies certain Section 8 Program requirements.

LIVE-IN AIDE. A person who resides with an elderly or disabled person and who:
a. Is determined to be essential to the care and well-being of the person.
b. Is not obligated for the support of the person.
c. Would not be living in the unit except to provide necessary supportive services.

LOCAL PREFERENCE. A preference used by the Housing Authority to select among applicant families without regard to their federal preference status.

LOW-INCOME FAMILY. A family or household whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for household size.

MEDICAL EXPENSES. Those total medical expenses, including medical insurance premiums, that are anticipated during the period for which annual income is computed, and that are not covered by insurance. A deduction for elderly households only. These allowances are given when calculating adjusted income for medical expenses in excess of 3% of annual income.

MINOR. A member of the household (excluding foster children) other than the head of household or spouse who is under 18 years of age.

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MIXED FAMILY. A family or household with citizens and eligible immigration status and without citizens and eligible immigration status as defined in 24 CFR 5.504(b)(3).

MONTHLY ADJUSTED INCOME. One-twelfth of annual income minus allowances.

MONTHLY GROSS INCOME. One-twelfth of the gross annual income.

NATIONAL. A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession.

NET FAMILY ASSETS. The net cash value of all assets owned by the family, after deducting reasonable costs that would be incurred in disposing real property, savings, stocks, bonds, and other forms of capital investment.

NON-CITIZEN. A person who is neither a citizen nor a national of the United States.

OCCUPANCY STANDARDS. Standards established by the Housing Authority to determine the appropriate number of bedrooms for households of different sizes and compositions.

OWNER. Any persons or entity having the legal right to lease or sublease a unit to a participant.

PARTICIPANT. A household that has been admitted to the Section 8 Program. The applicant becomes a participant on the effective date of the Housing Assistance Payments contract.

PASSBOOK RATE. A HUD established minimum interest rate used to calculate income from a household's savings or assets.

PAYMENT STANDARD. The maximum subsidy payment according to bedroom size shown on the Voucher.

PEER-TO-PEER. A payment application *(e.g., Apple Pay, Venmo, Cash App, Pay Pal, Zelle, etc.)* can receive funds from anyone, including employers and buyers of goods. The Peer-to-Peer payment app can be used to receive income or hold assets *(money)*.

PERMANENT SUPPORTIVE HOUSING (FORMERLY SHELTER PLUS CARE). Is designed to provide housing and supportive services on a long-term basis for persons who meet the definition of homelessness as defined under 24 CFR 91.5, and are provided access to support services needed in order to remain housed.

PERSONS WITH DISABILITIES. Individuals with any condition or characteristic that renders a person an individual with a disability as defined in 24 CFR 8.2.

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PERSONALLY IDENTIFIABLE INFORMATION (PII). Information which can be used to distinguish or trace an individual's identity, such as their name, social security number, biometric records, etc. alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.

PORTABILITY. Renting a dwelling unit with Section 8 tenant-based assistance outside the jurisdiction of the Housing Authority that issued the Voucher.

PROJECT BASED VOUCHERS (PBV). A component of a public housing agency's Housing Choice Voucher program. The PHA uses its tenant-based voucher funding to allocate project-based units to a project.

REASONABLE RENT. A rent to owner that is not more than rent charged for comparable units in the private unassisted market and for comparable unassisted units in the same building.

RECEIVING HOUSING AUTHORITY. In portability, the Housing Authority that accepts a Voucher that was issued by another Housing Authority.

RECERTIFICATION. The annual process of securing documentation of total household income used to determine the tenant portion of the rent for the next 12 months.

REMAINING MEMBER OF TENANT HOUSEHOLD. Person left in assisted housing after all of the other household members have vacated the unit.

SEASONAL WORKER. An individual who is hired into a short-term position and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for the particular employer or industry.

SENSITIVE PERSONALLY IDENTIFIABLE INFORMATION (SPII). Personally Identifiable Information (PII) that when lost, compromised or disclosed without authorization could substantially harm an individual. Examples of sensitive PII include social security or driver's license numbers, medical records, and financial account number such as credit or debit card numbers.

SERVICE PERSON. A person in the active military or naval service (including the active reserve) of the United States.

SINGLE PERSON. A person living alone or intending to live alone.

SPECIAL ADMISSION. Admission of an applicant that is not on the Section 8 waiting list or without considering the applicant's waiting list position.

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SPECIAL HOUSING TYPES. See Subpart M of 24 CFR 982, which states the special regulatory requirements for Single Room Occupancy housing, congregate housing, group homes, shared housing, cooperatives (including mutual housing), and manufactured homes (including manufactured home space rental).

SPECIAL PURPOSE VOUCHER. A specific type of HCV program administered by the BHA that provides rental assistance resources to specific populations to support the community's plan to end homelessness.

SPOUSE. The husband or wife of the head of the household.

SUBSIDY STANDARDS. Standards established by the Housing Authority to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions.

SUBSTANDARD HOUSING. Unpermitted structures as designated by a government official in the course and scope of their official duties such as a code enforcement officer or building inspector.

SUSPENSIONS. Stopping the clock on the term of a family's voucher, for such period as determined by the PHA, from the time when the family submits a request for PHA approval (RTA) to lease a unit, until the time when the PHA approves or denies the request. This practice is also called "tolling".

TECHNOLOGICAL ABUSE. Refers to harmful behaviors within domestic violence, sexual assault, dating violence, or stalking that involve the use of technology. This includes actions like threatening, controlling, harassing, exploiting, or monitoring someone through devices like computers, mobile phones, cameras, apps, or location tracking tools, with the intent to cause harm or exert power over the victim.

TENANT. The person or persons (other than a live-in-aide) who executes the lease as lessee of the dwelling unit.

TOTAL TENANT PAYMENT (TTP). The total amount the HUD rent formula requires the tenant to pay toward rent and utilities.

UNEARNED INCOME. Any annual income, as calculated under Chapter 5, that is not earned income.

UNIT. Residential space for the private use of a household.

UTILITIES. Utilities include water, electricity, gas, other heating, refrigeration, cooking fuels, trash collection and sewage services. Telephone service is not included as a utility.

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VERY LOW-INCOME FAMILY. A family or household with an annual income below 50% of the median income for the area, as determined by HUD, with adjustments for household size.

VETERAN. A person who has served in the active military or naval service of the United States at any time and who shall have been discharged or released there from under conditions other than dishonorable.

VETERAN FAMILY. A family or household of a veteran or service person occurs in situations where:

a. The veteran or service person (a) is either the head of household or is related to the head of the household; or (b) is deceased and was related to the head of the household, and was a household member at the time of death.
b. The veteran or service person, unless deceased, is living in the household or is only temporarily absent unless s/he was (a) formerly the head of the household and is permanently absent because of hospitalization, separation, or desertion, or is divorced; provided, the household contains one or more persons for whose support s/he is legally responsible and the spouse has not remarried; or (b) not the head of the household but is permanently hospitalized; provided, that s/he was a household member at the time of hospitalization.

VIOLENT CRIMINAL ACTIVITY. Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

VOUCHER. The document issued to an eligible applicant/participant by the Housing Authority to show that the person is eligible for the Section 8 Program.

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SECTION 8 ADMINISTRATIVE PLAN
PROPOSED 2026 UPDATES

Burbank Housing Authority (BHA) Proposed Updates

Chapter 2 – Eligibility for Admission

- **Family Composition – page 2-1**
  Revised the definition of a single person.

Chapter 4 – Applicant Waiting List

- **Risk of Rental Assistance Loss Preference – page 4-2**
  Added a new preference category: "This preference will be given to households participating in any Burbank Housing Authority Special Purpose Voucher program, who are at risk of losing rental assistance because of funding limitations, program changes, or shifts in eligibility requirements."

- **Burbank Residents – pages 4-3 to 4-4**
  Added preference points for new preference category: "Burbank Housing Authority Special Purpose Voucher households whose assistance is at risk of termination due to lack of program funding (50 points)"

Chapter 5 – Income, Assets and Allowances

- **Income Exclusions – page 5-4**
  Revised "Loan proceeds, under the terms of a loan agreement, received by the family or a third party."

Chapter 7- Subsidy Standards

- **Changes In Household Subsidy – page 7-5**
  Revised "If the household size increases or decreases during the HAP contract term, the new family unit size may be used to determine the payment standard amount for the family immediately, but no later than the family's first regular reexamination following the change in family unit size."

Chapter 8- Voucher Issuance and Briefing Sessions

- **Briefing Sessions - pages 8-2 to 8-3**
  Revised section B. by adding #17-21, which describe documents contained in the briefing packet.

  Added "The BHA will also provide information regarding the reasonable accommodation process at this time."

Chapter 9 – Request For Tenancy Approval And Contract Execution

- **Rent Increases – page 9-5**
  Added "The Housing Authority will not approve a rent increase for a unit that is in failed HQS status or subject to abatement of Housing Assistance Payments."

Chapter 10 – Housing Quality Standards And Inspections– pages 10-1 to 10-5

- Added sections E-J on requirements for Housing Quality Standards (HQS) compliance and associated procedures. In summary, owners are required to maintain assisted units in full compliance with HQS at all times. Life-threatening deficiencies must be corrected within 24 hours, while non-life-threatening deficiencies must be resolved within 30 days or within an extended period approved by the BHA. Families are responsible for HQS violations attributable to their actions, including failure to pay utilities, maintain appliances, or uphold acceptable housekeeping standards. Continued noncompliance may lead to termination of assistance for breach of program obligations. A unit is deemed noncompliant when deficiencies are identified, the owner is notified in writing, and corrective action is not completed within the required timeframe. Housing Assistance Payments (HAP) will be abated until the unit passes reinspection, which must occur within 60 days or an approved extension; no retroactive payments will be issued for the abatement period. If deficiencies remain unresolved after 60 days, the HAP contract will be terminated, and the family will be issued a voucher at least 30 days prior to termination. Families will be granted a minimum of 90 days to secure new housing, with extensions permitted in accordance with the Administrative Plan. Assistance may be terminated if the family fails to lease a unit within the approved search period

- **National Standards For The Physical Inspection Of Real Estate (NSPIRE) – page 10-5**
  Added "HUD is currently transitioning its HQS inspection requirements to the National Standards for the Physical Inspection of Real Estate (NSPIRE). The BHA shall comply with all NSPIRE requirements upon HUD's formal implementation mandate. Until such time, the BHA shall continue to administer inspections in accordance with the pre-NSPIRE protocols set forth in this chapter. Program participants and property owners shall be provided advance notice prior to the effective date of BHA's NSPIRE implementation."

Chapter 11 – Denial or Termination of Assistance

- **Grounds For Termination Of Assistance To Participants – page 11-4**
  Revised "The Burbank Housing Authority will not deny admission to or terminate assistance under the Section 8 Program for a tenant or an immediate family member if any members of the household are victims or threatened victims of

domestic violence, dating violence, sexual assault, stalking, economic abuse, or technological abuse."

Chapter 19 – Special Purpose Voucher Program

- **FYI Eligibility – page 19-8**
  Revised "Have left foster care or will leave foster care within 180 days, in accordance with a transition plan described in section 475(5)(H) of the Social Security Act."

- **Waiting List Administration – page 19-9**
  Revised "However, per federal regulation, the BHA may not apply any residence preference to FYI voucher applicants.

- **Lease Up – pages 19-9 to 19-10**
  Added voucher issuance and expiration policies pertaining to Foster Youth to Independence (FYI) applicants.

Glossary

Added "ABATEMENT. The suspension of Housing Assistance Payments to the owner due to HQS noncompliance, until deficiencies are corrected and the unit passes inspection."

RESIDENT ADVISORY BOARD (RAB)
QUESTIONS AND ANSWERS
February 18, 2026

Q: A member of the public asked whether there will be future voucher issuance and whether the waiting list may open in the future.
A: Staff explained that future voucher issuance depends on federal funding, and current funding is not sufficient to pull applicants from the waiting list at this time.

Q: A member of the public asked whether Emergency Housing Vouchers (EHV) can be converted to regular Housing Choice Vouchers (HCV).
A: Staff explained that the Housing Authority is working on a plan/request, but it has not been approved by HUD. No announcement can be made until approval is received.

Q: A member of the public asked whether domestic violence victims and persons with disabilities have special consideration.
A: Staff referenced Violence Against Women Act (VAWA) protections and advised the member to speak with their caseworker for case-specific guidance.

Q: A member of the public asked how the public can help support continuation of voucher assistance.
A: Staff encouraged the public to attend the upcoming public hearing and to contact legislative representatives and HUD to share concerns.

Q: A member of the public asked what will happen to EHV participants if the program ends and whether there is a plan in place.
A: Staff explained that letters were sent to EHV participants advising that the program is expected to end and identifying available services. Staff also explained that the Housing Authority is working on a plan, but it is not yet approved.

Q: A member of the public asked whether EHV participants should apply to other Section 8 waiting lists in other jurisdictions.
A: Staff advised that members of the public may apply for voucher programs in other jurisdictions where there is an opening and they qualify.

Q: A member of the public asked about the likelihood of HUD approving EHV conversion to regular Housing Choice Vouchers.
A: Staff explained that they could not predict what HUD will approve and that the Housing Authority is waiting for HUD’s decision.

Q: A member of the public asked why the Burbank Housing Authority cannot use all vouchers allocated to the City.
A: Staff explained that local rental costs are high, which increases program expenses and limits how many vouchers can be funded with available funding.

Q: A member of the public asked whether rent control or state law limits apply to Section 8 rent increases.
A: Staff explained that landlords must comply with applicable California law, including AB 1482 where applicable, and that allowable rent increases are subject to applicable legal limits.

Q: A member of the public asked, in a worst-case scenario, what the transition process would look like if EHV conversion is not approved.
A: Staff explained there is a plan, but details could not be shared at that time. Staff further explained that if conversion is approved, participants would complete an eligibility process, with the goal of a smooth transition. Staff also noted there is a temporary plan if conversion is not approved.

Q: A member of the public asked when any EHV transition process might take place if approved.
A: Staff stated the goal is for the process to occur before October.

Q: A member of the public asked whether a landlord must accept a participant if an EHV is converted to a HCV.
A: Staff advised that HCV participants are a protected class and landlords may not discriminate on that basis. Staff also explained that if a landlord does not renew tenancy, evictions would still require lawful just cause requirements.

Q: A member of the public asked whether landlords may be increasing rents because tenants have Section 8 assistance.
A: Staff explained that the Housing Authority could not speak to a landlord's intent. Staff also explained that landlords may increase rents if they are in compliance with applicable laws and program requirements. Staff further explained that the rent increase requests are reviewed for compliance and rent reasonableness, and that landlords must provide supporting documentation, including comparable rents.

Q: A member of the public asked how the public is notified when the Section 8 waiting list opens.
A: Staff explained that waiting list opening information is posted publicly, including on the City website, in newspapers, and through social service agencies.

Q: A member of the public asked about payment standards and whether they vary by area.
A: Staff explained that payment standards vary by ZIP code and advised the member to contact their caseworker for specific information.

Q: A member of the public asked whether a participant with a one-bedroom voucher may rent a two-bedroom unit.
A: Staff advised that a participant may rent a two-bedroom unit with a one-bedroom voucher and to follow up with their caseworker for case-specific information.

Q: A member of the public asked whether it is allowed for another tenant in the same building to pay lower rent.
A: Staff explained this may occur and may be justified by differences such as unit amenities, or renovations, if supported by documentation.

Q: A member of the public asked whether the Housing Authority has a list of available apartments/landlords.
A: Staff explained that the Housing Authority maintains a property listing for Section 8 participants, depending on landlord submissions, and that participants may request the listing from staff or their caseworker.

SAFMR Payment Standard eff. 10/01/2025					
ZIP code	Studio	1-BR	2-BR	3-BR	4-BR
91501	$1,955	$2,207	$2,799	$3,590	$3,960
91502	$1,955	$2,207	$2,799	$3,590	$3,960
91504	$1,955	$2,207	$2,799	$3,590	$3,960
91505	$2,259	$2,529	$3,150	$3,996	$4,446
91506	$1,955	$2,207	$2,799	$3,590	$3,960

Correspondences

Please Note: If Additional Documents/Correspondences are submitted for this item, they will be periodically posted to the City website for public viewing.

Burbank Housing Authority Fiscal Year 2026-27 Annual Plan and Proposed Administrative Plan Updates

City Council
April 7, 2026

COMMUNITY DEVELOPMENT

Why are we here?

- Update on the activities of the Burbank Housing Authority (BHA)
- Present documents as required by the federal Department of Housing and Urban Development (HUD)
- Required for the continued receipt of federal funds related to voucher programs
- Update on estimated funding and next steps

Mission of the Program

- Expand the supply of housing
- Maintain the quality of assisted housing
- Promote self-sufficiency of families and individuals
- Increase awareness of housing choices

CITY OF BURBANK COMMUNITY DEVELOPMENT

BHA Mission: Working together for a safe, beautiful, and thriving community.

Section 8 Program Documents

- **ADMINISTRATIVE PLAN**

Policies and procedures for the implementation of the Section 8 Program

- **ANNUAL PLAN FOR FISCAL YEAR 2026-2027**

Progress Report for the first year of the 2025-2030 Five-Year Plan

Administrative Plan Proposed Updates

- Applicant Waiting List
- Housing Quality Standard Inspections

Foster Youth to Independence (FYI) Vouchers

- Allocated five FYI vouchers in Fiscal Year 2025-2026
  - All five vouchers have been issued; recipients are actively searching for housing
  - Voucher recipients are receiving housing search support from regional service providers

Special Purpose Voucher Updates and Funding Outlook

- Emergency Housing Vouchers (EHV)
  - Projected to sunset October 2026
  - All EHV families will be placed on Section 8 waiting list
- Permanent Supportive Housing Vouchers (PSH)
  - Current grant term ends October 31, 2026
  - Renewal status pending court proceeding that will determine future funding availability

Annual Plan for Fiscal Year 2026-2027

- Provided Rent Subsidies to 838 Eligible Households
- Received allocation of five Foster Youth to Independence Vouchers
- Continue to Educate Landlords / Program Participants
- Continue Administering Family Self Sufficiency (FSS) Program
- Continue distributing information on Housing opportunities and City and State related housing laws
- Continue Policy and Legislative Advocacy

Resident Advisory Board

- Resident Advisory Board (RAB)
  - Current participants on the program
- Public Outreach Included:
  - City's website
  - Published in the Burbank Leader
  - Mailed 900 postcard invitations to program participants

Funding and Next Steps

- Estimated $14 Million for Fiscal Year 2026-27 to fund 820 of 1,047 vouchers allocated
- Continue Monitoring Funding Availability to Assist Additional Households
- Submit the Annual Plan to HUD by April 17, 2026

Contact:

Odet Ayvazyan
Housing Development Manager
818-238-5160
OAyvazyan@BurbankCA.gov

CITY OF BURBANK
COMMUNITY DEVELOPMENT

STAFF REPORT

CITY CLERK'S OFFICE

DATE: April 7, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Kimberley Clark, City Clerk

SUBJECT: Introduction of an Ordinance Amending and Restating Title 2, Chapter 1, Article 4 (Boards, Commissions, and Committees) of the Burbank Municipal Code

RECOMMENDATION

Introduce AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING AND RESTATING TITLE 2, CHAPTER 1, ARTICLE 4 (BOARDS, COMMISSIONS, AND COMMITTEES) OF THE BURBANK MUNICIPAL CODE RELATING TO COMPOSITION AND FUNCTIONS OF BOARDS, COMMISSIONS AND COMMITTEES (Attachment 1).

BACKGROUND

Council established Boards, Commissions, and Committees (BCCs) to evaluate City programs, projects, and community issues. BCC members (Members) serve in an advisory capacity with limited decision-making authority. Each BCC may provide input and recommendations to the Council; however, none determine or establish City policy or administrative direction except Planning Commission, which conducts public hearings, makes decisions on applications for discretionary projects such as Conditional Use Permits and Variances, and considers appeals of decisions by the Community Development Director on certain project applications.

At the February 4, 2025, City Council Meeting, Council was presented with a first-step report on the composition of the City's BCCs and the BCC attendance policy, at Council Member Mullins' request. During the meeting, Council provided direction to staff on changes to the composition, requirements, attendance, and terms of the City's 23 BCCs.

On July 29, 2025, an Ordinance was introduced and Council discussed changing the Member composition to be more consistent across all BCCs. Council voted to introduce the Ordinance with language to improve the consistency of Member composition, reducing the following six BCCs from seven to five members:

- Senior Citizen Board
- Burbank Water and Power Board
- Infrastructure Oversight Board
- Police Commission
- Board of Library Trustees
- Transportation Commission

On August 26, 2025, Council adopted Ordinance No. 25-4,032 with changes to the requirements, attendance, and terms of the City's 23 BCCs. During discussion, Council chose to postpone implementation of the membership reduction and directed staff to return within six months with a report to reconsider member composition.

DISCUSSION

Vacancies and absences continue to be an issue for the City's BCCs. Since the new term commenced on August 1, 2025, there have been 61 absences, 13 second-absence warnings issued, and 8 unscheduled vacancies. The City Clerk's Office is currently preparing a Staff Report for Council to consider one BCC Member's third absence.

Attendance Summary (8/1/25 – 3/25/26)	
Total Number of Absences	61
Second Absence Warnings	13
Third Absence Staff Reports	1
Unscheduled Vacancies	8

A comparison of BCCs comprised of five members and those comprised of seven or more members indicates a considerably higher level of absenteeism among the larger BCCs:

Absences for BCCs with Five Members (8/1/25 – 3/25/26)	
BCC Name	**Absences**
Art in Public Places Committee	6
Board of Building and Fire Code Appeals	1
Burbank Housing Corporation	0
Civil Service Board	4
Heritage Commission	2
Landlord-Tenant Commission	2
Park, Recreation, and Community Services Board	1
Planning Commission	5
TOTAL	**21**

Absences for BCCs with Seven or More Members (8/1/25 – 3/25/26)	
BCC Name	**Absences**
Board of Library Trustees (7)	4
Burbank Cultural Arts Commission (9)	9
Burbank Water and Power Board (7)	4
Community Development Block Grant (7)	3
Infrastructure Oversight Board (7)	2
Police Commission (7)	1
Senior Citizen Board (7)	7
Sustainable Burbank Commission (9)	6
Transportation Commission (7)	4
TOTAL	**40**

Consistent Board Member Composition

Staff recommends that to achieve Council's direction with regard to Member composition, a consideration be made to reduce the following three BCCs from seven to five members to bring their membership in line with other BCCs[1]:

- Senior Citizen Board
- Board of Library Trustees
- Transportation Commission

At a later date, Staff will return to Council to consider the Member composition of the other three seven-member BCCs:

- Burbank Water and Power Board
- Infrastructure Oversight Board
- Police Commission

If approved, these membership composition changes will be implemented in the 2026 recruitment cycle with the commencement of incoming members' terms on August 1, 2026. Alternatively, Council may wish to implement these changes during the 2027 recruitment cycle with the commencement of incoming members' terms on August 1, 2027, to allow the community time to adjust to the changes. No currently serving Members will be removed from any BCC. During the annual recruitment (July 2026 or July 2027), members would have the opportunity to reapply under the newly established member composition guidelines. Any unscheduled vacancies created by members who leave their position during the year would remain vacant and be eliminated through attrition.

[1] The following are each comprised of five members: Art in Public Places Committee; Board of Building and Fire Code Appeals; Charter Review Committee; Civil Service Board; Heritage Commission; Landlord-Tenant Commission; Park, Recreation, and Community Services Board; and Planning Commission.

Administrative Changes to Youth Board
The existing Ordinance indicates that Youth Board members assume their term of office on September 1 (BMC § 2-2-416), but schools typically do not select members to serve until September. The City Clerk's Office recommends deleting the date of September 1 and replacing it with the following text: "The term of office for each Board member shall commence on the first Wednesday in November and continue for the school year in which they were appointed."

The Parks and Recreation Department has also requested language confirming that all members have voting rights, clarifying the recruitment process for at-large members, and removing the reference to a "Youth Board brochure."

Administrative Changes to Senior Citizen Board
The existing Ordinance indicates that a Council-appointed Evaluation Committee will interview applicants to the Senior Citizen Board (BMC § 2-1-415). As this practice is not being implemented, the City Clerk's Office recommends removing this reference.

Future BCC Updates
Proposed changes do not include consolidation of the Art in Public Places Committee with the Burbank Cultural Arts Commission, consideration of changing the name of the Landlord-Tenant Commission, or clarification on how Special Meetings may be called. These items will be brought to Council separately by the relevant department.

ENVIRONMENTAL REVIEW
This activity involves internal administrative reorganization and has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. As such, it is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) Guidelines (14 Cal. Code Regs § 15378).

FISCAL IMPACT
Funding for updates to the Burbank Municipal Code is provided by the City Clerk's Office and changes will be implemented by the City's vendor, General Code. The City's BCCs require support and resources, and the proposed changes should decrease the staff time required to manage them.

CONCLUSION
Staff recommends that to achieve Council's direction with regard to Member composition, a consideration be made to reduce these seven-member BCCs to five members to bring their membership in line with other BCCs. Proposed amendments will establish more consistent member composition and update administrative language with regard to the City's BCCs.

ATTACHMENTS

Attachment 1 – BCC Ordinance

Attachment 2 – Redlined BCC Ordinance

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 2, CHAPTER 1, ARTICLE 4 (BOARDS, COMMISSIONS, AND COMMITTEES) OF THE BURBANK MUNICIPAL CODE RELATING TO COMPOSITION AND FUNCTIONS OF BOARDS, COMMISSIONS AND COMMITTEES

City Attorney's Synopsis

This Ordinance amends certain provisions of the Burbank Municipal Code relating to Boards, Commissions, and Committees including modifying the member composition of certain Boards and Commissions and administrative changes to Youth Board and Senior Citizen Board.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. At the February 4, 2025, City Council meeting, Council considered proposed changes to the City's Boards, Commissions, and Committees (BCCs) and provided direction to staff to enact changes to composition, policies, and member requirements.

B. At the July 29, 2025, City Council meeting, Council introduced an ordinance with language that amended certain BCC member composition to be more consistent.

C. On August 26, 2025, Council adopted Ordinance No. 25-4,032 with membership amendments postponed and directed staff to return with a report to reconsider member composition.

D. This Ordinance effectuates membership changes to Burbank BCCs and provides additional administrative clean-up to better reflect current practices.

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

1. Section 2-1-409 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-409: BOARD OF LIBRARY TRUSTEES:

A. Composition of Board: The Board of Library Trustees shall consist of five (5) members.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Board of Library Trustees but such Council member shall not be a member of the board.

C. Powers and Duties of the Board: The Board of Library Trustees shall have the following powers and duties:

1. To initiate studies, investigations and surveys in the general field of public libraries and report its findings and recommendations to the Council.

2. To prepare and recommend, for adoption by the Council, rules and regulations for the maintenance and improvement of the public libraries of the City.

3. To recommend to the Council the acquisition of library sites by the City.

4. To act in an advisory capacity to the Council in all matters pertaining to the public libraries of the City."

2. Section 2-1-415 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-415: SENIOR CITIZEN BOARD:

A. Establishment and Composition of Board: There is hereby created a Senior Citizen Board consisting of five (5) members, all of whom shall be senior citizens.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Senior Citizen Board for liaison purposes only.

C. Liaison with City Manager: The City Manager shall designate a representative to serve as administration liaison with the Board. They shall serve as a resource person at all Board meetings, arrange for any necessary contacts between the Board and City departments, facilitate administrative action on Board requests, and keep the City Manager informed of Board proceedings; provided, however, that the Board shall obtain Council approval before requesting administrative assistance requiring any significant amount of research.

D. Applicants: Senior citizens who wish to be considered for appointment to the Senior Citizen Board may apply by filing an application with the City Clerk's Office online or in person.

E. Powers and Duties: The Senior Citizen Board shall have the following powers and duties:

1. To engage in consultation and study with local groups on the needs of the aged and evaluate all available resources.

2. To collect and study factual information relative to all aspects of aging.

3. To serve as a liaison between local organizations and governmental agencies which work with the aged and have an interest in aging adults.

4. To advise in community planning regarding the expansion of existing facilities and development of new facility services, as required.

5. To become aware of problems as they arise and recommend plans for action.

6. To inform local and state organizations of the needs and resources of older people.

7. To serve as a medium through which organizations may exchange information, coordinate programs and engage in joint endeavors.

8. To become familiar with developments in other communities on County, State and Federal programs.

F. Reports: The Chair of the Board shall provide the Council with minutes of the Board meetings and copies of studies and resolutions to be considered by the Board."

3. Section 2-1-416 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-416: YOUTH BOARD:

A. Establishment and Composition of Board: There is hereby created a Youth Board consisting of fifteen (15) members, eleven (11) of whom shall be selected as follows: one from Burbank High School, one from John Burroughs High School, one from Providence High School, one from Monterey High School, one from Luther Burbank Middle School, one from Dolores Huerta Middle School, one from John Muir Middle School, one from St. Finbar Parish School, one from St. Francis Xavier School, and one from St. Robert Bellarmine School, and one from Lycée International de Los Angeles. The middle school representatives shall be a member of either the seventh or eighth grade class. Four (4) at-large members shall be appointed by a three-fifths (3/5) vote of all Council members. Should any designated school fail to submit a student representative for the Board, the vacant seat may be filled with an additional at-large member. No member shall be over twenty (20) years of age at the time of appointment to the Youth Board. All members are voting members.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Youth Board for liaison purposes only.

C. Liaison with City Manager: The City Manager shall designate a representative to serve as administration liaison with the Board. They shall serve as a resource person at all Board meetings, arrange for any necessary contacts between the Board and City departments, facilitate administrative action on Board requests, and keep the City Manager informed of Board proceedings; provided, however, that the Board shall

obtain Council approval before requesting administrative assistance requiring any significant amount of research.

D. School Members: Each high school and middle school member may be selected based on interest and qualifications for Youth Board by the school's administration. At-large members will go through a recruitment process and will be recommended to Council by staff.

E. Term of Office: The term of office for each Board member shall commence on the first Wednesday in November and continue for the school year in which they were appointed.

F. Powers and Duties: The Youth Board shall have the following powers and duties:

1. To represent the interests of local youth in community affairs.

2. To represent the City in matters of interest to youth in the community.

3. To assist in helping other youth in the community to understand and appreciate local government.

4. To obtain interpretations for local youth on City ordinances, rules and regulations which affect them.

5. To encourage local youth to actively participate in community affairs and matters of concern to the City.

6. To conduct studies and investigations in the general field of youth and community interest and to communicate its findings and recommendations to the Council.

7. To encourage coordination of effort among community institutions and organizations that focus on youth problems and needs.

8. To advise and assist the Park and Recreation Board on issues affecting the youth in the community.

G. Reports: The chair of the Youth Board shall provide the Council and Park and Recreation Board with minutes of Youth Board meetings and copies of studies and resolutions to be considered by the Youth Board."

4. Section 2-1-419 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-419: TRANSPORTATION COMMISSION:

A. Establishment and Composition of the Commission: There is hereby created a Transportation Commission consisting of five (5) members. The Council shall give consideration to appointing persons affiliated with the following groups: small businesses, large businesses, transportation technology research and development organizations, homeowners, the Burbank-Glendale-Pasadena Airport Authority, transportation management organizations or associations, and other special needs groups such as senior citizens, persons with disabilities and bicyclists.

B. Secretary of the Commission: The Community Development Director shall serve as Secretary to the Commission. The Secretary to the Commission shall not be a member of the Commission or vote on any matters coming before it, but such Secretary may be present during the Commission's deliberations and may participate in all debates and discussions.

C. Powers and Duties of the Commission: The Transportation Commission shall have the following powers and duties:

1. To make recommendations to the City Council on transportation planning issues including, but not limited to, the transportation element of the General Plan and its components.

2. To make recommendations on the expenditure of Proposition A funds, Proposition C funds, air quality funds and bonds, fees, loans and grants for the purpose of funding transportation improvements.

3. To make recommendations on transportation plans, policies and programs, including, but not limited to, pedestrian orientation, telecommuting, intermodal transportation centers, new technologies, traffic programs and parking.

4. To perform such advisory functions as are delegated to it by the provisions of this code or other action of the Council.

D. Meetings: The Transportation Commission shall hold a regular meeting at least once a month at a time and place to be designated by the Commission. Special meetings may be called by the chair or a majority of the Commission. When the time for any regular meeting of the Commission falls on a holiday, such meeting may be held at the discretion of the Commission or chair thereof at the same hour of the next succeeding day not a holiday or a regular meeting day of the Council or any other board or commission established pursuant to this division.

E. Quorum: A majority of the members of the Commission shall constitute a quorum for the transaction of business."

5. All other sections of Title 2, Section 1, Article 4, not amended by this Ordinance, shall remain in full force and effect.

6. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

7. The City Manager, City Clerk, or their designee, is authorized to execute any action necessary to codify this Ordinance into the Burbank Municipal Code.

8. The City Clerk will certify to the passage of this Ordinance and cause the City Attorney Synopsis of this Ordinance to be published once in a newspaper of general circulation within 14 days of adoption, that is published and circulated in the City of Burbank, California, or as required by applicable law.

PASSED AND ADOPTED this ____ day of _____, 2026.

_____
Tamala Takahashi
Mayor

Attest

_____
Kimberley Clark, City Clerk

Approved as to Form
Office of the City Attorney

By: _____
Jill Vander Borght
Chief Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. _____ was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California within 14 days following its ___, 2026 adoption.

_____
Kimberley Clark, City Clerk

ORDINANCE NO._____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING TITLE 2, CHAPTER 1, ARTICLE 4 (BOARDS, COMMISSIONS, AND COMMITTEES) OF THE BURBANK MUNICIPAL CODE RELATING TO COMPOSITION AND FUNCTIONS OF BOARDS, COMMISSIONS AND COMMITTEES

City Attorney's Synopsis

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A. At the February 4, 2025, City Council meeting, Council considered proposed changes to the City's Boards, Commissions, and Committees (BCCs) and provided direction to staff to enact changes to composition, policies, and member requirements.

B. At the July 29, 2025, City Council meeting, Council introduced an ordinance with language that amended certain BCC member composition to be more consistent.

C. On August 26, 2025, Council adopted Ordinance No. 25-4,032 with membership amendments postponed and directed staff to return with a report to reconsider member composition.

D. This Ordinance effectuates membership changes to Burbank BCCs and provides additional administrative clean-up to better reflect current practices.

THE COUNCIL OF THE CITY OF BURBANK DOES ORDAIN AS FOLLOWS:

1. Section 2-1-409 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-409: BOARD OF LIBRARY TRUSTEES:

A. Composition of Board: The Board of Library Trustees shall consist of ~~seven~~ five (~~5~~7) members.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Board of Library Trustees but such Council member shall not be a member of the board.

C. Powers and Duties of the Board: The Board of Library Trustees shall have the following powers and duties:

1. To initiate studies, investigations and surveys in the general field of public libraries and report its findings and recommendations to the Council.

2. To prepare and recommend, for adoption by the Council, rules and regulations for the maintenance and improvement of the public libraries of the City.

3. To recommend to the Council the acquisition of library sites by the City.

4. To act in an advisory capacity to the Council in all matters pertaining to the public libraries of the City."

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"2-1-415: SENIOR CITIZEN BOARD:

A. Establishment and Composition of Board: There is hereby created a Senior Citizen Board consisting of ~~seven~~ five (5~~7~~) members, all of whom shall be senior citizens.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Senior Citizen Board for liaison purposes only.

C. Liaison with City Manager: The City Manager shall designate a representative to serve as administration liaison with the Board. They shall serve as a resource person at all Board meetings, arrange for any necessary contacts between the Board and City departments, facilitate administrative action on Board requests, and keep the City Manager informed of Board proceedings; provided, however, that the Board shall obtain Council approval before requesting administrative assistance requiring any significant amount of research.

D. Applicants: Senior citizens who wish to be considered for appointment to the Senior Citizen Board may apply by filing an application with the City Clerk's Office online or in person.

~~E. Evaluation Committee: An Evaluation Committee appointed by the Council and consisting of senior or interested citizens familiar with the senior citizen population and its concerns shall interview the applicants and report its findings and recommendations to the Mayor with copies for each member of the Council.~~

~~F.~~E. Powers and Duties: The Senior Citizen Board shall have the following powers and duties:

1. To engage in consultation and study with local groups on the needs of the aged and evaluate all available resources.

2. To collect and study factual information relative to all aspects of aging.

3. To serve as a liaison between local organizations and governmental agencies which work with the aged and have an interest in aging adults.

4. To advise in community planning regarding the expansion of existing facilities and development of new facility services, as required.

5. To become aware of problems as they arise and recommend plans for action.

6. To inform local and state organizations of the needs and resources of older people.

7. To serve as a medium through which organizations may exchange information, coordinate programs and engage in joint endeavors.

8. To become familiar with developments in other communities on County, State and Federal programs.

~~G.~~F. Reports: The Chair of the Board shall provide the Council with minutes of the Board meetings and copies of studies and resolutions to be considered by the Board."

3. Section 2-1-416 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-416: YOUTH BOARD:

A. Establishment and Composition of Board: There is hereby created a Youth Board consisting of fifteen (15) members, eleven (11) of whom shall be selected as follows: one from Burbank High School, one from John Burroughs High School, one from Providence High School, one from Monterey High School, one from Luther Burbank Middle School, one from Dolores Huerta Middle School, one from John Muir Middle School, one from St. Finbar Parish School, one from St. Francis Xavier School, and one from St. Robert Bellarmine School, and one from Lycée International de Los Angeles. The middle school representatives shall be a member of either the seventh or eighth grade class. Four (4) at-large members shall be appointed by a three-fifths (3/5) vote of all Council members. Should any designated school fail to submit a student representative for the Board, the vacant seat may be filled with an additional at-large member. No member shall be over twenty (20) years of age at the time of appointment to the Youth Board. All members are voting members.

B. Liaison with Council: The Mayor shall designate a member of the Council to meet with the Youth Board for liaison purposes only.

C. Liaison with City Manager: The City Manager shall designate a representative to serve as administration liaison with the Board. They shall serve as a resource person at all Board meetings, arrange for any necessary contacts between the Board and City departments, facilitate administrative action on Board requests, and keep the City Manager informed of Board proceedings; provided, however, that the Board shall obtain Council approval before requesting administrative assistance requiring any significant amount of research.

D. School Members: Each high school and middle school member may be selected based on interest and qualifications for Youth Board by the school's administration. At-large members will go through a recruitment process and will be recommended to Council by staff. ~~All candidates must sign a statement that they have read the Youth Board brochure and fully understand the function of the Board and their duties and responsibilities as Board members~~

E. Term of Office: The term of office for each Board member shall commence on the first Wednesday in November and continue for the school year in which they were appointed. ~~be one (1) year commencing on September 1.~~

F. Powers and Duties: The Youth Board shall have the following powers and duties:

1. To represent the interests of local youth in community affairs.

2. To represent the City in matters of interest to youth in the community.

3. To assist in helping other youth in the community to understand and appreciate local government.

4. To obtain interpretations for local youth on City ordinances, rules and regulations which affect them.

5. To encourage local youth to actively participate in community affairs and matters of concern to the City.

6. To conduct studies and investigations in the general field of youth and community interest and to communicate its findings and recommendations to the Council.

7. To encourage coordination of effort among community institutions and organizations that focus on youth problems and needs.

8. To advise and assist the Park and Recreation Board on issues affecting the youth in the community.

G. Reports: The chair of the Youth Board shall provide the Council and Park and Recreation Board with minutes of Youth Board meetings and copies of studies and resolutions to be considered by the Youth Board."

4. Section 2-1-419 of the Burbank Municipal Code is hereby amended and restated as follows:

"2-1-419: TRANSPORTATION COMMISSION:

A. Establishment and Composition of the Commission: There is hereby created a Transportation Commission consisting of ~~seven~~ five (~~7~~5) members. The Council shall give consideration to appointing persons affiliated with the following groups: small businesses, large businesses, transportation technology research and development organizations, homeowners, the Burbank-Glendale-Pasadena Airport Authority, transportation management organizations or associations, and other special needs groups such as senior citizens, persons with disabilities and bicyclists.

B. Secretary of the Commission: The Community Development Director shall serve as Secretary to the Commission. The Secretary to the Commission shall not be a member of the Commission or vote on any matters coming before it, but such Secretary may be present during the Commission's deliberations and may participate in all debates and discussions.

C. Powers and Duties of the Commission: The Transportation Commission shall have the following powers and duties:

1. To make recommendations to the City Council on transportation planning issues including, but not limited to, the transportation element of the General Plan and its components.

2. To make recommendations on the expenditure of Proposition A funds, Proposition C funds, air quality funds and bonds, fees, loans and grants for the purpose of funding transportation improvements.

3. To make recommendations on transportation plans, policies and programs, including, but not limited to, pedestrian orientation, telecommuting, intermodal transportation centers, new technologies, traffic programs and parking.

4. To perform such advisory functions as are delegated to it by the provisions of this code or other action of the Council.

D. Meetings: The Transportation Commission shall hold a regular meeting at least once a month at a time and place to be designated by the Commission. Special meetings may be called by the chair or ~~four (4) members~~ a majority of the Commission. When the time for any regular meeting of the Commission falls on a holiday, such meeting may be held at the discretion of the Commission or chair thereof at the same hour of the next succeeding day not a holiday or a regular meeting day of the Council or any other board or commission established pursuant to this division.

E. Quorum: A majority of the members of the Commission shall constitute a quorum for the transaction of business."

5. All other sections of Title 2, Section 1, Article 4, not amended by this Ordinance, shall remain in full force and effect.

6. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

7. The City Manager, City Clerk, or their designee, is authorized to execute any action necessary to codify this Ordinance into the Burbank Municipal Code.

8. The City Clerk will certify to the passage of this Ordinance and cause the City Attorney Synopsis of this Ordinance to be published once in a newspaper of general circulation within 14 days of adoption, that is published and circulated in the City of Burbank, California, or as required by applicable law.

PASSED AND ADOPTED this ____ day of _____, 2026.

_____
Tamala Takahashi
Mayor

Attest

_____
Kimberley Clark, City Clerk

Approved as to Form
Office of the City Attorney

By: _____
Jill Vander Borght
Chief Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Kimberley Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Ordinance No. _____was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Burbank, California within 14 days following its ___, 2026 adoption.

_____
Kimberley Clark, City Clerk

STAFF REPORT

CITY TREASURER

DATE: April 7, 2026

TO: Honorable Mayor and Council Members

FROM: Krystle Ang Palmer, City Treasurer

SUBJECT: Review of City Treasurer's Investment Portfolio Report for December 31, 2025

RECOMMENDATION

Note and file.

BACKGROUND

The City Treasurer's Investment Portfolio Report for the City of Burbank, the Youth Endowment Services Fund, the Parking Authority of the City of Burbank, the Public Financing Authority, the Successor Agency to the Redevelopment Agency of the City of Burbank, and the Housing Authority of the City of Burbank, for the period ending December 31, 2025, is attached (Attachment 1).

DISCUSSION

The City's total investment portfolio is diversified into various types of assets which are in compliance with the 2025 City of Burbank Investment Policy adopted September 9, 2025, by the City Council, and California Government Code § 53601.

This report was discussed by the Treasurer's Oversight Review Committee (TORC) and the Fiscal & Treasurer's Review Group (F&TRG) on April 1, 2026. The TORC members are:

- Darin Guggenheimer, CEO, Gain Federal Credit Union
- Norelyn Kurasz, former CEO, Cedar Sinai Federal Credit Union
- Richard Martin, CPA
- Scott Rife, retired Senior Vice President, Boston Private Bank and Trust

The F&TRG members are:

- Konstantine Anthony, Council Member
- Christopher Rizzotti, Council Member
- Justin Hess, City Manager
- Courtney Padgett, Assistant City Manager
- Jennifer Becker, Financial Services Director
- Joseph Lillio, Chief Financial Officer of Burbank Water and Power

ENVIRONMENTAL REVIEW

This activity has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and as such, is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

FISCAL IMPACT

None.

CONCLUSION

The Investment Portfolio, managed by the City Treasurer, is in compliance with the City's 2025 Investment Policy and California Government Code § 53601. There is sufficient investment liquidity and anticipated revenues available to meet the City's expenditure requirements for the next six months.

ATTACHMENT

Attachment 1 – City of Burbank Treasurer's Investment Portfolio Report for December 31, 2025

ATTACHMENT 1

CITY OF BURBANK – OFFICE OF THE CITY TREASURER

275 East Olive Avenue, PO Box 7145, Burbank, CA 91510-7145
(818)238-5880

City of Burbank Investment Portfolio Report for December 2025
Dated February 3, 2026

Dear City Council Members
Justin Hess, City Manager
Courtney Padgett, Assistant City Manager
Jennifer Becker, Financial Services Director
Joe Lillio, CFO Burbank Water & Power

This report fulfills City, Youth Endowment Services Fund, Parking Authority, Public Financing Authority, Successor Agency to the Redevelopment Agency and Housing Authority resolutions.

CITY PORTFOLIO OVERVIEW

The City must maintain $127 million in liquidity at all times (maturities within one year plus real estate taxes due from the County in April and December) to meet our projected budgeted expenditures. We currently have $437 million in liquidity, with $141 million in our account at the California Asset Management Program, $91 million in LAIF, $3 million in our account at the Morgan Stanley Institutional Liquidity Fund – Government Portfolio, $143 million in investments maturing within a year and $59 million in real estate taxes due in April and December.

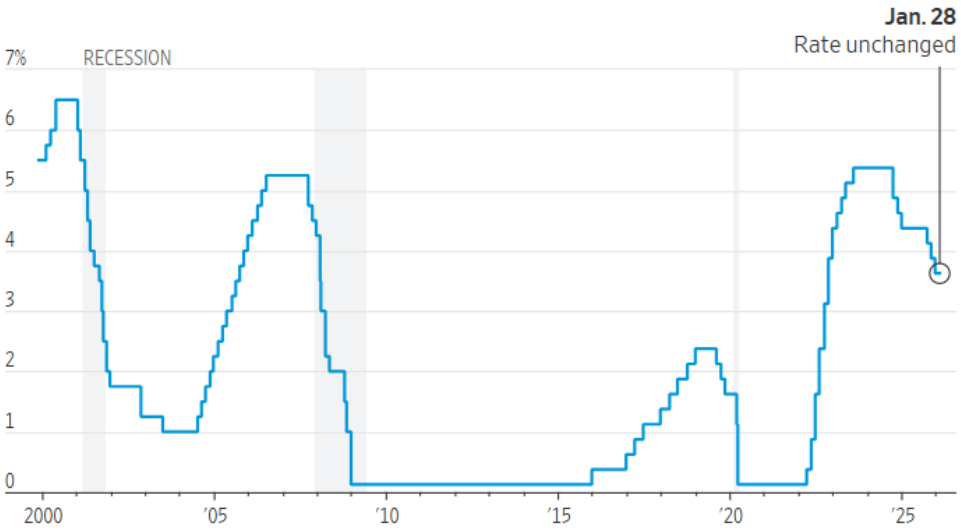
The City Investment Pool ended December at $727 million, up from November's balance of $698 million. Market value came in at 100.1% in December, slightly up from 100% in November. The weighted average yield of the portfolio at cost at the end of the month is 3.48%.

MARKET OUTLOOK

As widely expected, the Federal Reserve held rates steady during its meeting in January, pausing after three consecutive rate cuts in late 2025. In his press conference, Fed Chair Powell explained the committee's decision, stating that "available indicators suggest that economic activity has been expanding at a solid pace. Consumer spending has been resilient, and business fixed investment has continued to expand… In the labor market, indicators suggest that conditions may be stabilizing after a period of gradual softening. The unemployment rate was 4.4% in December and has changed little in recent months. Job gains have remained low….Inflation has eased significantly from its highs in mid-2022 but remains somewhat elevated relative to our 2 percent longer-run goal."
While two Fed governors voted in favor of a quarter point cut, most policymakers agreed there is a need to be cautious and wait for more data in the job market or inflation before another rate move. At this point, Fed Chair Powell also has not confirmed whether he will remain on the central bank's board or choose to depart after his chairmanship ends this year. Chairs have traditionally stepped down after their tenure ends although Fed Chair Powell can technically choose to remain as a governor until 2028. The President has already nominated Kevin Warsh as the next Fed Chair, and if confirmed by the Senate, would succeed Powell in May.

While the unemployment rate remains relatively low, a few large US companies have announced major layoffs in recent weeks, with Amazon shedding 16,000 corporate employees and UPS planning 30,000 job cuts. US-based employers have now announced 1.2 million in headcount reductions in 2025, the highest annual figure since 2020. However, 300,000 of those job losses have primarily been in the Federal government, implying that private sector layoffs, while higher than the previous year, have not increased drastically. Companies, however, are expected to continue to trim headcount, with CEOs insisting that their companies are still too bloated from the hiring boom during the pandemic, and also anticipating efficiencies stemming from the use of artificial intelligence. Meanwhile, even as the average US tariff increased to 17% in the past year, the highest since 1932, the impact of tariffs on prices has still been relatively minimal, as businesses have chosen to absorb most cost increases instead of passing them on to customers. One study has shown, however, that tariffs have certainly contributed to inflation, accounting for around 0.7% in the Consumer Price Index. On a side note, the housing and rental markets have improved for buyers and renters in recent months. In the past year, 62% of homebuyers bought a home below the original list price, the highest proportion since 2019, with the average discount at 8%, the largest since 2012. The median rent in the Los Angeles metro area dropped to its lowest since 2022. Some apartments are now sitting on the market for weeks, with landlords offering move-in deals to attract tenants.

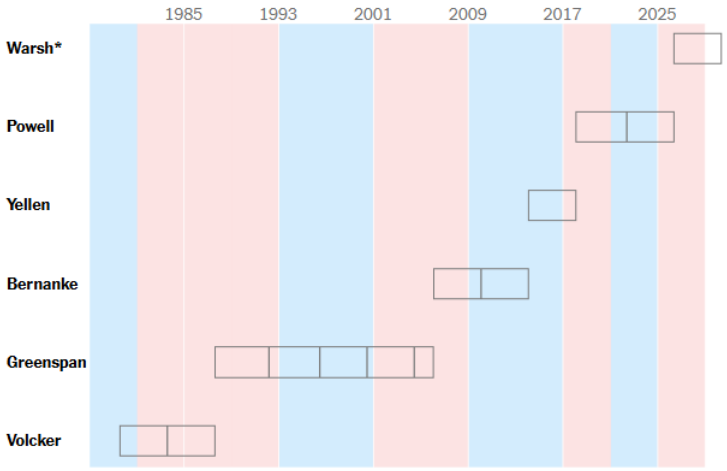
Federal-funds rate target



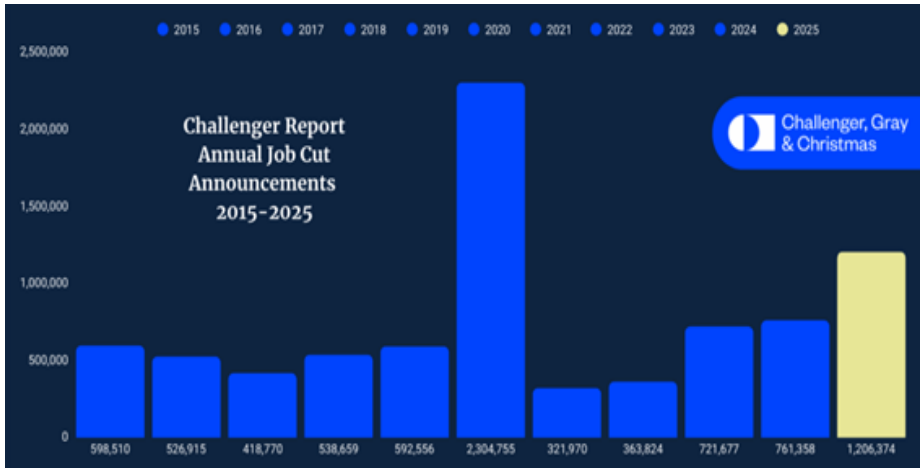
Note: Chart shows midpoint of target range since 2008.
Source: Federal Reserve

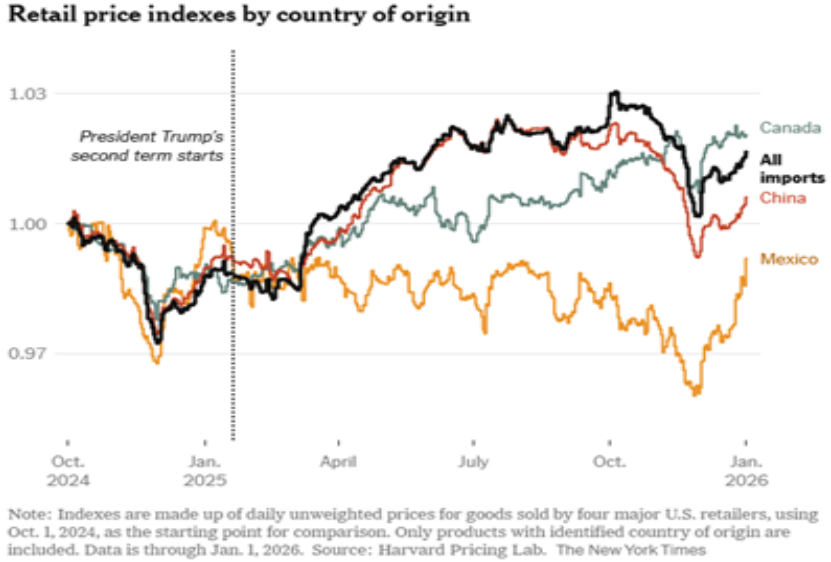
Recent Fed Chairs

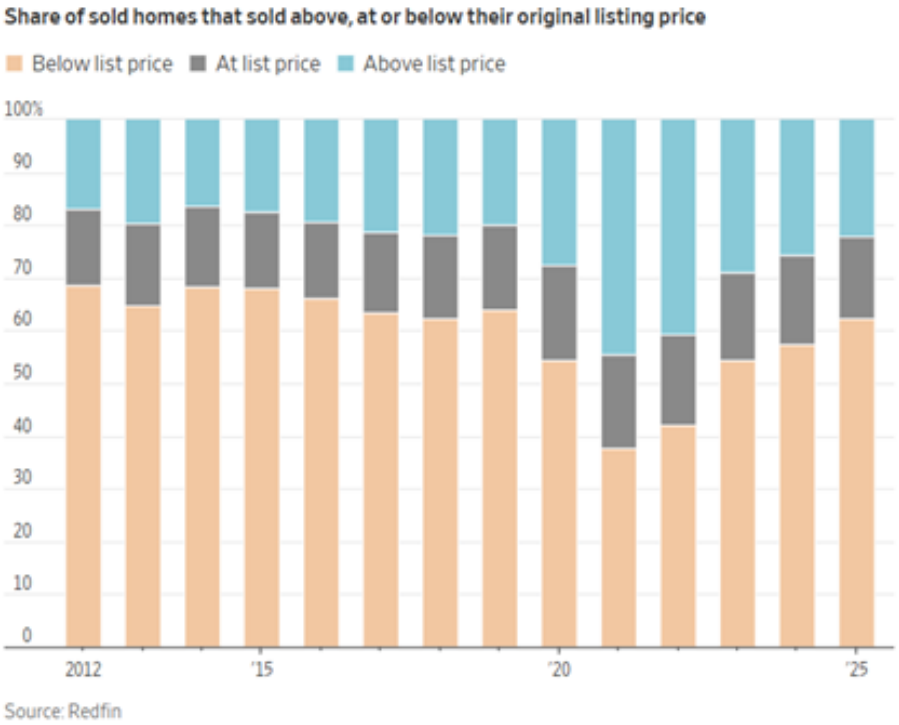
Shading indicates the party of the president during each period. Chairs who were reappointed after their first term have multiple boxes.



Note: Kevin Warsh, if confirmed, would begin in May 2026 and serve an initial four-year term until May 2030, when he could be reappointed. Source: Federal Reserve. Christine Zhang/The New York Times







Krystle Ang Palmer
City Treasurer

CC: Konstantine Anthony, Council Member/Liaison to Treasurer's Office
Christopher Rizzotti, Council Member/Liaison to Treasurer's Office
Darin Guggenheimer, Treasurer's Oversight Review Committee Member
Norelyn Kurasz, Treasurer's Oversight Review Committee Member
Richard Martin, Treasurer's Oversight Review Committee Member
Scott Rife, Treasurer's Oversight Review Committee Member

INVESTMENT POLICY COMPLIANCE

I certify that the City's Investment Portfolio is in full compliance with the City's Investment Policy and California Government Code Section 53601, and I believe the Investment Pool contains sufficient cash flow from liquid and maturing securities, bank deposits, and income to meet the City's expenditure requirement for the next six months.

Asset Category | Policy Maximum	Face Amount/Shares	Market Value	Book Value	% of Portfolio MV	YTM @ Cost	Days To Maturity
CD | Negotiable | 30 %	30,380,000	30,827,228	30,380,000	4.24	4.19	843
Joint Powers Authority Pool | 25 %	140,507,589	140,507,588	140,507,589	19.33	3.95	1
LAIF CITY - Per Account | 75M	91,000,000	91,175,592	91,000,000	12.54	4.25	1
Medium Term Note | 30 %	171,426,000	168,014,233	166,472,531	23.12	3.99	1,166
Money Market | 20 %	3,209,722	3,209,722	3,209,722	0.44	3.73	1
Municipal Bonds | 30 %	76,170,000	75,650,515	75,237,614	10.41	3.70	641
Supranational Obligations | 15 %	33,000,000	32,941,140	32,831,148	4.53	2.58	672
US Agency | 90 %	162,935,000	160,695,929	162,590,355	22.11	2.03	434
US Treasury | No Limit	24,000,000	23,807,670	23,687,723	3.28	3.74	1,199
Total / Average	**732,628,311**	**726,829,617**	**725,916,682**	**100.00**	**3.48**	**541**
LAIF | Successor Agency	3,380,000	3,386,522	3,380,000			
LAIF | Housing Authority	600,000	601,158	600,000			
Total	**736,608,311**	**730,817,297**	**730,631,682**			

Krystle Ang Palmer, City Treasurer

2/03/26
Date

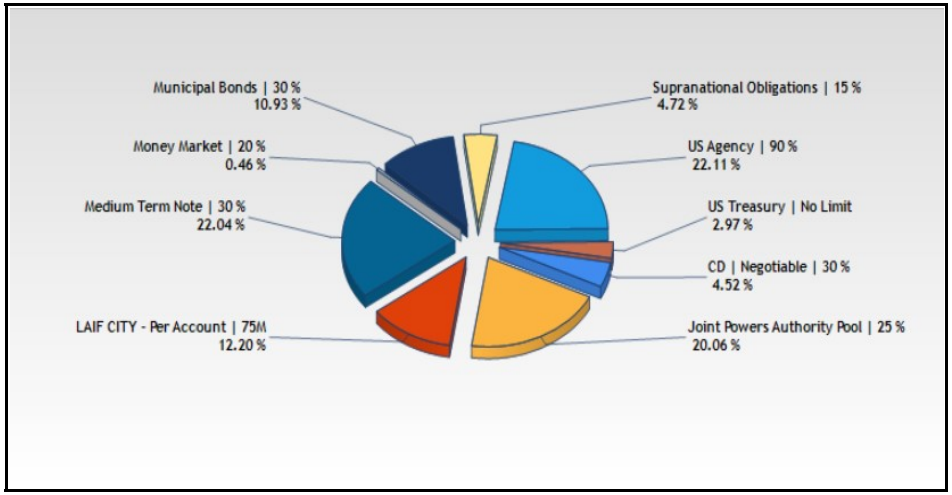
City of Burbank
Distribution by Asset Category - Market Value
Monthly Treasurer's Report

Begin Date: 11/30/2025, End Date: 12/31/2025

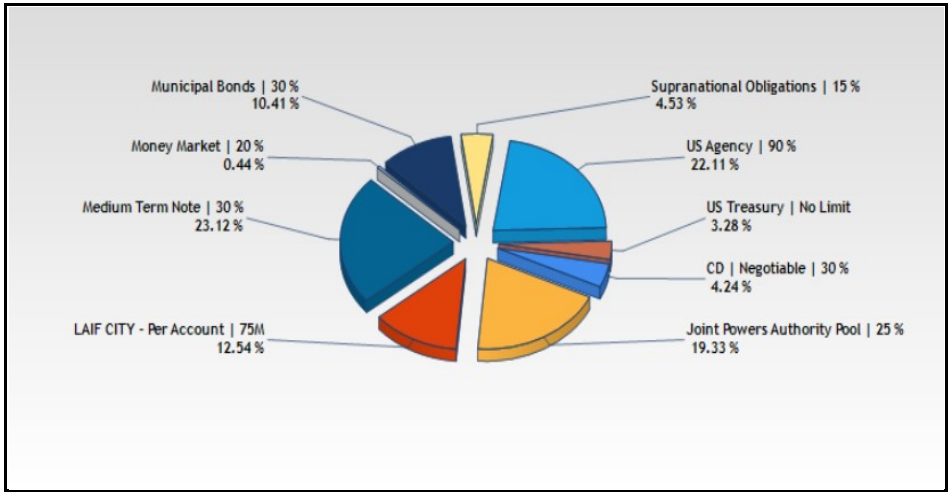
Asset Category Allocation

Asset Category | Policy Maximum	Market Value 11/30/2025	% of Portfolio 11/30/2025	Market Value 12/31/2025	% of Portfolio 12/31/2025
CD | Negotiable | 30 %	31,579,221	4.52	30,827,228	4.24
Joint Powers Authority Pool | 25 %	140,038,288	20.06	140,507,588	19.33
LAIF CITY - Per Account | 75M	85,164,014	12.20	91,175,592	12.54
Medium Term Note | 30 %	153,907,616	22.04	168,014,233	23.12
Money Market | 20 %	3,202,612	0.46	3,209,722	0.44
Municipal Bonds | 30 %	76,317,789	10.93	75,650,515	10.41
Supranational Obligations | 15 %	32,926,140	4.72	32,941,140	4.53
US Agency | 90 %	154,353,476	22.11	160,695,929	22.11
US Treasury | No Limit	20,746,950	2.97	23,807,670	3.28
Total / Average	**698,236,106**	**100.00**	**726,829,617**	**100.00**

Portfolio Holdings as of 11/30/2025



Portfolio Holdings as of 12/31/2025



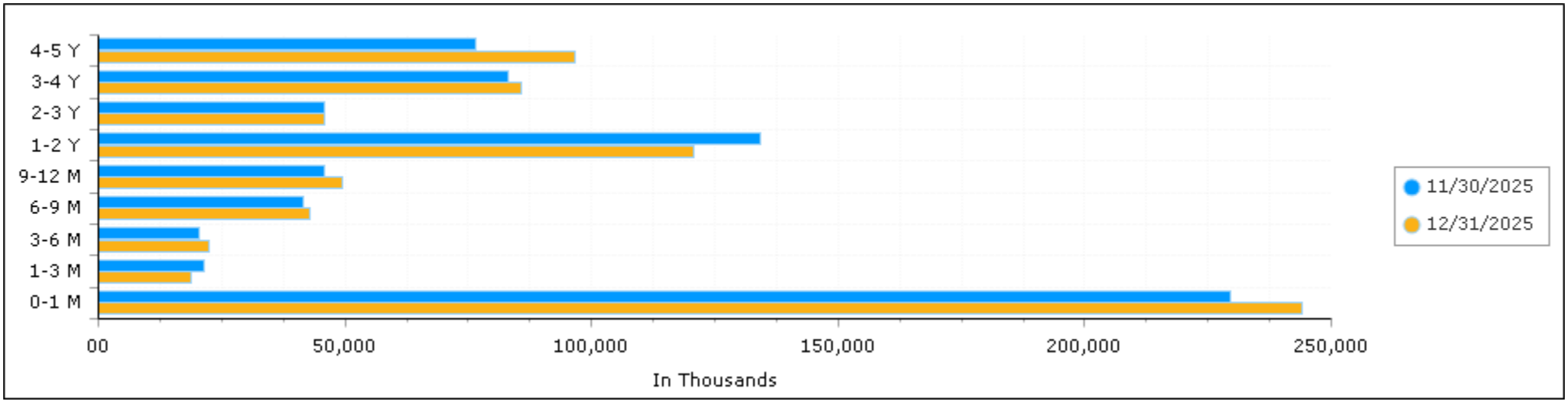
City of Burbank
Distribution by Maturity Range - Market Value
Monthly Treasurer's Report

Begin Date: 11/30/2025, End Date: 12/31/2025

Maturity Range Allocation

Maturity Range	Market Value 11/30/2025	% of Portfolio 11/30/2025	Market Value 12/31/2025	% of Portfolio 12/31/2025
0-1 Month	229,630,264	32.89	244,123,388	33.59
1-3 Months	21,359,288	3.06	18,907,093	2.60
3-6 Months	20,580,635	2.95	22,406,797	3.08
6-9 Months	41,395,761	5.93	42,820,931	5.89
9-12 Months	45,954,910	6.58	49,623,696	6.83
1-2 Years	134,103,613	19.21	120,798,321	16.62
2-3 Years	45,690,674	6.54	45,909,801	6.32
3-4 Years	83,047,890	11.89	85,679,711	11.79
4-5 Years	76,473,070	10.95	96,559,879	13.29
Total / Average	**698,236,106**	**100.00**	**726,829,617**	**100.00**

Portfolio Holdings

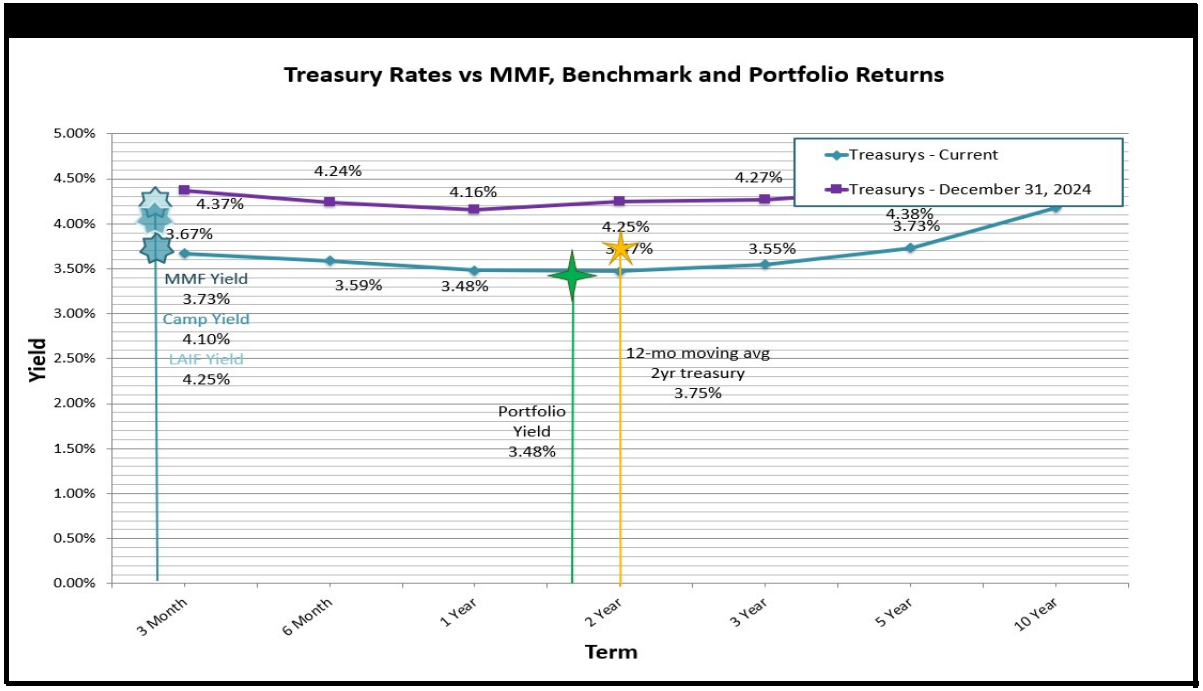


City of Burbank
Income Summary
Monthly Treasurer's Report

Begin Date: 11/30/2025, End Date: 12/31/2025

Asset Category Allocation

Asset Category | Policy Maximum	December 2025 | MTD	December 2025 | Fiscal YTD	December 2024 | Fiscal YTD
CD | Negotiable | 30 %	108,848	750,793	1,238,389
LAIF Per Account | 75M	358,534	1,926,348	0
Joint Powers Authority Pool | 25 %	469,301	2,970,820	3,041,180
Medium Term Note | 30 %	446,296	2,249,270	1,595,452
Money Market Fund | 20 %	7,110	49,474	980,502
Municipal Bonds | 30 %	177,130	1,045,101	912,802
Supranational Obligations | 15 %	66,198	409,555	354,182
US Agency | 90 %	267,215	1,572,368	1,956,145
US Treasury | No Limit	54,121	208,644	192,018
	1,954,752	**11,182,374**	**10,270,669**
	YTM@Cost 3.48%	**TRR@BV 3.53%**	**TRR@BV 3.51%**



The chart to the left shows relevant rates (Money Market Fund, CAMP, LAIF, the 12-month moving average of the 2-year treasury, and portfolio current yield) as of December 31, 2025, as well as current treasury yields and those from a year ago.

City of Burbank

Credit Ratings | Medium Term Notes

Monthly Treasurer's Report

End Date: 12/31/25

Issuer	Face Amount/Shares	Maturity Date	Moody's	S & P
New York Life Global	3,000,000	01/15/2026	Aa1	AA+
Mass Institute of Tech	3,000,000	07/01/2026	Aaa	AAA
Mars Inc	1,995,000	07/16/2026	A2	A
Massmutual Global Funding	3,000,000	07/16/2026	Aa3	AA+
BMW US Capital	3,000,000	08/12/2026	A2	A
Pricoa Global Funding	3,000,000	09/01/2026	Aa3	AA-
Met Tower Global Funding	1,228,000	09/14/2026	Aa3	AA-
Caterpillar Financial Services	3,000,000	01/08/2027	A2	A
Met Life Global	2,000,000	01/11/2027	Aa3	AA-
Northwest Mutual Global	2,000,000	01/11/2027	Aa1	AA+
Nestle Holdings	2,000,000	01/14/2027	Aa3	AA- (Neg)
Target Corp	3,000,000	01/15/2027	A2	A
Berkshire Hathaway	3,000,000	03/15/2027	Aa2	AA
Amazon	3,000,000	06/03/2027	A1	AA
Mars Inc	2,000,000	04/20/2028	A2	A
Meta Platforms INC	3,000,000	05/15/2028	Aa3	AA-
National Securites Clearing	3,000,000	05/30/2028	Aa1	AA+ (Neg)
Unilever Capital Corp	2,000,000	09/08/2028	A1	A+
Toyota Motor Credit Corp	2,000,000	09/11/2028	A1	A+
Home Depot	3,000,000	09/15/2028	A2	A
Guardian Life Global Funding	3,000,000	10/02/2028	Aa1	AA+
Toyota Motor Credit Corp	2,882,000	01/05/2029	A1	A+
Roche Holdings INC	3,000,000	03/08/2029	Aa2	AA
Nestle Capital Corp	2,000,000	03/12/2029	Aa3	AA-
Blackrock Funding INC	3,000,000	03/14/2029	Aa3	AA-
University of Chicago	3,000,000	04/01/2029	Aa2	AA-
John Deere Capital Corp	3,000,000	04/18/2029	A1	A
Kimberly-Clark Corp	3,000,000	04/25/2029	A2 (Neg)	A (Neg)
Mercedes-Benz Finance	3,000,000	08/15/2029	A2	A
Honeywell International	3,000,000	09/01/2029	A2	A (-)
United Parcel Service	3,000,000	09/01/2029	A2	A (Neg)
Walt Disney Co	3,000,000	09/01/2029	A2	A
Texas Instruments INC	3,000,000	09/04/2029	Aa3	A+
Coca Cola Co	3,000,000	09/06/2029	A1	A+

KEY **"Watch"** implies an imminent but not inevitable action.
+ | Positive Watch - | Negative Watch

"Outlook" implies entity is being monitored.
Neg | Negative Outlook

City of Burbank

Credit Ratings | Medium Term Notes

Monthly Treasurer's Report

End Date: 12/31/25

Issuer	Face Amount/Shares	Maturity Date	Moody's	S & P
Apple INC	3,000,000	09/11/2029	Aaa	AA+
Novartis Capital Corp	3,000,000	09/18/2029	Aa3	AA-
Paccar Financial Corp	3,000,000	09/26/2029	A1	A+
Accenture Capital INC	3,000,000	10/04/2029	Aa3	AA-
Hershey Company	3,000,000	11/15/2029	A1 (Neg)	A (Neg)
Adobe Inc	3,000,000	2/01/2030	A1	A+
Presidents and Fellows of Harvard	3,000,000	3/15/2030	Aaa	AAA
Pepsico Inc	3,000,000	3/19/2030	A1	A+
Nike	3,000,000	3/27/2030	A2	A+
Pfizer Inc	3,000,000	4/01/2030	A2	A
Yale University	3,000,000	4/15/2030	Aaa	AAA
Costco Wholesale Corp	3,000,000	4/20/2030	Aa3	AA
Walmart Inc	3,000,000	4/28/2030	Aa2	AA
Alphabet Inc	3,000,000	5/15/2030	Aa2	AA+
Qualcomm Inc	3,000,000	5/20/2030	A2	A
Dartmouth College	3,000,000	6/01/2030	Aa1	AAA
Paypal Holdings INC	3,000,000	6/01/2030	A3	A-
Cornell University	3,000,000	6/15/2030	Aa1	AA
Netflix	3,000,000	6/15/2030	A3	A
Trustees Princeton University	3,000,000	7/01/2030	Aaa	AAA
Stanford University	3,000,000	8/01/2030	Aaa	AAA
Automatic Data Processing	3,000,000	9/01/2030	Aa3	AA-
Brown University	3,000,000	9/01/2030	Aa1	AA+
Emory University	1,321,000	9/01/2030	Aa2	AA
Merck & Co INC	3,000,000	9/15/2030	Aa3	A+
Cargill	3,000,000	10/23/2030	A2	A
Procter & Gamble	3,000,000	10/29/2030	Aa3	AA-

KEY **"Watch"** implies an imminent but not inevitable action. **"Outlook"** implies entity is being monitored.

+ | Positive Watch - | Negative Watch Neg | Negative Outlook

City of Burbank
Credit Ratings | Municipal Bonds
Monthly Treasurer's Report

End Date: 12/31/25

Issuer	Face Amount/Shares	Maturity Date	Moody's	S & P
New York State Dormitory Authority	750,000	03/15/2026	NR	AA+
NY Housing Development	770,000	05/01/2026	Aa2	AA+
NYC Transitional Finance Authority	1,100,000	05/01/2026	Aa1	AAA
Univ of California Revenues	1,900,000	05/15/2026	Aa2	AA
Beverly Hills Public Financing Authority	1,800,000	06/01/2026	NR	AA+
CA State Health Facilities	1,000,000	06/01/2026	Aa3	AA-
Maryland State	3,000,000	06/01/2026	Aa1	AAA
Burbank Unified School District	620,000	08/01/2026	Aa2	NR
Hawaii State	3,000,000	08/01/2026	Aa2	AA+
San Francisco Redev Agency	3,000,000	08/01/2026	NR	AA
Santa Monica-Malibu Unified	810,000	08/01/2026	Aa1	AA+
Massachusetts School Building Authority	1,800,000	08/15/2026	Aa1	AA+
Tennessee State School Bond Authority	3,000,000	09/15/2026	Aa1	AA+
CA State University Revenue	1,040,000	11/01/2026	Aa2	AA-
Utah State Transit Authority	1,855,000	12/15/2026	Aa2	AA+
New York State	3,000,000	02/15/2027	Aa1	AA+
NY Urban Development	2,000,000	03/15/2027	Aa1	NR
NY Urban Development	1,125,000	03/15/2027	Aa1	NR
NY Dormitory Authority	2,365,000	03/15/2027	NR	AA+
Bay Area Toll Authority	815,000	04/27/2027	Aa3	AA
Oregon State Lottery Revenue	750,000	04/01/2027	Aa2	AAA
West Hollywood CA Lease Revenue	895,000	04/01/2027	NR	AA+
Wisconsin State	1,525,000	05/01/2027	Aa1	AA+
Wisconsin State	1,475,000	05/01/2027	Aa1	AA+
University of California Revenues	3,000,000	05/15/2027	Aa2	AA
CA State Health Facilities	1,255,000	06/01/2027	Aa3	AA-

KEY **"Watch"** implies an imminent but not inevitable action.
+ | Positive Watch - | Negative Watch

"Outlook" implies entity is being monitored.
Neg | Negative Outlook Pos | Positive Outlook

Issuer	Face Amount/Shares	Maturity Date	Moody's	S & P
Massachusetts State Special Obligation	2,000,000	07/15/2027	Aa1	NR
San Diego Public Financing	2,520,000	08/01/2027	Aa2	NR
NYC Transitional Finance Authority Revenue	4,000,000	05/01/2028	Aa1	AAA
State of Connecticut	1,000,000	05/15/2028	Aa2	AA-
University of California Revenues	450,000	05/15/2028	Aa2	AA
State of Maine	325,000	06/01/2028	Aa2	AA
State of Connecticut	3,150,000	06/15/2028	Aa2	AA-
Santa Barbara USD	400,000	08/01/2028	Aa1	AA
CA State Public Works Board	900,000	04/01/2029	Aa3	AA+
Oregon State Lottery	810,000	04/01/2028	Aa2	AAA
Colorado State Housing & Finance Authority	2,665,000	05/01/2029	Aaa	AAA
State of Oregon	1,000,000	05/01/2029	Aa1	AA+
University of California Revenues	4,330,000	05/15/2029	Aa3	AA-
Santa Monica Malibu Revenues	2,200,000	08/01/2029	Aa1	AA+
State of California	3,000,000	09/01/2029	Aa2	AA-
State of California	3,000,000	03/01/2030	Aa2	AA-
California State Public Works Board Lease Review	1,000,000	04/01/2030	Aa3	A+

KEY **"Watch"** implies an imminent but not inevitable action. **"Outlook"** implies entity is being monitored.
+ | Positive Watch - | Negative Watch Neg | Negative Outlook Pos | Positive Outlook



City of Burbank

Portfolio Position Detail Report

Monthly Treasurer's Report

12/31/2025

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
CD | Negotiable | 30 %											
A+ Federal Credit Union 4.55 4/28/2028	00224TAP1	0.03	4/28/2023	4/28/2028	849	4.550	245,000.00	245,000.00	249,463.90	NCUA Insured	NCUA Insured
Advia Credit Union 5 9/27/2028	00782JAC6	0.03	9/27/2023	9/27/2028	1,001	5.000	245,000.00	245,000.00	252,871.85	NCUA Insured	NCUA Insured
Affinity Bank 4.9 3/17/2028	00833JAQ4	0.03	3/17/2023	3/17/2028	807	4.900	245,000.00	245,000.00	251,117.65	FDIC Insured	FDIC Insured
All In Federal Credit Union 4.6 2/17/2028	01664MAE6	0.03	2/17/2023	2/17/2028	778	4.600	245,000.00	245,000.00	249,427.15	NCUA Insured	NCUA Insured
Alliant Credit Union 5 1/30/2026	01882MAE2	0.03	1/30/2023	1/30/2026	30	5.000	245,000.00	245,000.00	245,245.00	NCUA Insured	NCUA Insured
Altaone Federal Credit 4.25 8/15/2029	02157RAB3	0.03	8/15/2024	8/15/2029	1,323	4.250	245,000.00	245,000.00	248,616.20	NCUA Insured	NCUA Insured
Amerant Bank NA 4.65 9/8/2028	02357QCF2	0.03	9/8/2023	9/8/2028	982	4.650	245,000.00	245,000.00	250,566.40	FDIC Insured	FDIC Insured
American Express National Bank 2 3/9/2027	02589ABQ4	0.03	3/9/2022	3/9/2027	433	2.000	245,000.00	245,000.00	240,452.80	FDIC Insured	FDIC Insured
American First Credit Union 4.25 4/27/2028	02616ABY4	0.03	4/27/2023	4/27/2028	848	4.250	245,000.00	245,000.00	247,827.30	NCUA Insured	NCUA Insured
Asian Bank 4.2 3/14/2029	04518XAH7	0.03	3/14/2024	3/14/2029	1,169	4.200	245,000.00	245,000.00	247,962.05	FDIC Insured	FDIC Insured
Austin Telco FCU 5.05 11/27/2026	052392CC9	0.03	11/28/2022	11/27/2026	331	5.050	245,000.00	245,000.00	248,187.45	NCUA Insured	NCUA Insured
Bank Five Nine 4.65 3/20/2028	062119BK7	0.03	3/20/2023	3/20/2028	810	4.650	245,000.00	245,000.00	249,833.85	FDIC Insured	FDIC Insured
Bank Hapoalim B.M. NY 4.6 5/21/2029	06251A6Z8	0.03	5/21/2024	5/21/2029	1,237	4.600	245,000.00	245,000.00	251,147.05	FDIC Insured	FDIC Insured
Bank of New York Mellon NA 4.5 9/7/2028	05584CJJ6	0.03	9/7/2023	9/7/2028	981	4.500	245,000.00	245,000.00	249,576.60	FDIC Insured	FDIC Insured
Bank of Perry County 4.25 5/31/2028	06425KCT4	0.03	5/31/2023	5/31/2028	882	4.250	245,000.00	245,000.00	252,541.10	FDIC Insured	FDIC Insured
Bank of the Sierra 4.5 8/18/2028	064860MJ5	0.03	8/18/2023	8/18/2028	961	4.500	245,000.00	245,000.00	249,434.50	FDIC Insured	FDIC Insured
Bankers Bank Madison WI 4.25 11/24/2027	06610RBZ1	0.03	5/24/2023	11/24/2027	693	4.250	245,000.00	245,000.00	247,494.10	FDIC Insured	FDIC Insured
Barclays Bank 1.95 2/23/2027	06740KNY9	0.03	2/23/2022	2/23/2027	419	1.950	245,000.00	245,000.00	240,433.20	FDIC Insured	FDIC Insured
Baxter Credit Union 5 11/30/2026	07181JAV6	0.03	11/28/2022	11/30/2026	334	5.000	245,000.00	245,000.00	248,138.45	NCUA Insured	NCUA Insured
Beal Bank 2.05 2/24/2027	07371CH69	0.03	3/2/2022	2/24/2027	420	2.050	245,000.00	245,000.00	240,749.25	FDIC Insured	FDIC Insured
Beal Bank 2.05 2/24/2027	07371AYT4	0.03	3/2/2022	2/24/2027	420	2.050	245,000.00	245,000.00	240,749.25	FDIC Insured	FDIC Insured
BMO Harris Bank NA 4.5 5/16/2028	05600XQE3	0.03	5/16/2023	5/16/2028	867	4.500	245,000.00	245,000.00	249,214.00	FDIC Insured	FDIC Insured
BMW Bank of North America 2.75 4/22/2026	05580AM92	0.03	4/22/2022	4/22/2026	112	2.750	245,000.00	245,000.00	244,198.85	FDIC Insured	FDIC Insured
Bridgewater Bank Bloom MN 4.8 3/29/2028	108622NK3	0.03	3/29/2023	3/29/2028	819	4.800	245,000.00	245,000.00	250,666.85	FDIC Insured	FDIC Insured
Capital One 2.8 4/20/2027	14042RQS3	0.03	4/20/2022	4/20/2027	475	2.800	245,000.00	245,000.00	242,427.50	FDIC Insured	FDIC Insured
Celtic Bank 4.4 4/19/2028	15118RG50	0.03	4/19/2023	4/19/2028	840	4.400	245,000.00	245,000.00	248,618.65	FDIC Insured	FDIC Insured
Central Bank 4 5/12/2028	152577BN1	0.03	5/12/2023	5/12/2028	863	4.000	245,000.00	245,000.00	246,472.45	FDIC Insured	FDIC Insured
Central State Bank Iowa 4.4 6/21/2028	15523RDT0	0.03	6/21/2023	6/21/2028	903	4.400	245,000.00	245,000.00	248,508.40	FDIC Insured	FDIC Insured
CIBC Bank USA 4.75 3/24/2028	12547CAT5	0.03	3/24/2023	3/24/2028	814	4.750	245,000.00	245,000.00	250,316.50	FDIC Insured	FDIC Insured
Citizens State Bank of La Crosse 4.7 3/24/2028	176688DA4	0.03	3/24/2023	3/24/2028	814	4.700	245,000.00	245,000.00	250,113.15	FDIC Insured	FDIC Insured
Comenity Capital Bank 2.65 4/14/2027	20033A3A2	0.03	4/14/2022	4/14/2027	469	2.650	245,000.00	245,000.00	242,011.00	FDIC Insured	FDIC Insured
Consumers Federal Credit Union 5.1 10/16/2028	21056RAA7	0.03	10/16/2023	10/16/2028	1,020	5.100	245,000.00	245,000.00	253,648.50	NCUA Insured	NCUA Insured
Customers Bank 4.45 5/31/2028	23204HNZ7	0.03	5/31/2023	5/31/2028	882	4.450	245,000.00	245,000.00	252,418.60	FDIC Insured	FDIC Insured
CY Fair Federal Credit Union 4.5 5/12/2028	23248UAB3	0.03	5/12/2023	5/12/2028	863	4.500	245,000.00	245,000.00	249,240.95	NCUA Insured	NCUA Insured
Delta National Bank and Trust NY 2 2/25/2027	24773RCR4	0.03	3/9/2022	2/25/2027	421	2.000	245,000.00	245,000.00	240,599.80	FDIC Insured	FDIC Insured
Department of Commerce 5 7/26/2028	24951TAZ8	0.03	7/26/2023	7/26/2028	938	5.000	245,000.00	245,000.00	252,492.10	FDIC Insured	FDIC Insured
Discover Bank 4.45 10/18/2027	254673W51	0.03	10/18/2022	10/18/2027	656	4.450	245,000.00	245,000.00	248,202.15	FDIC Insured	FDIC Insured
Dort Financial Credit 4.35 5/24/2028	25844MAW8	0.03	5/24/2023	5/24/2028	875	4.350	245,000.00	245,000.00	248,417.75	NCUA Insured	NCUA Insured
Eaglemark Savings Bank 2 3/9/2027	27004PCN1	0.03	3/9/2022	3/9/2027	433	2.000	245,000.00	245,000.00	240,452.80	FDIC Insured	FDIC Insured
Empower Federal Credit Union 5.1 9/29/2028	291916AB0	0.03	9/29/2023	9/29/2028	1,003	5.100	245,000.00	245,000.00	253,523.55	NCUA Insured	NCUA Insured

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
Enterprise Bank PA 4.25 5/19/2028	29367RMN3	0.03	5/19/2023	5/19/2028	870	4.250	245,000.00	245,000.00	247,871.40	FDIC Insured	FDIC Insured
Farmers & Merchants Bank 4.4 7/5/2029	30781JBU3	0.03	7/5/2024	7/5/2029	1,282	4.400	245,000.00	245,000.00	249,753.00	FDIC Insured	FDIC Insured
Federal Savings Bank 4.5 6/28/2028	313812EG0	0.03	6/28/2023	6/28/2028	910	4.500	245,000.00	245,000.00	253,244.25	FDIC Insured	FDIC Insured
First Bank Elk River 4.4 6/30/2028	31911KAK4	0.03	6/30/2023	6/30/2028	912	4.400	245,000.00	245,000.00	252,487.20	FDIC Insured	FDIC Insured
First Financial 4.45 2/8/2028	32024DAC0	0.03	2/8/2023	2/8/2028	769	4.450	245,000.00	245,000.00	248,643.15	FDIC Insured	FDIC Insured
First Guaranty Bank 4.5 8/4/2028	320437AD8	0.03	8/4/2023	8/4/2028	947	4.500	245,000.00	245,000.00	249,520.25	FDIC Insured	FDIC Insured
First National Bank of America 4.5 7/21/2028	32110YC45	0.03	7/21/2023	7/21/2028	933	4.500	245,000.00	245,000.00	254,197.30	FDIC Insured	FDIC Insured
First National Bank of America Michigan 4.6 9/22/2	32114VCM7	0.03	9/22/2023	9/22/2028	996	4.600	245,000.00	245,000.00	250,306.70	FDIC Insured	FDIC Insured
First Premier Bank 3.65 9/26/2029	33610RVT7	0.03	9/26/2024	9/26/2029	1,365	3.650	245,000.00	245,000.00	243,552.05	FDIC Insured	FDIC Insured
FNCB Bank 4 5/8/2028	30257YBT8	0.03	5/8/2023	5/8/2028	859	4.000	245,000.00	245,000.00	246,452.85	FDIC Insured	FDIC Insured
Genoa Banking Company 4.05 5/19/2028	372348DB5	0.03	5/19/2023	5/19/2028	870	4.050	245,000.00	245,000.00	246,756.65	FDIC Insured	FDIC Insured
Goldman Sachs Bank USA 4.3 3/4/2030	38150VR27	0.03	3/4/2025	3/4/2030	1,524	4.300	245,000.00	245,000.00	249,280.15	FDIC Insured	FDIC Insured
Greenstate Credit Union 0.95 7/21/2026	39573LBM9	0.03	7/21/2021	7/21/2026	202	0.950	245,000.00	245,000.00	241,405.85	NCUA Insured	NCUA Insured
Guardian Credit Union 5.1 9/29/2028	40135GAA6	0.03	9/29/2023	9/29/2028	1,003	5.100	245,000.00	245,000.00	253,523.55	NCUA Insured	NCUA Insured
Heritage Community Credit Union 5.25 11/15/2028	42728MAC8	0.03	11/15/2023	11/15/2028	1,050	5.250	245,000.00	245,000.00	254,826.95	NCUA Insured	NCUA Insured
Idaho First Bank 4.2 5/30/2028	451245AT1	0.03	5/30/2023	5/30/2028	881	4.200	245,000.00	245,000.00	252,568.05	FDIC Insured	FDIC Insured
Jeanne D'Arc Credit Union 4.3 7/31/2029	472207AJ8	0.03	7/31/2024	7/31/2029	1,308	4.300	245,000.00	245,000.00	249,022.90	NCUA Insured	NCUA Insured
Jovia Financial Credit Union 5.2 11/30/2027	48115LAK0	0.03	11/30/2023	11/30/2027	699	5.200	245,000.00	245,000.00	251,801.20	NCUA Insured	NCUA Insured
Kodabank 4.5 7/21/2028	50007DAD1	0.03	7/21/2023	7/21/2028	933	4.500	245,000.00	245,000.00	254,013.55	FDIC Insured	FDIC Insured
Lafayette Federal Credit Union 3.25 5/25/2027	50625LBJ1	0.03	5/25/2022	5/25/2027	510	3.250	245,000.00	245,000.00	243,713.75	NCUA Insured	NCUA Insured
LCA Bank Corp 4.25 5/26/2028	501798TY8	0.03	5/26/2023	5/26/2028	877	4.250	245,000.00	245,000.00	248,415.30	FDIC Insured	FDIC Insured
Leaders Credit Union 5 3/30/2028	52171MAG0	0.03	3/30/2023	3/30/2028	820	5.000	245,000.00	245,000.00	251,784.05	NCUA Insured	NCUA Insured
Liberty First Credit Union 4.35 1/27/2028	530520AD7	0.03	1/27/2023	1/27/2028	757	4.350	245,000.00	245,000.00	248,136.00	NCUA Insured	NCUA Insured
Lincoln Park Community 5 8/28/2028	534574AC2	0.03	8/28/2023	8/28/2028	971	5.000	245,000.00	245,000.00	252,693.00	FDIC Insured	FDIC Insured
Mauch Chunk Trust Co 4.2 3/20/2029	577234CX3	0.03	3/20/2024	3/20/2029	1,175	4.200	245,000.00	245,000.00	248,006.15	FDIC Insured	FDIC Insured
Member's First Credit Union 5.6 4/6/2026	58588NAA5	0.03	10/4/2023	4/6/2026	96	5.600	245,000.00	245,000.00	246,176.00	NCUA Insured	NCUA Insured
Members Trust of SW FCU 4.15 2/20/2029	585899AH0	0.03	2/20/2024	2/20/2029	1,147	4.150	245,000.00	245,000.00	247,599.45	NCUA Insured	NCUA Insured
Merrick Bank 3.8 9/20/2029	59013KP42	0.03	9/20/2024	9/20/2029	1,359	3.800	245,000.00	245,000.00	244,835.85	FDIC Insured	FDIC Insured
Metro Credit Union 1.7 2/18/2027	59161YAP1	0.03	2/18/2022	2/18/2027	414	1.700	245,000.00	245,000.00	239,808.45	FDIC Insured	FDIC Insured
Morgan Stanley Bank 4.7 6/12/2029	61690DSJ8	0.03	6/12/2024	6/12/2029	1,259	4.700	245,000.00	245,000.00	251,984.95	FDIC Insured	FDIC Insured
Morgan Stanley Private Bank 4.65 5/22/2029	61768E4B6	0.03	5/22/2024	5/22/2029	1,238	4.650	245,000.00	245,000.00	251,536.60	FDIC Insured	FDIC Insured
Morgantown Bank & Trust 4.15 3/22/2029	617504AF2	0.03	3/22/2024	3/22/2029	1,177	4.150	245,000.00	245,000.00	247,638.65	FDIC Insured	FDIC Insured
Morton Lane FCU 5.4 3/16/2026	61934MAD6	0.03	9/15/2023	3/16/2026	75	5.400	245,000.00	245,000.00	245,712.95	NCUA Insured	NCUA Insured
Mountain America Federal Credit Union 4.7 4/28/202	62384RAT3	0.03	4/28/2023	4/28/2026	118	4.700	245,000.00	245,000.00	245,727.65	NCUA Insured	NCUA Insured
My Safra Bank FSB 4.4 5/18/2028	55406JBS0	0.03	5/18/2023	5/18/2028	869	4.400	245,000.00	245,000.00	248,670.10	FDIC Insured	FDIC Insured
Neighbors Federal Credit 4.9 7/26/2028	64017ABA1	0.03	7/26/2023	7/26/2028	938	4.900	245,000.00	245,000.00	252,492.10	NCUA Insured	NCUA Insured
Numerica Credit Union 3.1 5/13/2027	67054NAW3	0.03	5/13/2022	5/13/2027	498	3.100	245,000.00	245,000.00	243,267.85	NCUA Insured	FDIC Insured
Old Missouri Bank 4.6 9/27/2028	68002LCV8	0.03	9/27/2023	9/27/2028	1,001	4.600	245,000.00	245,000.00	250,326.30	FDIC Insured	FDIC Insured
Onpath Federal Credit Union 4.85 7/31/2028	68283MAP1	0.03	7/31/2023	7/31/2028	943	4.850	245,000.00	245,000.00	251,641.95	NCUA Insured	NCUA Insured
Optum Bank INC 3.7 9/16/2030	68405VEPO	0.03	9/15/2025	9/16/2030	1,720	3.700	245,000.00	245,000.00	243,316.85	FDIC Insured	FDIC Insured
Park St Bank Duluth 4.45 7/19/2028	70086VAU5	0.03	7/19/2023	7/19/2028	931	4.450	245,000.00	245,000.00	252,969.85	FDIC Insured	FDIC Insured
Pima Federal Credit 5 8/17/2027	722000AB2	0.03	8/17/2023	8/17/2027	594	5.000	245,000.00	245,000.00	250,171.95	NCUA Insured	NCUA Insured
Pitney Bowes Bank INC 4.35 4/13/2028	724468AC7	0.03	4/14/2023	4/13/2028	834	4.350	245,000.00	245,000.00	248,349.15	FDIC Insured	FDIC Insured
Providence Bank 4.4 8/21/2028	743738CV6	0.03	8/21/2023	8/21/2028	964	4.400	245,000.00	245,000.00	248,961.65	FDIC Insured	FDIC Insured
Railroad Employees Credit Union 5.1 9/29/2028	75076MAA0	0.03	9/29/2023	9/29/2028	1,003	5.100	245,000.00	245,000.00	253,523.55	NCUA Insured	NCUA Insured
Red Crown Federal Credit Union 5.1 10/13/2028	756558AC6	0.03	10/13/2023	10/13/2028	1,017	5.100	245,000.00	245,000.00	253,616.65	NCUA Insured	NCUA Insured
Sallie Mae Bank Salt Lake 1 7/14/2026	7954507A7	0.03	7/14/2021	7/14/2026	195	1.000	245,000.00	245,000.00	241,577.35	FDIC Insured	FDIC Insured
San Francisco Credit Union 4.35 2/3/2028	79772FAG1	0.03	2/3/2023	2/3/2028	764	4.350	245,000.00	245,000.00	248,133.55	NCUA Insured	NCUA Insured
SCE Federal Credit Union 4.25 3/14/2029	78413RAQ0	0.03	3/14/2024	3/14/2029	1,169	4.250	245,000.00	245,000.00	248,366.30	NCUA Insured	NCUA Insured
Sec State Bank Warroad MN 4.3 5/31/2028	81501JAE2	0.03	5/31/2023	5/31/2028	882	4.300	245,000.00	245,000.00	252,536.20	FDIC Insured	FDIC Insured

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
Self Help FCU 4.1 5/26/2028	81632NBB0	0.03	5/26/2023	5/26/2028	877	4.100	245,000.00	245,000.00	247,018.80	NCUA Insured	NCUA Insured
Signature Federal Credit Union 4.4 1/31/2028	82671DAB3	0.03	1/31/2023	1/31/2028	761	4.400	245,000.00	245,000.00	248,400.60	NCUA Insured	NCUA Insured
Southcoast Federal Credit Union 4.2 12/28/2028	84130LAB6	0.03	12/28/2023	12/28/2028	1,093	4.200	245,000.00	245,000.00	247,883.65	NCUA Insured	NCUA Insured
Southern Bank Poplar Bluff MO 4.2 5/17/2028	843383CS7	0.03	5/17/2023	5/17/2028	868	4.200	245,000.00	245,000.00	247,589.65	FDIC Insured	FDIC Insured
St Louis Bank MO 4.45 6/30/2028	85231WAW1	0.03	6/30/2023	6/30/2028	912	4.450	245,000.00	245,000.00	253,800.40	FDIC Insured	FDIC Insured
Star Bank NA Bertha MN 4.6 9/29/2028	85508VAN9	0.03	9/29/2023	9/29/2028	1,003	4.600	245,000.00	245,000.00	250,274.85	FDIC Insured	FDIC Insured
State Bank Of India 1.65 1/21/2027	856285E31	0.03	1/21/2022	1/21/2027	386	1.650	245,000.00	245,000.00	240,068.15	FDIC Insured	FDIC Insured
State Exchange Bank Lamont Oklahoma 4.25 4/20/2028	856786AQ1	0.03	4/20/2023	4/20/2028	841	4.250	245,000.00	245,000.00	247,812.60	FDIC Insured	FDIC Insured
Summit National Bank WY 4.5 8/10/2028	86616RAG0	0.03	8/10/2023	8/10/2028	953	4.500	245,000.00	245,000.00	251,389.60	FDIC Insured	FDIC Insured
Synchrony Bank 3.2 5/20/2027	87165EW45	0.03	5/20/2022	5/20/2027	505	3.200	245,000.00	245,000.00	243,571.65	FDIC Insured	FDIC Insured
Technology Credit Union 5 4/14/2026	87868YAM5	0.03	4/14/2023	4/14/2026	104	5.000	245,000.00	245,000.00	245,828.10	NCUA Insured	NCUA Insured
Texas Exchange Bank SSB 3.65 9/20/2029	88241TSX9	0.03	9/20/2024	9/20/2029	1,359	3.650	245,000.00	245,000.00	243,564.30	FDIC Insured	FDIC Insured
Texas Trust Credit Union 5 8/9/2027	88283MCB8	0.03	8/9/2023	8/9/2027	586	5.000	245,000.00	245,000.00	250,120.50	NCUA Insured	NCUA Insured
Third Federal Savings & Loan Cleveland 3.75 9/	88413QHX9	0.03	9/19/2025	9/19/2030	1,723	3.750	245,000.00	245,000.00	243,748.05	FDIC Insured	FDIC Insured
Thread Bank Rogersville 4.4 6/16/2028	88553LAP4	0.03	6/16/2023	6/16/2028	898	4.400	245,000.00	245,000.00	253,146.25	FDIC Insured	FDIC Insured
Toyota Financial SGS BK 0.95 7/15/2026	89235MLC3	0.03	7/15/2021	7/15/2026	196	0.950	245,000.00	245,000.00	241,496.50	FDIC Insured	FDIC Insured
Triad Bank 4.5 9/12/2028	89579NCM3	0.03	9/12/2023	9/12/2028	986	4.500	245,000.00	245,000.00	249,642.75	FDIC Insured	FDIC Insured
True Sky Federal Credit Union 4.55 5/17/2029	89786MAJ3	0.03	5/17/2024	5/17/2029	1,233	4.550	245,000.00	245,000.00	250,799.15	NCUA Insured	NCUA Insured
Trugrocer Federal CU 4.85 6/20/2028	89788RAA9	0.03	6/20/2023	6/20/2028	902	4.850	245,000.00	245,000.00	251,392.05	NCUA Insured	NCUA Insured
Trustar Bank 4.75 11/22/2028	89839KAD7	0.03	11/22/2023	11/22/2028	1,057	4.750	245,000.00	245,000.00	251,529.25	FDIC Insured	FDIC Insured
TTCU Federal Credit Union 5 7/26/2028	89854LAD5	0.03	7/26/2023	7/26/2028	938	5.000	245,000.00	245,000.00	252,492.10	NCUA Insured	NCUA Insured
Tucson Federal Credit 4.95 8/8/2028	898812AB8	0.03	8/8/2023	8/8/2028	951	4.950	245,000.00	245,000.00	252,261.80	NCUA Insured	NCUA Insured
UBS Bank USA 0.95 8/11/2026	90348JR93	0.03	8/11/2021	8/11/2026	223	0.950	245,000.00	245,000.00	241,055.50	FDIC Insured	FDIC Insured
United Fidelity BK FSB 4.5 6/29/2028	910286GN7	0.03	6/29/2023	6/29/2028	911	4.500	245,000.00	245,000.00	253,011.50	FDIC Insured	FDIC Insured
United Teletech Finance Credit Union 5 10/16/2028	913065AB4	0.03	10/16/2023	10/16/2028	1,020	5.000	245,000.00	245,000.00	252,989.45	NCUA Insured	NCUA Insured
University Bank NA 4.85 4/3/2028	914098DQ8	0.03	4/3/2023	4/3/2028	824	4.850	245,000.00	245,000.00	250,951.05	FDIC Insured	FDIC Insured
Univest Bank & Trust Co 4.35 5/12/2028	91527PBY2	0.03	5/12/2023	5/12/2028	863	4.350	245,000.00	245,000.00	248,410.40	FDIC Insured	FDIC Insured
US Alliance FCU 4.55 5/26/2028	90352RDB8	0.03	5/26/2023	5/26/2028	877	4.550	245,000.00	245,000.00	249,571.70	NCUA Insured	NCUA Insured
USF Federal Credit Union 3.8 11/29/2030	90353ECU5	0.03	11/28/2025	11/29/2030	1,794	3.800	245,000.00	245,000.00	244,171.90	FDIC Insured	FDIC Insured
Utah First Fed Credit 4.75 7/14/2028	91739JAA3	0.03	7/14/2023	7/14/2028	926	4.750	245,000.00	245,000.00	254,437.40	NCUA Insured	NCUA Insured
Valleystar Credit Union 4.85 8/30/2028	92023CAG8	0.03	8/30/2023	8/30/2028	973	4.850	245,000.00	245,000.00	255,074.40	NCUA Insured	NCUA Insured
Vision Bank 4.05 5/12/2028	92834ABT2	0.03	5/12/2023	5/12/2028	863	4.050	245,000.00	245,000.00	246,749.30	FDIC Insured	FDIC Insured
Vystar Credit Union 4.45 10/7/2027	92891CCR1	0.03	10/7/2022	10/7/2027	645	4.450	245,000.00	245,000.00	248,234.00	FDIC Insured	FDIC Insured
Workers Federal Credit Union 5.2 10/30/2028	98138MCA6	0.03	10/30/2023	10/30/2028	1,034	5.200	245,000.00	245,000.00	254,444.75	NCUA Insured	NCUA Insured
Sub Total / Average CD | Negotiable | 30 %		**4.15**			**843**	**4.185**	**30,380,000.00**	**30,380,000.00**	**30,827,227.90**		
Joint Powers Authority Pool | 25 %											
California Asset Management Trust LGIP	CAMP	19.18	7/5/2023	N/A	1	3.950	140,507,588.52	140,507,588.52	140,507,588.52	NR	S&P-AAA
Sub Total / Average Joint Powers Authority Pool | 25 %		**19.18**			**1**	**3.950**	**140,507,588.52**	**140,507,588.52**	**140,507,588.52**		
LAIF CITY - Per Account | 75M											
LAIF | City of Burbank LGIP-Quarterly	LAIF9113	9.28	6/30/2018	N/A	1	4.251	68,000,000.00	68,000,000.00	68,131,211.51	NR	NR
LAIF | Parking Authority LGIP-Quarterly	LAIF9004	3.14	6/30/2018	N/A	1	4.251	23,000,000.00	23,000,000.00	23,044,380.36	NR	NR
Sub Total / Average LAIF CITY - Per Account | 75M		**12.42**			**1**	**4.251**	**91,000,000.00**	**91,000,000.00**	**91,175,591.87**		
Medium Term Note | 30 %											
Accenture Capital INC 4.05 10/4/2029-29	00440KAB9	0.41	10/8/2024	10/4/2029	1,373	4.313	3,000,000.00	2,964,900.00	3,010,860.00	Moodys-Aa3	S&P-AA-
Adobe Inc 2.3 2/1/2030-29	00724PAD1	0.41	5/14/2025	2/1/2030	1,493	4.441	3,000,000.00	2,729,400.00	2,808,900.00	Moodys-A1	S&P-A+
Alphabet Inc 4 5/15/2030-30	02079KAK3	0.41	5/27/2025	5/15/2030	1,596	4.412	3,000,000.00	2,945,250.00	3,006,330.00	Moodys-Aa2	S&P-AA+
Amazon 1.2 6/3/2027-27	023135BR6	0.41	6/8/2022	6/3/2027	519	3.530	3,000,000.00	2,682,967.17	2,898,720.00	Moodys-A1	S&P-AA
Apple INC 2.2 9/11/2029-29	037833DP2	0.41	10/23/2024	9/11/2029	1,350	4.212	3,000,000.00	2,736,000.00	2,829,720.00	Moodys-Aaa	S&P-AA+

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
Automatic Data Processing 1.25 9/1/2030-30	053015AF0	0.41	10/7/2025	9/1/2030	1,705	4.014	3,000,000.00	2,634,432.00	2,653,200.00	Moodys-Aa3	S&P-AA-
Berkshire Hathaway 2.3 3/15/2027-27	084664CZ2	0.41	3/15/2022	3/15/2027	439	2.300	3,000,000.00	3,000,000.00	2,952,750.00	Moodys-Aa2	S&P-AA
Blackrock Funding INC 4.7 3/14/2029-29	09290DAA9	0.41	4/12/2024	3/14/2029	1,169	5.000	3,000,000.00	2,961,030.00	3,066,660.00	Moodys-Aa3	S&P-AA-
BMW US Capital LLC 1.25 8/12/2026-26	05565EBW4	0.41	2/14/2022	8/12/2026	224	2.300	3,000,000.00	2,866,200.00	2,952,240.00	Moodys-A2	S&P-A
Brown University 1.914 9/1/2030-30	11575TAB4	0.41	10/3/2025	9/1/2030	1,705	3.980	3,000,000.00	2,725,930.14	2,719,860.00	Moodys-Aa1	S&P-AA+
Cargill INC 4.125 10/23/2030-30	141781CF9	0.41	12/9/2025	10/23/2030	1,757	4.240	3,000,000.00	2,984,820.00	2,987,010.00	Moodys-A2	S&P-A
Caterpillar Financial Services 1.7 1/8/2027	14913R2U0	0.41	3/11/2022	1/8/2027	373	2.430	3,000,000.00	2,900,826.00	2,940,390.00	Moodys-A2	S&P-A
Coca Cola Co 2.125 9/6/2029-29	191216CM0	0.41	11/13/2024	9/6/2029	1,345	4.468	3,000,000.00	2,698,440.00	2,825,190.00	Moodys-A1	S&P-A+
Cornell University 4.169 6/15/2030-30	219207AD9	0.41	11/25/2025	6/15/2030	1,627	3.946	3,000,000.00	3,027,600.00	3,011,190.00	Moodys-Aa1	S&P-AA
Costco Wholesale Corp 1.6 4/20/2030-30	22160KAP0	0.41	5/27/2025	4/20/2030	1,571	4.417	3,000,000.00	2,631,422.34	2,717,370.00	Moodys-Aa3	S&P-AA
Dartmouth College 4.273 6/1/2030-30	89837RAE2	0.41	9/26/2025	6/1/2030	1,613	4.085	3,000,000.00	3,023,760.00	3,026,400.00	Moodys-Aa1	S&P-AAA
Emory University 2.143 9/1/2030-30	29157TAD8	0.18	10/30/2025	9/1/2030	1,705	4.068	1,321,000.00	1,210,339.83	1,208,450.80	Moodys-Aa2	S&P-AA
Guardian Life Global Funding 5.737 10/2/2028	40139LBH5	0.41	10/5/2023	10/2/2028	1,006	5.807	3,000,000.00	2,991,000.00	3,129,990.00	Moodys-Aa1	S&P-AA+
Hershey Company 2.45 11/15/2029-29	427866BD9	0.41	12/23/2024	11/15/2029	1,415	4.650	3,000,000.00	2,713,968.46	2,829,480.00	Moodys-A1	S&P-A
Home Depot Inc 1.5 9/15/2028-28	437076CH3	0.41	9/29/2023	9/15/2028	989	5.200	3,000,000.00	2,520,000.00	2,830,170.00	Moodys-A2	S&P-A
Honeywell International 4.875 9/1/2029-29	438516CQ7	0.41	10/22/2024	9/1/2029	1,340	4.364	3,000,000.00	3,066,270.00	3,081,900.00	Moodys-A2	S&P-A
John Deere Capital Corp 3.35 4/18/2029	24422EWE5	0.41	4/18/2024	4/18/2029	1,204	5.115	3,000,000.00	2,768,970.00	2,942,850.00	Moodys-A1	S&P-A
Kimberly-Clark Corp 3.2 4/25/2029-29	494368BZ5	0.41	4/29/2024	4/25/2029	1,211	5.152	3,000,000.00	2,745,210.00	2,926,950.00	Moodys-A2	S&P-A
Mars INC 0.875 7/16/2026-26	571676AJ4	0.27	8/11/2021	7/16/2026	197	1.110	1,995,000.00	1,972,516.35	1,963,897.95	Moodys-A2	S&P-A
Mars Inc 4.55 4/20/2028-28	571676AT2	0.27	8/21/2023	4/20/2028	841	5.240	2,000,000.00	1,943,400.00	2,024,840.00	Moodys-A2	S&P-A
Mass Institute of Tech 3.308 7/1/2026-14	575718AD3	0.41	1/21/2022	7/1/2026	182	1.780	3,000,000.00	3,195,000.00	2,994,750.00	Moodys-Aaa	S&P-AAA
Massmutual Global Funding 1.2 7/16/2026	57629WDE7	0.41	7/16/2021	7/16/2026	197	1.180	3,000,000.00	3,002,880.00	2,956,290.00	Moodys-Aa3	S&P-AA+
Mercedes-Benz Finance3.1 8/15/2029-29	233851DW1	0.41	10/8/2024	8/15/2029	1,323	4.613	3,000,000.00	2,804,580.00	2,882,880.00	Moodys-A2	S&P-A
Merck & Co INC 4.15 9/15/2030-30	58933YBQ7	0.41	12/10/2025	9/15/2030	1,719	4.137	3,000,000.00	3,001,500.00	3,010,680.00	Moodys-Aa3	S&P-A+
Met Life Global 1.875 1/11/2027	59217GER6	0.27	2/8/2022	1/11/2027	376	2.350	2,000,000.00	1,956,047.61	1,959,880.00	Moodys-Aa3	S&P-AA-
Met Tower Global Funding 1.25 9/14/2026	58989V2D5	0.17	10/25/2021	9/14/2026	257	1.530	1,228,000.00	1,211,866.41	1,205,699.52	Moodys-Aa3	S&P-AA-
Meta Platforms INC 4.6 5/15/2028-28	30303M8L9	0.41	10/4/2023	5/15/2028	866	5.220	3,000,000.00	2,924,400.00	3,055,320.00	Moodys-Aa3	S&P-AA-
National Securities Clearing 5 5/30/2028-28	637639AK1	0.41	8/21/2023	5/30/2028	881	5.323	3,000,000.00	2,959,380.00	3,070,890.00	Moodys-Aa1	S&P-AA+
Nestle Capital Corp 4.65 3/12/2029	64105MAA9	0.27	4/15/2024	3/12/2029	1,167	5.091	2,000,000.00	1,962,020.00	2,047,320.00	Moodys-Aa3	S&P-AA-
Nestle Holdings Inc 1.15 1/14/2027-26	641062AV6	0.27	2/8/2022	1/14/2027	379	2.230	2,000,000.00	1,899,620.00	1,947,140.00	Moodys-Aa3	S&P-AA-
Netflix 4.875 6/15/2030-30	64110LAV8	0.41	9/25/2025	6/15/2030	1,627	4.150	3,000,000.00	3,092,250.00	3,075,690.00	Moodys-A3	S&P-A
New York Life Global FDG 0.85 1/15/2026	64952WDW0	0.41	7/1/2021	1/15/2026	15	1.100	3,000,000.00	2,966,880.00	2,996,820.00	Moodys-Aa1	S&P-AA+
Nike INC 2.85 3/27/2030-29	654106AK9	0.41	12/10/2025	3/27/2030	1,547	4.094	3,000,000.00	2,854,200.00	2,861,430.00	Moodys-A2	S&P-A+
Northwest Mutual Global 1.75 1/11/2027	66815L2F5	0.27	2/14/2022	1/11/2027	376	2.300	2,000,000.00	1,949,204.75	1,958,080.00	Moodys-Aa1	S&P-AA+
Novartis Capital Corp 3.8 9/18/2029-29	66989HAT5	0.41	12/23/2024	9/18/2029	1,357	4.642	3,000,000.00	2,893,500.00	2,985,240.00	Moodys-Aa3	S&P-AA-
Paccar Financial Corp 4 9/26/2029	69371RT48	0.41	12/23/2024	9/26/2029	1,365	4.716	3,000,000.00	2,909,221.83	3,003,930.00	Moodys-A1	S&P-A+
Paypal Holdings INC 2.3 6/1/2030-30	70450YAH6	0.41	12/5/2025	6/1/2030	1,613	4.111	3,000,000.00	2,779,350.00	2,777,910.00	Moodys-A3	S&P-A-
Pepsico Inc 2.75 3/19/2030-29	713448ES3	0.41	4/8/2025	3/19/2030	1,539	4.430	3,000,000.00	2,778,240.00	2,848,110.00	Moodys-A1	S&P-A+
Pfizer Inc 2.625 4/1/2030-30	717081EW9	0.41	11/6/2025	4/1/2030	1,552	4.130	3,000,000.00	2,819,866.92	2,830,710.00	Moodys-A2	S&P-A
Presidents and Fellows of Harvard 4.887 3/15/2030-	740816AS2	0.41	4/16/2025	3/15/2030	1,535	4.576	3,000,000.00	3,040,755.70	3,094,050.00	Moodys-Aaa	S&P-AAA
Pricoa Global Funding 1.2 9/1/2026	74153WCP2	0.27	9/23/2021	9/1/2026	244	1.180	2,000,000.00	2,001,900.00	1,964,520.00	Moodys-Aa3	S&P-AA-
Pricoa Global Funding 1.2 9/1/2026	74153WCP2	0.14	10/4/2021	9/1/2026	244	1.300	1,000,000.00	995,256.00	982,260.00	Moodys-Aa3	S&P-AA-
Procter & Gamble 1.2 10/29/2030	742718FM6	0.41	12/9/2025	10/29/2030	1,763	3.950	3,000,000.00	2,636,430.00	2,640,960.00	Moodys-Aa3	S&P-AA-
Qualcomm Inc 4.5 5/20/2030-30	747525BU6	0.41	5/22/2025	5/20/2030	1,601	4.541	3,000,000.00	2,994,540.00	3,049,530.00	Moodys-A2	S&P-A
Roche Holdings INC 4.79 3/8/2029	771196CJ9	0.41	4/17/2024	3/8/2029	1,163	5.133	3,000,000.00	2,955,780.00	3,071,880.00	Moodys-Aa2	S&P-AA
Stanford University 4.146 8/1/2030-30	09659DAC0	0.41	8/13/2025	8/1/2030	1,674	4.124	3,000,000.00	3,002,975.75	3,016,260.00	Moodys-Aaa	S&P-AAA
Target Corp 1.95 1/15/2027-22	87612EBM7	0.41	1/31/2022	1/15/2027	380	1.950	3,000,000.00	3,000,000.00	2,946,060.00	Moodys-A2	S&P-A
Texas Instruments INC 2.25 9/4/2029-29	882508BG8	0.41	10/22/2024	9/4/2029	1,343	4.307	3,000,000.00	2,731,590.00	2,826,240.00	Moodys-Aa3	S&P-A+
Toyota Motor Credit Corp 4.65 1/5/2029	89236TLL7	0.39	4/10/2024	1/5/2029	1,101	4.975	2,882,000.00	2,842,689.52	2,934,394.76	Moodys-A1	S&P-A+
Toyota Motor Credit Corp 5.25 9/11/2028-23	89236TLB9	0.27	10/5/2023	9/11/2028	985	5.550	2,000,000.00	1,974,330.00	2,070,200.00	Moodys-A1	S&P-A+

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
Trustees Princeton University 4.647 7/1/2030-30	89837LAJ4	0.41	10/7/2025	7/1/2030	1,643	4.034	3,000,000.00	3,078,090.00	3,069,840.00	Moodys-Aaa	S&P-AAA
Unilever Capital Corp 4.875 9/8/2028-28	904764BS5	0.27	9/25/2023	9/8/2028	982	5.210	2,000,000.00	1,971,020.00	2,053,340.00	Moodys-A1	S&P-A+
United Parcel Service 2.5 9/1/2029-29	911312BU9	0.41	10/10/2024	9/1/2029	1,340	4.290	3,000,000.00	2,765,220.00	2,846,640.00	Moodys-A2	S&P-A
University of Chicago 4.947 4/1/2029-29	91412NBH2	0.41	10/25/2024	4/1/2029	1,187	4.377	3,000,000.00	3,068,100.00	3,075,660.00	Moodys-Aa2	S&P-AA-
Walmart INC 4.35 4/28/2030-30	931142FN8	0.41	5/13/2025	4/28/2030	1,579	4.360	3,000,000.00	2,998,620.00	3,047,340.00	Moodys-Aa2	S&P-AA
Walt Disney Co 2 9/1/2029-29	254687FL5	0.41	12/23/2024	9/1/2029	1,340	4.644	3,000,000.00	2,669,130.00	2,805,000.00	Moodys-A2	S&P-A
Yale University 1.482 4/15/2030-30	98459LAB9	0.41	10/9/2025	4/15/2030	1,566	3.990	3,000,000.00	2,691,817.17	2,705,970.00	Moodys-Aaa	S&P-AAA
Sub Total / Average Medium Term Note | 30 %		**23.40**			**1,166**	**3.992**	**171,426,000.00**	**164,822,903.95**	**168,014,233.03**		
Money Market | 20 %											
Morgan Stanley Institutional Liquidity Fund - Gov.	61747C319	0.44	7/29/2022	N/A	1	3.730	3,209,722.07	3,209,722.07	3,209,722.07	Moodys-Aaa	S&P-AAA
Sub Total / Average Money Market | 20 %		**0.44**			**1**	**3.730**	**3,209,722.07**	**3,209,722.07**	**3,209,722.07**		
Municipal Bonds | 30 %											
Bay Area Toll Authority 1.433 4/1/2027-21	072024XD9	0.11	6/16/2022	4/1/2027	456	4.200	815,000.00	718,023.15	793,435.10	Moodys-Aa3	S&P-AA
Beverly Hills Public Financing Authority 1.147 6/1	088006KA8	0.25	3/14/2022	6/1/2026	152	2.280	1,800,000.00	1,718,478.00	1,781,514.00	NR	S&P-AA+
Burbank CA Unified School District 1.367 8/1/2026	12082SDN1	0.08	11/10/2022	8/1/2026	213	5.050	620,000.00	543,324.60	611,295.20	Moodys-Aa2	None
CA St Public Wks Brd Lease Revenue 4.879 4/1/2029	13068XLL1	0.12	4/17/2024	4/1/2029	1,187	5.031	900,000.00	894,078.00	924,039.00	Moodys-Aa3	S&P-A+
Ca State Health Facilities Financing Authority 1.3	13032UXP8	0.17	6/7/2022	6/1/2027	517	3.620	1,255,000.00	1,127,178.25	1,216,258.15	Moodys-Aa3	S&P-AA-
Ca State Health Facilities Financing Authority 3.0	13032UC30	0.14	4/7/2022	6/1/2026	152	3.044	1,000,000.00	1,000,000.00	997,440.00	Moodys-Aa3	S&P-AA-
CA State University Revenue 1.138 11/1/2026-20	13077DMM1	0.07	6/14/2022	11/1/2026	305	3.900	500,000.00	444,875.00	489,965.00	Moodys-Aa2	S&P-AA-
CA State University Revenue 1.142 11/1/2026-21	13077DQE5	0.07	6/16/2022	11/1/2026	305	4.171	540,000.00	475,200.00	529,178.40	Moodys-Aa2	S&P-AA-
California State Public Works Board Lease Review 4	13068XNV7	0.14	4/17/2025	4/1/2030	1,552	4.833	1,000,000.00	1,000,000.00	1,028,310.00	Moodys-Aa3	S&P-A+
Colorado State Housing and Finance Authority 4.761	19648GJD5	0.33	6/18/2024	5/1/2029	1,217	4.838	2,435,000.00	2,427,110.60	2,498,991.80	Moodys-Aaa	S&P-AAA
Hawaii State 1.283 8/1/2026-21	419792G26	0.41	6/15/2022	8/1/2026	213	3.624	3,000,000.00	2,732,940.00	2,958,870.00	Moodys-Aa2	S&P-AA+
Maryland State 3.15 6/1/2026	574193VR6	0.41	6/22/2022	6/1/2026	152	3.351	3,000,000.00	2,977,950.00	2,993,880.00	Moodys-Aa1	S&P-AAA
Massachusetts State School Building Authority 1.13	576000ZF3	0.25	4/25/2022	8/15/2026	227	3.300	1,800,000.00	1,644,678.00	1,772,586.00	Moodys-Aa1	S&P-AA+
Massachusetts State Special Obligation Revenue 3.6	576004HD0	0.27	8/30/2022	7/15/2027	561	3.680	2,000,000.00	2,000,000.00	2,000,540.00	Moodys-Aa1	NR
New York State 2.36 2/15/2027-19	649791PS3	0.41	5/4/2022	2/15/2027	411	3.309	3,000,000.00	2,874,990.00	2,959,020.00	Moodys-Aa1	S&P-AA+
New York State Dormitory Authority 1.187 3/15/2026	64990FD50	0.10	6/23/2021	3/15/2026	74	1.187	750,000.00	750,000.00	746,040.00	NR	S&P-AA+
New York Urban Development 2.35 3/15/2027-19	64985TBB6	0.27	4/22/2022	3/15/2027	439	3.500	2,000,000.00	1,897,260.00	1,969,540.00	Moodys-Aa1	NR
New York Urban Development 3.15 3/15/2027-17	6500357E2	0.15	4/6/2022	3/15/2027	439	3.120	1,125,000.00	1,126,518.75	1,119,397.50	Moodys-Aa1	NR
NY Dormitory Authority 1.538 3/15/2027-21	64990FD68	0.32	3/18/2022	3/15/2027	439	2.740	2,365,000.00	2,233,198.55	2,306,608.15	NR	S&P-AA+
NY Housing Development 1.161 5/1/2026	64972EVX4	0.11	6/9/2022	5/1/2026	121	3.662	770,000.00	700,700.00	763,824.60	Moodys-Aa2	S&P-AA+
NYC Transitional Finance Authority 2.11 5/1/2026	64971XLR7	0.15	6/24/2021	5/1/2026	121	1.100	1,100,000.00	1,152,349.00	1,093,565.00	Moodys-Aa1	S&P-AAA
NYC Transitional Finance Authority Revenue 1.55 5/	64971XSY5	0.55	5/3/2023	5/1/2028	852	4.330	4,000,000.00	3,505,320.00	3,803,880.00	Moodys-Aa1	S&P-AAA
Oregon State Lottery 4.982 4/1/2029-24	68607V5P6	0.11	5/1/2024	4/1/2029	1,187	4.982	810,000.00	810,000.00	838,414.80	Moodys-Aa2	S&P-AAA
Oregon State Lottery Revenue 3.321 4/1/2027-22	68607V3L7	0.10	5/4/2022	4/1/2027	456	3.321	750,000.00	750,000.00	746,992.50	Moodys-Aa2	S&P-AAA
San Diego Public Facilities Financing Authority 2.	79730CJL9	0.34	8/26/2022	8/1/2027	578	3.737	2,520,000.00	2,324,851.20	2,456,647.20	Moodys-Aa2	NR
San Francisco Redev Agy Successor Agy 1.861 8/1/20	79770GJC1	0.41	12/17/2021	8/1/2026	213	1.550	3,000,000.00	3,041,430.00	2,969,760.00	NR	S&P-AA
Santa Barbara Unified School District 1.603 8/1/20	801315LK6	0.05	9/29/2023	8/1/2028	944	5.240	400,000.00	338,512.00	379,364.00	Moodys-Aa1	S&P-AA
Santa Monica Malibu Unified 1.404 8/1/2029	802498ZD0	0.30	11/7/2024	8/1/2029	1,309	4.420	2,200,000.00	1,919,346.00	2,019,820.00	Moodys-Aa1	S&P-AA+
Santa Monica-Malibu Unified School District 0.849	802498ZA6	0.11	4/20/2022	8/1/2026	213	3.039	810,000.00	739,287.00	796,797.00	Moodys-Aa1	S&P-AA+
State of California 5.125 9/1/2029	13063EBP0	0.41	10/22/2024	9/1/2029	1,340	4.164	3,000,000.00	3,125,460.00	3,138,390.00	Moodys-Aa2	S&P-AA-
State of California 6 3/1/2030-23	13063D3Q9	0.41	4/3/2025	3/1/2030	1,521	4.180	3,000,000.00	3,240,000.00	3,244,830.00	Moodys-Aa2	S&P-AA-
State of Connecticut 3.875 6/15/2028-22	20772KQL6	0.43	9/19/2023	6/15/2028	897	4.870	3,150,000.00	3,018,582.00	3,161,875.50	Moodys-Aa2	S&P-AA-
State of Connecticut 4.506 5/15/2028-23	20772KTK5	0.14	6/22/2023	5/15/2028	866	4.506	1,000,000.00	1,000,000.00	1,018,040.00	Moodys-Aa2	S&P-AA-
State of Maine 4.75 6/1/2028	56052AJ49	0.04	6/22/2023	6/1/2028	883	4.641	325,000.00	326,553.50	332,436.00	Moodys-Aa1	S&P-AA
State of Oregon 4.912 5/1/2029-24	68609UJS5	0.14	5/14/2024	5/1/2029	1,217	4.912	1,000,000.00	1,000,000.00	1,038,130.00	Moodys-Aa1	S&P-AA+
Tennessee State School Bond Authority 1.515 9/15/2	8805573E1	0.41	5/9/2022	9/15/2026	258	3.450	3,000,000.00	2,766,420.00	2,953,890.00	Moodys-Aa1	S&P-AA+
Univ of California Revenues 3.309 5/15/2026-21	91412GXC4	0.26	1/28/2022	5/15/2026	135	1.830	1,900,000.00	2,015,577.00	1,897,093.00	Moodys-Aa2	S&P-AA

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
University of California CA Revenues 1.316 5/15/20	91412HGF4	0.41	5/16/2022	5/15/2027	500	3.600	3,000,000.00	2,689,140.00	2,903,550.00	Moodys-Aa2	S&P-AA
University of California Revenues 1.372 5/15/2028-	91412HJP9	0.06	10/4/2023	5/15/2028	866	5.200	450,000.00	380,128.50	426,208.50	Moodys-Aa2	S&P-AA
University of California Revenues 3.909 5/15/2029-	91412GXU4	0.59	5/17/2024	5/15/2029	1,231	4.618	4,330,000.00	4,194,427.70	4,330,476.30	Moodys-Aa3	S&P-AA-
Utah State Transit Authority 1.411 12/15/2026-21	917567GA1	0.12	5/4/2022	12/15/2026	349	3.550	890,000.00	809,624.10	871,986.40	Moodys-Aa2	S&P-AA+
Utah State Transit Authority 1.411 12/15/2026-21	917567GA1	0.13	5/20/2022	12/15/2026	349	3.750	965,000.00	871,009.00	945,468.40	Moodys-Aa2	S&P-AA+
West Hollywood CA Lease Revenue 1.95 4/1/2027-20	95332RDK2	0.12	5/25/2022	4/1/2027	456	3.800	895,000.00	822,263.35	875,301.05	NR	S&P-AA+
Wisconsin State 2.141 5/1/2027-27	97705MZM0	0.21	1/30/2023	5/1/2027	486	3.777	1,525,000.00	1,427,814.94	1,498,770.00	Moodys-Aa1	S&P-AA+
Wisconsin State 2.141 5/1/2027-27	97705MZD0	0.20	1/30/2023	5/1/2027	486	3.777	1,475,000.00	1,381,001.33	1,448,096.00	Moodys-Aa1	S&P-AA+
Sub Total / Average Municipal Bonds | 30 %		**10.40**			**641**	**3.697**	**76,170,000.00**	**72,935,599.52**	**75,650,514.55**		
Supranational Obligations | 15 %											
IBRD Supranational 0.6 2/18/2026-22	45905U5Y6	0.41	2/18/2021	2/18/2026	49	0.600	3,000,000.00	3,000,000.00	2,987,070.00	Moodys-Aaa	S&P-AAA
IBRD Supranational 0.65 2/10/2026-21	459058JS3	0.41	2/10/2021	2/10/2026	41	0.650	3,000,000.00	3,000,000.00	2,989,890.00	Moodys-Aaa	S&P-AAA
IBRD Supranational 0.875 4/20/2026	4581X0DV7	0.41	4/20/2021	4/20/2026	110	0.940	3,000,000.00	2,990,490.00	2,974,170.00	Moodys-Aaa	S&P-AAA
IBRD Supranational 1.5 1/13/2027	4581X0EB0	0.41	1/13/2022	1/13/2027	378	1.530	3,000,000.00	2,995,680.00	2,935,110.00	Moodys-Aaa	S&P-AAA
IBRD Supranational 4.125 1/29/2029	45818WEZ5	0.41	2/7/2024	1/29/2029	1,125	4.200	3,000,000.00	2,989,950.00	3,013,590.00	Moodys-Aaa	S&P-AAA
IBRD Supranational 4.125 2/15/2029	4581X0EN4	0.41	2/26/2024	2/15/2029	1,142	4.430	3,000,000.00	2,959,441.67	3,043,770.00	Moodys-Aaa	S&P-AAA
Intl Bk Recon & Develop 0.875 7/15/2026	459058JX2	0.41	11/16/2021	7/15/2026	196	1.200	3,000,000.00	2,955,888.00	2,955,120.00	Moodys-Aaa	S&P-AAA
Intl Bk Recon & Development 3.875 10/16/2029	459058LN1	0.41	10/16/2024	10/16/2029	1,385	3.966	3,000,000.00	2,987,760.00	3,021,000.00	Moodys-Aaa	S&P-AAA
Intl Bk Recon & Development 3.875 2/14/2030	459058KQ5	0.41	2/14/2025	2/14/2030	1,506	4.579	3,000,000.00	2,906,517.00	3,017,220.00	Moodys-Aaa	S&P-AAA
Intl Finance Corp 0.75 10/8/2026	45950KCX6	0.41	1/12/2022	10/8/2026	281	1.550	3,000,000.00	2,890,732.98	2,933,730.00	Moodys-Aaa	S&P-AAA
Intl Finance Corp 4.375 3/27/2029	45950VSZ0	0.41	4/12/2024	3/27/2029	1,182	4.683	3,000,000.00	2,959,500.00	3,070,470.00	Moodys-Aaa	S&P-AAA
Sub Total / Average Supranational Obligations | 15 %		**4.50**			**672**	**2.575**	**33,000,000.00**	**32,635,959.65**	**32,941,140.00**		
US Agency | 90 %											
FAMC 2.11 1/10/2030	31422BSF8	0.42	1/14/2025	1/10/2030	1,471	4.650	3,060,000.00	2,717,451.36	2,873,523.60	Moodys-Aa1	S&P-AA+
FFCB 1.54 11/30/2026-22	3133ENFN5	0.41	11/30/2021	11/30/2026	334	1.540	3,000,000.00	3,000,000.00	2,945,640.00	Moodys-Aa1	S&P-AA+
FFCB 1.78 1/26/2027-23	3133ENLZ1	0.41	1/26/2022	1/26/2027	391	1.780	3,000,000.00	3,000,000.00	2,943,900.00	Moodys-Aa1	S&P-AA+
FFCB 4.18 2/12/2030-26	3133ETR90	0.41	12/9/2025	2/12/2030	1,504	4.214	3,000,000.00	2,996,250.00	2,995,380.00	Moodys-Aa1	S&P-AA+
FHLB 0.6 1/28/2026-21	3130AKPC4	0.41	1/28/2021	1/28/2026	28	0.600	3,000,000.00	3,000,000.00	2,993,490.00	Moodys-Aa1	S&P-AA+
FHLB 0.625 1/22/2026-21	3130AKQ74	0.41	1/22/2021	1/22/2026	22	0.625	3,000,000.00	3,000,000.00	2,994,930.00	Moodys-Aa1	S&P-AA+
FHLB 0.65 2/26/2026-21	3130AKZ25	0.41	2/26/2021	2/26/2026	57	0.650	3,000,000.00	3,000,000.00	2,986,470.00	Moodys-Aa1	S&P-AA+
FHLB 0.75 2/24/2026-21	3130ALCV4	0.41	2/24/2021	2/24/2026	55	0.750	3,000,000.00	3,000,000.00	2,987,190.00	Moodys-Aa1	S&P-AA+
FHLB 0.8 3/16/2026-21	3130ALDN1	0.41	3/16/2021	3/16/2026	75	0.800	3,000,000.00	3,000,000.00	2,982,720.00	Moodys-Aa1	S&P-AA+
FHLB 0.85 5/27/2026-22	3130AMLF7	0.41	5/27/2021	5/27/2026	147	0.850	3,000,000.00	3,000,000.00	2,966,130.00	Moodys-Aa1	S&P-AA+
FHLB 0.875 3/23/2026-21	3130ALGC2	0.41	3/23/2021	3/23/2026	82	0.875	3,000,000.00	3,000,000.00	2,982,000.00	Moodys-Aa1	S&P-AA+
FHLB 0.9 8/26/2026-22	3130ANLZ1	0.41	8/26/2021	8/26/2026	238	0.900	3,000,000.00	3,000,000.00	2,947,860.00	Moodys-Aa1	S&P-AA+
FHLB 0.92 9/30/2026-22	3130AP2P9	0.41	9/30/2021	9/30/2026	273	0.920	3,000,000.00	3,000,000.00	2,940,960.00	Moodys-Aa1	S&P-AA+
FHLB 1 10/14/2026-22	3130AP6U4	0.41	10/14/2021	10/14/2026	287	1.000	3,000,000.00	3,000,000.00	2,938,380.00	Moodys-Aa1	S&P-AA+
FHLB 1.01 9/23/2026-22	3130ANW71	0.41	9/23/2021	9/23/2026	266	1.010	3,000,000.00	3,000,000.00	2,947,740.00	Moodys-Aa1	S&P-AA+
FHLB 1.05 6/26/2026-21	3130AMWT5	0.41	6/30/2021	6/26/2026	177	1.064	3,000,000.00	2,997,900.00	2,962,800.00	Moodys-Aa1	S&P-AA+
FHLB 1.08 10/14/2026-22	3130AP6Z3	0.41	10/14/2021	10/14/2026	287	1.080	3,000,000.00	3,000,000.00	2,940,450.00	Moodys-Aa1	S&P-AA+
FHLB 1.1 10/13/2026-22	3130APB87	0.41	10/14/2021	10/13/2026	286	1.167	3,000,000.00	2,990,250.00	2,942,550.00	Moodys-Aa1	S&P-AA+
FHLB 1.1 10/21/2026-22	3130APAY1	0.30	10/21/2021	10/21/2026	294	1.121	2,200,000.00	2,197,800.00	2,156,242.00	Moodys-Aa1	S&P-AA+
FHLB 1.125 7/15/2026-21	3130AMYP1	0.41	7/15/2021	7/15/2026	196	1.125	3,000,000.00	3,000,000.00	2,959,710.00	Moodys-Aa1	S&P-AA+
FHLB 1.15 10/26/2026-21	3130AP4H5	0.41	10/26/2021	10/26/2026	299	1.150	3,000,000.00	3,000,000.00	2,940,690.00	Moodys-Aa1	S&P-AA+
FHLB 1.4 11/16/2026-22	3130APL37	0.41	11/16/2021	11/16/2026	320	1.400	3,000,000.00	3,000,000.00	2,943,570.00	Moodys-Aa1	S&P-AA+
FHLB 1.45 11/23/2026-21	3130APPW9	0.41	11/23/2021	11/23/2026	327	1.450	3,000,000.00	3,000,000.00	2,943,870.00	Moodys-Aa1	S&P-AA+
FHLB 1.5 11/23/2026-21	3130APVJ1	0.41	11/23/2021	11/23/2026	327	1.500	3,000,000.00	3,000,000.00	2,946,360.00	Moodys-Aa1	S&P-AA+
FHLB 1.5 11/23/2026-21	3130APQB4	0.41	11/23/2021	11/23/2026	327	1.500	3,000,000.00	3,000,000.00	2,944,710.00	Moodys-Aa1	S&P-AA+
FHLB 1.55 12/22/2026-22	3130AQ5C3	0.41	12/22/2021	12/22/2026	356	1.550	3,000,000.00	3,000,000.00	2,942,310.00	Moodys-Aa1	S&P-AA+

Description	CUSIP/Ticker	% of Portfolio	Settlement Date	Maturity Date	Days To Maturity	YTM @ Cost	Face Amount/Shares	Cost Value	Market Value	Credit Rating 1	Credit Rating 2
FHLB 1.6 12/17/2026-22	3130APXT7	0.41	12/17/2021	12/17/2026	351	1.600	3,000,000.00	3,000,000.00	2,946,270.00	Moodys-Aa1	S&P-AA+
FHLB 1.61 12/30/2026-22	3130AQ5P4	0.41	12/30/2021	12/30/2026	364	1.610	3,000,000.00	3,000,000.00	2,944,170.00	Moodys-Aa1	S&P-AA+
FHLB 1.625 12/30/2026-22	3130AQAB9	0.41	12/30/2021	12/30/2026	364	1.625	3,000,000.00	3,000,000.00	2,940,870.00	Moodys-Aa1	S&P-AA+
FHLB 1.8 1/14/2027	3130AQBS1	0.41	1/14/2022	1/14/2027	379	1.800	3,000,000.00	3,000,000.00	2,946,390.00	Moodys-Aa1	S&P-AA+
FHLB 1.85 2/17/2027-22	3130AQNS8	0.41	2/17/2022	2/17/2027	413	1.850	3,000,000.00	3,000,000.00	2,943,330.00	Moodys-Aa1	S&P-AA+
FHLB 1.9 2/17/2027-22	3130AQPE7	0.41	2/17/2022	2/17/2027	413	1.900	3,000,000.00	3,000,000.00	2,944,860.00	Moodys-Aa1	S&P-AA+
FHLB 1.9 2/23/2027-23	3130AQTC7	0.41	2/23/2022	2/23/2027	419	1.900	3,000,000.00	3,000,000.00	2,944,110.00	Moodys-Aa1	S&P-AA+
FHLB 2 2/25/2027-22	3130AQRH8	0.41	2/25/2022	2/25/2027	421	2.000	3,000,000.00	3,000,000.00	2,947,740.00	Moodys-Aa1	S&P-AA+
FHLB 2 2/25/2027-22	3130AQRQ8	0.41	2/25/2022	2/25/2027	421	2.000	3,000,000.00	3,000,000.00	2,946,450.00	Moodys-Aa1	S&P-AA+
FHLB 2.05 2/25/2027-22	3130AQUY7	0.41	2/25/2022	2/25/2027	421	2.050	3,000,000.00	3,000,000.00	2,948,820.00	Moodys-Aa1	S&P-AA+
FHLB 2.14 2/25/2027-22	3130AQW58	0.33	2/25/2022	2/25/2027	421	2.203	2,400,000.00	2,392,800.00	2,361,456.00	Moodys-Aa1	S&P-AA+
FHLB 2.2 3/29/2027-23	3130ARB34	0.41	3/29/2022	3/29/2027	453	2.200	3,000,000.00	3,000,000.00	2,950,890.00	Moodys-Aa1	S&P-AA+
FHLB 2.2 3/4/2027-22	3130AQVH3	0.41	3/4/2022	3/4/2027	428	2.200	3,000,000.00	3,000,000.00	2,951,340.00	Moodys-Aa1	S&P-AA+
FHLB 2.25 3/4/2027-22	3130AQX65	0.41	3/4/2022	3/4/2027	428	2.250	3,000,000.00	3,000,000.00	2,955,180.00	Moodys-Aa1	S&P-AA+
FHLB 2.3 3/29/2027-23	3130ARBF7	0.41	3/29/2022	3/29/2027	453	2.300	3,000,000.00	3,000,000.00	2,954,400.00	Moodys-Aa1	S&P-AA+
FHLB 2.5 2/25/2027-22	3130AQYG2	0.41	2/28/2022	2/25/2027	421	2.500	3,000,000.00	3,000,000.00	2,963,310.00	Moodys-Aa1	S&P-AA+
FHLB 2.5 3/10/2027-22	3130AQYY3	0.41	3/10/2022	3/10/2027	434	2.500	3,000,000.00	3,000,000.00	2,962,950.00	Moodys-Aa1	S&P-AA+
FHLB 2.6 3/25/2027-22	3130AR7E5	0.41	3/25/2022	3/25/2027	449	2.600	3,000,000.00	3,000,000.00	2,964,720.00	Moodys-Aa1	S&P-AA+
FHLB 2.75 3/25/2027-22	3130ARAB7	0.41	3/30/2022	3/25/2027	449	2.750	3,000,000.00	3,000,000.00	2,969,520.00	Moodys-Aa1	S&P-AA+
FHLB 2.75 3/8/2027-22	3130AQZT3	0.41	3/8/2022	3/8/2027	432	2.750	3,000,000.00	3,000,000.00	2,967,360.00	Moodys-Aa1	S&P-AA+
FHLB 3 3/25/2027-22	3130ARDV0	0.41	4/8/2022	3/25/2027	449	3.000	3,000,000.00	3,000,000.00	2,979,120.00	Moodys-Aa1	S&P-AA+
FHLB 3 4/20/2026-22	3130ARGN5	0.41	6/2/2022	4/20/2026	110	3.304	3,000,000.00	2,967,000.00	2,994,450.00	Moodys-Aa1	S&P-AA+
FHLB 3 4/21/2027-22	3130ARGE5	0.41	4/21/2022	4/21/2027	476	3.000	3,000,000.00	3,000,000.00	2,979,390.00	Moodys-Aa1	S&P-AA+
FHLB 3.5 4/28/2027-22	3130ARPB1	0.41	4/28/2022	4/28/2027	483	3.500	3,000,000.00	3,000,000.00	2,987,400.00	Moodys-Aa1	S&P-AA+
FHLB 3.75 5/26/2027-23	3130ARYT2	0.41	5/26/2022	5/26/2027	511	3.750	3,000,000.00	3,000,000.00	2,994,360.00	Moodys-Aa1	S&P-AA+
FHLMC 4 12/12/2030-26	3134HCGB9	0.41	12/12/2025	12/12/2030	1,807	4.071	3,000,000.00	2,990,400.00	2,989,020.00	Moodys-Aa1	S&P-AA+
FHLMC 4 5/17/2027-22	3134GXSH8	0.41	5/17/2022	5/17/2027	502	4.000	3,000,000.00	3,000,000.00	2,992,410.00	Moodys-Aa1	S&P-AA+
FHLMC 4.375 1/16/2030-26	3134HA2L6	0.41	1/16/2025	1/16/2030	1,477	4.635	3,000,000.00	2,965,500.00	3,000,840.00	Moodys-Aa1	S&P-AA+
FNMA 4.375 1/7/2030-26	3136GA4Z9	0.31	1/8/2025	1/7/2030	1,468	4.631	2,275,000.00	2,249,292.50	2,275,227.50	Moodys-Aa1	S&P-AA+
Sub Total / Average US Agency | 90 %		**22.24**			**434**	**2.025**	**162,935,000.00**	**162,464,643.86**	**160,695,929.10**		
US Treasury | No Limit											
T-Bond 3.875 12/31/2029	91282CGB1	0.41	1/13/2025	12/31/2029	1,461	4.551	3,000,000.00	2,910,703.13	3,025,440.00	Moodys-Aa1	S&P-AA+
T-Bond 4.375 11/30/2030	91282CJM4	0.41	12/11/2025	11/30/2030	1,795	3.787	3,000,000.00	3,079,200.00	3,086,370.00	Moodys-Aa1	S&P-AA+
T-Bond 4.625 9/30/2030	91282CHZ7	0.41	9/30/2025	9/30/2030	1,734	3.712	3,000,000.00	3,123,984.36	3,117,420.00	Moodys-Aa1	S&P-AA+
T-Bond 4.875 10/31/2030	91282CJG7	0.41	10/31/2025	10/31/2030	1,765	3.722	3,000,000.00	3,156,480.00	3,151,410.00	Moodys-Aa1	S&P-AA+
T-Note 0.5 5/31/2027	912828ZS2	0.41	6/14/2022	5/31/2027	516	3.277	3,000,000.00	2,621,250.00	2,877,540.00	Moodys-Aa1	S&P-AA+
T-Note 0.625 5/15/2030	912828ZQ6	0.41	5/15/2025	5/15/2030	1,596	4.176	3,000,000.00	2,523,750.00	2,632,620.00	Moodys-Aa1	S&P-AA+
T-Note 1.5 8/15/2026	9128282A7	0.41	6/15/2022	8/15/2026	227	3.603	3,000,000.00	2,757,773.44	2,962,110.00	Moodys-Aa1	S&P-AA+
T-Note 2.375 5/15/2027	912828X88	0.41	6/13/2022	5/15/2027	500	3.099	3,000,000.00	2,901,562.50	2,954,760.00	Moodys-Aa1	S&P-AA+
Sub Total / Average US Treasury | No Limit		**3.28**			**1,199**	**3.741**	**24,000,000.00**	**23,074,703.43**	**23,807,670.00**		
Total / Average		**100**			**541**	**3.483**	**732,628,310.59**	**721,031,121.00**	**726,829,617.04**		

INVESTMENT PORTFOLIO REPORT FOR DECEMBER 31, 2025

City Council
April 7, 2026

CITY TREASURER'S OFFICE

PRESENTATION SUMMARY

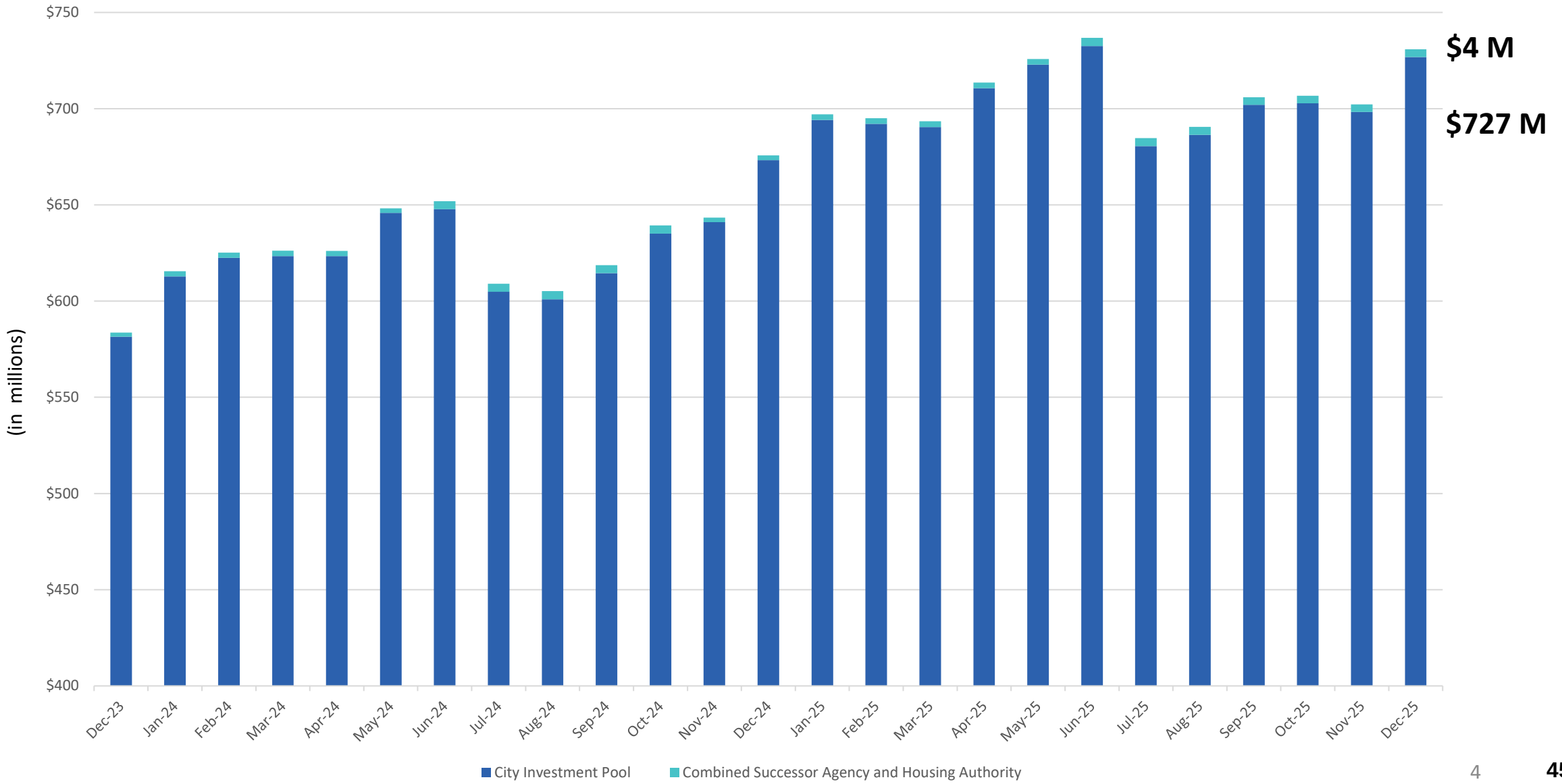
- Portfolio Overview
- Economic Conditions
- Outlook and Strategy

CITY TREASURER'S OFFICE

PORTFOLIO OVERVIEW

CITY TREASURER'S OFFICE

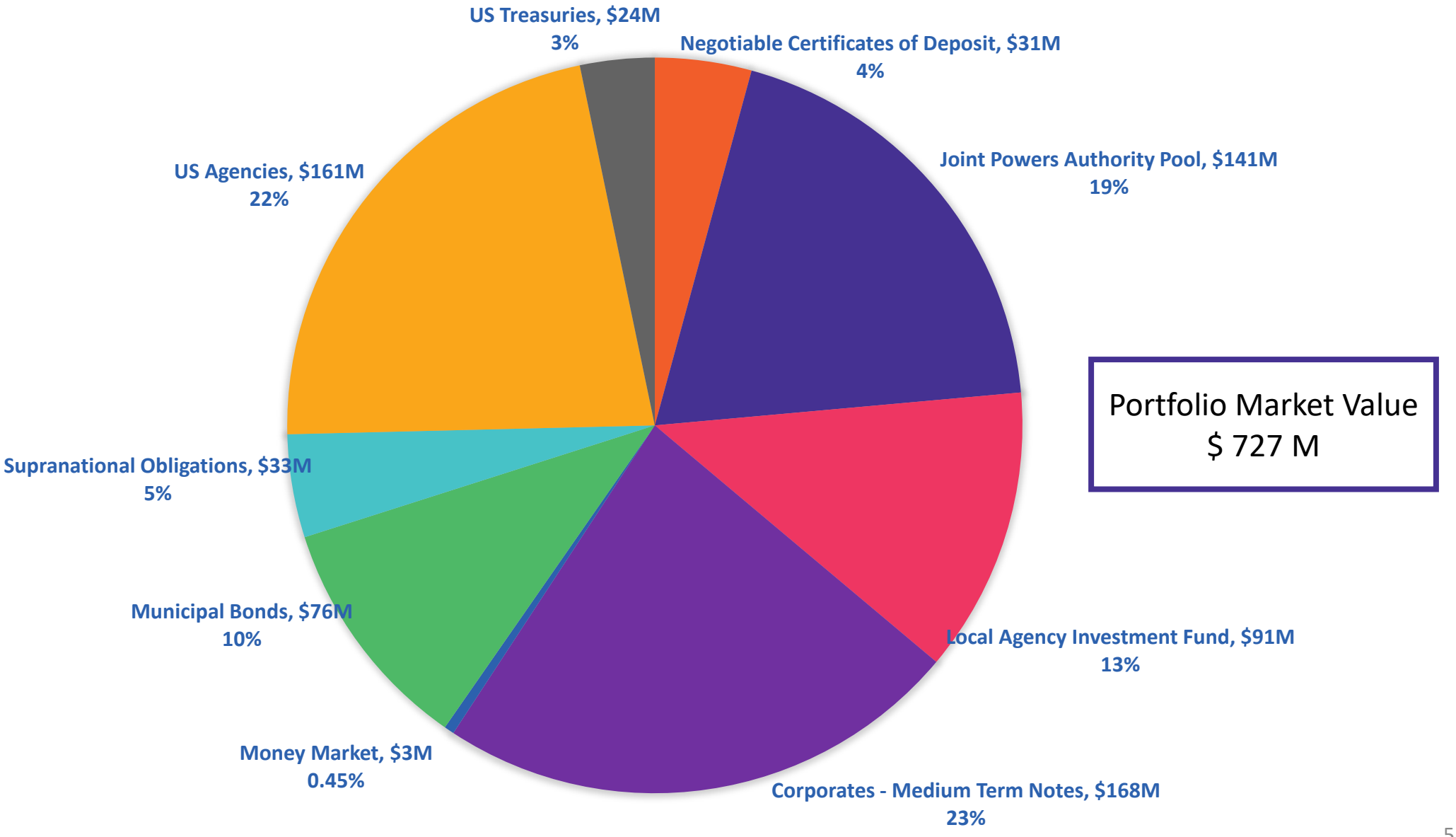
Historical Market Value



$4 M

$727 M

Portfolio Market Value by Asset Class

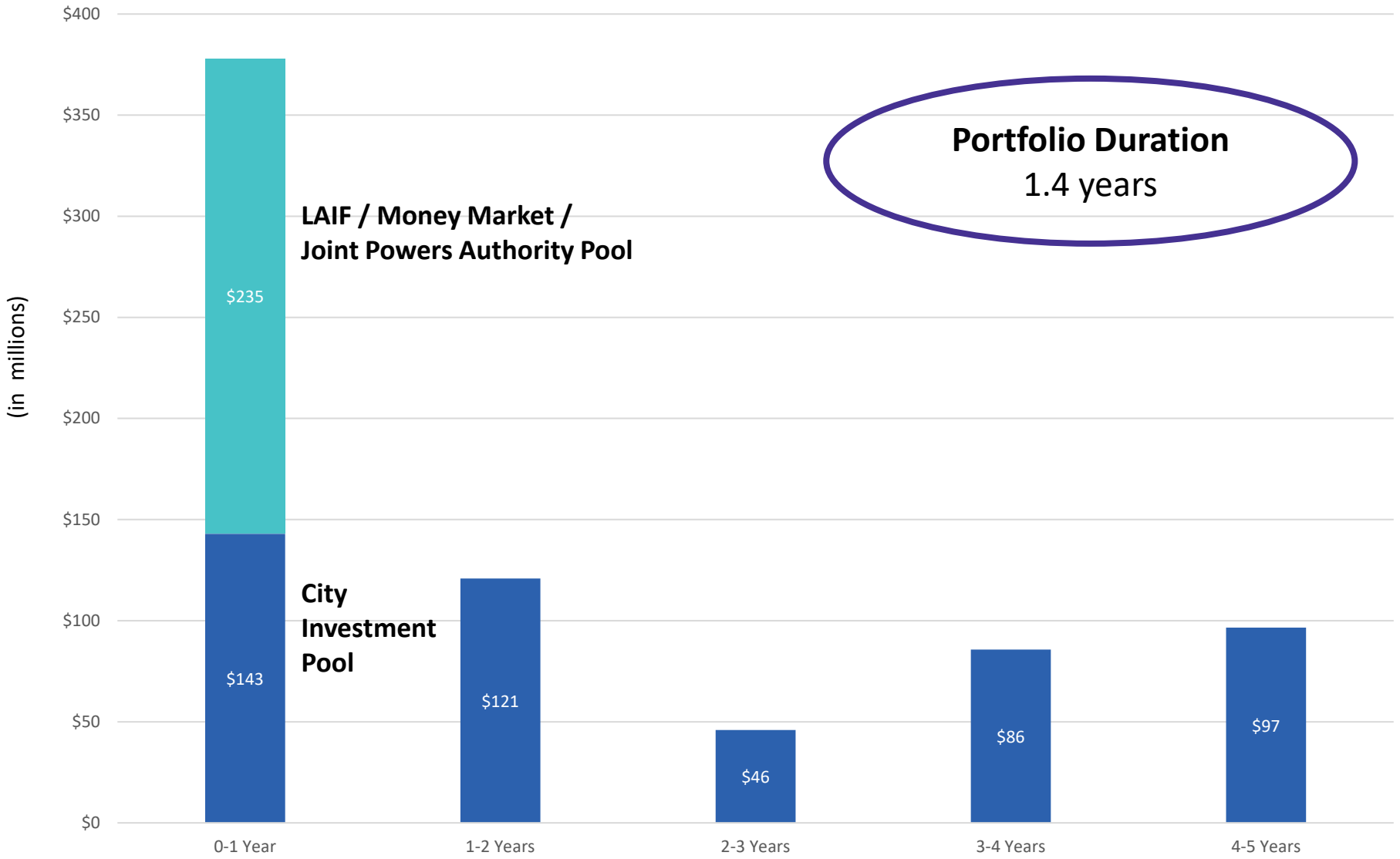


Portfolio Market Value
$ 727 M

Compliance – Portfolio Allocation

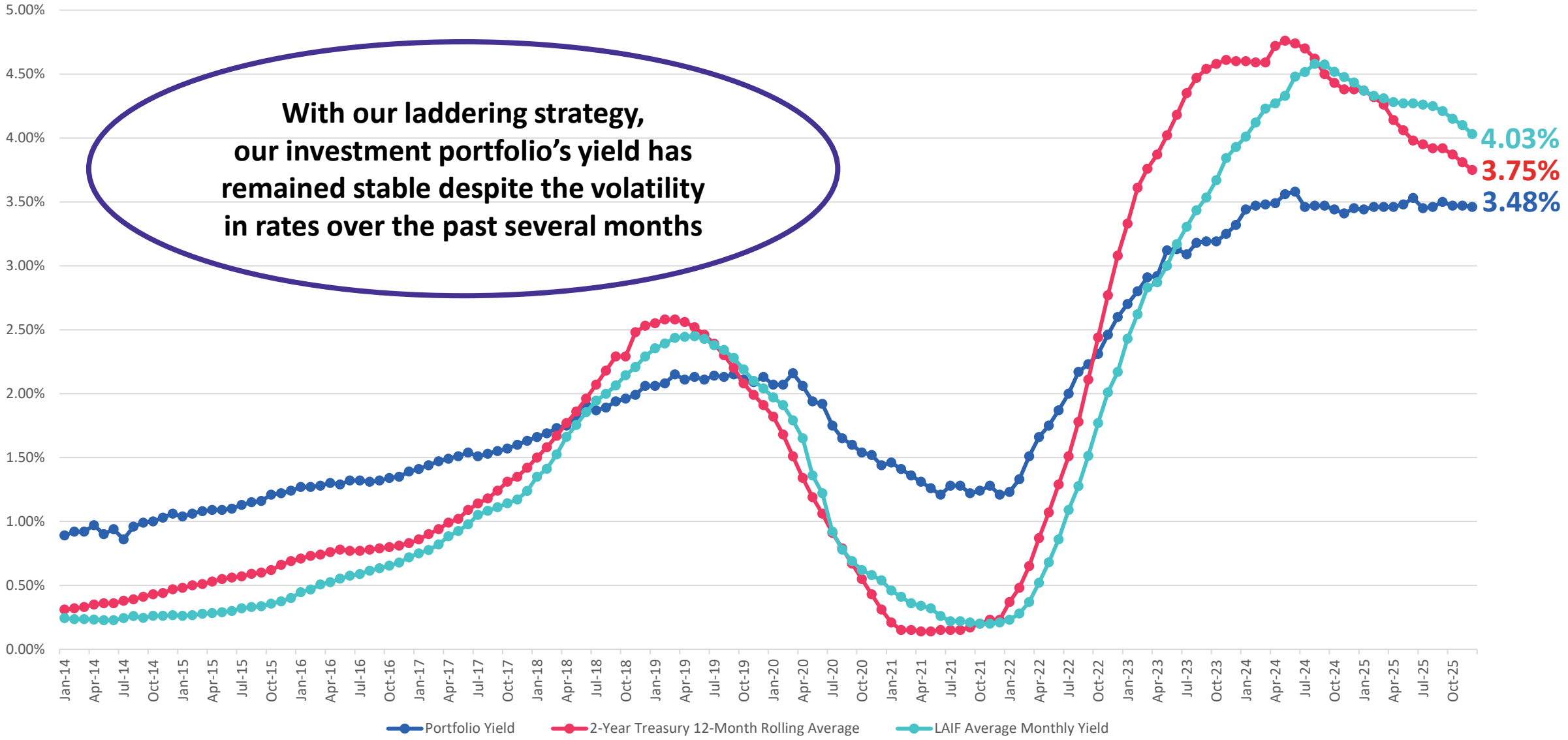
ASSET CLASS	MARKET VALUE	PORTFOLIO %	LEGAL MAXIMUM	POLICY LIMITS	COMPLIANCE
Negotiable CDs	$ 31 M	4%	30%	0 to 30%	✓
Joint Powers Authority Pool	$ 141 M	19%	No limit	0 to 25%	✓
Local Agency Investment Fund (LAIF)	$ 91 M	13%	$75 M per account	$225M ($75M per account)	✓
Corporates – Medium Term Notes	$ 168 M	23%	30%	0 to 30%	✓
Money Market	$ 3 M	~0.5%	20%	0 to 20%	✓
Municipal Bonds	$ 76 M	10%	No limit	0 to 30%	✓
Supranational Obligations	$ 33 M	5%	30%	0 to 15%	✓
US Agency	$ 161 M	22%	No limit	0 to 90%	✓
US Treasury	$ 24 M	3%	No limit	0 to 100%	✓

Maturity Range

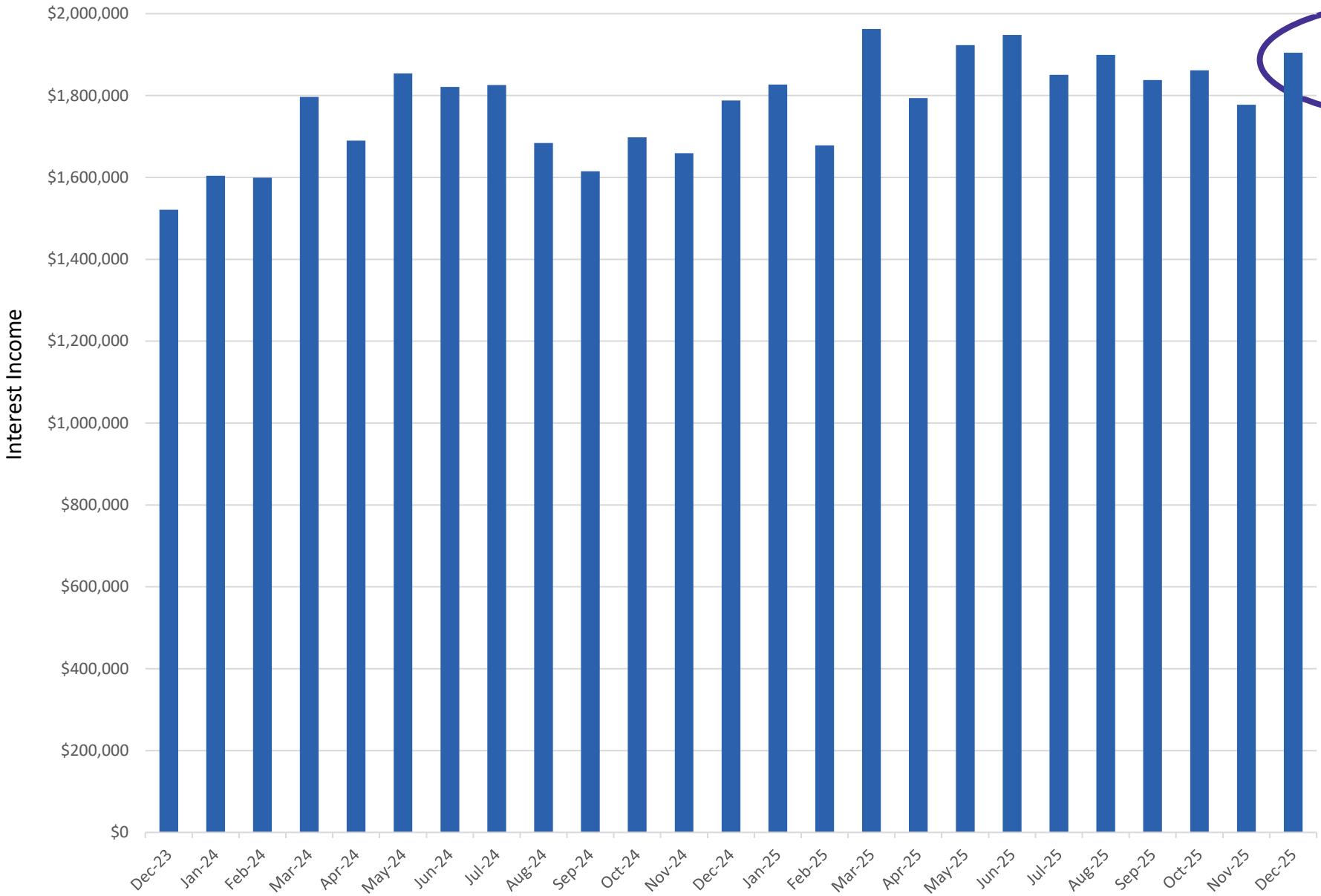


Yield

With our laddering strategy, our investment portfolio's yield has remained stable despite the volatility in rates over the past several months



Income Summary



$1.9 M
in December 2025

Investment Spotlight

City of Burbank invested $3 M in a 5-year Dartmouth bond yielding 4.08%

US colleges issued $34+ billion in debt in 2025, the most since 2014, in light of federal funding uncertainty and threats to their tax benefits

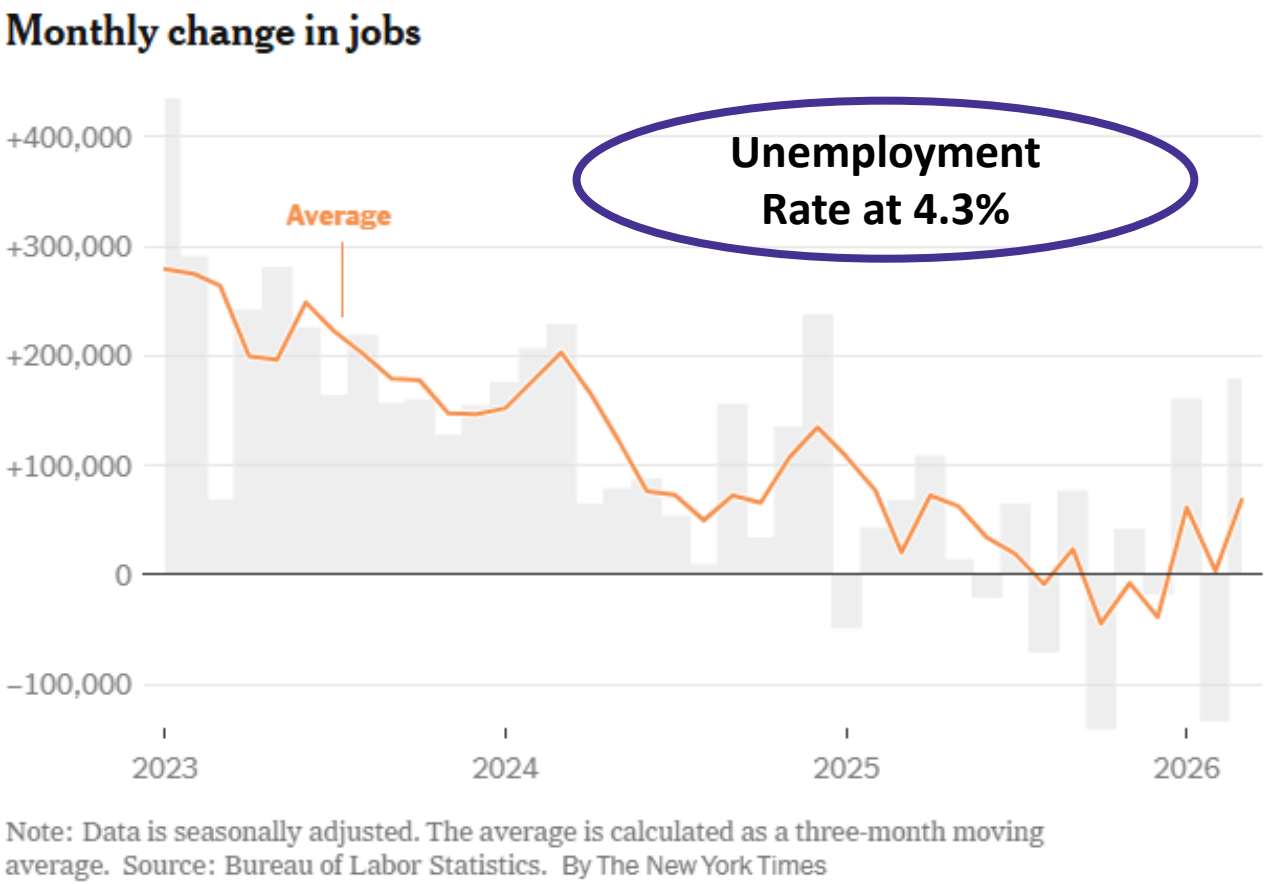
Dartmouth College

- $9 billion endowment, rated Aa1 by Moody's and AAA by S&P's
- Bond proceeds to be used for general purposes including capital expenses. Plans include renewing and building residence halls, energy transition investments, and Title IX projects
- Commitment to affordability – zero parent contribution and no loans for families with annual income below $125,000
- Deemed as "the Ivy League's Switzerland" by The New Yorker, citing its institutional neutrality and restraint and commitment to free expression

ECONOMIC CONDITIONS

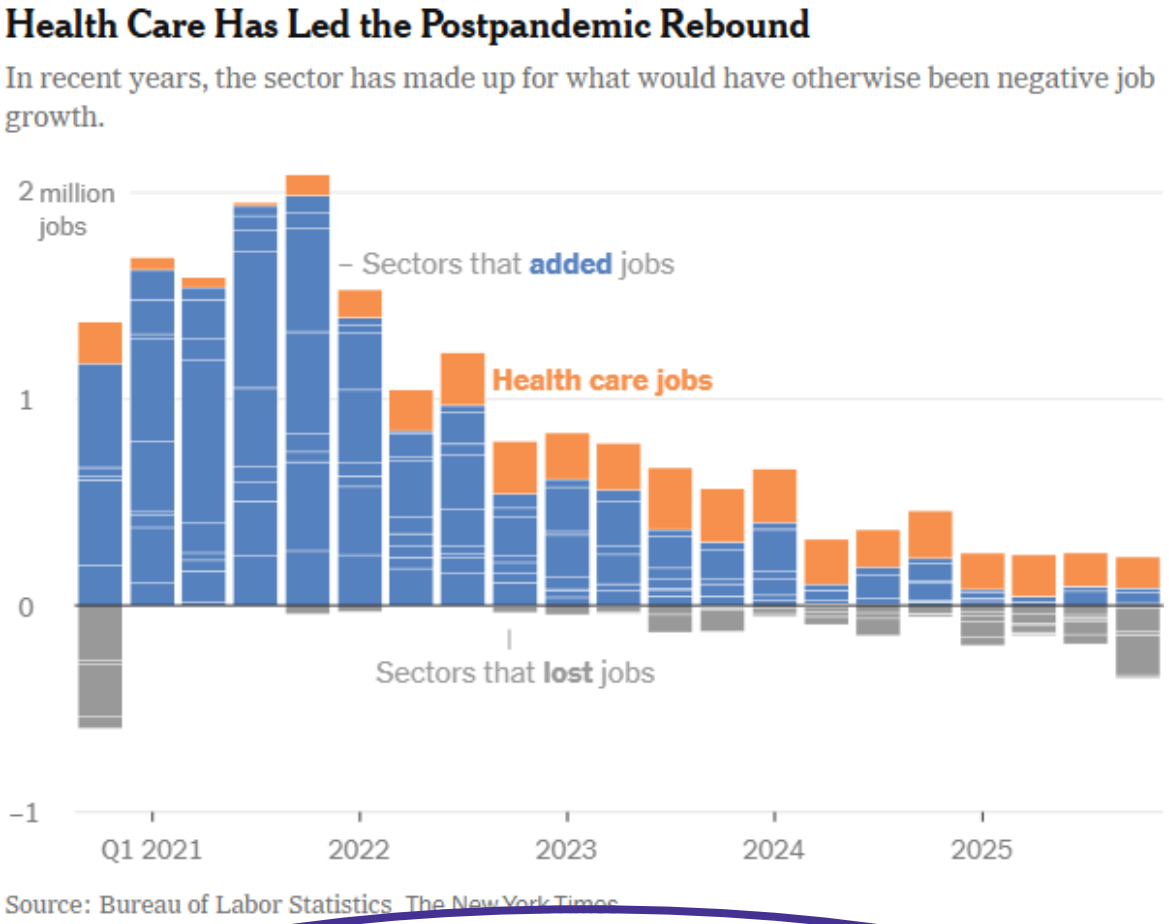
CITY TREASURER'S OFFICE

Job Market



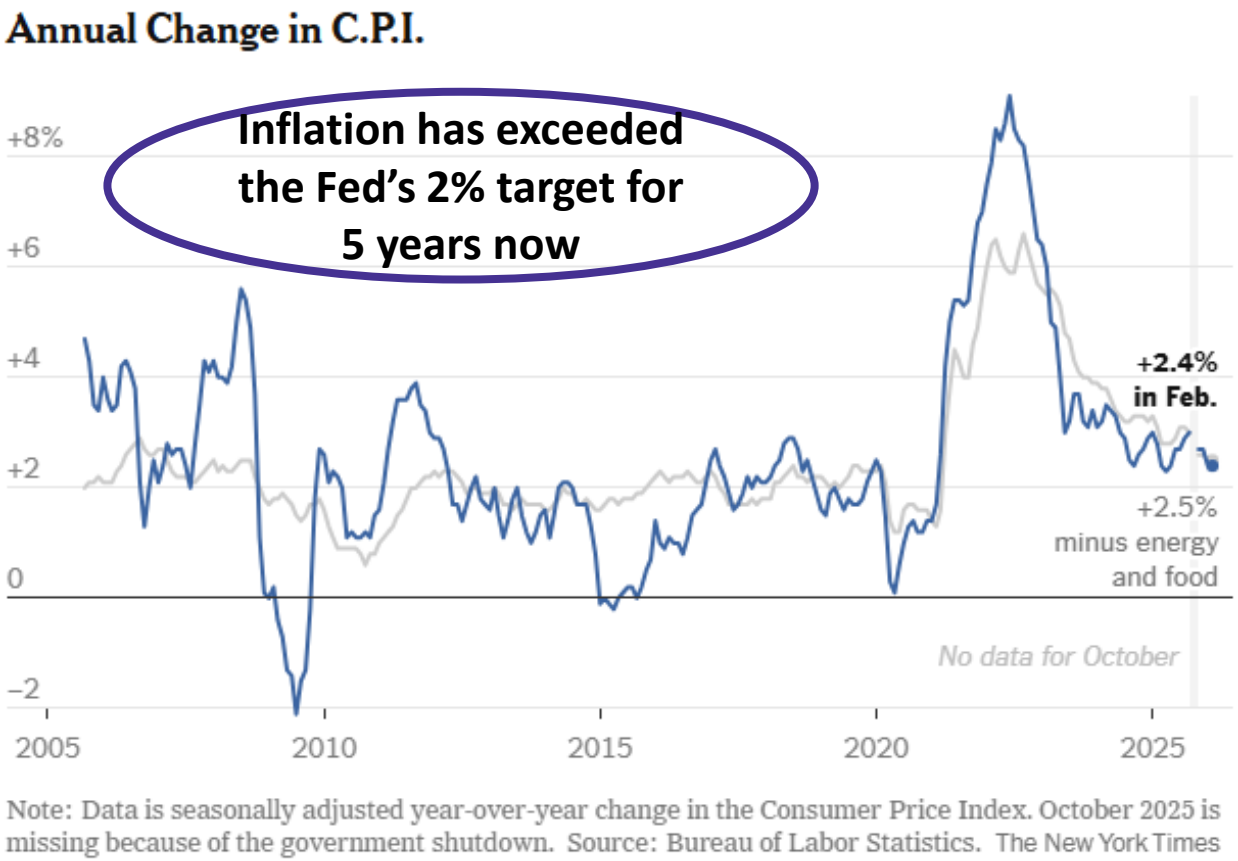
Unemployment Rate at 4.3%

There have been fluctuating job gains and losses in the past few months, although March job growth has exceeded expectations

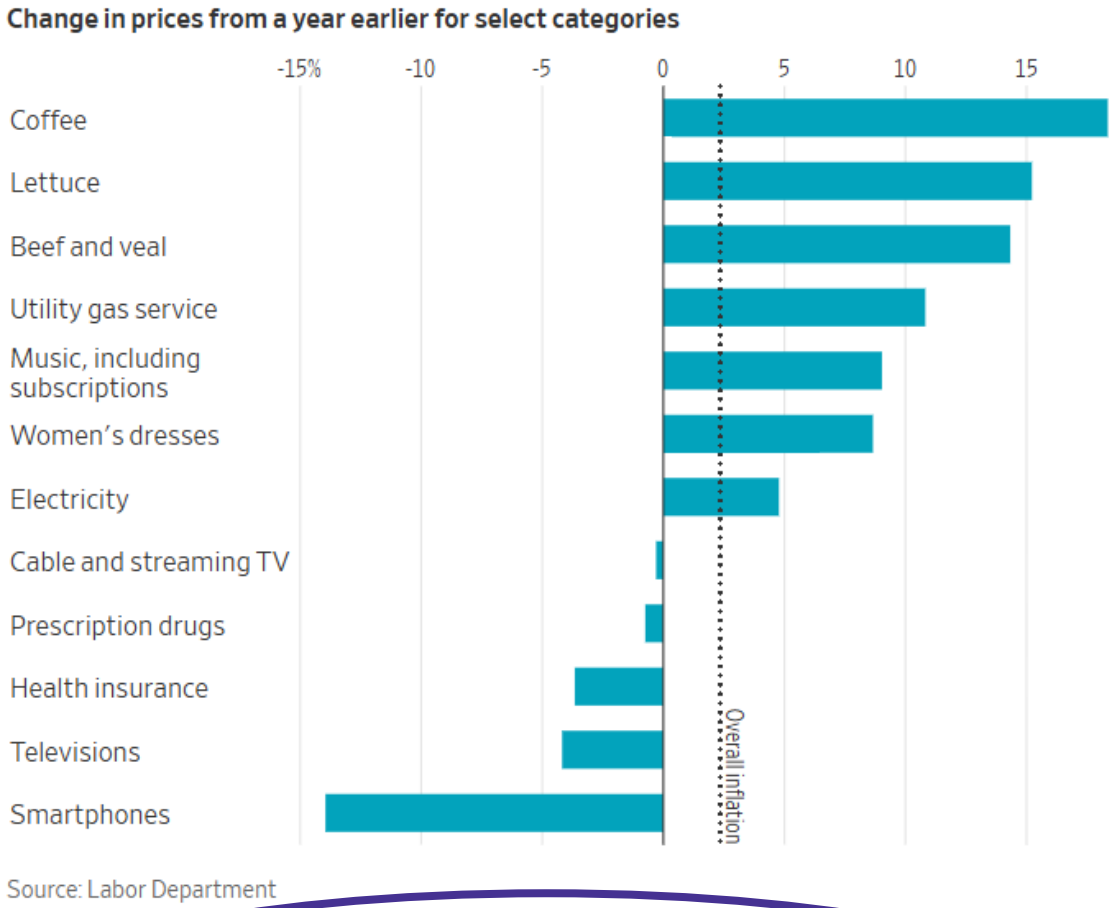


Driven by expanding insurance access and an aging population, healthcare has accounted for 77% of new jobs in the last two years

Inflation



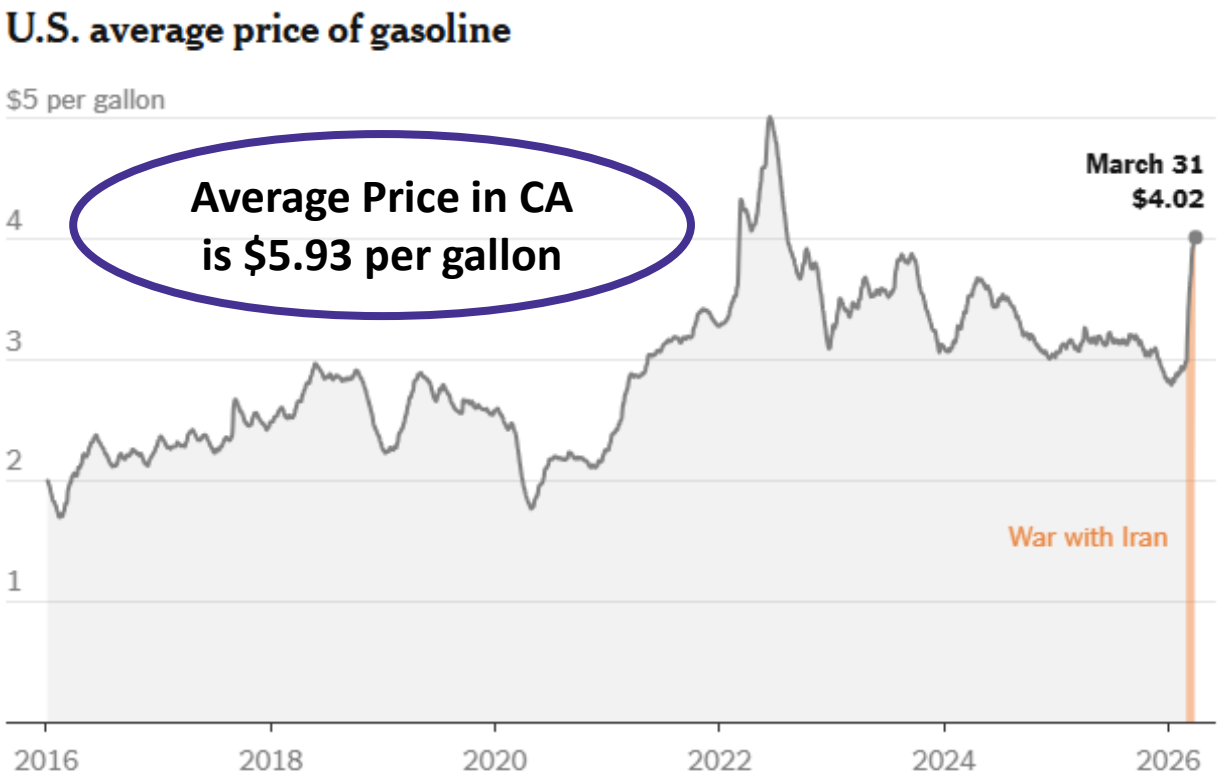
Inflation has exceeded the Fed's 2% target for 5 years now



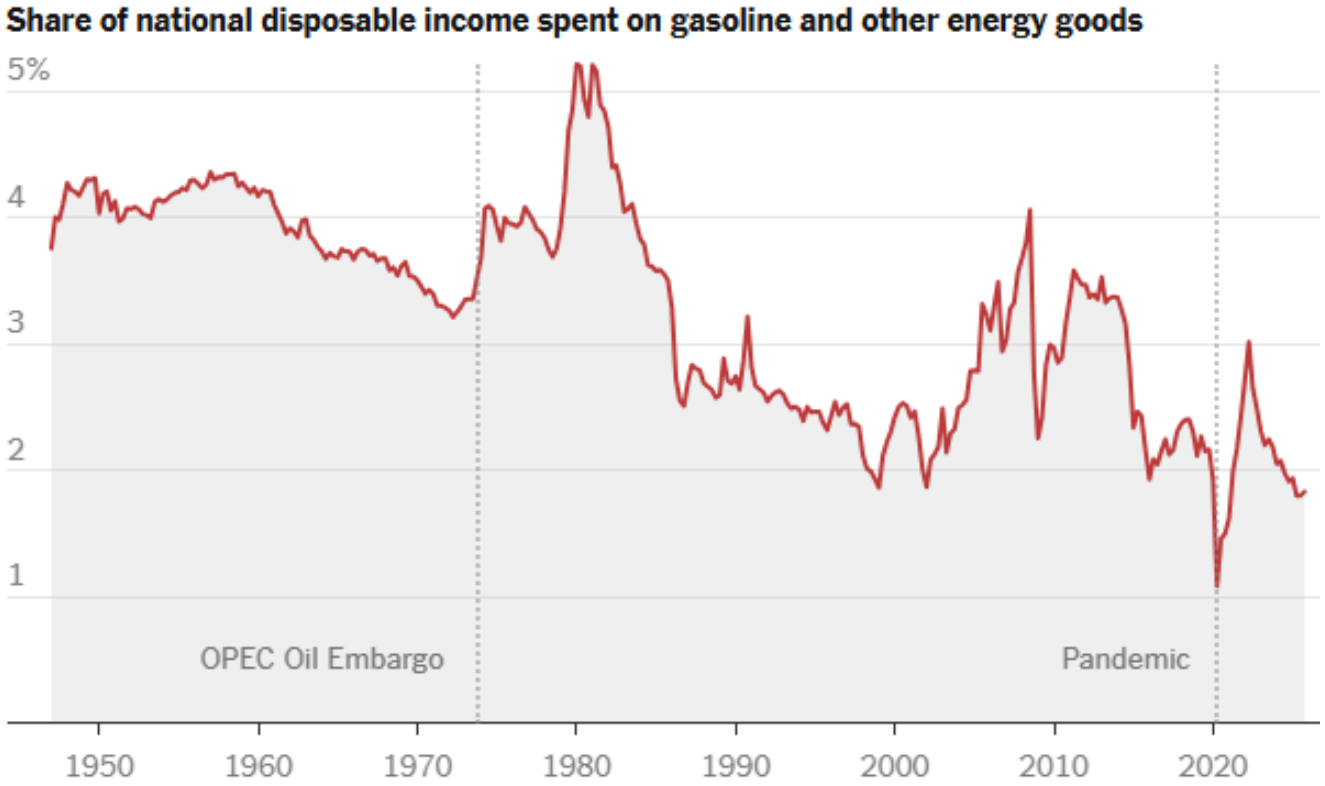
Inflation held steady in February, but the war in the Middle East may risk global inflation, as energy, food, and transportation prices increase

US cattle herd at lowest level in 75 years – 100% ground beef now ~$6.75/lb - up 17% from a year ago

Oil Prices



Note: Data is U.S. average price of regular unleaded gasoline, adjusted for inflation. Source: AAA. By The New York Times



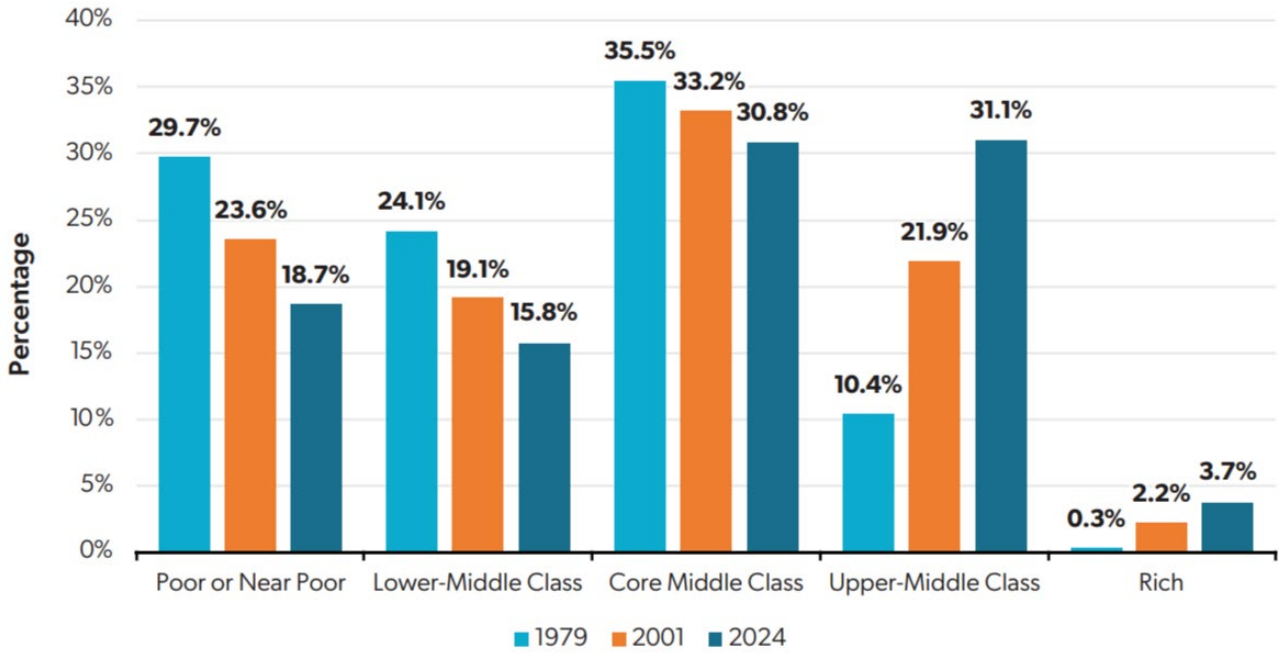
Does not include piped natural gas. Source: Bureau Economic Analysis. Lydia DePillis/The New York Times

The "largest supply disruption in the history of the global oil market" has resulted in oil prices increasing by ~50% since the war started

However, with the US becoming more energy efficient and less energy intensive, the impact on the US, now also the world's largest oil and gas producer, is less noticeable

Income and Wealth

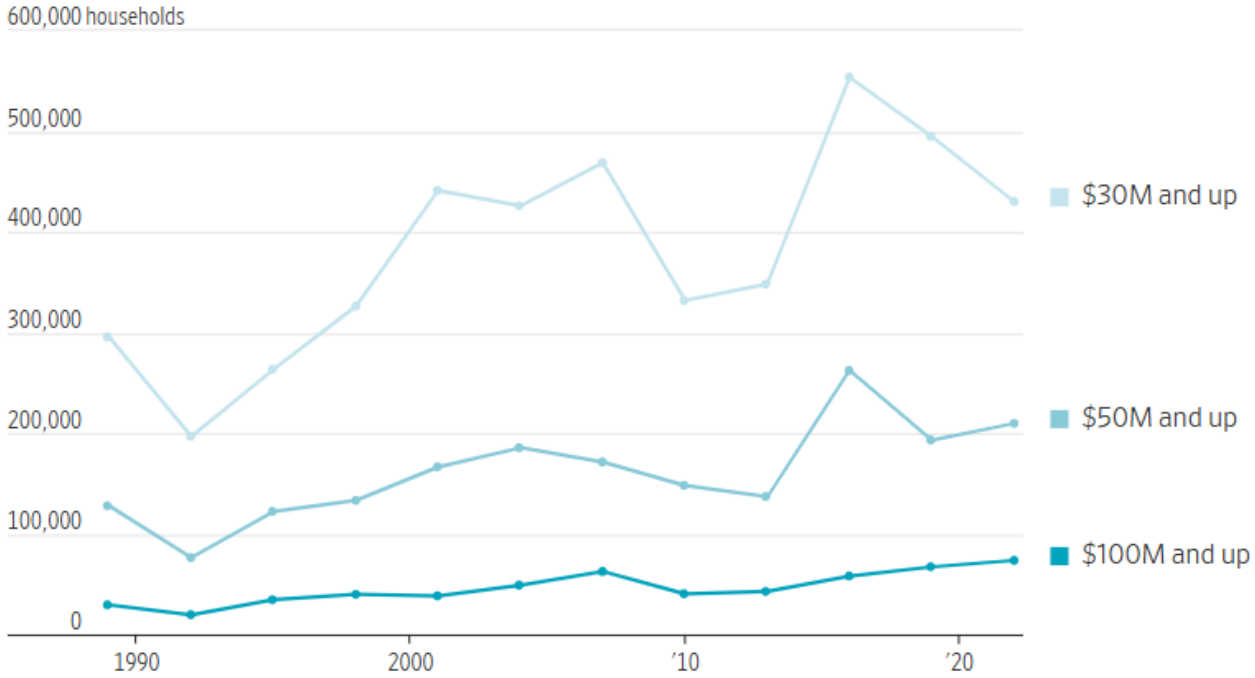
Share of Families in Each Class – 1979, 2001, 2024



e: Authors' analyses of the ASEC.

While the "core"middle class has shrunk, the share of Americans in the upper-middle class increased from 10% in 1979 to 31% in 2024

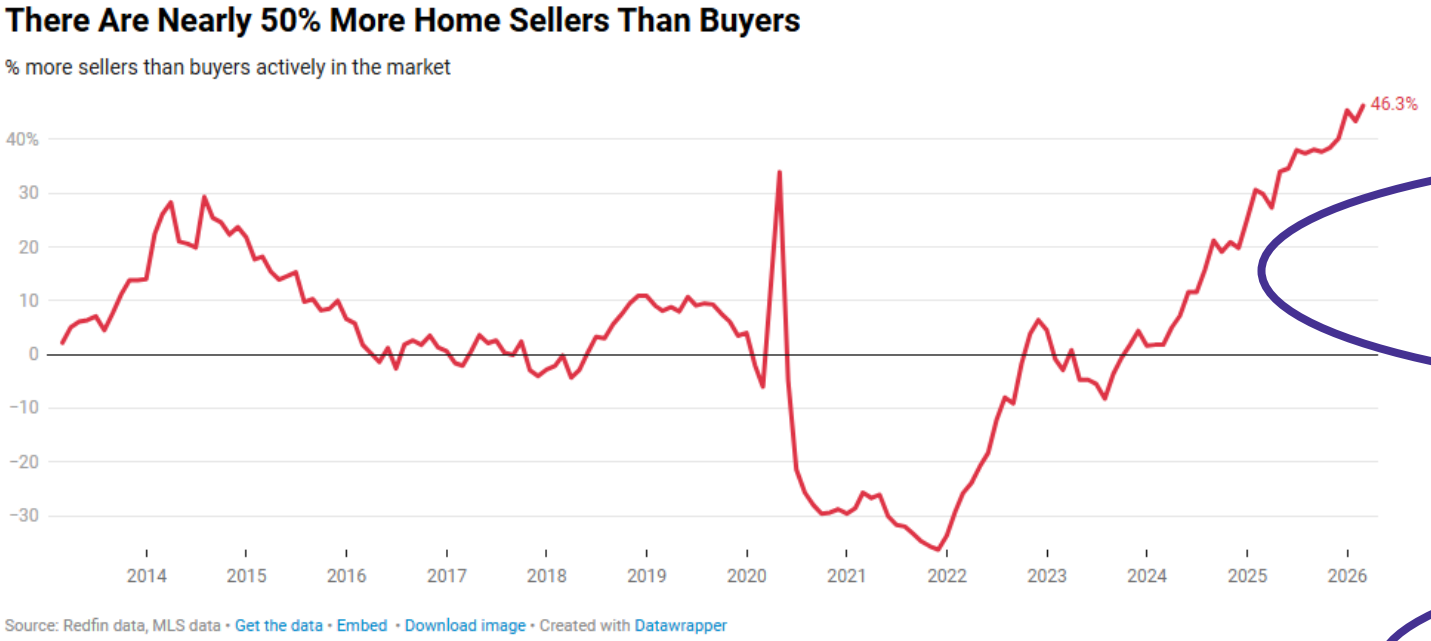
Number of households by net worth, adjusted for inflation



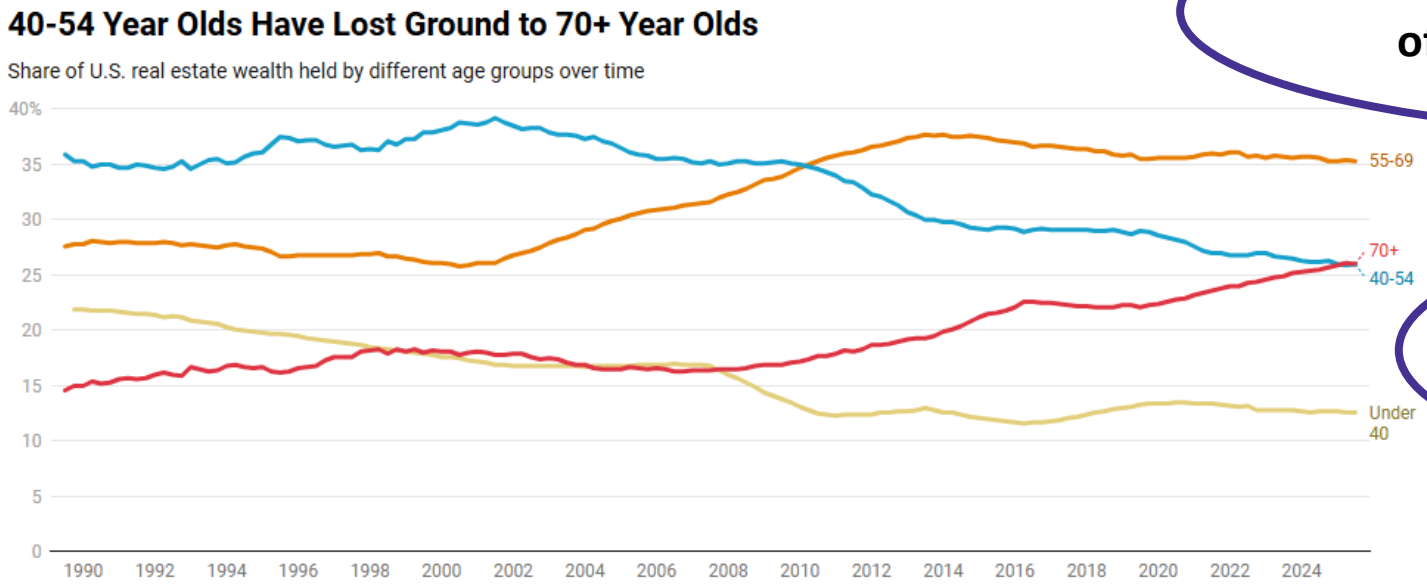
Note: 2025 dollars
Source: Owen Zidar analysis of Federal Reserve data

There are 430,000 US households worth at least $30M, and 74,000 households worth at least $100M

Housing Market



There are 46% more home sellers than buyers in the US housing market in February, up from 30% a year ago



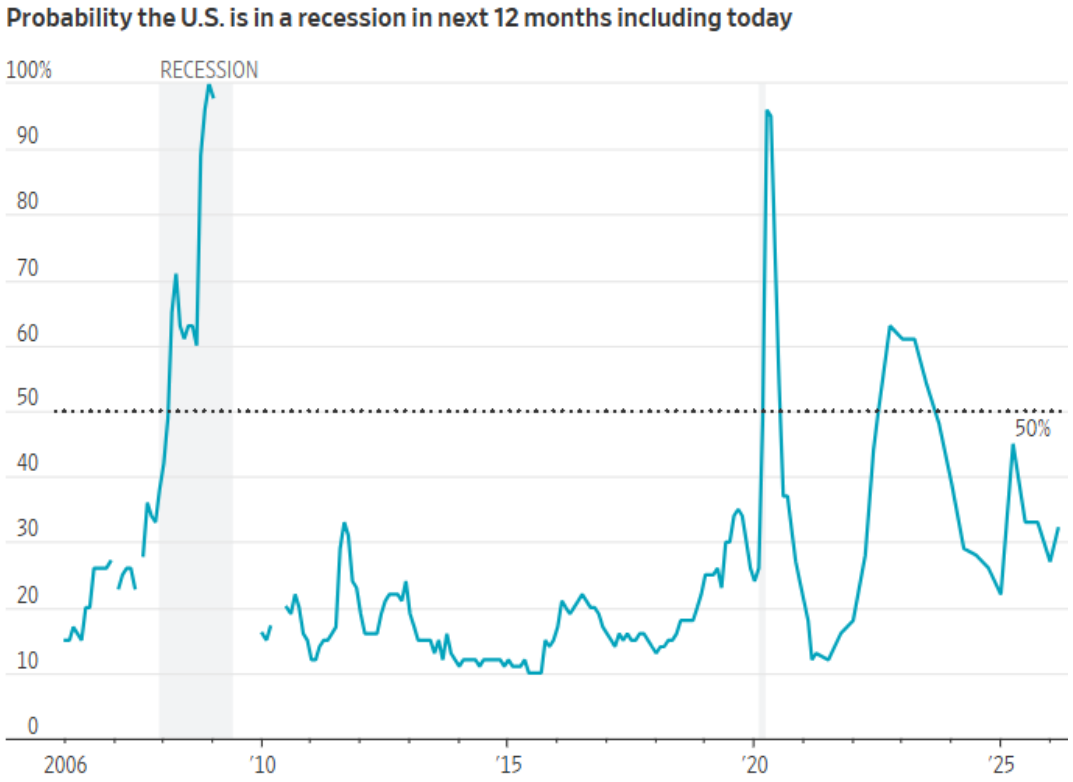
For the first time, the oldest Americans (70+) held a larger share of real estate wealth than middle-aged Americans (40-54)

The average homeowner tenure is 12 years nationwide, but 20 years in the Los Angeles area

Asset Prices and Recession Probability







Note: Average of economists' answers. Gaps indicate question not asked or data unavailable.
Source: WSJ surveys of economists

Even with the current turmoil, economists see only a 32% chance of a recession in the next year

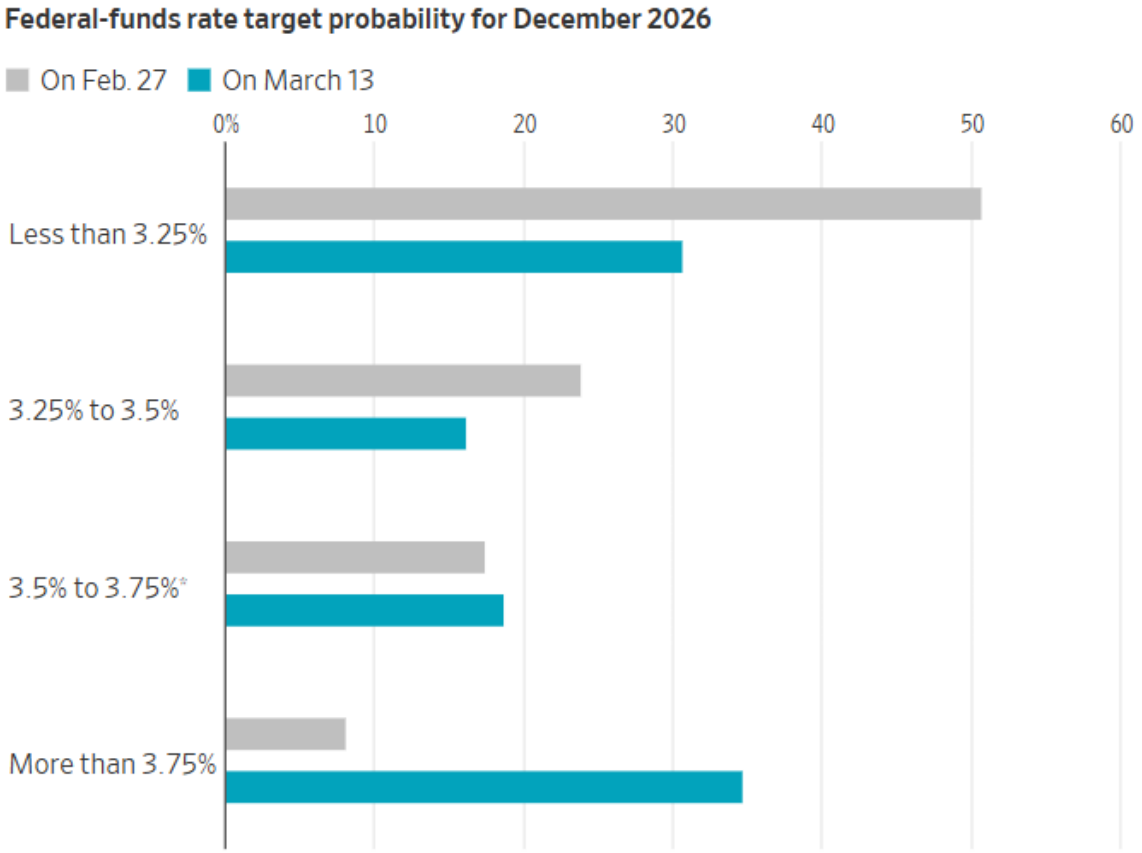
OUTLOOK AND STRATEGY

CITY TREASURER'S OFFICE

5-Year Treasury Yields

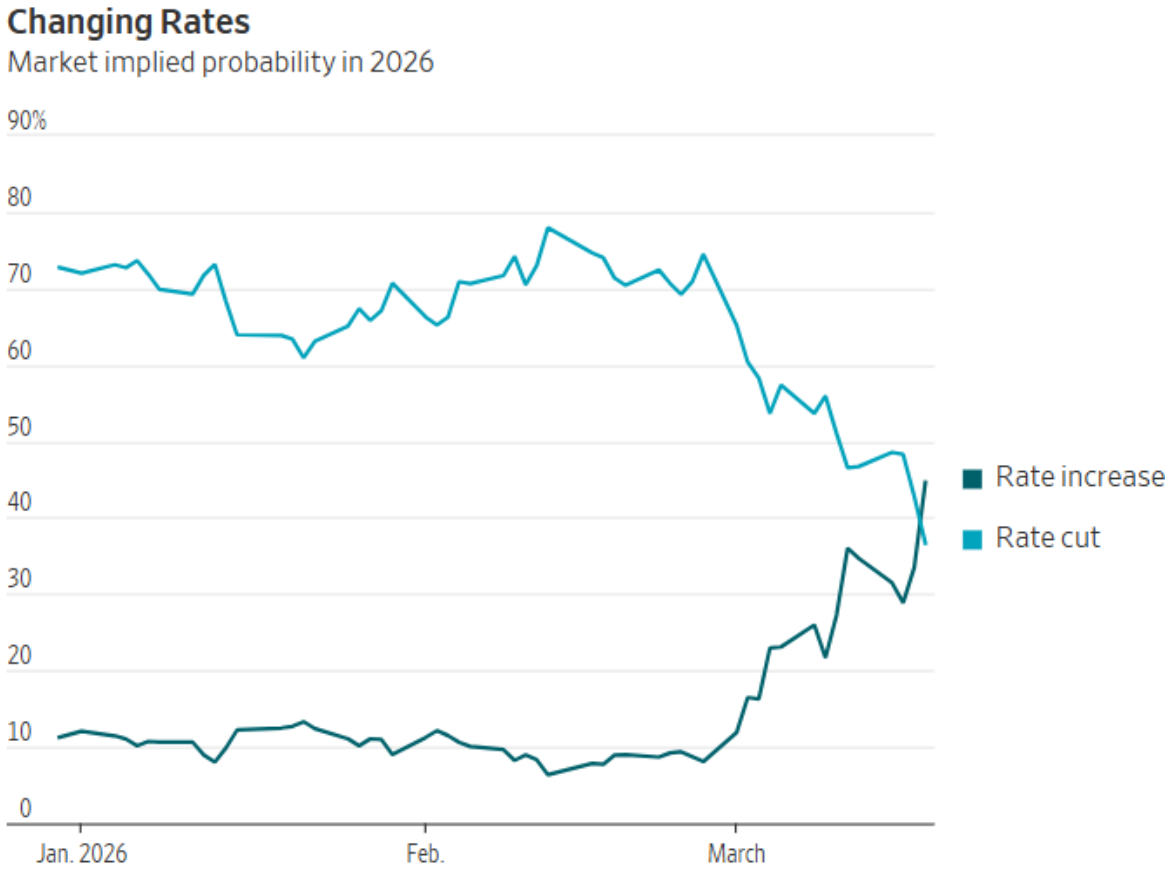


Federal Reserve



Note: The Fed's target rate has been set between 3.5% and 3.75% since December 2025.
Source: Atlanta Fed

With renewed fears of inflation since the onset of the war, the probability of at least one Fed rate cut by the end of the year has decreased

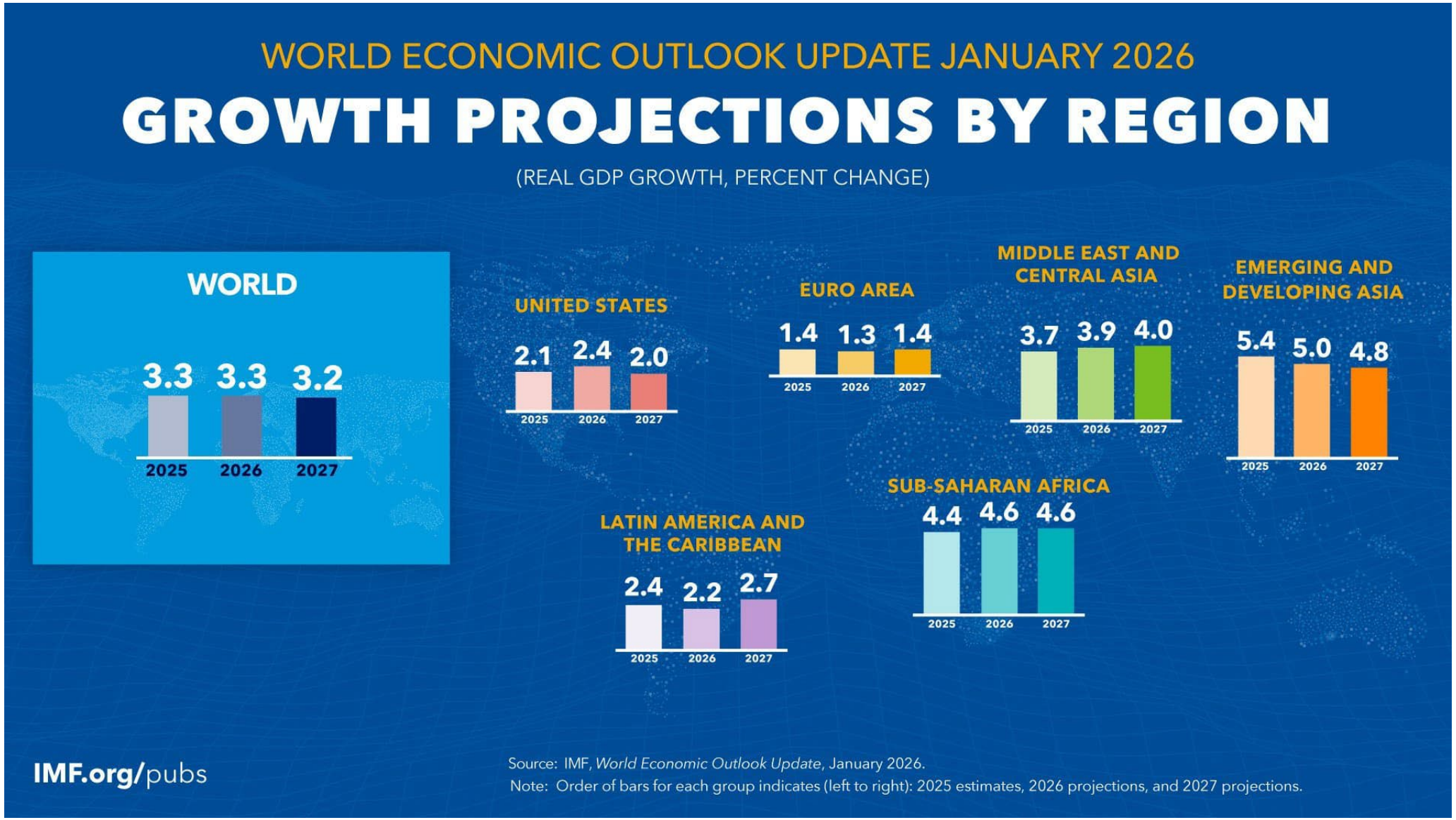


Note: through Thursday, March 19
Source: Federal Reserve Bank of Atlanta

While most Fed officials still expect at least one rate cut by the end of the year, markets are not ruling out a possible rate hike

470

IMF World Economic Outlook



Continuing Strategy

Safety

- Comprehensive due diligence and credit monitoring
- Diversification of investments across asset classes

Liquidity

- Investing operating funds in short-term assets
- Matching maturities with cash flow needs

Yield

- Strategic allocation to capture yield opportunities
- Locking in long-term rates to generate future income

Questions?

Krystle Palmer
City Treasurer
(818) 238-5880
kpalmer@burbankca.gov

CITY TREASURER'S OFFICE

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 7, 2026

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Department Director
VIA: Maribel Leyland, Assistant Community Development Director – Housing & Homeless Services
BY: Kasey Lee, Housing Development Manager

SUBJECT: Discussion and Update on Measure A Los Angeles County Affordable Housing Solutions Agency Funding

RECOMMENDATION

Provide direction to staff on possible Measure A projects and programs.

BACKGROUND

In 2017, Los Angeles County voters approved Measure H, which established a quarter-cent sales tax to fund homeless services and programs. Under Measure H, the City has received an annual allocation of approximately $350,000 for the Local Solutions Funds program, and an annual allocation of approximately $100,000 for the Homeless Incentive Program.

In November 2024, voters approved Measure A, which repealed and replaced Measure H, and increased the sales tax from a quarter cent to a half cent. With the implementation of Measure A, Measure H concluded on June 30, 2025, and Measure A began July 1, 2025.

Under Measure A, the City will continue to receive the above-mentioned Local Solutions Funds previously received under Measure H.[1] However, the above-mentioned Homeless

[1] Local Solutions Funds are used for staffing/case management at the Safe Navigation and Storage Center, hotel/motel vouchers, rental assistance, security deposit assistance, and reunification assistance. Homeless Incentive Program funds are used to assist housing voucher holders with security deposit assistance, holding fees, credit check and application fees, and essential items such as furniture.

Incentive Program will conclude at the close of the fiscal year (June 30, 2026), and the City will no longer receive funds for this program. In addition to the Local Solutions Funds, the City will receive a new funding source administered through the Los Angeles County Affordable Housing Solutions Agency (LACAHSA). LACAHSA funds will be managed by the Burbank Glendale Pasadena Regional Housing Trust (Trust). The agreement between LACAHSA and the Trust is via a Memorandum of Understanding (MOU) (Attachment 1).

DISCUSSION

Measure A LACAHSA funding is intended to support affordable housing development and homeless prevention programs. This new source of funds, described further in the next section, cannot be utilized for the construction or operations of shelters or housing for people experiencing homelessness. Additionally, these funds cannot be used to support most of the City's current homeless services and programs such as case management, motel/hotel vouchers, security deposits, outreach services, etc. The City's proposed Homeless Solutions Center construction and operation are also ineligible for these funds. Other ineligible uses of the LACAHSA funds are included in the Measure A LACAHSA Ineligible Uses document (Attachment 2).

Project and Program Funds

The City will continue to receive Local Solutions Funds annually to continue existing programs and services such as case management services, hotel/motel vouchers, security deposit assistance, reunification assistance, etc. The addition of LACAHSA funds provides the City with resources to fund new programs and projects to support affordable housing development and homeless prevention services/programs. The funds are separated into three main funding categories with eligible use examples in the chart below:

Production, Preservation, & Ownership	Renter Protection & Homeless Prevention	Technical Assistance
Eligible Uses Include Direct Project Investments, Rent and Operating Subsidies, Ownership Products, and Housing Preservation	Eligible Uses Include Legal Services and Renter Education, Emergency Rental and Flexible Financial Assistance, and Temporary Rental Assistance	Eligible Uses Include Direct Technical Assistance Programming, Program Design, Administration, Monitoring and Evaluation
Administrative Funds Totaling $187,600	Admistrative Funds Totaling $268,800	Administrative Funds Totaling $158,900

To implement Council goals, and the Council-approved Five-Year Homelessness Plan (adopted November 2022), staff recommends developing a spending plan that includes the eligible uses noted in the chart. Suggested projects and programs may include, but are not limited to:

1) For Production, Preservation & Ownership (PPO) funds: Direct project investments to support the development and preservation of affordable housing including:
    - Facilitating projects in the pipeline including gap financing for new rental and homeownership projects
    - Offering rent and operating subsidies for extremely low-income housing with development partners
    - Developing ownership assistance programs including downpayment assistance
    - Offering housing preservation activities such as rehabilitation and accessibility improvements, including partnerships on City-owned and non-vacant sites

2) For Renter Protection & Homeless Prevention (RPHP) funds: Options for programs include:
    - Coordinated set of legal services and tenant education programs such as the efforts already started with the Housing Enforcement Unit
    - Emergency rental assistance, flexible and temporary financial assistance
    - Enhanced relocation assistance for qualified households
    - Programs to stabilize housing for vulnerable households and prevent homelessness delivered through a combination of City-administered programs and subrecipient partnerships

3) For Technical Assistance (TA) funds:
    - Technical assistance and administrative support for our service providers, including program design, implementation
    - Monitoring and evaluation to strengthen service provider capacity, ensure compliance with Measure A requirements, and support effective delivery and oversight of funded programs

Based on Council's direction to explore potential programs within these general funding priorities, staff will develop the parameters of a proposed program and return to Council for program approval. The City's high-level budget has been approved by LACAHSA, and the City will be eligible to receive the LACAHSA funding allocation upon execution of the subrecipient agreement between the City and the Trust, which is expected to be finalized in May 2026.

As per Council's prior direction and in alignment with Council's established goals and priorities, Council may wish to consider continuing and enhancing the efforts of the housing enforcement unit that are highlighted earlier on the page including low-income legal grants, mediation services, and housing clinics.

Administrative Funds

One area to highlight is that LACAHSA funds allow for administrative expenses for staffing and related administrative expenses and that a portion of the administrative budget must also be used for administrative/staffing expenses for Measure A LACAHSA-funded subrecipients or partnering agencies. Staff has identified the need to create two new Administrative Analyst II positions through this new funding source to administer new programs and projects utilizing Measure A funds. The estimated annual cost is $132,923.80 per position, which will be fully funded with LACAHSA funds.

One of these positions will be responsible for administering the Production, Preservation, and Ownership funds and the other will be responsible for administering the Renter Protection Homeless Prevention funds. Both positions will be responsible for communication, coordination, programming, contract oversight, and budget oversight. The addition of these two new positions, along with the appropriation of associated Measure A funds, will be included for Council's consideration as part of the City's FY 2026-27 budget process.

Estimated Allocations and Measure A Timeframe

There is no sunset on Measure A funds. Funds are expected to be received indefinitely unless the tax is repealed by voters. However, allocations will vary based on sales tax revenues. The City's preliminary FY 2025-26 LACAHSA funding allocation is $3,016,686. Of this, $75,417 is committed to the Trust to administer the funds, bringing the total allocation to the City to approximately $2,941,269. A FY 2025-26 budget was created by the Trust and submitted to LACAHSA (Attachment 3).

LACAHSA is in the process of determining the logistical framework for the distribution of Measure A funds, therefore, staff does not expect to receive funds until FY 2026-27. Subsequently, FY 2025-26 funds received under Measure H will be rolled into FY 2026-27 programming. Staff expects the FY 2026-27 LACAHSA appropriation to be approximately the same amount for a total of $6,033,372 for two years. Funds may be requested either in advance, subject to LACAHSA's availability of funds (the receipt of sales tax revenues), or on a reimbursement basis. Advance funding requests are limited to fiscal years for which LACAHSA has already received Measure A sales tax revenues.

Specific uses of funds will align with community and Council goals and priorities, and as projects and programs are finalized, they will be presented to the Council for review and consideration. Recruiting for the two new positions now will allow staff to be prepared and proactive once the FY 2026-27 budget is adopted and funds are received.

ENVIRONMENTAL REVIEW

Providing input on a Measure A preliminary spending plan does not have the potential to cause a significant effect on the environment and do not qualify as a “project” under the California Environmental Quality Act (CEQA) 14 Cal. Code Regs § 15378.

FISCAL IMPACT

While Measure A funds may offset some General Fund expenditures, there is no financial impact on the General Fund. The use of LACAHSA Measure A funds may result in potential savings to the General Fund by supporting programs and services currently funded with General Fund resources such as the Housing Rights Center contract which consists of guidance and resources for the general Burbank public related to landlord/tenant issues, and workshops and clinics; and the Low-Income Legal Grant Assistance program which provides grants for legal representation for low-income tenants and landlords. As projects and programs are developed for Council’s consideration, the fiscal impact of each project or program will be presented to Council.

CONCLUSION

This staff report provides an update on Los Angeles County’s transition from Measure H to Measure A, which doubles the sales tax for homeless services and introduces a new funding stream through the Los Angeles County Affordable Housing Solutions Agency (LACAHSA). While the City will continue receiving Local Solutions Funds for existing homeless services, new LACAHSA funds - estimated at roughly $2.9 million annually - are restricted to affordable housing development and homelessness prevention (not direct homeless services or shelters). Staff recommends developing a spending plan focused on three areas: affordable housing production/preservation, renter protection and homelessness prevention, and technical assistance for program delivery. To administer these new programs, staff proposes adding two grant-funded analyst positions. Programming is expected to begin in FY 2026-27 and will be ongoing, with flexibility to support Council priorities while potentially offsetting some General Fund costs.

ATTACHMENTS

Attachment 1 – Memorandum of Understanding Between LACAHSA and the Trust
Attachment 2 – Measure A LACAHSA Funds – Ineligible Uses
Attachment 3 – Burbank-Glendale-Pasadena Regional Housing Trust Budget

LACAHSA
THE AFFORDABLE
SOLUTIONS AGENCY

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Executive Director, SCAG
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Zerita Jones
Housing Justice Organizer
Interim Citizens Oversight Chair

Memorandum

To: **All Eligible Jurisdictions**

From: Seyron Foo, Chief Engagement and Intergovernmental Relations Officer

Cc: Ryan Johnson, Interim CEO
Tommy Newman, Chief of Staff
Mike Maurer, General Counsel

Date: September 26, 2025

Subject: Updates to Funding Memorandum of Understanding

As you are all aware, at its June meeting, the LACAHSA Board approved a standard Funding Memorandum of Understanding for pass-through funding for all jurisdictions. The LACAHSA Board approved the form first, and many (but not all) of the Eligible Jurisdictions have since approved and executed it.

In order to ensure that each Eligible Jurisdiction receives the same terms and same opportunities, and that no Eligible Jurisdiction receives favorable treatment, the approved Funding MOU form contains a "Most Favored Nations Clause" (Section 15), which ensures that if any entity receives more favorable terms, all Eligible Jurisdictions will receive the same terms.

At its September, the LACAHSA Board approved revised Funding Memoranda of Understanding with the City of Los Angeles and with the County of Los Angeles, respectively. This approval has triggered the Most Favored Nations Clause, and each Eligible Jurisdiction will therefore receive the following three terms:

1. Notice of Allocations. LACAHSA will provide the Eligible Jurisdictions with 30 days' notice in advance of a change in the

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proportional allocations that each Eligible Jurisdiction receives. (Note that a change would have to be based on updated RHNA or CHAS data as required by SB 679).

2. Cure Period. LACAHSA will not be required to give a 60-day notice to cure if the breach is a result of fraud, embezzlement or serious misappropriation.

3. Service Workers. Eligible Jurisdictions will have until July 1, 2026, to bring contracts into compliance with Section 27 of Measure A, as applicable.

The specific changes are set forth in the enclosed Addendum No. 1 to the Funding Memorandum of Understanding and will deemed to be automatically incorporated into your agency's Funding MOU through the Most Favored Nations Clause.

Additionally, the LACAHSA Board approved removing the attorneys' fees provision from the Funding MOUs for the City of Los Angeles and for the County of Los Angeles. It is unclear whether this change implicates the Most Favored Nations Clause because some Eliigible Jurisdictions may want to remove the term, but others may want it to remain. We are therefore providing this change as an option.

The choices will be:

1. No change. Your Funding MOU will have an attorneys' fees provision indicating that the prevailing party in any legal dispute will be entitled to recover its reasonable attorneys' fees.

2. Accept the change. Your Funding MOU will NOT have an attorneys' fees provision and each party will therefore bear its own costs of attorneys' fees, regardless of which side prevails in the action.

If you do not want to make this change, then you do not have to take any action.

If you want to accept the change, please execute the attached Addendum and return it to LACAHSA prior to the end of this calendar

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year or prior to initiating any dispute under the MOU (whichever occurs first).

If you have any questions you may contact me at (213) 815-0440 or seyron.foo@lacahsa.gov, or you may contact LACAHSA's General Counsel Mike Maurer at (213) 787-2557 or michael.maurer@bbklaw.com.

Enclosure – Addendum No. 1 to Funding Memorandum of Understanding.

ENCLOSURE

ADDENDUM NO. 1

AFFORDABLE HOUSING PRODUCTION, PRESERVATION, AND OWNERSHIP; TECHNICAL ASSISTANCE, RESEARCH AND POLICY; AND RENTER PROTECTION AND HOMELESSNESS PREVENTION FUNDING MEMORANDUM OF UNDERSTANDING

I. RECITALS:

Section 15 of the MOU contains a "Most Favored Nations" provision that entitles Recipient to receive the same beneficial terms as other Eligible Jurisdictions. Following LACAHSA's initial approval of the MOU, on September 17, 2025, the LACAHSA Board approved additional beneficial terms for certain Eligible Jurisdictions that therefore apply to all Eligible Jurisdictions.

These additional beneficial terms are therefore automatically incorporated into each MOU that contains a Most Favored Nations provision, as of the Effective Date of the MOU. The optional amendment noted below will be incorporated into the MOU as of the Effective Date upon execution of this Addendum No. 1.

The MOU otherwise remains in full force and effect and without modification. Defined terms used in this Addendum No. 1 shall have the same meaning as in the MOU.

II. AUTOMATIC REVISIONS TO MOU:

Section 3.2. *The following sentence is added to the end of Section 3.2:* "Agency shall provide Recipient with 30 days advance written notice of any changes or proposed changes; Agency may give notice to Recipient prior to its formal adoption of an annual expenditure plan effectuating changes.

Section 3.4. *The following sentence is added to the end of Section 3.4:* "Agency shall provide Recipient with 30 days advance written notice of any changes or proposed changes; Agency may give notice to Recipient prior to its formal adoption of an annual expenditure plan effectuating changes.

Section 3.6. *The following sentence is added to the end of Section 3.6:* "Agency shall provide Recipient with 30 days advance written notice of any changes or proposed changes; Agency may give notice to Recipient prior to its formal adoption of an annual expenditure plan effectuating changes.

Section 10. *The following sentences are added to the end of Section 10*: "The requirements under Measure A shall be fully implemented and enforced by July 1, 2026, to allow for necessary administrative, budgetary, and contractual adjustments while ensuring compliance with Measure A. During the transition period, Agency shall coordinate with Recipient to align all Measure A-funded social services positions with the requirements set forth in this Section to the maximum extent feasible.

Section 14.4.2. The first sentence of Section 14.4.2 is amended to read in whole: "If Agency alleges that Recipient has committed *fraud*, *embezzlement*, or a *serious* misappropriation of funds in violation of the Act, Measure A, or both, Agency may institute an action at law or equity to pursue all available legal or equitable remedies without providing a period for cure."

III. OPTIONAL REVISION TO THE MOU:

Recipient may elect to implement the following change, which would delete Section 17.6 from the MOU as follows:

> ~~**"Enforcement Costs**. If any action or proceeding is brought by any Party against any other Party to enforce any of the provisions hereof, or to seek damages by reason of any alleged breach of any of the provisions hereof (whether at the trial court level, appellate level, in a bankruptcy, probate or administrative proceeding or otherwise), the prevailing Party shall be entitled to recover from the other Party its attorney's fees in such amount as the court may adjudge reasonable in such action or proceeding, together with the prevailing Party's other costs and expenses (including, without limit, court costs and other litigation costs and expenses)."~~

In order to accept this change, Recipient shall execute the below statement and return the executed form to the Agency prior to December 31, 2025, or prior to bringing a dispute against Agency under the MOU, whichever occurs first:

On behalf of **the Burbank-Glendale-Pasdena Regional Housing Trust** (Recipient), and with full authority to authorize this change, I hereby accept the deletion of Section 17.6 from the MOU.

Dima Galkin

By: **Dima Galkin**

Its: **Trust Manager**

Date: 10/31/2025

Approved to Form:

Elena Q. Gerli, General Counsel

LOS ANGELES COUNTY AFFORDABLE HOUSING SOLUTIONS AGENCY

Ryan Johnson

Ryan Johnson
Interim CEO

Approved to Form:

Michael J. Maurer
General Counsel

Attachment 2

Measure A LACAHSA Funds
Ineligible Uses

Measure A Los Angeles County Affordable Housing Solutions Agency (LACAHSA) funds are designated for production and preservation of affordable housing, homeless prevention, and renter protection. LACAHSA funds cannot be used for programs, services or projects that support current homeless. Examples of ineligible uses include but are not limited to:

- Construction or rehabilitation of facilities supporting homeless including homeless shelters, transitional housing, emergency housing, and congregate or non-congregate shelters
- Operations, programming or staffing expenses related to homeless facilities
- Programs and services supporting homeless
- Encampment resolution / clean up
- Outreach staffing
- Hotel/motel vouchers
- Case management for homeless

For more information on ineligible uses, please visit:

https://lacahsa.gov/wp-content/uploads/2025/10/LACAHSA-Transitional-Guidelines_September-2025.pdf

Attachment 3

Measure A Los Angeles County Affordable Housing Solutions Agency (LACAHSA)
Burbank-Glendale-Pasadena Regional Housing Trust Budget – Fiscal Year 2025-26
(Includes Burbank and Pasadena)

Category	Total	Pasadena Allocation	Burbank Allocation	Trust Allocation
PPO New Construction [1]	**$ 2,676,002**	**$ 1,407,935**	**$ 1,268,067**	**$ -**
Program	*2,370,173*	*1,247,028*	*1,123,145*	-
Soft Costs [2]	*305,829*	*160,907*	*144,922*	-
PPO Flex [1]	**$ 788,078**	**$ 414,635**	**$ 373,444**	**-**
Program	*698,012*	*367,248*	*330,765*	-
Soft Costs [2]	*90,066*	*47,387*	*42,679*	-
RPHP [3][4]	**$ 1,963,371**	**$ 1,107,865**	**$ 855,505**	**-**
Legal Requirement (20%)	*448,770*	*253,226*	*195,544*	-
Emergency Rental & Flexible Financial Assistance Requirement (40%)	*897,541*	*506,453*	*391,088*	-
Program Discretion [3]	*168,289*	*94,960*	*73,329*	-
Activity Delivery Costs (ADC)	*448,770*	*253,226*	*195,544*	-
Technical Assistance (TA) [2][4]	**$ 311,646**	**$ 169,062**	**$ 142,584**	
Program Administration (PA) [5]	**$ 819,871**	**$ 356,899**	**$ 301,669**	**$ 161,303**
TOTAL	**$ 6,558,968**	**$ 3,456,396**	**$ 2,941,269**	**$ 161,303**

(1) PPO allocations for Burbank and Pasadena are determined by each city's share of the combined RHNA allocation for the two cities to match LACAHSA's allocation methodology. Burbank makes up 47.4% of allocations and Pasadena makes up 52.6%.
(2) There is not a definitive set aside for Activity Delivery Costs (ADC) for PPO or TA activities, but PPO funds can be used to fund necessary and associated soft costs with the proposed activity.
(3) Inclusive of funding to eligible categories outside of specified minimums, including a) Marketing, Assessment, Eligibility, and Referral, b) Legal Services and Renter Education, c) Emergency Rental and Flexible Financial Assistance, d) Temporary Rental Assistance, and e) Short-Term Income Support.
(4) RPHP and TA allocations for Burbank and Pasadena are determined by each city's share of the combined CHAS metrics for the two cities to match LACAHSA's allocation methodology. Burbank makes up 45.8% of metrics and Pasadena makes up 54.2%.
(5) Reflects a 12.5% Program Administration allocation, the maximum limit allowed within LACAHSA's Transitional Program Guidelines dated September 2025.

Overview of Measure A LACAHSA Fund for Council Feedback on Programming

City Council
April 7, 2026

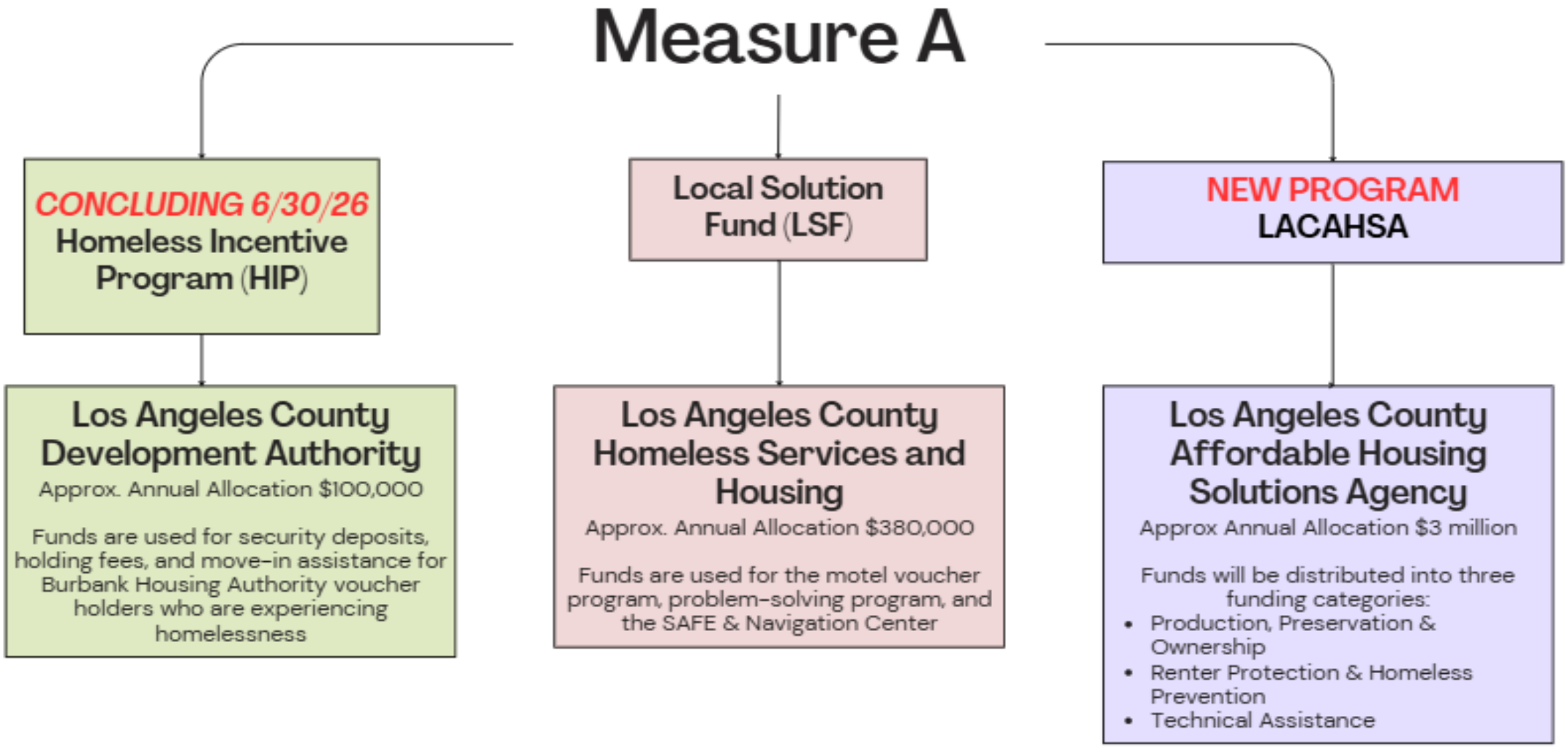
CITY OF BURBANK
COMMUNITY DEVELOPMENT

Background & Purpose

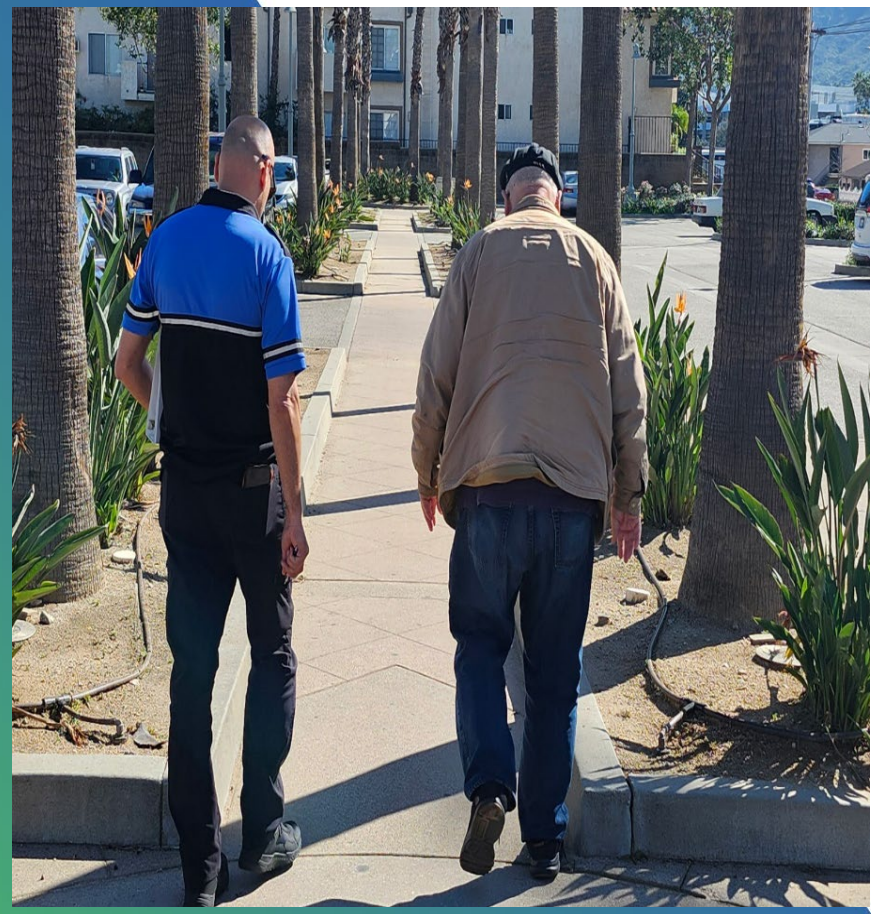


- Measure A repealed and replaced Measure H
- Increased the sales tax from a quarter cent to a half cent
- Measure H concluded June 30, 2025
- Measure A began July 1, 2025
- There is no sunset on Measure A funds
- No direct local return

Measure A Programs



Homeless Programming- Local Solutions Fund & General Fund



- **Measure A Local Solutions Fund (not Measure A LACAHSA funds):** Hotel/motel vouchers, rental and security deposit assistance, reunification assistance, case management
- **Homeless Outreach and Engagement (Allied)**
- **General Fund:** Proposed increased services to include intensive case management

Measure A LACAHSA Ineligible Uses



Eligible Uses – Production, Preservation and Ownership (PPO)

- Direct Project Investments
  - *Affordable Housing Projects Underway*
  - *Gap Financing*
- Rent and Operating Subsidies for Extremely Low-Income
- Ownership Products
  - *Downpayment Assistance*
- *Housing Preservation*
  - *Rehabilitation and Accessibility Improvements*



Eligible Uses – Renter Protection & Homeless Prevention (RPHP)



- Legal Assistance and Renter Education
  - *Lifting People Up (current program)*
  - *Housing Rights Center (current program)*
  - *Low Income Legal Grants (current program)*
- Emergency Rental and Flexible Financial Assistance
  - *Rental Assistance (current program)*
  - *Relocation Expenses*
- Temporary Rental Assistance
  - *Rental Assistance & Utility Assistance (up to 6 months)*
- Technical Assistance Subcategory

Fiscal Year 2025-26 Allocation

Measure A LACAHSA Category		FY 2025/26 Allocation
Production, Preservation & Ownership	$	1,641,511.00
*Administration	$	187,601.00
**Renter Protection & Homeless Prevention	$	684,404.00
*Administration	$	268,873.00
Technical Assistance	$	158,880.00
Total	**$**	**2,941,269.00**

*Administration expenses shared between the City and subrecipients/partnering agencies

**20% must be spent on legal assistance and tenant outreach and 40% must be spent in the financial assistance category

Recommendation and Next Steps

- Provide direction and feedback on LACAHSA eligible uses
- Based on direction, staff will return with each proposed project or program utilizing Measure A funding for Council consideration

Contact

Kasey Lee
Housing Development Manager
Community Development
klee@burbankca.gov

STAFF REPORT

COMMUNITY DEVELOPMENT

DATE: April 7, 2026

TO: Justin Hess, City Manager

FROM: Patrick Prescott, Community Development Department Director
VIA: Simone McFarland, Assistant Community Development Director
BY: Kasey Lee, Housing Development Manager

SUBJECT: Update on Homelessness Programs and the Homeless Solutions Center; Approval to Withdraw the Request for Grant Funding from the Burbank-Glendale-Pasadena Regional Housing Trust Joint Power Authority; and Discussion of Potential Options for Property Previously Slated for Homeless Solutions Center

RECOMMENDATION

1. Direct the City Manager, or his designee to withdraw the grant funding request made to the Burbank-Glendale-Pasadena Regional Housing Trust (BGPRHT) in the amount of $3,450,000.

2. Direct staff to research alternate options for the City-owned site located at 211, 323, and 333 S. Front Street, 10 E. Verdugo Avenue, and a portion of the adjacent Downtown Metrolink Parking Lot in Burbank, previously proposed for the Homeless Solutions Center (Project).

BACKGROUND

In December 2022, the City's Five-Year (2022-2027) Homelessness Plan (Plan) was approved by Council. The Plan included a goal to create interim housing that would include shelters and/or transitional housing including studio suites. Furthermore, the Plan included a strategy to implement a Safe Parking Program.

On April 9, 2024, Council approved moving forward with the development of a Homeless Solution Center located at 211, 323-333 S. Front Street and 10 East Verdugo Avenue. In

addition, Council authorized staff to request $3,450,000 in grant funding from the BGPRHT to help fund the development of the Project. On May 1, 2024, the BGPRHT board approved the request.

The proposed Project currently encompasses 211, 323, and 333 S. Front Street, 10 E. Verdugo Avenue, and a portion of the adjacent downtown Burbank Metrolink Parking Lot. advanced. The project would provide 48 studio home suites (tiny homes) and four ADA units (totaling 52 units) along with 16 SAFE parking spaces. The current SAFE storage is proposed to be incorporated into the Project. To date, the City has expended a little more than $1 million on architectural designs and environmental studies. Approximately $750,000 of these expenditures were paid with Permanent Local Housing Allocation Program (PLHA) funds. If the Project does not move forward, these PLHA funds will need to be repaid unless another housing project is constructed.

The Project is currently entitled with approved plans and completed environmental documents. The next step in the process would be to submit the environmental documents to U.S. Department of Housing and Urban Development.

During the past several years, the City has implemented a robust range of important programs and services aligned with the Five-Year Homelessness Plan. These efforts include the establishment of the Safe Navigation and Storage Center, expansion of the homeless outreach team, and the introduction of rental and relocation assistance programs, to name a few. These programs have been highly successful in reducing the amount of homelessness in Burbank.

Additionally, the City partners with several nonprofit organizations dedicated to serving individuals experiencing homelessness, including the Safe Navigation and Storage Center and the Burbank Temporary Aid Center. The Buena Vista Homeless Access Center, currently under construction, will serve as another facility focused on providing comprehensive support and resources to the homeless population. The City's efforts focus on outreach and financially supporting our partners so that people can be referred to them for services.

DISCUSSION

Status of the Homeless Solutions Center

During the design process, the preliminary construction budget projection, provided by the architect, estimated the total costs at $16,978,789. Staff initially identified approximately $10 million in potential funding sources, including $3,450,000 in BGPRHT funds and $1,671,978 in Community Development Block Grant (CDBG) funds, which have strict spending deadlines. To meet these spending deadlines, Council reallocated $1,671,978 of CDBG funds during the FY 2024-25 budget to Burbank's Home Again Los Angeles (HALA) Access Center, a project that began construction in February 2026.

Despite staff's efforts to secure additional funds to complete the project, a funding source for the remaining $8 million or more needed to complete construction has not been identified. In addition to these initial development costs, it is estimated that it will cost an additional $1.6 million or more per year to retain a service provider. Current estimates for the completion of the Project remain influx as estimated costs have continued to increase with inflation and construction demand. Staff does not have a current construction cost estimate at this time.

Development One-Time Cost

- Current Funding** $ 8,625,837
- Project Cost $ 16,978,789
- **Deficit** **$ 8,252,952**

Reoccurring Operational Costs are estimated to be $1.6M+

It was anticipated that the new Measure A funding source, Los Angeles County Affordable Housing Solutions Agency (LACAHSA), would help offset both one-time and ongoing funding requirements for the Project. However, this new source of funds cannot be utilized for ongoing operations of homeless services, capital improvements for transitional housing or any other program, service, project, or operation for people experiencing homelessness.[1] Eligible uses for Measure A LACAHSA funds include the production of housing, preservation of housing, and homelessness prevention.

In the past, LA County helped fund services through a day-rate payment system funded through Measure H. These funds have been depleted and as a result, the County has been forced to reduce or stop providing several homeless housing services. In February 2026, the LA County Board of Supervisors made nearly $200 million in cuts to homeless services and approved the closure of 13 Pathway Home motel sites by the end of Fiscal Year 2027-28.

Based on escalating construction and operating costs and the County's reduction of funding for homeless services, a current lack of funding for the Project, and the expectation that there will be no foreseeable funding from the County through Measure A, staff recommends pivoting and looking for alternative uses for the site while continuing to partner with BTAC, Salvation Army, Allied Universal, and other services agencies to enhance the City's homelessness services effort. A status update on the Project and included recommendations was provided to the Affordable Housing Committee on March

[1] The City of Burbank's allocation of Measure A LACAHSA funds is managed by BGPRHT. More information on the Trust's administration of Measure A LACAHSA funds can be found at https://www.bgphousingtrust.org/measure-a. Measure A Local Solutions Funds (LSF) could be used for operations, but staff suspects that requirements will remove this proposed use in the future and if LSF was programmed toward services to the Front Street project, other services would have to be discontinued. See Proposed Program enhancements below.

16, 2026. The answers to their questions and request for more information are included in this report.

2026 Point-In-Time Count

The Point-in-Time (PIT) Count is an annual census conducted to estimate the number of people experiencing homelessness on a single night. It provides critical data used by communities and policymakers to understand trends, allocate resources, and evaluate the effectiveness of homelessness programs. The PIT Count is sponsored by LAHSA and coordinated by City staff; volunteers conduct the actual count.

The City conducted the 2026 PIT Count on January 20, 2026. Although results will not be published until May or June 2026, the preliminary data suggests an overall decrease in unsheltered homelessness by approximately 29% from the previous year. The number of people living on the streets appears to have increased slightly, while the number of vehicle dwellers declined significantly This shift is largely attributed to continued outreach efforts and enforcement strategies aimed at connecting individuals with services and reducing unsafe living conditions.

The Point-in-Time (PIT) Count data indicates that homelessness is stabilizing and, in some areas, beginning to decline. A 29% overall reduction in unsheltered homelessness from 2025 to 2026 suggests that coordinated efforts (outreach, service connections, and enforcement when absolutely necessary) are having a measurable impact. While there was a small increase of five individuals living on the streets (totaling 51), this marginal change is outweighed by the significant decrease of 56 vehicle dwellers, pointing to a broader shift away from unsheltered living situations. These trends suggest that, despite minor fluctuations within subgroups, the overall trajectory reflects progress in reducing and stabilizing homelessness.

In August 2025, City staff conducted an internal survey to better understand the need for and interest in housing and safe parking among the unsheltered homeless population. All unsheltered individuals were surveyed, including 68 people living on the streets and 83 individuals living in their vehicles.

Among those living on the streets, 53% indicated they would accept housing, and of those living in their vehicles, 30% expressed interest in safe parking. Applying these percentages to the current homeless population/Point-In-Time Count results, it is estimated that approximately 27 (53% of 51) individuals living on the streets may accept housing, and 17 (30% of 56) individuals currently living in vehicles may be interested in safe parking.

It is important to note that this is a subjective survey, and the results cannot be considered conclusive. Additionally, both housing and safe parking programs include eligibility

requirements and program rules, and not all individuals may qualify or want to go through a pre-screening process that requires them to sign a document to adhere to structured rules at the parking or housing facility.

Coordinated Homeless Services and Initiatives

The Homeless Services Team continues to partner with the robust network of housing and safe parking providers to provide services to Burbank's unhoused population. Since the inception of the City's Five-Year Homelessness Plan, the City has made significant strides to advance the efforts detailed in the plan:

1) **Burbank HALA Access Center:** Construction of the project at 2244 N. Buena Vista (Old Fire Station #13 / former Boys and Girls Club location) began in February 2026. The project includes four transitional housing suites for families and will be completed early 2027 along with wrap-around services that include: case management, financial literacy courses, employment connections, assistance with rental relief, support in signing up for the County's general relief program and applying for utility financial assistance.
2) **Outreach/Ambassador Services:** In October 2024, Council approved hiring Allied Universal to provide homeless outreach services, and ambassador services for the City's parks and libraries. These programs have been successful and were funded again in FY 2025-26 and work together on homelessness concerns and have relationships that make each individual unit stronger.
    a. **Homeless Outreach:** The Homeless Outreach staff includes one supervisor and four homeless outreach liaisons who provide coverage seven days a week. They have been working closely with the City's internal Homelessness Services Team and have been proven to be successful, helping 51 individuals find housing, rehabilitation and/or return to their loved ones since the beginning of their contract.
    b. **Park Patrol Program:** The Park and Recreation Department utilizes three security ambassadors and a roving supervisor to provide patrols seven days a week. As part of their duties, they engage with the unsheltered and complete a warm handoff to the Homeless Outreach Team to provide referrals and services.
    c. **Library Ambassador Program:** The Library Services Department provides uniformed security presence at the libraries. There are two ambassadors stationed at the libraries.
    d. **Library Social Work Services:** The Library Services Department has a dedicated library social worker who provides referrals and resources for those experiencing homelessness.
    e. **Burbank Police Department Mental Health Evaluation Team (MHET):** The Police Department has a Mental Health Evaluation Team that consists of a police officer, social worker, and administrative analyst. The team is

dedicated to assisting those with mental health concerns, including the homeless. This team works in close collaboration with the homeless services team and coordinates with community services providers. Over the past year the program has expanded its hours of operation to provide coverage six days per week, enhancing ability to respond proactively, conduct outreach, and provide timely support to individuals in need.

f. **City Internal Homelessness Services Team:** The City implemented a multi-departmental team comprised of representatives from the Community Development, Fire, Library Services, Parks and Recreation, Police, and Public Works Departments, as well as Allied Universal, that meets regularly to discuss the City's homelessness strategies and review specific cases. This collaborative effort ensures timely sharing of information, coordination of services, and a holistic approach to maximize efforts and improve outcomes.

3) **Burbank Temporary Aid Center – Increased Services:** With HALA's Acquisition of the Burbank Temporary Aid Center (BTAC), the City has increased our funding and HALA has increased homeless services including:
   a. Extending the hours of operations from 9:00am to 12:00pm to 9:00am to 5:00pm.
   b. Adding additional hours to the shower program, from six hours per week to 26 hours per week. The showers are by appointment but, if available, will welcome a walk-in. This is funded by the City via an agreement with HALA.
   c. Laundry facilities times have been increased to Monday through Friday (five days a week) where they were only available Monday and Friday (two days a week) before. This is also funded by the City via an agreement with HALA.
   d. An additional grocery store has been brought on as a partner to provide more grocery donations.
   e. Increased hours of operation to include the first Saturday of each month to help those Burbank households unable to come Monday through Friday due to work commitments.
4) **Case Management System:** In July 2025, the City implemented a data management application, that allows the City to more efficiently track and report homeless data. This system enables staff to coordinate services, monitor individual client needs, and link individuals to appropriate resources.

Measure A – Local Solutions Fund

In addition to the critical programs and services outlined above, the recent increase in Measure A funding will enable the City to further strengthen and expand its homeless response efforts. Specifically, the Measure A Local Solutions Fund (LSF) allocation will increase from $380,000 in FY 2025-26 to $460,000 in FY 2026-27. This allocation of Measure A funds is administered though the Los Angeles County Department of Homeless Services and Housing.

The additional $80,000 in LSF funding will support the expansion of existing programs including:

1. Hotel and motel voucher assistance;
2. Security deposit assistance to help individuals secure permanent housing;
3. Reunification services to connect individuals with family or support systems; and
4. Enhanced case management services to promote long-term housing stability and self-sufficiency.

Los Angeles County Affordable Housing Solutions Agency (LACAHSA)

Additionally, as presented to the Council earlier, beginning in FY 2025-26, the City started to accrue Measure A funds administered through LACAHSA. The City's FY 2025-26 allocation is approximately $3 million, and staff anticipates receiving a comparable allocation in FY 2026-27. Since program implementation will not commence until FY 2026-27, the FY 2025-26 allocation will roll forward and be combined with the FY 2026-27 allocation, resulting in an estimated $6 million available for programming in FY 2026-27. A portion of these funds, particularly those designated for larger-scale development projects, may be carried over into subsequent fiscal years to ensure sufficient resources for project completion. With Council's direction this evening, staff will finalize a spending plan for Measure A LACAHSA funds.

General Fund Annual Appropriation for Homeless Programming

Through the City's annual budget process, Council will consider annual general fund appropriations to support key community priorities, including facility improvements to the BTAC facility, and the expansion of intensive case management services. These proposed projects and programs are being carefully evaluated and will be presented to the City Council for consideration and approval as part of the upcoming annual budget process.

These investments in homeless programming represent a significant and strategic expansion of the City's efforts to prevent and reduce homelessness while increasing access to stable, affordable housing. By leveraging Measure A resources alongside general fund appropriations, the City is positioning itself to implement both immediate interventions and long-term housing solutions. Staff will continue to refine program recommendations, ensure alignment with community needs and priorities, and present a comprehensive funding and implementation plan to Council during the upcoming budget cycle.

Alternative Opportunities for Front Street Location

When City Council authorized the purchase of the Front Street building on September 29, 2020, several potential uses proposed for the Property were considered, including transitional housing and/or a homeless shelter, a "re-use store", additional Metrolink

parking, and/or affordable housing. These options, along with the possibility of selling the property, could be reconsidered in light of the current needs and priorities.

The City continues to face a significant need for affordable housing, including Permanent Supportive Housing and senior housing. A housing project could include project-based vouchers to reserve housing for Section 8 recipients. With the changing homeless environment and lack of funding for a shelter, Council may want to explore a housing solution that still provides a substantial benefit to the community.

ENVIRONMENTAL REVIEW

The report to Council for consideration of future plans and uses for the site located at 211, 323-333 South Front Street and 10 East Verdugo Avenue is statutorily exempt from review under the California Environmental Quality Act (CEQA), because it is a feasibility study for possible future actions that have not yet been adopted or approved by Council (CEQA Guidelines, §15262). In addition, if the Project were to proceed, it would be exempt from CEQA Guidelines, §15269 as it is an emergency project that requires specific actions necessary to prevent or mitigate an emergency. Lastly, Government Code §8698.4(a)(4) specifically states that CEQA shall not apply to actions taken by a city to lease, convey, or encumber land, or provide financial assistance to, a homeless shelter constructed or allowed Government Code §8698.4. As previously noted, federal CDBG funds were appropriated to the project, therefore, an environmental assessment under the National Environmental Policy Act (NEPA) was completed because of the anticipated use of those funds. However, those CDBG funds have moved to the HALA Access Center.

FISCAL IMPACT

If Council concurs with staff's recommendation to explore alternative opportunities for the City's use of the location, focusing on homelessness services, partnering with non-profits and looking at other alternatives for the Project site, the BGPRHT will be notified that the funds will no longer be used for this project. The approved amount was $3,450,000 and these funds could be used for another housing project.

CONCLUSION

Due to a significant funding shortfall (over $8 million in capital costs plus $1.6 million+ annually for operations), the lack of viable supplemental funding sources, and rising construction costs, the previously proposed Homeless Solutions Center project is no longer viable. Therefore, staff recommends that the City pivot from the previously proposed project and explore alternative opportunities for use of the property. Additionally, staff recommend withdrawing the $3.45 million grant request from the Burbank-Glendale-Pasadena Regional Housing Trust. Although the project is fully entitled and over $1 million has been spent on design and environmental work, ongoing

funding (particularly for operations) has become infeasible given changes to County funding and restrictions under Measure A.

The City has strengthened its homelessness response through expansive and targeted outreach services and coordinated case management construction of the HALA Access Center, enhanced services at BTAC, and new data and enforcement tools, with additional proposed program enhancements potentially funded by Measure A and the General Fund. Staff recommends focusing resources on these scalable, service-based strategies and partnerships rather than a single high-cost facility, while returning to Council at a later date with proposed options for reuse or redevelopment of the site.

ATTACHMENT

None.

Update on Homelessness Programs and the Homeless Solutions Center

City Council
April 7, 2026

CITY OF BURBANK
COMMUNITY DEVELOPMENT

Topics

- Front Street
- Burbank's Homeless Programs

Project Overview

- **Location:** 323-333 Front Street (Hollywood Piano and adjacent office building); Interstate 5 Freeway to the north and east, Metrolink Railroad to the south, and Downtown Metrolink Station to the west. (10 E. Verdugo)
- **Lot Size:** 41,500 SF
- **Existing Building Size:** 13,375 SF
- **Proposed Housing:** 18 modules, 52 Tiny Homes, and Office Building Tenant Improvements.
- **Proposed Safe Parking:** 17 Safe Parking Area Including Onsite Hygiene Trailers



Project Costs and Funding*

Development One-Time Cost	
Current Funding**	$ 8,625,837
Project Cost	$ 16,978,789
Shortfall	$ 8,252,952

Reoccurring Operational Costs are estimated to be $1.6 million+

*As of 2/25/26

**Includes Regional Housing Trust ($7,000,000); Redevelopment Loan Repayment ($910,500) and Permanent Local Housing Allocation ($763,780).

Changing Landscape
LA County

- **Measure A (LACAHSA):** Does not provide funding for program services, projects or operational expenses

- **Cuts:** $200 million in LA County service dollars

Comprehensive Homeless Services in Burbank
Homeless Outreach

- Homeless Outreach Team
- Park Patrol Program
- Library Ambassador Program
- Library Social Work Services
- Burbank Police Department Mental Health Evaluation Team (MHET)
- City Internal Homeless Services Team



Comprehensive Homeless Services in Burbank Facilities

- **Burbank's Home Again Los Angeles Access Center**
  - Began Construction
  - Includes Four Transitional Suites
  - Homeless Services for Families

- **Burbank Temporary Aid Center**
  - Extended Hours and Services

- **The Safe Navigation and Storage Center**
  - Shower Program
  - Storage Program
  - Case Management



Comprehensive Homeless Services in Burbank Continued

- Motel Vouchers
- Reunification Funds
- Rental and Utility Assistance
- Data Management: CaseWorthy

Annual Homeless Count
Total Unsheltered Homeless 107 People
Decrease 29%

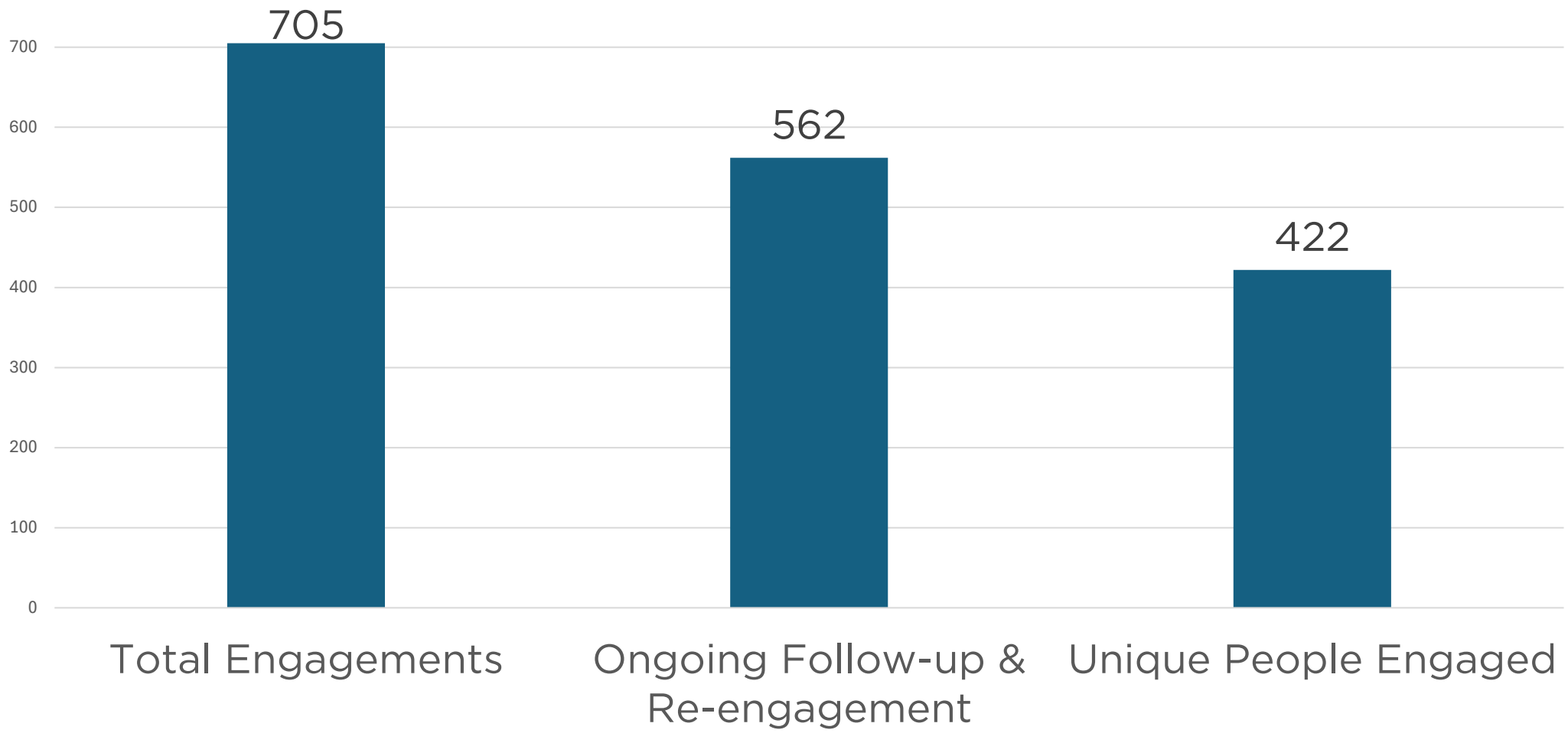
Transitions Out of Homelessness and Into Housing

Transition Type	Total Since 4/2019	2025 Calendar Year
Bridge Housing	31	3
Reunification (CA)	29	5
Emergency Shelter	27	6
Alcohol and Drug Treatment Facility	23	2
Reunification (USA)	21	4
Tiny Homes	19	6
Transitional Housing (Interim)	17	15
Project Room Key	16	0
Recuperative Care	15	3
Homeless Prevention (Diversion)	13	2
Safe Parking	9	4
Supportive Housing	6	1
Project Home Key	2	0
Total Transitions	228	51

Homeless Services Outreach



Engagements – 2025



Services Offered – 2025

Type of Service	Number Assisted
Basic Needs Support - Food, Clothing, Hygiene	304
Case Management	211
Shelter Referrals and Housing Navigation	331
Document and Benefits Assistance	396
Mental Health / Substance Abuse / Medical Referrals	127
Employment & Workforce Referrals	63

Success Stories

EXAMPLE

- Chronic street homelessness for approximately 20 years
- Now receiving mental health treatment and showing measurable improvement
- Partnership with DMH HOME Team, the Burbank Mental Health Evaluation Team (MHET), and Allied Outreach

EXAMPLE

- Chronic homeless veteran, service resistant for two years
- Came to Burbank to reunite with daughter but never found her and did not want to leave the area
- Eventually accepted housing in a veteran housing program and continues to live there



Proposed Program Enhancements

- **Measure A Local Solutions Fund:**
  - Hotel/Motel Vouchers
  - Security Vouchers
  - Reunification Services
  - Case Management

- **Measure A - Los Angeles County Affordable Housing Solutions Agency (LACAHSA):**
  - $3 million for various programs

- **General Fund:** Proposed increased services to include intensive case management

Previously Proposed Alternative Uses for Project Site

- Transitional Shelter
- Re-use Store
- Additional Metrolink parking
- Affordable Housing/Permanent Supportive Housing/Senior Housing
- Sell the Property

Affordable Housing

- **Affordable housing is one of Burbank's highest needs**
- Often affordable housing requires some type of financial assistance to succeed, especially for lower income levels
- If the City was to RFQ/RFP the site for affordable housing, we could request specific terms
  (i.e., Type of housing and affordability levels)
- We have both Measure A funds and Trust funding for housing

Staff Recommendations

1. Direct the City Manager, or his designee to withdraw the grant funding request made to the Burbank-Glendale-Pasadena Regional Housing Trust (BGPRHT) in the amount of $3,450,000; and

2. Direct staff to research alternate options for the City-owned site located at 211, 323, and 333 S. Front Street, 10 E. Verdugo Avenue, and a portion of the adjacent Downtown Metrolink Parking Lot in Burbank, previously proposed for the Homeless Solutions Center (Project).

Contacts

Simone McFarland, Assistant Director
Community Development
smcfarland@burbankca.gov

Kasey Lee, Housing Development Manager / Homeless Programs and Services
Community Development
klee@burbankca.gov