

Board of Commissioners
Robert Barr, Chairperson
Scott Halliday, Vice-Chairperson
Beverly McCall, Commissioner
Robert Henry, Commissioner
Patrick Mumman, Commissioner
Patricia Miles-Jackson, Commissioner
Brian Broadley, Commissioner



204 4th Street
Ocean City, New Jersey 08226

Phone: 609-399-1062
Fax: 609-399-7590

Jacqueline S. Jones, Executive Director

December 12, 2019

The Board of Commissioners
Ocean City Housing Authority
Ocean City, New Jersey 08226

Dear Commissioner:

The regular meeting of the Ocean City Housing Authority will be held on **Tuesday, December 17, 2019, at 5:00 pm at Administrative Offices – 204 4th Street, Ocean City, NJ 08226.**

The Board may enter into executive session to discuss personnel matters and any other housing business that meets the criteria for an executive session. Formal action may be taken.

Very truly yours,

Jacqueline S. Jones
Executive Director

REVISED
Ocean City Housing Authority
AGENDA

Tuesday, December 17, 2019
Administrative Offices – 204 4th Street
5:00 p.m.

1. Call to Order
2. Pledge of Allegiance
3. Reading of the "Sunshine Law Statement"
4. Roll Call
5. Approval of Minutes:
 - a. Regular Meeting on November 19, 2019
6. Fee Accountant's Report
7. Executive Director's Report
8. Committee Reports – Election of Officers
9. Old Business
10. New Business
11. Resolutions:

# 2019-53	Approval of Monthly Expenses
# 2019-54	Approving PHA-JIF Fund Commissioner
# 2019-55	Approving 2020 Board Meeting Dates
# 2019-56	Approve Revision of By-Laws
# 2019-57	Appoint Risk Management Consultant
# 2019-58	Award Resident Wellness Program
# 2019-59	Approving Intent to use a 75% - 25% Voucher Blend for its Bayview Manor Rental Assistance Demonstration (RAD) Conversion whereas up to 25 % of the Units will be disposed of under Section 18
# 2019-60	Resolution to Borrow HMFA #02986
# 2019-61	Adopting Revisions to the Admissions & Continued Occupancy Policy
# 2019-62	Approving Significant Amendment to the PHA Annual Plan

Executive Session if required
12. Comments from the press and/or public – Limited to 5 minutes for each speaker
13. Comments from Board Members
14. Adjournment

Housing Authority of the City of Ocean City

Regular Board of Commissioner Meeting Minutes November 19, 2019 – 5:00 p.m.

The regular meeting of the Housing Authority of the City of Ocean City was held on November 19, 2019, at 5:00 p.m. at the Administrative Offices – 204 4th Street, Ocean City, New Jersey 08226.

The meeting was called to order by Chairman Barr. Chairman Barr requested everyone to rise for the Pledge of Allegiance.

Upon roll call those present were:

Commissioner Robert Halliday
Commissioner Patrick Mumman
Commissioner Beverly McCall
Commissioner Robert Henry
Commissioner Patricia Jackson
Commissioner Brian Broadley
Chairman Robert Barr

Chairman Barr read the Sunshine Law.

Also present were Jacqueline Jones, Executive Director, Wendy Hughes, Assistant Executive Director, Ron Miller, Assistant Asset Manager – Operations, Charles W. Gabage, Esquire – Solicitor and Linda Cavallo – Accountant.

Minutes

Chairman Barr requested a motion to approve the Regular Meeting minutes from October 15, 2019. A motion was made by Commissioner Broadley and seconded by Commissioner McCall. The following vote was taken:

Commissioner Robert Halliday	(Yes)
Commissioner Patrick Mumman	(Yes)
Commissioner Beverly McCall	(Yes)
Commissioner Robert Henry	(Yes)
Commissioner Patricia Jackson	(Abstain)
Commissioner Brian Broadley	(Yes)
Chairman Robert Barr	(Yes)

Treasurer's Report

Ms. Cavallo reviewed the Financial Report for the one month ended October 31, 2019. Motion to approve the Treasurer's Report made by Commissioner Halliday and seconded by Commissioner McCall. The following vote was taken:

Commissioner Robert Halliday	(Yes)
Commissioner Patrick Mumman	(Yes)
Commissioner Beverly McCall	(Yes)
Commissioner Robert Henry	(Yes)
Commissioner Patricia Jackson	(Yes)
Commissioner Brian Broadley	(Yes)
Chairman Robert Barr	(Yes)

Executive Director's Report

Mrs. Jones reported the Authority is still waiting for the funds from the NJHMFA for the Pecks Beach/Speitel Commons. They should be received soon. The Authority is working on the year-end close out for 2019. Mrs. Jones provided an update on the Resident Wellness Program, which is being funded through the Community Development Block Grant funding through the City. The Authority met again with the City to work out the details on how the program will unfold. The RFP has been issued and responses are due in December. The RFPs will be evaluated, and a recommendation will be presented

to the Board next month for contract award. Chairman Barr asked if there would be an initial intake to determine the needs of the residents. Mrs. Jones stated the program will be advertised to the residents. There will be some office hours posted for the resident. The hours will be approximately 15-20 hours a week. The Authority will be able to make some referrals if the Authority feels there might be a need. The plan is to provide the provider with access to the Bayview Manor office. If a resident prefers to meet in their apartment that option is available as well.

Mrs. Jones spoke about the AtlantiCare Life Connection program a few months ago regarding a program that will bring healthcare services to the resident's 55 and over to their home. Tomorrow there will be a seminar for the residents about the program. AtlantiCare will provide lunch for the residents. Approximately 30-40 residents have signed up for the seminar.

The Authority is working on a plan to change how it receives its landscaping services in Vineland and Ocean City. It is a combined effort. Typically, contract vendors are used. It has been challenging. Mrs. Jones asked Ron Miller to discuss the idea for landscaping services. Ron stated the last three years the Authority solicited for landscapers and only ever received one response. The one response it received was because it was the vendor Vineland HA used and only responded because Ron reached out to him to respond. This particular vendor is having some trouble with staffing. The landscapers were given very specific instructions and Ron has to call them numerous times a week to get them to actually do what they are supposed to do. Management has been contemplating over the last year as to whether the landscaping should be done in-house. Management is proposing to have Vineland staff obviously handle Vineland's landscaping services, but in addition, use the SSA that is in place with the OCHA and have them take care of the lawncare at OCHA as well. This would eliminate the vendor contract. The only thing that the Authority can't do away with is weed control because the Authority is not permitted to spread pesticide. The VHA already has equipment, but additional staff will be brought on to ramp this up. Mrs. Jones asked based on what was budgeted for landscaping for this coming year what the anticipated savings would be. Ron indicated there would be a savings of a little over \$4,000 based on what is being paid now. This will also allow Vineland to bring on an additional Maintenance Repairer who will also be available to assist in Ocean City. The OCHA budget already includes a part-time Maintenance Repairer. Instead of OCHA hiring that position, Vineland will take on that position and share the position in Ocean City to complete work orders. This will decrease the work order load for one person to complete and it will provide a backup for Steve. One person should be able to do the landscaping at the OCHA. If additional are needed they can be added. The cost includes transportation. Commissioner Jackson asked if it was possible to hire someone locally for the part-time position. Ron explained that it is relatively impossible to find someone willing to work part-time right now. The VHA is currently doing interviews to try and hire part time maintenance personnel and is not having any success. Ron stated qualified candidates have to have experience to be able to do the type of work that needs to be done. They are not licensed people but a jack of all trades including electrical, drywall as well as cleaning and now they are being asked to do landscaping work. It is a variety of tasks to ask a single person to do and it is very difficult to find that type of person who is willing to take on a part-time job. Commissioner Jackson asked where the position is being advertised. Ron stated it is being advertised on Indeed.com under Building Maintenance Repairer. Mrs. Jones stated the Authority will give in-house landscaping a try and Ron will take on this extra responsibility, but it is necessary to take control over the quality of work.

Mrs. Jones stated there will be tenant meetings on Tuesday, December 17th. One will be for Pecks Beach and the other for Bayview Manor. Pecks Beach will be updated on what is happening with Speitel and Bayview will be updated on the renovations/repairs at Bayview Manor. Immediately following the Bayview Manor meeting (at noon) there will be a Holiday Party for the residents that will be at the Bayview Manor Community Room. Commissioners are welcome to attend.

The OCHA's current policy for admissions is called the Admissions and Continued Occupancy Policy also known as the ACOP. The ACOP establishes how the Authority qualifies residents for the program. One of the items in this policy concerns criminal records. Traditionally, the Authority's policy has been pretty strict. No one was admitted that had been convicted of an indictable offense. The Authority will need to update the ACOP based consideration of circumstances regarding denial of assistance. Mr. Gabage stated the language doesn't say the Authority has to let people in, but rather than just denying them because they had criminal convictions the Authority is to look at these considerations. In regard to Megan's Law, Mrs. Jones read language that is already in the Authority's policy regarding prohibiting admission to any applicant or member of the applicant's household that the housing authority determines it is subject to a lifetime registration requirement under a State Sex Offender Registration Program. Suggested language for updating the ACOP will be presented to the board for consideration at the December board meeting.

Mrs. Jones discussed the OCHA By-Laws. She provided a draft copy to the Commissioners regarding a revision to the By-Laws concerning the funding the Authority will receive from NJHMFA for Speitel Manor. NJHMFA provided this language that is required to be in the Authority's By-Laws before going to settlement. Mr. Gabage has reviewed it. The current By-Laws indicate that all commissioners should be provided with a week to review the By-Laws before voting on them. A resolution will be provided next month to revise the By-Laws to include language provided by NJHMFA. Mr. Gabage reviewed and explained the new language to be added.

Commissioner Mumman asked if Mrs. Jones had any feedback regarding phone and office coverage. Mrs. Jones stated it has been going well. Mrs. Jones has had positive feedback regarding the staff that has been covering the office and the way that the tenants are being treated in a positive way (friendly and helpful).

With no further discussion, motion to accept the Executive Director's Report made by Commissioner McCall and seconded by Commissioner Mumman. The following vote was taken:

Commissioner Robert Halliday	(Yes)
Commissioner Patrick Mumman	(Yes)
Commissioner Beverly McCall	(Yes)
Commissioner Robert Henry	(Yes)
Commissioner Patricia Jackson	(Yes)
Commissioner Brian Broadley	(Yes)
Chairman Robert Barr	(Yes)

Committee Reports – Commissioner Halliday provided a brief update from the redevelopment committee. The Authority anticipates a March closing date for the HMFA. The value engineering process has been completed. The estimate for demolition for the Pecks Beach Senior will be approximately \$150-160,000, which is well below what the initial numbers were. The estimated ground-breaking is expected to be April 1, 2020. Commissioner Barr would like the ground-breaking to be a public and nice affair as possible. Hopefully, all Commissioners can attend as well as dignitaries. Mrs. Jones hopes these dates hold. HMFA is eager to close because they want to get the building built and the funds spent as there are deadlines on the funds. Mrs. Jones is always concerned about HUD and meeting the deadlines. Mrs. Jones and Rick Ginnetti had a meeting last week with the HUD transaction manager. They have changed the process at HUD and the transaction manager has been changed. Rick nor Mrs. Jones were pleased with the phone meeting as the transaction manager is new to the project. There are items that need to get resolved in order to get to closing. Rick Ginnetti is making it clear to HUD that these items need to get done so that the Authority can close on the HMFA funds and RAD at the same time.

Old Business – None.

New Business – None.

With no other discussion in related matters the Chairman moved to the Resolutions.

Resolution #2019-51
Resolution to Approve Monthly Expenses

Chairman Barr called for a motion to approve the monthly expenses in the amount of \$58,462.94. A motion was made by Commissioner McCall; seconded by Commissioner Jackson. The following vote was taken:

Commissioner Robert Halliday	(Yes)
Commissioner Patrick Mumman	(Yes)
Commissioner Beverly McCall	(Yes)
Commissioner Robert Henry	(Yes)
Commissioner Patricia Jackson	(Yes)
Commissioner Brian Broadley	(Yes)
Chairman Robert Barr	(Yes)

Resolution #2019-52
Resolution Approving Revision of 2019 Capital Fund Budget

Chairman Barr called for a motion to approve Resolution #2019-52. A motion was made by Commissioner Halliday; seconded by Commissioner McCall. Mrs. Jones explained the amount is revised to \$190,366 and it is all in operations. The following vote was taken:

Commissioner Robert Halliday	(Yes)
Commissioner Patrick Mumman	(Yes)
Commissioner Beverly McCall	(Yes)
Commissioner Robert Henry	(Yes)
Commissioner Patricia Jackson	(Yes)
Commissioner Brian Broadley	(Yes)
Chairman Robert Barr	(Yes)

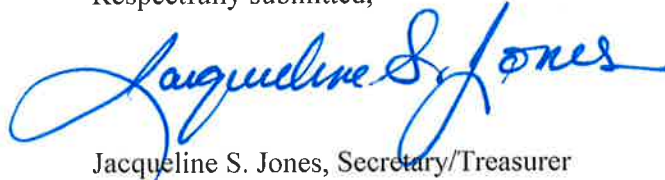
Discussion regarding Chairman Barr appointing re-organization committee.

There is no need for Executive Session tonight.

No public comments. Commissioners wished everyone a Happy Thanksgiving.

With no further business to discuss, Chairman Barr entertained a motion for adjournment of the Regular Meeting. A motion was made by Commissioner Halliday; seconded by Commissioner McCall. The vote was carried unanimously by the Board Members present. The Regular Meeting of the Board of Commissioners was adjourned at 5:41 p.m.

Respectfully submitted,



Jacqueline S. Jones, Secretary/Treasurer

THE OCEAN CITY HOUSING AUTHORITY
INCOME & EXPENSE STATEMENT
FYE SEPTEMBER 30, 2020
FOR THE TWO MONTHS ENDED NOVEMBER 30, 2019

	<u>ANNUAL BUDGET</u>	<u>BUDGET THRU NOVEMBER</u>	<u>ACTUAL THRU NOVEMBER</u>	<u>VARIANCE FROM BUDGET (+OVER/ & -UNDER)</u>	<u>NOTES:</u>
<u>INCOME</u>					
DWELLING RENTAL	\$ 573,780	\$ 95,630	\$ 91,619	\$ (4,011)	This represents actual rent received from Tenants to date.
OTHER TENANT-EXCESS UTILITIES	\$ 5,170	\$ 862	\$ 2,174	\$ 1,312	This represents actual excess utilities income to date.
TOTAL TENANT REVENUE	\$ 578,950	\$ 96,492	\$ 93,793	\$ (2,699)	
HUD OPERATING SUBSIDY	\$ 332,380	\$ 55,397	\$ 58,372	\$ 2,975	This represents HUD funding to date.
HUD CAPITAL FUNDS-OPERATIONS	\$ 181,840	\$ 30,307	\$ 30,307	\$ 0	Accrued income year-to-date.
TOTAL HUD FUNDING	\$ 514,220	\$ 85,704	\$ 88,679	\$ 2,975	
INVESTMENT INCOME-UNRESTRICTED	\$ 120	\$ 20	\$ 14	\$ (6)	Actual income is less than expected.
NONDWELLING RENTAL INCOME	\$ 13,200	\$ 2,200	\$ 2,200	\$ -	This represents nondwelling income to date.
OTHER INCOME-LAUNDRY	\$ 8,360	\$ 1,393	\$ 1,221	\$ (172)	Income is paid qtrly-Feb, May, Aug and Nov.
OTHER INCOME-FRAUD RECOVERY	\$ 4,300	\$ 717	\$ -	\$ (717)	This represents actual amount received in fiscal year.
OTHER INCOME-MISCELLANEOUS	\$ 13,690	\$ 2,282	\$ 2,111	\$ (171)	Late charges, legal fees-tenant, extra keys, change locks, cleaning reimbursements, etc.
TOTAL INCOME	\$ 1,132,840	\$ 188,808	\$ 188,018	\$ (790)	Overbudget due to late charges and legal fees paid.
<u>EXPENSES</u>					
AUDIT FEES	\$ 9,000	\$ 1,500	\$ 1,500	\$ -	Accrued expense year-to-date.
ADVERTISING	\$ 1,000	\$ 167	\$ -	\$ (167)	No expense was paid in current fiscal year.
OFFICE EXPENSES					
COMPUTER SERVICES	\$ 7,000	\$ 1,167	\$ 1,291	\$ 124	Accrued Yardi (\$488 a mo) plus actual expense (\$315)
CONSULTANTS-RAD CONVERSION	\$ 35,000	\$ 5,833	\$ 743	\$ (5,090)	Actual expenses are less than budgeted.
COPIER	\$ 3,500	\$ 583	\$ 395	\$ (188)	Actual expenses are less than budgeted.
DUES & PUBLICATIONS	\$ 1,000	\$ 167	\$ 185	\$ 18	Actual expenses are higher than budgeted.
OFFICE SUPPLIES	\$ 2,000	\$ 333	\$ 30	\$ (303)	Actual expenses are less than budgeted.
PHONE & INTERNET	\$ 10,000	\$ 1,667	\$ 1,278	\$ (389)	Actual expenses are less than budgeted.
POSTAGE	\$ 1,000	\$ 167	\$ 101	\$ (66)	Actual expenses are less than budgeted.
LEGAL	\$ 15,000	\$ 2,500	\$ 500	\$ (2,000)	Actual expenses are less than budgeted.
LEGAL-RAD	\$ 20,000	\$ 3,333	\$ -	\$ (3,333)	No expense was paid in current fiscal year.
TRAVEL	\$ 500	\$ 83	\$ -	\$ (83)	No expense was paid in current fiscal year.
TRAINING	\$ 2,000	\$ 333	\$ 529	\$ 196	Actual expenses are higher than budgeted.
ACCOUNTING	\$ 17,500	\$ 2,917	\$ 2,917	\$ 0	This represents actual amount paid in fiscal year.
MANAGEMENT FEES	\$ 162,130	\$ 27,022	\$ 28,944	\$ 1,922	This represents actual amount paid or accrued in fiscal year.
MISCELLANEOUS-SUNDRY	\$ 13,000	\$ 2,167	\$ 261	\$ (1,906)	Actual expenses are less than budgeted.
	\$ 299,630	\$ 49,939	\$ 38,674	\$ (11,265)	

THE OCEAN CITY HOUSING AUTHORITY
INCOME & EXPENSE STATEMENT
FYE SEPTEMBER 30, 2020
FOR THE TWO MONTHS ENDED NOVEMBER 30, 2019

	<u>ANNUAL BUDGET</u>	<u>BUDGET THRU NOVEMBER</u>	<u>ACTUAL THRU NOVEMBER</u>	<u>VARIANCE FROM BUDGET (+OVER/ & -UNDER)</u>	<u>NOTES:</u>
OTHER TENANT SERVICES	\$ 9,700	\$ 1,617	\$ 1,225	\$ (392)	Actual expenses are less than budgeted.
WATER/SEWER	\$ 93,470	\$ 15,578	\$ 18,216	\$ 2,638	Represents actual Oct bills and estimated November using 11/2018
ELECTRIC	\$ 105,000	\$ 17,500	\$ 15,226	\$ (2,274)	Represents actual Oct bills and estimated November using 11/2018
GAS	\$ 60,000	\$ 10,000	\$ 6,278	\$ (3,722)	Represents actual Oct bills and estimated November using 11/2018
	<u>\$ 258,470</u>	<u>\$ 43,078</u>	<u>\$ 39,720</u>	<u>\$ (3,358)</u>	
MAINTENANCE LABOR	\$ 63,390	\$ 10,565	\$ 6,011	\$ (4,554)	Actual expenses are less than budgeted.
MAINT. MATERIALS	\$ 39,500	\$ 6,583	\$ 3,170	\$ (3,413)	Actual expenses are less than budgeted.
MAINT. CONTRACT COSTS	\$ 150,000	\$ 25,000	\$ 14,939	\$ (10,061)	Actual expenses are less than budgeted.
EMPLOYEE BENEFITS	\$ 35,470	\$ 5,912	\$ 4,569	\$ (1,343)	Actual expenses are less than budgeted.
	<u>\$ 288,360</u>	<u>\$ 48,060</u>	<u>\$ 28,689</u>	<u>\$ (19,371)</u>	
INSURANCE	\$ 95,900	\$ 15,983	\$ 15,929	\$ (54)	Actual expenses are less than budgeted.
BAD DEBTS	\$ 5,000	\$ 833	\$ 833	\$ -	Accrued expense year-to-date
COMPENSATED ABSENCES	\$ 5,500	\$ 917	\$ 917	\$ 0	Accrued expense year-to-date
PAYMENT IN LIEU OF TAXES	\$ 31,750	\$ 5,292	\$ 5,292	\$ 0	Accrued expense year-to-date
PENSION	\$ 22,000	\$ 3,667	\$ 3,192	\$ (475)	Actual expenses are less than budgeted.
RETIREE BENEFITS	\$ 25,780	\$ 4,297	\$ 4,844	\$ 547	Actual expenses are higher than budgeted.
PH CAPITAL FUNDS FOR RAD CONVERSI	\$ 75,000	\$ 12,500	\$ 12,500	\$ -	Accrued expense year-to-date.
	<u>\$ 260,930</u>	<u>\$ 43,489</u>	<u>\$ 43,507</u>	<u>\$ 18</u>	
TOTAL EXPENDITURES	<u>\$ 1,117,090</u>	<u>\$ 186,183</u>	<u>\$ 151,815</u>	<u>\$ (34,368)</u>	
PROFIT (LOSS)	<u>\$ 15,750</u>	<u>\$ 2,625</u>	<u>\$ 36,203</u>	<u>\$ 33,578</u>	

Ocean City Housing Authority

Administrative Report

DATE: December 10, 2019

TO: Board of Commissioners, Ocean City Housing Authority

FROM: Jacqueline S. Jones, Executive Director

SUBJECT: Monthly Report (Stats for November 2019)

PERIOD: November 13, 2019 to December 9, 2019

Peck's Beach/Speitel Manor – New Jersey Housing and Mortgage Finance Agency (NJHMFA) Pre-Development Funds

Below is a summary of the expenses that have been submitted and paid by NJHMFA for the pre-development cost for Peck's Beach Village – Speitel Manor. These expenses are paid directly from NJHMFA to the vendor. This update will be included in this report through the end of the pre-development phase.

Update: The below payments were received 12/5/19;

Pre-Development Funds - NJHMFA for Peck's Beach/Speitel Commons - #2986					
Pre-Development Uses	Approved Budget	Adjusted Budget	Previously Disbursed	This Transaction 9/19/2019	Balance of Funds
HUD Approvals					
Inventory					
Removal/Title Search	\$ 27,500	\$ 35,648	\$ 843	\$ 34,805	\$ -
Architect	\$ 90,000	\$ 90,000	\$ 90,000	\$ -	\$ -
Site Engineer	\$ 66,000	\$ 66,000	\$ 44,874	\$ 13,979	\$ 7,147
Energy Star Review	\$ 1,000	\$ 1,000	\$ -	\$ -	\$ 1,000
Environmental Consulta	\$ 18,500	\$ 18,500	\$ 2,473	\$ -	\$ 16,028
Geo Tech Consultant	\$ 12,500	\$ 18,287	\$ -	\$ 18,287	\$ -
Survey	\$ 7,500	\$ 7,500	\$ 4,620	\$ -	\$ 2,880
Attorney	\$ 36,000	\$ 36,000	\$ 6,885	\$ 2,805	\$ 26,310
Consulting Fees	\$125,000	\$125,000	\$ 56,815	\$ 28,313	\$39,872
5% Contingency	\$ 19,175	\$ 5,240	\$ -	\$ -	\$ 5,240
Totals	\$403,175	\$ 403,175	\$ 206,510	\$ 98,189	\$ 98,476

Year-Ending September 30, 2019 – Financial Data Statement & Audit

The Authority's fiscal year-ended on September 30, 2019. The Financial Data Statement (FDS) was filed with HUD the week of December 10th, 2019.

The next step will be the beginning of the Audit for the Year-Ending 2019. Ford, Scott and Associates, LLC will be completing the audit for this fiscal year.

Resident Wellness Program

A Request for Proposal (RFP) was issued for a provider for the newly created Resident Wellness Program. The Authority staff has been collaborating with the City's Community Development Block Grant (CDBG) staff to make this program possible. The RFP responses are due in December with the intent to award this contract at the December board meeting.

Update: A recommendation for award of the Resident Wellness Program contract will be made at the board meeting for board consideration.

Peck's Beach/Speitel Manor and Rental Assistance Demonstration Program (RAD)

The New Jersey Housing and Finance Agency (NJHMFA) board approved the subsidy mortgage loan commitment for the construction of Speitel Commons at Bayview Manor.

The RAD application has been submitted to HUD. The Authority staff and consultant continue to communicate with the HUD RAD team to review the OCHA RAD conversion.

A March closing date is anticipated for the NJHMFA construction funds and the RAD closing.

Continuing Resolution for Government Funding to Avoid Shutdown

On November 21st, the President signed a Continuing Resolution (CR) to keep the federal government open and to extend funding until late December. The Department of Housing & Urban Development (HUD) has obligated Operating Funds to Housing Authorities for January and part of February. This means if there is a government shutdown, operating funds will be available for January and part of February in the event the shutdown is extended. – NAHRO Monitor; Vol. XXXX, No. 22;

Based on the Authority's current "reserves" and the above mentioned funding through part of February, the Authority would have operating funds available for approximately five months if there was a prolonged government shutdown.

Admissions and Continued Occupancy Policy – Update

As discussed at the November board meeting, the Admissions and Continued Occupancy Policy (ACOP) is in need of updating with regard to Denial of Assistance. For the purposes of updating the ACOP, Chapter 3 – Eligibility – has been updated with Denial of Assistance beginning on page 3-19.

In summary, the Authority is to consider the totality of the facts and circumstances in determining whether applicants should be denied admission based on a prior criminal conviction or past behavior.

Annual Plan – Significant Amendment

The Authority's Annual Plan for the year beginning 10/1/19, is being updated to approve the use of the 75% - 25% voucher blend for the Rental Assistance Demonstration (RAD) conversion. Also, additional language stipulating that up to 25% of the units will be disposed of under Section 18 to allow for the 75% - 25% voucher blend.

Board of Commissioners –Rutgers Training Program Status

Commissioner	Training Program Status
Robert Barr, Chairman	Completed
Robert Scott Halliday, Vice Chairman	Completed
Brian Broadley	In Process
Robert Henry	Completed
Beverly McCall	Completed
Patricia Miles-Jackson	Completed
Patrick Mumman	In Process

Program Statistics Report	09/2019 - 10/2019	2019 NOV	2019 OCT	2019 SEPT
<u>Tenant Accounts Receivable</u>				
Number of “non-payment of rent” cases referred to the solicitor	4	4	0	
<u>Tenant Relations</u>				
Total number of units to be inspected in fiscal year	121	121	121	
Number of inspections completed this mo. - all sites (include BB	60	0	60	
Total number of units inspected year-to-date - all sites	60	0	730	
<u>Occupancy</u>				
Monthly Unit Turnaround Time (Avg) (Down,Prep & Lease-up Time)	132	63	30	
Annual Unit Turnaround Time (For Fiscal Year)	97.5	63	55	
Monthly - Number of Vacancies Filled (this month)	1	1	1	
Monthly - Average unit turnaround time in days for Lease up	71	52	10	
Monthly - Average unit turnaround time in days to Prep Unit (Maint)	56	11	20	
PIC Score	100%	99%	94%	
<u>Vacancies - At end of Month</u>				
Bay View Manor	2	2	2	
Peck's Beach Senior	1	1	1	
Peck's Beach Family	0	0	0	
Total	3	3	3	
Occupancy Rate	97.52%	97.52%	97.52%	
<u>Vacancy Turnovers by VHA Maintenance Staff</u>				
Total Hours	1	1	2	
Average Hours per Vacancy (Br. Sizes 0 thru 4)	TBD	TBD	64.00	
<u>Rent Roll</u>				
Bay View Manor - Elderly/Disabled	\$ 20,287	\$ 20,316	\$ 20,057	
Peck's Beach - Elderly/Disabled	\$ 7,255	\$ 7,255	\$ 7,255	
Peck's Beach - Family	\$ 18,249	\$ 18,345	\$ 18,837	
Total Rent Roll	\$ 45,791	\$ 45,916	\$ 46,149	
<u>Public Housing Waiting List Applicants - All Waiting Lists to Close 1/31/20</u>				
Families - Ocean City Preference	15	12	12	
Families - No Ocean City Preference	176	158	158	
Elderly (Seniors - 62+)/Disabled - Ocean City Preference	40	34	34	
Elderly (Seniors - 62+)/Disabled - No Ocean City Preference	216	216	216	
<u>Maintenance Department</u>				
Average work order turnaround time in days - Tenant Generated	2.00	2.24	3.13	
Total Tenant Generated Work Orders	28	19	32	
Number of routine work orders written this month	4	109	4	
Number of outstanding work orders from previous month	76	72	72	
Total number of work orders to be addressed this month	80	200	108	
Total number of work orders completed this month	28	124	36	
Total number of work orders left outstanding	52	76	72	
Number of emergency work orders written this month	0	0	0	
Total number of work orders written year-to-date	132	128	1,186	
AFTER HOUR CALLS: (plumbing, lockouts, toilets stopped-up,	0	0	0	

Program Statistics Report 09/2019 - 10/2019		2019 NOV	2019 OCT	2019 SEPT
<u>Real Estate Assessment Center (REAC) Scores</u>				
Year-End 2018 - Audited - Remains static due to RAD Application		68	68	68
Year-End 2017 - Audited		68	68	68
Year-End 2016 - Audited		85	85	85
Year-End 2015 - Audited		88	88	88
Year-End 2014 - Audited		86	86	86
Year-End 2013 - Audited		97	97	97
Year-End 2012 - Audited		100	100	100
Year-End 2011 - Audited		100	100	100

**Ocean City Housing Authority
Cash Report
As of November 30, 2019**

Net Cash Position:

Cash Balance per Reconciled Bank Statements at 11/30/2019 **\$299,038.35**

Add: A/R-Tenants 9/2019	Current	\$	9,778.51	\$13,053.01
	Past		3,274.50	

PREDEVELOPMENT EXPENSES REIMBURSABLE FROM NJHMFA (10 bills)- Craig Test Boring (3), NJDEP, Marathon Engineering (3), State Treas, Cape Atlantic Conserv Dist, Cape May Cty Treas

\$64,591.03

Less: Bill List payments - Dec 2019 **(\$62,083.61)**

Accrued Expenses - Total from detail below **(\$23,025.00)**

<u>Accrued Expenses</u>	<u>Annual Budget</u>	<u>No of Months</u>	<u>Amount Accrued Less Paid</u>
Insurance-Prop/Flood	95,900.00	2	15,983.33
Bad Debt	5,000.00	2	833.33
Comp Absences	5,500.00	2	916.67
P.I.L.O.T.	31,750.00	2	5,291.67
Net Accrual	138,150.00		23,025.00

Net Cash Balance **\$291,573.78**

	<u>Average Expenses</u>	<u>Cash Available for # of month/days</u>	
Per Month	\$ 70,193	4.26	Months
Per Day	\$ 2,340	125	Days

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-53
A Resolution Approving Regular Monthly Expenses**

WHEREAS, the Housing Authority of the City of Ocean City incurred various financial obligations since the last meeting; and it is the desire of the Commissioners of said Authority to have their obligations kept current; and,

WHEREAS, prior to the Board meeting, a member of the Board of Commissioners read and reviewed the itemized list of incurred expenses attached hereto and does recommend payment of the expenses on the Bill List in the amount of \$62,083.61.

NOW, THEREFORE, BE IT RESOLVED that the Secretary-Treasurer be and is hereby authorized to pay the current bills that are presented to the Board of Commissioners for consideration on this date.

ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓				✓	
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: _____

Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____

Jacqueline S. Jones, Executive Director
Secretary/Treasurer

OCEAN CITY HOUSING AUTHORITY BILL LIST - DEC 2019			
Check #	Vendor	Invoice Notes	Total Amount
2024	AT & T	Elevator phone - Nov 2019	112.78
2025	COMCAST	Internet services - Nov 2019	242.97
2026	ACE PLUMBING, HEATING, & ELECTRICAL SUPPLIES	Maint Supplies	10.64
2027	ATLANTIC CITY ELECTRIC	Electric - Nov 2019	8,415.54
2028	LINDA AVENA	Accounting Svcs - Dec 2019	1,458.33
2029	BOYAR'S FOOD MARKET	Resident Holiday Luncheon	897.55
2030	BROOKE GROUP, LLC.	Consulting Svcs - Oct 2019	1,562.50
2031	CALL EXPERTS	Answering Svc - Dec 2019	56.81
2032	CDW GOVERNMENT	APC replacement	142.82
2033	CLEAN SWEEP SERVICES	BVM Cleaning - Nov 2019	2,215.27
2034	CONVEXSERV TECHNOLOGY SOLUTIONS, LLC	Hosting renewal 2020	1,162.80
2035	COPIER PLUS, INC.	Copier overage - Nov 2019	12.36
2036	THE DAILY JOURNAL OF NJ	Ad for RFP for Resident Wellness program; public notice for Annual Plan amendment	83.71
2037	DELTA DENTAL OF NEW JERSEY INC.	Dental - Jan 2020	174.02
2038	DRAIN DOCTOR	Sewer line cleaning	285.00
2039	FLORENCE DRISCOLL	Tenant Services - Dec 2019	200.00
2040	ERNIE'S MAGIC CARPETS	Carpet repair	375.00
2041	EISENSTAT, GABAGE & FURMAN	Legal Svcs - Oct/Nov 2019	1,085.00
2042	GLEN O. STULL	Medicare B & copay reimb - Dec 2019	163.89
2043	ROBERT HARRIS	Trash room cleaning - Dec 2019	200.00
2044	HD SUPPLY FACILITIES MAINTENANCE, LTD.	Maint Supplies	103.18
2045	THE HOME DEPOT PRO	Maint Supplies	452.42
2046	HUMANA INSURANCE COMPANY	Retiree prescription coverage - Jan 2020	57.70
2047	JOHN J. SPITZ	Medicare B & copay reimb - Dec 2019	374.60
2048	NICKELS ULTRA DRY CARPET CLEANING	Carpet cleaning	100.00
2049	NJ AMERICAN WATER	Water - Nov 2019	6,902.11
2050	OMEGA PEST MANAGEMENT	Pest maintenance & bedbug treatment - Nov/Dec 2019	4,230.50
2051	THE PRESS OF ATLANTIC CITY	Ad for RFP for Resident Wellness program	46.16
2052	ROBERT L. ROWELL	Maint Labor/Grounds - Dec 2019	200.00
2053	SOUTH JERSEY GAS	Gas - Nov 2019	3,905.96
2054	SUPERIOR VISION OF NJ, INC.	Vision benefits - 1/2020	19.71
2055	THYSSENKRUPP ELEVATOR CORPORATION	Elevator maintenance - Dec 2019 - Feb 2020	1,600.02
2056	US BANK EQUIPMENT FINANCE	Copier contract - Dec 2019	185.01
2057	VECTOR SECURITY, INC.	Fire system inspections/monitoring - Dec 2019 - Feb 2020	340.20
2058	VERIZON DSL	Fax - Nov 2019	139.41
2059	VERIZON WIRELESS	Maint cell phone - Dec 2019	55.31
2060	VINELAND HOUSING AUTHORITY	Postage, office coverage, inspections, A/P, lease enforcement - Nov 2019; Mgmt svc - Dec 2019	15,464.60
2061	WALLACE HARDWARE INC	Maint Supplies	45.86
11262019942	AETNA HEALTH & LIFE INSURANCE CO.	Retiree health coverage - Stull Nov 2019 - Feb 2020	1,428.62
11262019945	AETNA HEALTH & LIFE INSURANCE CO.	Retiree health coverage - J Spitz Nov 2019 - Feb 2020	955.98
11262019947	AETNA HEALTH & LIFE INSURANCE CO.	Retiree health coverage - P Spitz Nov 2019 - Feb 2020	634.61
184317580210	HORIZON BCBS OF NJ	Health Benefits Premium - Dec 2019 .	2,340.85
TOTAL DEC DISBURSEMENTS			\$ 58,439.80
PAYROLL - 11/2019			\$ 2,419.64
PAYROLL TAXES - 11/2019			\$ 791.98
ADP PAYROLL PROCESSING FEES - 11/2019			\$ 135.33
PENSION -11/2019			\$ 232.96
PNC BANK FEE -11/2019			\$ 63.90
TOTAL BILL LIST - DEC 2019			\$ 62,083.61

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

RESOLUTION NO. 2019-54

**Resolution Appointing Jacqueline Jones as the Housing Authority of Ocean City's Fund
Commissioner for the New Jersey Public Housing Authority Joint Insurance Fund (JIF)
for the Fund Year 2020**

WHEREAS, the Housing Authority of the City of Ocean City is a member of the New Jersey Public Housing Joint Insurance Fund; and,

WHEREAS, the bylaws of said Fund require that each member Housing Authority appoint a Fund Commissioner to represent and serve the Authority as its' representative to said Fund; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Housing Authority of the City of Ocean City hereby appoints Jacqueline S. Jones as its Fund Commissioner for the New Jersey Public Housing Authority Joint Insurance Fund for the Fund Year 2020.

ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓				✓	
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: _____

Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____

Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

RESOLUTION NO. 2019-55

A Resolution Approving Dates for 2020 Board Meetings

WHEREAS, the Board of Commissioners of the Ocean City Housing Authority officially meets on the third Tuesday of each month at 5 p.m.; and,

WHEREAS, the list of dates below identifies those Tuesday throughout the year, 2020, on which Board meetings have been scheduled; and,

**Tuesday, January 21, 2020
Tuesday, February 18, 2020
Tuesday, March 17, 2020
Tuesday, April 21, 2020
Tuesday, May 19, 2020
Tuesday, June 16, 2020
Tuesday, July 21, 2020
Tuesday, August 18, 2020
Tuesday, September 15, 2020
Tuesday, October 20, 2020
Tuesday, November 17, 2020
Tuesday, December 15, 2020**

WHEREAS, this list will be forwarded to the City of Ocean City's Clerk and will be published in *The Press of Atlantic City and the Daily Journal – Vineland Edition* well in advance of the January 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the schedule of dates as listed above for the year 2020.

ADOPTED: December 17, 2019

VOTE:

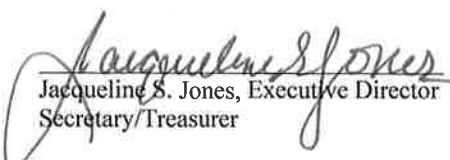
Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓				✓	
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: 
Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: 
Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

RESOLUTION NO. 2019-56

Resolution Amending the Ocean City Housing Authority By-Laws

WHEREAS, periodically it becomes necessary for the Housing Authority to amend its By-Laws; and,

WHEREAS, the Board of Commissioners of the Ocean City Housing Authority desires to amend its By-Laws; and,

WHEREAS, it is the desire of the Board of Commissioners of the Ocean City Housing Authority to amend its By-Laws per the attached here onto and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Ocean City Housing Authority amends its By-Laws.

ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓				✓	
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: _____

Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____

Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**BY-LAWS OF THE
HOUSING AUTHORITY OF THE CITY OF OCEAN CITY
OCEAN CITY, NEW JERSEY**

ARTICLE I – THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the “Housing Authority of the City of Ocean City, New Jersey.”

Section 2. Seal of Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of organization.

Section 3. Office of Authority. The principal office of the Authority shall be at its business office located at 204 4th Street in the City of Ocean City and State of New Jersey, provided the Authority shall have the right to hold its meeting, both regular and special, at such place or places as it may designate by Resolution.

ARTICLE II – OFFICERS

Section 1. Officers. The Officers of the Authority shall be a Chairperson, Vice-chairperson and a Secretary-Treasurer.

Section 2. Chairperson. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by Resolution of the Authority, the Chairperson shall sign all contracts, deeds and other instruments made by the Authority. At each meeting the Chairperson shall submit such recommendations and information as the Chairperson may consider proper concerning the business, affairs, and policies of the Authority. The Chairperson shall also have the authority to appoint Board Members to the various committees authorized by these By-Laws or by Resolution of the Board.

Section 3. Vice-Chairperson. The Vice-Chairperson shall perform the duties of Chairperson in the absence or incapacity of the Chairperson and in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 4. Secretary-Treasurer. The Secretary-Treasurer shall be the Executive Director of the Authority and, as such shall have general supervision over the administration of its business and affairs, subject to the direction of the Board. The Secretary-Treasurer shall be charged with the management of the housing projects of the Authority.

The Secretary-Treasurer shall keep the records of the Authority, shall act as secretary of the meetings of the Authority and record all votes and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose and shall perform all additional duties incident to the office of Secretary-Treasurer. The Secretary-Treasurer shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Board.

The Secretary-Treasurer shall have the care and custody of all funds of the Authority and shall deposit those funds in the name of the Authority in such bank or banks as the Board may select. The Secretary-Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board. Except as otherwise authorized by Resolution of the Board, all such orders and checks

shall be countersigned by the Chairperson. The Secretary-Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the Board, at each regular meeting (or oftener when requested), an account of all transactions and also of the financial condition of the Authority. The Secretary-Treasurer shall give such bond for the faithful performance of the duties of Secretary-Treasurer as the Board may determine.

The Secretary-Treasurer shall receive no additional compensation for serving as Secretary-Treasurer other than the compensation paid as Executive Director.

Section 5. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Board and as stated in the By-Laws, rules, regulations, resolutions and policies of the Authority.

Section 6. Election or Appointments. The Chairperson and Vice-Chairperson shall be elected at the annual meeting of the Authority from among the commissioners of the Authority and shall hold office for one year or until their successors are elected and qualified. The election shall be held during the regular meeting of the Board in December at each year. The terms of office shall begin on January 1st.

Section 7. Vacancies. Should the office of Chairperson, Vice-Chairperson or Secretary-Treasurer become vacant, the Board shall elect a successor at its next regular meeting, or as soon thereafter as possible, and the filling of such vacancies shall be for the unexpired term of the office.

ARTICLE III – MEETINGS

Section 1. Annual Meeting. The annual meeting of the Authority shall be held on the third Tuesday of January at a time to be set by the Commissioners at the regular meeting place of the Authority or on such other day, place or time as selected by the commissioners by Resolution.

Section 2. Regular Meetings. Regular meetings shall be held at the regular meeting place of the Authority on the third Tuesday of each month at time and place as selected by the commissioners by resolution. In the event the meeting day shall fall on a legal holiday, the meeting shall be held on the next succeeding Tuesday.

The Secretary shall cause an Agenda of the meeting to be sent to each member of the Authority at least five days prior to the meeting date.

Section 3. Special Meetings. The Chairperson of the Authority may, when deemed necessary, or upon the written request of two members of the Board, shall, call a special meeting of the Board. Notice of a special meeting shall be delivered to each member of the Board telephonically or by email or may be mailed to the business or home address of each member of the Board at least 48 hours prior to the date of such special meeting unless each Board member waives such notice. At such special meeting no business shall be considered other than as designated in the notice.

Section 4. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Four commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a small number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the Board upon a vote of a majority of the commissioners present.

Section 5. Order of Business. At the regular meetings of the Board, the following shall be the order of business:

1. Roll Call.
2. Reading of the "Sunshine Law Statement".
3. Approval of the minutes of the previous meeting.
4. Fee Accountants Report.
5. Executive Director's Report.
6. Committee Reports.
7. Old Business.
8. New Business.
9. Resolutions.
10. Questions and comments from the Press and public.
11. Questions and comments from the Board Members.
12. Motion of adjournment.

All Resolutions shall be in writing and shall be copied in a journal of the proceedings of the Authority.

Section 6. Manner of Voting. The voting on all questions coming before the Board shall be by roll call and the yeas and nays shall be entered upon the minutes.

Section 7. Meetings by Telephone or Similar Communications Equipment. Members of the Board of Commissioners may participate in a meeting of the Authority by means of telephone conference or similar communications equipment by means of which all Commissioners participating in the meeting can hear each other, and participation in such a meeting shall constitute presence in person by any such Commissioner at such meeting. A Board member who is appearing at a meeting electronically shall not be permitted to participate in executive session since there is no true way to ensure the privacy of the executive session.

ARTICLE IV – ABSENTEEISM

In the event a Commissioner has missed three consecutive meetings or in the event a Commissioner has missed five meetings in a twelve month period, the Board shall determine by resolution whether the Authority should notify the appointing authority of the Board member's absenteeism and request that the Commissioner be removed and a replacement appointed.

In the event of passage of a resolution pursuant to this Article, the Secretary of the Authority shall cause a copy of the resolution, certified to be a true copy, to be forwarded to the appointing authority with a request that the appointing authority take action consistent with the resolution.

ARTICLE V – CONFLICT OF INTEREST

No Board member shall have any interest in any contract or other transaction or determination presented to the Commissioners for recommendation, authorization, approval or ratification. Each Board member shall give prompt, full and frank disclosure of his or her interest in any action to be taken by the Board prior to the Board's acting. If a conflict is deemed to exist, the person with the conflict shall not vote on, nor use his or her personal influence on, nor participate in the discussions or deliberations with respect to such contract, transaction or determination.

ARTICLE VI – INDEMNIFICATION

The Authority shall indemnify the Board members to the fullest extent permitted by law, including the advancement of related expenses, upon a determination by the Board or by independent legal counsel appointed by the Board (who may be the regular solicitor of the Authority) made in accordance with applicable law of all monies paid or required to be paid by the Commissioner arising from the performance of his or her duties as a Commissioner. This right of indemnification shall not be effective for any sum paid or owed by a Board member arising from acts of misconduct or intentional wrongdoing. The Authority shall purchase and maintain insurance on behalf of the Board as a whole and the individual Board members against any liability asserted against the Board as a whole or against an individual Board member for acts or omission arising out of the Board member's position as a Board member other than for acts of misconduct or intentional wrongdoing.

ARTICLE VII – COMMITTEES

The Chairperson, or in his absence, the Vice-Chairperson, shall have the right and privilege of appointing members of the Board to a committee or committees to study any proposal or project and to deliberate thereon and to make their recommendations relating thereto to the Board at a regular or special meeting. The person first named shall act as Chairperson of the committee. The Committees may include the Personnel Committee, the Insurance Committee, the Budget Committee, the Building/Housing Committee, the Tenant Relations/Resident Services and Initiatives Committee, the Procurement/Bills/Contracts Committee and any other committee deemed to be necessary by the Chairperson.

Section 1. Standing Committees. There shall be four (4) separate Standing Committees of the Authority as follows: Personnel, Finance, Building and Maintenance, and Tenant Relations. All committees cannot consist of more than 3 members appointed by the Chairperson.

Section 2. Special Committees. The Chairperson of the Authority shall appoint such Special Committees as are deemed necessary. Special committees cannot consist of more than 3 members appointed by the Chairperson.

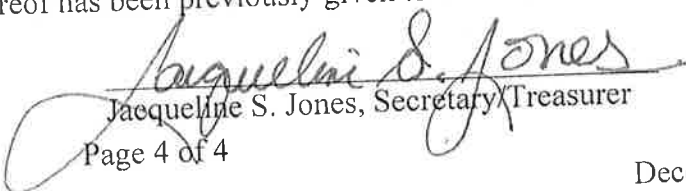
ARTICLE VIII – NJHMFA Provisions to By-Laws of Corporation

The Corporation acknowledges that any review of the provisions of these By-Laws by the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") is performed in accordance with its responsibility as Lender and is intended only to assure that the Corporation is validly formed according to law, with the legal authority to borrow the funds which will constitute the NJHMFA Mortgage Loan and to operate the Property securing the NJHMFA Mortgage Loan. Notwithstanding any other provisions herein, the Corporation acknowledges and agrees that as a condition of obtaining the NJHMFA Mortgage Loan, that the NJHMFA statutes, rules and regulations and all the financing documents in connection with the NJHMFA Mortgage Loan, are applicable to the Corporation and the Property securing the NJHMFA Mortgage Loan. The Corporation further acknowledges that, except as contained in this Section, the NJHMFA makes no representations express or implied, as to these By-Laws; and the Corporation and the Shareholders shall not rely upon the NJHMFA review of these By-Laws.

ARTICLE IX – AMENDMENTS

Amendments to By-Laws. The By-Laws of the Authority shall be amended only with the approval of at least four of the members of the Board at a regular or a special meeting, but no such amendment shall be adopted unless at least seven days' written notice thereof has been previously given to all the members of the Board.

Adopted: December 17, 2019


Jacqueline S. Jones, Secretary/Treasurer

Page 4 of 4

Resolution #2019-56

December 17, 2019

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-57
Appointing Risk Management Consultant**

WHEREAS, the Ocean City Housing Authority is a member of the New Jersey Public Housing Authority Joint Insurance Fund, and;

WHEREAS, the bylaws of the New Jersey Public Housing Authority Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the By-laws; and;

WHEREAS, the bylaws indicate a fee not to exceed six percent (6%) of the municipal assessment which expenditures represents reasonable compensation for the services required and was included the cost considered by the governing body, and;

WHEREAS, NJSA 40A:11-5(1)(m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspesifiable services and;

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant are clearly an extraordinary unspesifiable service which therefore render competitive bidding impractical;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing Authority of the City of Ocean City does hereby appoint Thomas H. Heist Insurance Agency as its Risk Management Consultant for the calendar year 2020 in accordance with 40A:11-5; and

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA:11-5(1), (a), (i).

ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓				✓	
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: _____

Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____

Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-58
Resolution Awarding Resident Wellness Program Services Contract**

WHEREAS, the Ocean City Housing Authority has solicited Requests for Proposals for Resident Wellness Program Services to offer mental health wellness and education services for residents of the Ocean City Housing Authority to be funded by the City of Ocean City – Community Development Block Grant; and

WHEREAS, two proposal for Resident Wellness Services were submitted and reviewed; and

WHEREAS, the Ocean City Housing Authority recommends to its Board of Commissioners to award contract to **Acenda, Inc. – 42 S. Delsea Drive, Glassboro, NJ 08028** to provide the Ocean City Housing Authority with Resident Wellness Services commencing December, 2019 through August, 2020 per the rates attached hereunto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby authorizes its executive director or his designee to prepare and execute the Resident Wellness Program Services contract to **Acenda, Inc.** for the term indicated above.


ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓				✓	
Commissioner Jackson	✓					✓
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley	✓			✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

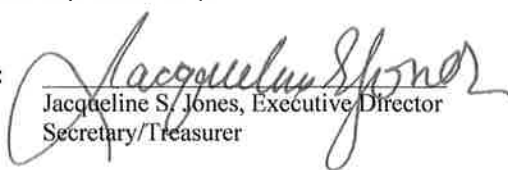
BY: _____


Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____


Jacqueline S. Jones, Executive Director
Secretary/Treasurer

2

THE OCEAN CITY HOUSING AUTHORITY
 UNIT PRICING - VENDOR MUST FILL IN ALL FIELDS - DO NOT ALTER FORM
 RESIDENT WELLNESS PROGRAM
 UNIT PRICING TABLE PAGE 1 OF 1

CODE	DESCRIPTION	BILLING RATE PER HOUR	ESTIMATED HOURS	TOTAL PRICE
WELL-CORD	Provide a price per hour for a Resident Services Coordinator	\$61.49	200	\$12,298.36
WELL-CASE	Provide a price per hour for a Resident Services Case Worker	\$61.49	200	\$12,298.36
WELL-MSW	Provide a price per hour for a Resident Services - Social Worker	\$61.49	200	\$12,298.36

ESTIMATED QUANTITIES LISTED ARE FOR CALCULATION PURPOSES ONLY.
 THE HOUSING AUTHORITY RESERVES THE RIGHT TO ADJUST THESE QUANTITIES AS NEEDED.

Total Price of all rows \$36,895.08

Thirty six thousand eight hundred ninety five dollars and .08 cents.
 TOTAL PRICE IN WRITTEN WORD FORM

The bid price is to contain all direct and indirect costs, including out-of-pocket expenses

Acenda Inc. BY: _____
 Firm Name
 42 Southelsea Drive GLASSBORO NJ 07025
 Street, Town, State, Zip Code
 844-422-3132 856 881 5508
 Telephone Fax

THERESA M BROOKS
 Notary Public
 State of New Jersey
 My Commission Expires Jan 9, 2020

Signature of proposer if the proposer is an individual

Signature of partner if proposer is a partnership

Signature of officer if the proposer is a corporation

President & CEO
 Title

Sworn to and subscribed
 before me on this 2nd

day of December 2019

Theresa M. Brooks
 Notary Public
 (SEAL)

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-59
Approving Intent to use a 75% - 25% Voucher Blend for its Bayview Manor
Rental Assistance Demonstration (RAD) Conversion
whereas up to 25 % of the Units will be disposed of under Section 18**

WHEREAS, the Ocean City Housing Authority (OCHA) has received a RAD Commitment for Housing Assistance Payments (CHAP) for its Pecks Beach Senior and Bayview Manor complexes, collectively (Bayview Manor) which is part of project NJ053000001; and

WHEREAS, the OCHA Board approved resolution 2018-09 which authorized the application to the HUD Special Application Center for a Section 18 demolition of 20 units at Pecks Beach Senior; and

WHEREAS, the OCHA Board approved resolution 2017-65 authorizing a RAD application to be submitted to HUD; and

WHEREAS, the OCHA has submitted its Financial Plan for the Bayview Manor RAD conversion which includes the use of blending the Section 8 vouchers with 75% RAD vouchers at the RAD approved CHAP rent levels and 25% Fair Market Rent Vouchers, and

WHEREAS, for HUD to approve the RAD Section 18 Blend the Authority must confirm that it proposes to dispose of up to 25% of the Bayview Manor units under Section 18, and

WHEREAS, for the purposes of the 75%-25% Voucher Blend and for 25% of the units to be approved at Fair Market Rent Levels, the term "dispose of" is a term to designate the units for Fair Market Rent Levels and will remain in the Authority's inventory, and

NOW, THEREFORE BE IT RESOLVED ON THE 17th DAY OF DECEMBER, 2019, by the Board of Commissioners of the Ocean City Housing Authority that the Board confirms that it wants to convert Bayview Manor through a blending of RAD and Section 18 whereas up to 25% of the units will be disposed of under Section 18.

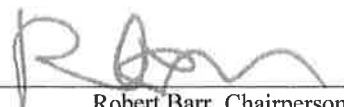
ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓				✓	
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

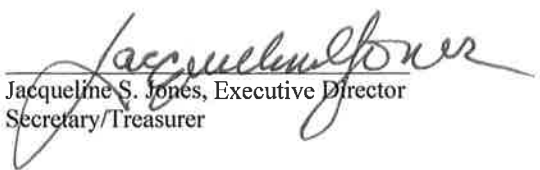
BY: _____


Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____


Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-60
Resolution to Borrow
Project Name: Speitel Commons at Bayview Manor
HMFA # 02986**

The Undersigned hereby certifies that the following is a true and correct copy of the Resolution duly and unanimously adopted by Ocean City Housing Authority (the "Corporation"), a corporation, and that such Resolution has not in any way been altered or appealed and is in full force and effect, unrevoked and unrescinded as of this date.

WHEREAS, the Corporation desires to borrow from the New Jersey Housing and Mortgage Finance Agency (the "Agency") the funds necessary for a pre-development loan to finance costs and expenses necessary to perform due diligence to enable the Corporation to obtain a commitment from the Agency for a construction/permanent loan for a project known as Speitel Commons at Bayview Manor (the "Project"), a 32 unit residential complex in the City of Ocean City, New Jersey; and

WHEREAS, the Corporation is required to execute various documents including, but not limited to a Note and other related documents in connection with the Project and the loan;


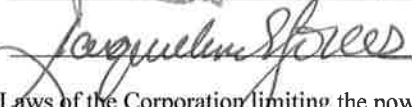
NOW, THEREFORE, BE IT RESOLVED as follows:

IT IS RESOLVED that Ocean City Housing Authority will borrow up to the amount of \$4,505,213 to be evidenced by a Note, CDBG PHA Pre-Development Loan Certification, Sub-Sub-recipient Agreement Implementing Grants Under the Community Development Block Grant Disaster Recovery Program Through the Housing Revitalization and Recovery Program and other related documents (the "Loan Documents") as may be required by the Agency in its sole discretion;

IT IS FURTHER RESOLVED that the following is a true and correct list of the officers and/or directors of the Corporation:

<u>Name</u>	<u>Title</u>
1. Robert Barr	Chairperson
2. Robert Scott Halliday	Vice-Chairperson
3. Beverly McCall	Commissioner
4. Patricia Jackson	Commissioner
5. Robert Henry	Commissioner
6. Patrick Mumman	Commissioner
7. Brian Broadley	Commissioner

IT IS FURTHER RESOLVED that the following is a true and correct list of the names, titles and signatures of the officers, directors and/or representatives of the Corporation, any one of whom is appointed, authorized, directed and empowered to execute and witness or attest to the execution of the Loan Documents:

<u>Name</u>	<u>Title</u>	<u>Signature</u>
1. Robert Barr	Chairperson	
2. Jacqueline S. Jones	Executive Director	

I certify that there is no provision in the By-Laws of the Corporation limiting the power of the officers and/or directors to pass the foregoing Resolution and that it is in conformity with the provisions of said By-Laws.

IN WITNESS WHEREOF, I have hereunto subscribed my signature to the Resolution this 17th day of December, 2019.

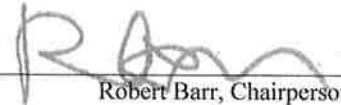
ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓				✓	
Commissioner Jackson	✓					✓
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY


BY: _____


Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____


Jacqueline S. Jones, Executive Director
Secretary/Treasurer

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

RESOLUTION NO. 2019-61

**Resolution Adopting Revisions to the
The Public Housing Admissions and Continued Occupancy Policy**

WHEREAS, the Ocean City Housing Authority is required by the U.S. Department of Housing and Urban Development to have Admissions and Occupancy Policy (ACOP) for its Public Housing Program, and

WHEREAS, said plan and policy outline the objectives and program functions for the Public Housing Program; and

WHEREAS, the revision to the ACOP is updating said plans and policies according to the U.S. Department of Housing and Urban Development – 24CFR 960.257(a)(2); and

WHEREAS, the revisions, attached hereunto.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Ocean City Housing Authority adopt the revised Admissions and Continued Occupancy Policy for the Public Housing Program.


ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓					
Commissioner McCall	✓				✓	
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓					✓
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

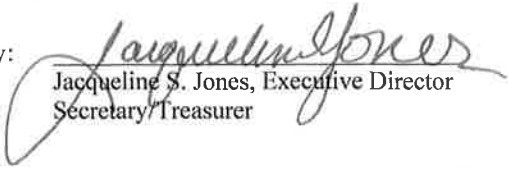
BY: _____


Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices – 204 4th Street, Ocean City, New Jersey.

By: _____


Jacqueline S. Jones, Executive Director
Secretary/Treasurer

Chapter 3

ELIGIBILITY

INTRODUCTION

The PHA is responsible for ensuring that every individual and family admitted to the public housing program meets all program eligibility requirements. This includes any individual approved to join the family after the family has been admitted to the program. The family must provide any information needed by the PHA to confirm eligibility and determine the level of the family's assistance.

To be eligible for the public housing program:

- The applicant family must:
 - Qualify as a family as defined by HUD and the PHA.
 - Have income at or below HUD-specified income limits.
 - Qualify on the basis of citizenship or the eligible immigrant status of family members.
 - Provide social security number information for household members as required.
 - Consent to the PHA's collection and use of family information as provided for in PHA-provided consent forms.
- The PHA must determine that the current or past behavior of household members does not include activities that are prohibited by HUD or the PHA.

This chapter contains three parts:

Part I: Definitions of Family and Household Members. This part contains HUD and PHA definitions of family and household members and explains initial and ongoing eligibility issues related to these members.

Part II: Basic Eligibility Criteria. This part discusses income eligibility, and rules regarding citizenship, social security numbers, and family consent.

Part III: Denial of Admission. This part covers factors related to an applicant's past or current conduct (e.g. criminal activity) that can cause the PHA to deny admission.

PART I: DEFINITIONS OF FAMILY AND HOUSEHOLD MEMBERS

3-I.A. OVERVIEW

Some eligibility criteria and program rules vary depending upon the composition of the family requesting assistance. In addition, some requirements apply to the family as a whole and others apply to individual persons who will live in the public housing unit. This part provides information that is needed to correctly identify family and household members, and explains HUD's eligibility rules.

3-I.B. FAMILY AND HOUSEHOLD [24 CFR 5.105(a)(2), 24 CFR 5.403, FR Notice 02/03/12, and Notice PIH 2014-20]

The terms *family* and *household* have different meanings in the public housing program.

Family

To be eligible for admission, an applicant must qualify as a family. *Family* as defined by HUD, includes but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity, or marital status, a single person, who may be an elderly person, disabled person, near-elderly person, or any other single person; or a group of persons residing together. Such group includes, but is not limited to 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), an elderly family, a near-elderly family, a disabled family, a displaced family, or the remaining member of a tenant family. The PHA has the discretion to determine if any other group of persons qualifies as a family.

Gender Identity means actual or perceived gender characteristics.

Sexual orientation means homosexuality, heterosexuality, or bisexuality.

PHA Policy

A family also includes two or more individuals who are not related by blood, marriage, adoption, or other operation of law, but who either can demonstrate that they have lived together previously or certify that each individual's income and other resources will be available to meet the needs of the family.

Each family must identify the individuals to be included in the family at the time of application, and must update this information if the family's composition changes.

Household

Household is a broader term that includes additional people who, with the PHA's permission, live in a public housing unit, such as live-in aides, foster children, and foster adults.

3-I.C. FAMILY BREAKUP AND REMAINING MEMBER OF TENANT FAMILY

Family Breakup

Except under the following conditions, the PHA has discretion to determine which members of an assisted family continue to receive assistance if the family breaks up:

- If the family breakup results from an occurrence of domestic violence, dating violence, sexual assault, or stalking, the PHA must ensure that the victim retains assistance. (For documentation requirements and policies related to domestic violence, dating violence, sexual assault, and stalking, see section 16-VII.D of this plan.)
- If a court determines the disposition of property between members of the assisted family, the PHA is bound by the court's determination of which family members continue to receive assistance.

PHA Policy

When a family on the waiting list breaks up into two otherwise eligible families, only one of the new families may retain the original application date. Other former family members may submit a new application with a new application date if the waiting list is open.

If a family breaks up into two otherwise eligible families while living in public housing, only one of the new families will retain occupancy of the unit.

If a court determines the disposition of property between members of an applicant or resident family, the PHA will abide by the court's determination.

In the absence of a judicial decision or an agreement among the original family members, the PHA will determine which family will retain their placement on the waiting list or continue in occupancy. In making its determination, the PHA will take into consideration the following factors: (1) the interest of any minor children, including custody arrangements; (2) the interest of any ill, elderly, or disabled family members; (3) the interest of any family member who is or has been the victim of domestic violence, dating violence, sexual assault, or stalking, including a family member who was forced to leave a public housing unit as a result of such actual or threatened abuse, and provides documentation in accordance with section 16-VII.D of this ACOP; (4) any possible risks to family members as a result of criminal activity, and (5) the recommendations of social service professionals.

Remaining Member of a Tenant Family [24 CFR 5.403]

The HUD definition of family includes the *remaining member of a tenant family*, which is a member of a resident family who remains in the unit when other members of the family have left the unit [PH Occ GB, p. 26]. Household members such as live-in aides, foster children, and foster adults do not qualify as remaining members of a family.

If dependents are the only "remaining members of a tenant family" and there is no family member able to assume the responsibilities of the head of household, see Chapter 6, Section 6-I.B, for the policy on "Caretakers for a Child."

3-I.D. HEAD OF HOUSEHOLD [24 CFR 5.504(b)]

Head of household means the adult member of the family who is considered the head for purposes of determining income eligibility and rent. The head of household is responsible for ensuring that the family fulfills all of its responsibilities under the program, alone or in conjunction with a cohead or spouse.

PHA Policy

The family may designate any qualified family member as the head of household.

The head of household must have the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

3-I.E. SPOUSE, COHEAD, AND OTHER ADULT

A family may have a spouse or cohead, but not both [HUD-50058 IB, p. 13].

Spouse means the marriage partner of the head of household.

PHA Policy

A *marriage partner* includes the partner in a "common law" marriage as defined in state law. The term "spouse" does not apply to friends, roommates, or significant others who are not marriage partners. A minor who is emancipated under state law may be designated as a spouse.

A *cohead* is an individual in the household who is equally responsible with the head of household for ensuring that the family fulfills all of its responsibilities under the program, but who is not a spouse. A family can have only one cohead.

PHA Policy

Minors who are emancipated under state law may be designated as a cohead.

Other adult means a family member, other than the head, spouse, or cohead, who is 18 years of age or older. Foster adults and live-in aides are not considered other adults [HUD-50058 IB, p. 14].

3-I.F. DEPENDENT [24 CFR 5.603]

A *dependent* is a family member who is under 18 years of age or a person of any age who is a person with a disability or a full-time student, except that the following persons can never be dependents: the head of household, spouse, cohead, foster children/adults and live-in aides. Identifying each dependent in the family is important because each dependent qualifies the family for a deduction from annual income as described in Chapter 6.

Joint Custody of Dependents

PHA Policy

Dependents that are subject to a joint custody arrangement will be considered a member of the family, if they live with the applicant or resident family 50 percent or more of the time.

When more than one applicant or assisted family (regardless of program) are claiming the same dependents as family members, the family with primary custody at the time of the initial examination or reexamination will be able to claim the dependents. If there is a dispute about which family should claim them, the PHA will make the determination based on available documents such as court orders, an IRS income tax return showing which family has claimed the child for income tax purposes, school records, or other credible documentation.

3-I.G. FULL-TIME STUDENT [24 CFR 5.603]

A *full-time student* (FTS) is a person who is attending school or vocational training on a full-time basis. The time commitment or subject load that is needed to determine if attendance is full-time is defined by the educational institution.

Identifying each FTS is important because (1) each family member that is an FTS, other than the head, spouse, or cohead, qualifies the family for a dependent deduction and (2) the income of such an FTS is treated differently from the income of other family members.

3-I.H. ELDERLY AND NEAR-ELDERLY PERSONS, AND ELDERLY FAMILY [24 CFR 5.100, 5.403, 945.105, and FR Notice 02/03/12]

Elderly Persons

An *elderly person* is a person who is at least 62 years of age.

Near-Elderly Persons

A *near-elderly person* is a person who is 50-61 years of age.

Elderly Family

An *elderly family* is one in which the head, spouse, cohead, or sole member is an elderly person. Identifying elderly families is important because these families qualify for the elderly family allowance and the medical allowance as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

3-I.I. PERSONS WITH DISABILITIES AND DISABLED FAMILY [24 CFR 5.403, FR Notice 02/03/12]

Persons with Disabilities

Under the public housing program, special rules apply to persons with disabilities and to any family whose head, spouse, or cohead is a person with disabilities. The technical definitions of individual with handicaps and persons with disabilities are provided in Exhibit 3-1 at the end of this chapter. These definitions are used for a number of purposes including ensuring that persons with disabilities are not discriminated against based upon disability.

As discussed in Chapter 2, the PHA must make all aspects of the public housing program accessible to persons with disabilities and consider requests for reasonable accommodations when a person's disability limits their full access to the unit, the program, or the PHA's services.

Disabled Family

A *disabled family* is one in which the head, spouse, or cohead is a person with disabilities. Identifying disabled families is important because these families qualify for the disabled family allowance and the medical allowance as described in Chapter 6 and may qualify for a particular type of development as noted in Chapter 4.

Even though persons with drug or alcohol dependencies are considered persons with disabilities for the purpose of non-discrimination, this does not prevent the PHA from denying admission or taking action under the lease for reasons related to alcohol and drug abuse in accordance with the policies found in Part III of this chapter and in Chapter 13.

3-I.J. GUESTS [24 CFR 5.100]

A *guest* is defined as a person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

The lease must provide that the tenant has the right to exclusive use and occupancy of the leased unit by the members of the household authorized to reside in the unit in accordance with the lease, including reasonable accommodation of their guests [24 CFR 966.4(d)]. The head of household is responsible for the conduct of visitors and guests, inside the unit as well as anywhere on or near PHA premises [24 CFR 966.4(f)].

PHA Policy

A resident family must notify the PHA when overnight guests will be staying in the unit for more than 3 days. A guest can remain in the unit no longer than 14 consecutive days or a total of 30 cumulative calendar days during any 12 month period.

A family may request an exception to this policy for valid reasons (e.g., care of a relative recovering from a medical procedure expected to last 20 consecutive days). An exception will not be made unless the family can identify and provide documentation of the residence to which the guest will return.

Children who are subject to a joint custody arrangement or for whom a family has visitation privileges, that are not included as a family member because they live outside of the public housing unit more than 50 percent of the time, are not subject to the time limitations of guests as described above.

Former residents who have been evicted are not permitted as overnight guests.

Guests who represent the public housing unit address as their residence address or address of record for receipt of benefits or any other purposes will be considered unauthorized occupants. In addition, guests who remain in the unit beyond the allowable time limit will be considered to be unauthorized occupants, and their presence constitutes violation of the lease.

3-I.K. FOSTER CHILDREN AND FOSTER ADULTS

Foster adults are usually persons with disabilities, unrelated to the tenant family, who are unable to live alone [24 CFR 5.609(c)(2)].

The term *foster child* is not specifically defined by the regulations.

Foster children and foster adults that are living with an applicant or resident family are considered household members but not family members. The income of foster children/adults is not counted in family annual income and foster children/adults do not qualify for a dependent deduction [24 CFR 5.603 and HUD-50058 IB, pp. 13-14].

PHA Policy

A foster child is a child that is in the legal guardianship or custody of a state, county, or private adoption or foster care agency, yet is cared for by foster parents in their own homes, under some kind of short-term or long-term foster care arrangement with the custodial agency.

Children that are temporarily absent from the home as a result of placement in foster care are discussed in Section 3-I.L.

3-I.L. ABSENT FAMILY MEMBERS

Individuals may be temporarily or permanently absent from the unit for a variety of reasons including educational activities, placement in foster care, employment, and illness.

Definitions of Temporarily and Permanently Absent

PHA Policy

Generally an individual who is or is expected to be absent from the public housing unit for 180 consecutive days or less is considered temporarily absent and continues to be considered a family member. Generally an individual who is or is expected to be absent from the public housing unit for more than 180 consecutive days is considered permanently absent and no longer a family member. Exceptions to this general policy are discussed below.

Absent Students

PHA Policy

When someone who has been considered a family member attends school away from home, the person will continue to be considered a family member unless information becomes available to the PHA indicating that the student has established a separate household or the family declares that the student has established a separate household.

Absences Due to Placement in Foster Care [24 CFR 5.403]

Children temporarily absent from the home as a result of placement in foster care are considered members of the family.

PHA Policy

If a child has been placed in foster care, the PHA will verify with the appropriate agency whether and when the child is expected to be returned to the home. Unless the agency confirms that the child has been permanently removed from the home, the child will be counted as a family member.

Absent Head, Spouse, or Cohead

PHA Policy

An employed head, spouse, or cohead absent from the unit more than 180 consecutive days due to employment will continue to be considered a family member.

Individuals Confined for Medical Reasons

PHA Policy

An individual confined to a nursing home or hospital on a permanent basis is not considered a family member.

If there is a question about the status of a family member, the PHA will request verification from a responsible medical professional and will use this determination. If the responsible medical professional cannot provide a determination, the person generally will be considered temporarily absent. The family may present evidence that the family member is confined on a permanent basis and request that the person not be considered a family member.

Return of Permanently Absent Family Members

PHA Policy

The family must request PHA approval for the return of any adult family members that the PHA has determined to be permanently absent. The individual is subject to the eligibility and screening requirements discussed in this chapter.

3-I.M. LIVE-IN AIDE

Live-in aide means a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who: (1) is determined to be essential to the care and well-being of the person(s), (2) is not obligated for the support of the person(s), and (3) would not be living in the unit except to provide the necessary supportive services [24 CFR 5.403].

The PHA must approve a live-in aide if needed as a reasonable accommodation for a person with disabilities in accordance with 24 CFR 8.

A live-in aide is considered a household member but not a family member. The income of the live-in aide is not counted in determining the annual income of the family [24 CFR 5.609(c)(5)]. Relatives may be approved as live-in aides if they meet all of the criteria defining a live-in aide. However, a relative who serves as a live-in aide is not considered a family member and would not be considered a remaining member of a tenant family.

PHA Policy

A family's request for a live-in aide may be made either orally or in writing. The PHA will verify the need for a live-in aide, if necessary, with a reliable, knowledgeable professional as provided by the family, such as a doctor, social worker, or case worker. For continued approval, the family may be required to submit a new, written request—subject to PHA verification—at each annual reexamination.

In addition, the family and live-in aide will be required to submit a certification stating that the live-in aide is (1) not obligated for the support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.

The PHA has the discretion not to approve a particular person as a live-in aide, and may withdraw such approval, if [24 CFR 966.4(d)(3)(i)]:

- The person commits fraud, bribery or any other corrupt or criminal act in connection with any federal housing program;

- The person has a history of drug-related criminal activity or violent criminal activity; or

- The person currently owes rent or other amounts to the PHA or to another PHA in connection with Section 8 or public housing assistance under the 1937 Act.

Within 10 business days of receiving a request for a live-in aide, including all required documentation related to the request, the PHA will notify the family of its decision in writing.

PART II: BASIC ELIGIBILITY CRITERIA

3-II.A. INCOME ELIGIBILITY AND TARGETING

Income Limits

HUD is required by law to establish income limits that determine the income eligibility of applicants for HUD's assisted housing programs, including the public housing program. The income limits are published annually and are based on HUD estimates of the median incomes for families of different sizes in a particular area or county.

Types of Low-Income Families [24 CFR 5.603(b)]

Low-income family. A family whose annual income does not exceed 80 percent of the median income for the area, adjusted for family size.

Very low-income family. A family whose annual income does not exceed 50 percent of the median income for the area, adjusted for family size.

Extremely low-income family. A family whose annual income does not exceed the federal poverty level or 30 percent of the median income for the area, whichever number is higher.

Area median income is determined by HUD, with adjustments for smaller and larger families. HUD may establish income ceilings higher or lower than 30, 50, or 80 percent of the median income for an area if HUD finds that such variations are necessary because of unusually high or low family incomes.

HUD also publishes over-income limits annually, but these are not used at admission. Over-income limits will be discussed in Chapter 13.

Using Income Limits for Eligibility [24 CFR 960.201]

Income limits are used to determine eligibility at admission. Eligibility is established by comparing a family's annual income with HUD's published income limits. To be income-eligible, a family must be a *low-income* family.

Using Income Limits for Targeting [24 CFR 960.202(b)]

At least 40 percent of the families admitted from the PHA waiting list to the public housing program during a PHA fiscal year must be *extremely low-income* families. This is called the “basic targeting requirement.”

If admissions of extremely low-income families to the PHA’s housing choice voucher program during a PHA fiscal year exceed the 75 percent minimum targeting requirement for that program, such excess shall be credited against the PHA’s public housing basic targeting requirement for the same fiscal year.

The fiscal year credit for housing choice voucher program admissions that exceed the minimum voucher program targeting requirement must not exceed the lower of:

- Ten percent of public housing waiting list admissions during the PHA fiscal year
- Ten percent of waiting list admission to the PHA’s housing choice voucher program during the PHA fiscal year
- The number of qualifying low-income families who commence occupancy during the fiscal year of public housing units located in census tracts with a poverty rate of 30 percent or more. For this purpose, qualifying low-income family means a low-income family other than an extremely low-income family.

For discussion of how income targeting is used in tenant selection, see Chapter 4.

3-II.B. CITIZENSHIP OR ELIGIBLE IMMIGRATION STATUS [24 CFR 5, Subpart E]

Housing assistance is available only to individuals who are U.S. citizens, U.S. nationals (herein referred to as citizens and nationals), or noncitizens that have eligible immigration status. At least one family member must be a citizen, national, or noncitizen with eligible immigration status in order for the family to qualify for any level of assistance.

All applicant families must be notified of the requirement to submit evidence of their citizenship status when they apply. Where feasible, and in accordance with the PHA's Limited English Proficiency Plan, the notice must be in a language that is understood by the individual if the individual is not proficient in English.

Declaration [24 CFR 5.508]

HUD requires each family member to declare whether the individual is a citizen, a national, or an eligible noncitizen, except those members who elect not to contend that they have eligible immigration status. Those who elect not to contend their status are considered to be ineligible noncitizens. For citizens, nationals and eligible noncitizens the declaration must be signed personally by the head, spouse, cohead, and any other family member 18 or older, and by a parent or guardian for minors. The family must identify in writing any family members who elect not to contend their immigration status (see Ineligible Noncitizens below). No declaration is required for live-in aides, foster children, or foster adults.

U.S. Citizens and Nationals

In general, citizens and nationals are required to submit only a signed declaration that claims their status. However, HUD regulations permit the PHA to request additional documentation of their status, such as a passport.

PHA Policy

Family members who declare citizenship or national status will not be required to provide additional documentation unless the PHA receives information indicating that an individual's declaration may not be accurate.

Eligible Noncitizens

In addition to providing a signed declaration, those declaring eligible noncitizen status must sign a verification consent form and cooperate with PHA efforts to verify their immigration status as described in Chapter 7. The documentation required for establishing eligible noncitizen status varies depending upon factors such as the date the person entered the U.S., the conditions under which eligible immigration status has been granted, the person's age, and the date on which the family began receiving HUD-funded assistance.

Lawful residents of the Marshall Islands, the Federated States of Micronesia, and Palau, together known as the Freely Associated States, or FAS, are eligible for housing assistance under section 141 of the Compacts of Free Association between the U.S. Government and the Governments of the FAS [Public Law 106-504].

Ineligible Noncitizens

Those noncitizens who do not wish to contend their immigration status are required to have their names listed on a noncontending family members listing, signed by the head, spouse, or cohead (regardless of citizenship status), indicating their ineligible immigration status. The PHA is not required to verify a family member's ineligible status and is not required to report an individual's unlawful presence in the U.S. to the United States Citizenship and Immigration Services (USCIS).

Providing housing assistance to noncitizen students is prohibited [24 CFR 5.522]. This prohibition extends to the noncitizen spouse of a noncitizen student as well as to minor children who accompany or follow to join the noncitizen student. Such prohibition does not extend to the citizen spouse of a noncitizen student or to the children of the citizen spouse and noncitizen student. Such a family is eligible for prorated assistance as a mixed family.

Mixed Families

A family is eligible for admission as long as at least one member is a citizen, national, or eligible noncitizen. Families that include eligible and ineligible individuals are considered *mixed families*. Such families will be given notice that their assistance will be prorated, and that they may request a hearing if they contest this determination. See Chapter 6 for a discussion of how rents are prorated, and Chapter 14 for a discussion of grievance hearing procedures.

Ineligible Families [24 CFR 5.514(d), (e), and (f)]

A PHA may elect to provide assistance to a family before the verification of the eligibility of the individual or one family member [24 CFR 5.512(b)]. Otherwise, no individual or family may be assisted prior to the affirmative establishment by the PHA that the individual or at least one family member is eligible [24 CFR 5.512(a)].

PHA Policy

The PHA will not provide assistance to a family before the verification of at least one family member as a citizen, national, or eligible noncitizen.

When a PHA determines that an applicant family does not include any citizens, nationals, or eligible noncitizens, following the verification process, the family will be sent a written notice within 10 business days of the determination.

The notice will explain the reasons for the denial of assistance and will advise the family of its right to request an appeal to the United States Citizenship and Immigration Services (USCIS), or to request a grievance hearing with the PHA. The grievance hearing with the PHA may be requested in lieu of the USCIS appeal, or at the conclusion of the USCIS appeal process. The notice must also inform the applicant family that assistance may not be delayed until the conclusion of the USCIS appeal process, but that it may be delayed pending the completion of the grievance hearing process.

Grievance hearing procedures are contained in Chapter 14.

Time Frame for Determination of Citizenship Status [24 CFR 5.508(g)]

For new occupants joining the resident family the PHA must verify status at the first interim or regular reexamination following the person's occupancy, whichever comes first.

If an individual qualifies for a time extension for the submission of required documents, the PHA must grant such an extension for no more than 30 days [24 CFR 5.508(h)].

Each family member is required to submit evidence of eligible status only one time during continuous occupancy.

PHA Policy

The PHA will verify the status of applicants at the time other eligibility factors are determined.

3-II.C. SOCIAL SECURITY NUMBERS [24 CFR 5.216 and 5.218, Notice PIH 2018-24]

The applicant and all members of the applicant's household must disclose the complete and accurate social security number (SSN) assigned to each household member, and the documentation necessary to verify each SSN. If a child under age six has been added to an applicant family within the six months prior to program admission, an otherwise eligible family may be admitted to the program and must disclose and document the child's SSN within 90 days of admission. A detailed discussion of acceptable documentation is provided in Chapter 7.

Note: These requirements do not apply to noncitizens who do not contend eligible immigration status.

In addition, each participant who has not previously disclosed an SSN, has previously disclosed an SSN that HUD or the SSA determined was invalid, or has been issued a new SSN must submit their complete and accurate SSN and the documentation required to verify the SSN at the time of the next interim or annual reexamination or recertification. Participants age 62 or older as of January 31, 2010, whose determination of eligibility was begun before January 31, 2010, are exempt from this requirement and remain exempt even if they move to a new assisted unit.

The PHA must deny assistance to an applicant family if they do not meet the SSN disclosure and documentation requirements contained in 24 CFR 5.216.

3-II.D. FAMILY CONSENT TO RELEASE OF INFORMATION [24 CFR 5.230]

HUD requires each adult family member, and the head of household, spouse, or cohead, regardless of age, to sign form HUD-9886, Authorization for the Release of Information Privacy Act Notice, and other consent forms as needed to collect information relevant to the family's eligibility and level of assistance. Chapter 7 provides detailed information concerning the consent forms and verification requirements.

The PHA must deny admission to the program if any member of the applicant family fails to sign and submit consent forms which allow the PHA to obtain information that the PHA has determined is necessary in administration of the public housing program [24 CFR 960.259(a) and (b)].

PART III: DENIAL OF ADMISSION

3-III.A. OVERVIEW

A family that does not meet the eligibility criteria discussed in Parts I and II must be denied admission.

In addition, HUD requires or permits the PHA to deny admission based on certain types of current or past behaviors of family members as discussed in this part. The PHA's authority in this area is limited by the Violence against Women Act of 2013 (VAWA), which expressly prohibits the denial of admission to an otherwise qualified applicant on the basis or as a direct result of the fact that the applicant is or has been the victim of domestic violence, dating violence, sexual assault, or stalking [24 CFR 5.2005(b)].

This part covers the following topics:

- Required denial of admission
- Other permitted reasons for denial of admission
- Screening
- Criteria for deciding to deny admission
- Prohibition against denial of admission to victims of domestic violence, dating violence, sexual assault, or stalking
- Notice of eligibility or denial

3-III.B. REQUIRED DENIAL OF ADMISSION [24 CFR 960.204]

PHAs are required to establish standards that prohibit admission of an applicant to the public housing program if they have engaged in certain criminal activity or if the PHA has reasonable cause to believe that a household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

Where the statute requires that the PHA prohibit admission for a prescribed period of time after some disqualifying behavior or event, the PHA may choose to continue that prohibition for a longer period of time [24 CFR 960.203(c)(3)(ii)].

HUD requires the PHA to deny assistance in the following cases:

- Any member of the household has been evicted from federally-assisted housing in the last three years for drug-related criminal activity. HUD permits but does not require the PHA to admit an otherwise-eligible family if the household member has completed a PHA-approved drug rehabilitation program or the circumstances which led to eviction no longer exist (e.g. the person involved in the criminal activity no longer lives in the household).

PHA Policy

The PHA will admit an otherwise-eligible family who was evicted from federally-assisted housing within the past three years for drug-related criminal activity, if the PHA is able to verify that the household member who engaged in the criminal activity has completed a supervised drug rehabilitation program approved by the PHA, or the person who committed the crime is no longer living in the household.

- The PHA determines that any household member is currently engaged in the use of illegal drugs. *Drug* means a controlled substance as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]. *Currently engaged in the illegal use of a drug* means a person has engaged in the behavior recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member [24 CFR 960.205(b)(1)].

PHA Policy

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

- The PHA has reasonable cause to believe that any household member's current use or pattern of use of illegal drugs, or current abuse or pattern of abuse of alcohol, may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.

PHA Policy

In determining reasonable cause, the PHA will consider all credible evidence, including but not limited to, any record of convictions, arrests, or evictions of household members related to the use of illegal drugs or the abuse of alcohol. A conviction will be given more weight than an arrest. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity. The PHA will also consider evidence from treatment providers or community-based organizations providing services to household members.

- Any household member has ever been convicted of drug-related criminal activity for the production or manufacture of methamphetamine on the premises of federally assisted housing.
- Any household member is subject to a lifetime registration requirement under a state lifetime sex offender registration program.

3-III.C. OTHER PERMITTED REASONS FOR DENIAL OF ADMISSION

HUD permits, but does not require the PHA to deny admission for the reasons discussed in this section.

Criminal Activity [24 CFR 960.203(c)]

The PHA is responsible for screening family behavior and suitability for tenancy. In doing so, the PHA may consider an applicant's history of criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety, or welfare of other tenants.

PHA Policy

If any household member is currently engaged in, or has engaged in any of the following criminal activities, within the past five years, the family will be denied admission.

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

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

Criminal activity that may threaten the health, safety, or welfare of other tenants [24 CFR 960.203(c)(3)].

Criminal activity that may threaten the health or safety of PHA staff, contractors, subcontractors, or agents.

Criminal sexual conduct, including but not limited to sexual assault, incest, open and gross lewdness, or child abuse.

Evidence of such criminal activity includes, but is not limited to any record of convictions, arrests, or evictions for suspected drug-related or violent criminal activity of household members within the past 5 years. A conviction for such activity will be given more weight than an arrest or an eviction. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying criminal activity.

In making its decision to deny assistance, the PHA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, the PHA may, on a case-by-case basis, decide not to deny assistance.

Previous Behavior [960.203(c) and (d) and PH Occ GB, p. 48]

HUD authorizes the PHA to deny admission based on relevant information pertaining to the family's previous behavior and suitability for tenancy.

In the event of the receipt of unfavorable information with respect to an applicant, the PHA must consider the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). As discussed in Section 3-III.F, the PHA may also need to consider whether the cause of the unfavorable information may be that the applicant is the victim of domestic violence, dating violence, sexual assault, or stalking.

PHA Policy

The PHA will deny admission to an applicant family if the PHA determines that the family:

- Has a pattern of unsuitable past performance in meeting financial obligations, including rent within the past five years

- Has a pattern of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences within the past five years which may adversely affect the health, safety, or welfare of other tenants

- Has a pattern of eviction from housing or termination from residential programs within the past five years (considering relevant circumstances)

- Owes rent or other amounts to this or any other PHA or owner in connection with any assisted housing program

- Misrepresented or does not provide complete information related to eligibility, including income, award of preferences for admission, expenses, family composition or rent

- Has committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program

- Has engaged in or threatened violent or abusive behavior toward PHA personnel

Abusive or violent behavior towards PHA personnel includes verbal as well as physical abuse or violence. Use of racial epithets, or other language, written or oral, that is customarily used to intimidate may be considered abusive or violent behavior.

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

In making its decision to deny admission, the PHA will consider the factors discussed in Sections 3-III.E and 3-III.F. Upon consideration of such factors, the PHA may, on a case-by-case basis, decide not to deny admission.

The PHA will consider the existence of mitigating factors, such as loss of employment or other financial difficulties, before denying admission to an applicant based on the failure to meet prior financial obligations.

3-III.D. SCREENING

Screening for Eligibility

PHAs are authorized to obtain criminal conviction records from law enforcement agencies to screen applicants for admission to the public housing program. This authority assists the PHA in complying with HUD requirements and PHA policies to deny assistance to applicants who are engaging in or have engaged in certain criminal activities. In order to obtain access to the records the PHA must require every applicant family to submit a consent form signed by each adult household member [24 CFR 5.903].

The PHA may not pass along to the applicant the costs of a criminal records check [24 CFR 960.204(d)].

PHA Policy

The PHA will perform criminal background checks through local law enforcement for all adult household members.

If the results of the criminal background check indicate there may have been past criminal activity, but the results are inconclusive, the PHA will request a fingerprint card and will request information from the National Crime Information Center (NCIC).

PHAs are required to perform criminal background checks necessary to determine whether any household member is subject to a lifetime registration requirement under a state sex offender program in the state where the housing is located, as well as in any other state where a household member is known to have resided [24 CFR 960.204(a)(4)].

PHA Policy

The PHA will use the Dru Sjodin National Sex Offender database to screen applicants for admission.

Additionally, PHAs must ask whether the applicant, or any member of the applicant's household, is subject to a lifetime registered sex offender registration requirement in any state [Notice PIH 2012-28].

If the PHA proposes to deny admission based on a criminal record or on lifetime sex offender registration information, the PHA must notify the household of the proposed action and must provide the subject of the record and the applicant a copy of the record and an opportunity to dispute the accuracy and relevance of the information prior to a denial of admission [24 CFR 5.903(f) and 5.905(d)].

Obtaining Information from Drug Treatment Facilities [24 CFR 960.205]

HUD authorizes PHAs to request and obtain information from drug abuse treatment facilities concerning applicants. Specifically, the PHA may require each applicant to submit for all household members who are at least 18 years of age, and for each family head, spouse, or cohead regardless of age, one or more consent forms signed by such household members that requests any drug abuse treatment facility to inform the PHA whether the drug abuse treatment facility has reasonable cause to believe that the household member is currently engaging in illegal drug use.

Drug Abuse Treatment Facility means an entity that holds itself out as providing, and provides, diagnosis, treatment, or referral for treatment with respect to the illegal drug use, and is either an identified unit within a general care facility, or an entity other than a general medical care facility.

Currently engaging in illegal use of a drug means illegal use of a drug that occurred recently enough to justify a reasonable belief that there is continuing illegal drug use by a household member.

Any consent form used for the purpose of obtaining information from a drug abuse treatment facility to determine whether a household member is currently engaging in illegal drug use must expire automatically after the PHA has made a final decision to either approve or deny the admission of such person.

Any charges incurred by the PHA for information provided from a drug abuse treatment facility may not be passed on to the applicant or tenant.

If the PHA chooses to obtain such information from drug abuse treatment facilities, it must adopt and implement one of the two following policies:

Policy A: The PHA must submit a request for information to a drug abuse treatment facility for all families before they are admitted. The request must be submitted for each proposed household member who is at least 18 years of age, and for each family head, spouse, or cohead regardless of age.

Policy B: The PHA must submit a request for information only for certain household members, whose criminal record indicates prior arrests or conviction for any criminal activity that may be a basis for denial of admission or whose prior tenancy records indicate that the proposed household member engaged in destruction of property or violent activity against another person, or they interfered with the right of peaceful enjoyment of the premises of other residents.

If the PHA chooses to obtain such information, it must abide by the HUD requirements for records management and confidentiality as described in 24 CFR 960.205(f).

PHA Policy

The PHA will obtain information from drug abuse treatment facilities to determine whether any applicant family's household members are currently engaging in illegal drug activity only when the PHA has determined that the family will be denied admission based on a family member's drug-related criminal activity, and the family claims that the culpable family member has successfully completed a supervised drug or alcohol rehabilitation program.

Screening for Suitability as a Tenant [24 CFR 960.203(c)]

The PHA is responsible for the screening and selection of families to occupy public housing units. The PHA may consider all relevant information. Screening is important to public housing communities and program integrity, and to ensure that assisted housing is provided to those families that will adhere to lease obligations.

PHA Policy

The PHA will consider the family's history with respect to the following factors:

- Payment of rent and utilities

- Caring for a unit and premises

- Respecting the rights of other residents to the peaceful enjoyment of their housing

- Criminal activity that is a threat to the health, safety, or property of others

- Behavior of all household members as related to the grounds for denial as detailed in Sections 3-III. B and C

- Compliance with any other essential conditions of tenancy

Resources Used to Check Applicant Suitability [PH Occ GB, pp. 47-56]

PHAs have a variety of resources available to them for determination of the suitability of applicants. Generally, PHAs should reject applicants who have recent behavior that would warrant lease termination for a public housing resident.

PHA Policy

In order to determine the suitability of applicants the PHA will examine applicant history for the past five years. Such background checks will include:

Past Performance in Meeting Financial Obligations, Especially Rent

PHA and landlord references for the past five years, gathering information about past performance meeting rental obligations such as rent payment record, late payment record, whether the PHA/landlord ever began or completed lease termination for non-payment, and whether utilities were ever disconnected in the unit. PHAs and landlords will be asked if they would rent to the applicant family again.

Utility company references covering the monthly amount of utilities, late payment, disconnection, return of a utility deposit and whether the applicant can get utilities turned on in his/her name. (Use of this inquiry will be reserved for applicants applying for units where there are tenant-paid utilities.)

If an applicant has no rental payment history the PHA will check court records of eviction actions and other financial judgments, and credit reports. A lack of credit history will not disqualify someone from becoming a public housing resident, but a poor credit rating may.

Applicants with no rental payment history will also be asked to provide the PHA with personal references. The references will be requested to complete a verification of the applicant's ability to pay rent if no other documentation of ability to meet financial obligations is available. The applicant will also be required to complete a checklist documenting their ability to meet financial obligations.

If previous landlords or the utility company do not respond to requests from the PHA, the applicant may provide other documentation that demonstrates their ability to meet financial obligations (e.g. rent receipts, cancelled checks, etc.)

Disturbances of Neighbors, Destruction of Property or Living or Housekeeping Habits at Prior Residences that May Adversely Affect Health, Safety, or Welfare of Other Tenants, or Cause Damage to the Unit or the Development

PHA and landlord references for the past five years, gathering information on whether the applicant kept a unit clean, safe and sanitary; whether they violated health or safety codes; whether any damage was done by the applicant to a current or previous unit or the development, and, if so, how much the repair of the damage cost; whether the applicant's housekeeping caused insect or rodent infestation; and whether the neighbors complained about the applicant or whether the police were ever called because of disturbances.

Police and court records within the past five years will be used to check for any evidence of disturbance of neighbors or destruction of property that might have resulted in arrest or conviction. A record of arrest(s) will not be used as the basis for the denial or proof that the applicant engaged in disqualifying activity.

A personal reference will be requested to complete a verification of the applicant's ability to care for the unit and avoid disturbing neighbors if no other documentation is available. In these cases, the applicant will also be required to complete a checklist documenting their ability to care for the unit and to avoid disturbing neighbors.

Home visits may be used to determine the applicant's ability to care for the unit.

3-III.E. CRITERIA FOR DECIDING TO DENY ADMISSION

Evidence

PHA Policy

The PHA will use the preponderance of the evidence as the standard for making all admission decisions.

Preponderance of the evidence is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not.

Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Consideration of Circumstances [24 CFR 960.203(c)(3) and (d)]

HUD authorizes the PHA to consider all relevant circumstances when deciding whether to deny admission based on a family's past history except in the situations for which denial of admission is mandated (see Section 3-III.B).

In the event the PHA receives unfavorable information with respect to an applicant, consideration must be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). In a manner consistent with its policies, PHAs may give consideration to factors which might indicate a reasonable probability of favorable future conduct.

PHA Policy

The PHA will consider the following facts and circumstances prior to making its decision:

- The seriousness of the case, especially with respect to how it would affect other residents' safety or property

- The effects that denial of admission may have on other members of the family who were not involved in the action or failure to act

- The extent of participation or culpability of individual family members, including whether the culpable family member is a minor or a person with disabilities, or (as discussed further in section 3-III.F) a victim of domestic violence, dating violence, sexual assault, or stalking

- The length of time since the violation occurred, including the age of the individual at the time of the conduct, as well as the family's recent history and the likelihood of favorable conduct in the future

While a record of arrest(s) will not be used as the basis for denial, an arrest may, however, trigger an investigation to determine whether the applicant actually engaged in disqualifying criminal activity. As part of its investigation, the PHA may obtain the police report associated with the arrest and consider the reported circumstances of the arrest. The PHA may also consider:

- Any statements made by witnesses or the applicant not included in the police report

- Whether criminal charges were filed

- Whether, if filed, criminal charges were abandoned, dismissed, not prosecuted, or ultimately resulted in an acquittal

- Any other evidence relevant to determining whether or not the applicant engaged in disqualifying activity

Evidence of criminal conduct will be considered if it indicates a demonstrable risk to safety and/or property

Evidence of the applicant family's participation in or willingness to participate in social service or other appropriate counseling service programs

In the case of drug or alcohol abuse, whether the culpable household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully

- The PHA will require the applicant to submit evidence of the household member's current participation in or successful completion of a supervised drug or alcohol rehabilitation program, or evidence of otherwise having been rehabilitated successfully.

Removal of a Family Member's Name from the Application

Should the PHA's screening process reveal that an applicant's household includes an individual subject to state lifetime registered sex offender registration, the PHA must offer the family the opportunity to remove the ineligible family member from the household. If the family is unwilling to remove that individual from the household, the PHA must deny admission to the family [Notice PIH 2012-28].

For other criminal activity, the PHA may permit the family to exclude the culpable family members as a condition of eligibility. [24 CFR 960.203(c)(3)(i)].

PHA Policy

As a condition of receiving assistance, a family may agree to remove the culpable family member from the application. In such instances, the head of household must certify that the family member will not be permitted to visit or to stay as a guest in the public housing unit.

After admission to the program, the family must present evidence of the former family member's current address upon PHA request.

Reasonable Accommodation [PH Occ GB, pp. 58-60]

If the family includes a person with disabilities, the PHA's decision concerning denial of admission is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

PHA Policy

If the family indicates that the behavior of a family member with a disability is the reason for the proposed denial of admission, the PHA will determine whether the behavior is related to the disability. If so, upon the family's request, the PHA will determine whether alternative measures are appropriate as a reasonable accommodation. The PHA will only consider accommodations that can reasonably be expected to address the behavior that is the basis of the proposed denial of admission. See Chapter 2 for a discussion of reasonable accommodation.

3-III.F. PROHIBITION AGAINST DENIAL OF ASSISTANCE TO VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING

The Violence against Women Act of 2013 (VAWA) and the HUD regulation at 24 CFR 5.2005(b) prohibit PHAs from denying admission to an otherwise qualified applicant on the basis or as a direct result of the fact that the applicant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking.

Definitions of key terms used in VAWA are provided in section 16-VII of this ACOP, where general VAWA requirements and policies pertaining to notification, documentation, and confidentiality are also located.

Notification

VAWA 2013 expanded notification requirements to include the obligation for PHAs to provide applicants who are denied assistance with a VAWA Notice of Occupancy Rights (form HUD-5380) and a domestic violence certification form (HUD-5382) at the time the applicant is denied.

PHA Policy

The PHA acknowledges that a victim of domestic violence, dating violence, sexual assault, or stalking may have an unfavorable history (e.g., a poor credit history, poor rental history, a record of previous damage to an apartment, a prior arrest record) due to adverse factors that would warrant denial under the PHA's policies.

While the PHA is not required to identify whether adverse factors that resulted in the applicant's denial are a result of domestic violence, dating violence, sexual assault, or stalking, the applicant may inform the PHA that their status as a victim is directly related to the grounds for the denial. The PHA will request that the applicant provide enough information to the PHA to allow the PHA to make an objectively reasonable determination, based on all circumstances, whether the adverse factor is a direct result of their status as a victim.

The PHA will include in its notice of denial information about the protection against denial provided by VAWA in accordance with section 16-VII.C of this ACOP, a notice of VAWA rights, and a copy of the form HUD-5382. The PHA will request in writing that an applicant wishing to claim this protection notify the PHA within 14 business days.

Documentation

Victim Documentation [24 CFR 5.2007]

PHA Policy

If an applicant claims the protection against denial of admission that VAWA provides to victims of domestic violence, dating violence, sexual assault, or stalking, the PHA will request in writing that the applicant provide documentation supporting the claim in accordance with section 16-VII.D of this ACOP.

Perpetrator Documentation

PHA Policy

If the perpetrator of the abuse is a member of the applicant family, the applicant must provide additional documentation consisting of one of the following:

A signed statement (1) requesting that the perpetrator be removed from the application and (2) certifying that the perpetrator will not be permitted to visit or to stay as a guest in the public housing unit

Documentation that the perpetrator has successfully completed, or is successfully undergoing, rehabilitation or treatment. The documentation must be signed by an employee or agent of a domestic violence service provider or by a medical or other knowledgeable professional from whom the perpetrator has sought or is receiving assistance in addressing the abuse. The signer must attest under penalty of perjury to his or her belief that the rehabilitation was successfully completed or is progressing successfully. The victim and perpetrator must also sign or attest to the documentation.

3-III.G. NOTICE OF ELIGIBILITY OR DENIAL

The PHA will notify an applicant family of its final determination of eligibility in accordance with the policies in Section 4-III.E.

If a PHA uses a criminal record or sex offender registration information obtained under 24 CFR 5, Subpart J, as the basis of a denial, a copy of the record must precede the notice to deny, with an opportunity for the applicant to dispute the accuracy and relevance of the information before the PHA can move to deny the application. In addition, a copy of the record must be provided to the subject of the record [24 CFR 5.903(f) and 5.905(d)].

PHA Policy

If, based on a criminal record or sex offender registration information an applicant family appears to be ineligible, the PHA will notify the family in writing of the proposed denial and provide a copy of the record to the applicant and to the subject of the record. The family will be given 10 business days to dispute the accuracy and relevance of the information. If the family does not contact the PHA to dispute the information within that 10 day period, the PHA will proceed with issuing the notice of denial of admission. A family that does not exercise their right to dispute the accuracy of the information prior to issuance of the official denial letter will still be given the opportunity to do so as part of the informal hearing process.

Notice requirements related to denying admission to noncitizens are contained in Section 3-II.B.

Notice policies related to denying admission to applicants who may be victims of domestic violence, dating violence, sexual assault, or stalking are contained in Section 3-III.F.

EXHIBIT 3-1: DETAILED DEFINITIONS RELATED TO DISABILITIES

Person with Disabilities [24 CFR 5.403]

The term *person with disabilities* means a person who has any of the following types of conditions.

- Has a disability, as defined in 42 U.S.C. Section 423(d)(1)(A), which reads:

Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months

In the case of an individual who has attained the age of 55 and is blind (within the meaning of “blindness” as defined in section 416(i)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity, requiring skills or ability comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Has a developmental disability as defined in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C.15002(8)], which defines developmental disability in functional terms as follows:

(A) IN GENERAL – The term *developmental disability* means a severe, chronic disability of an individual that-

 - (i) is attributable to a mental or physical impairment or combination of mental and physical impairments;
 - (ii) is manifested before the individual attains age 22;
 - (iii) is likely to continue indefinitely;
 - (iv) results in substantial functional limitations in 3 or more of the following areas of major life activity: (I) self-care, (II) receptive and expressive language, (III) learning, (IV) mobility, (V) self-direction, (VI) capacity for independent living, (VII) economic self-sufficiency; and
 - (v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

(B) INFANTS AND YOUNG CHILDREN – An individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.
- Has a physical, mental, or emotional impairment that is expected to be of long-continued and indefinite duration; substantially impedes his or her ability to live independently, and is of such a nature that the ability to live independently could be improved by more suitable housing conditions.

People with the acquired immunodeficiency syndrome (AIDS) or any conditions arising from the etiologic agent for AIDS are not excluded from this definition.

A person whose disability is based solely on any drug or alcohol dependence does not qualify as a person with disabilities for the purposes of this program.

For purposes of reasonable accommodation and program accessibility for persons with disabilities, the term person with disabilities refers to an individual with handicaps.

Individual with Handicaps [24 CFR 8.3]

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. The term does not include any individual who is an alcoholic or drug abuser whose current use of alcohol or drugs prevents the individual from participating in the program or activity in question, or whose participation, by reason of such current alcohol or drug abuse, would constitute a direct threat to property or the safety of others. As used in this definition, the phrase:

(1) Physical or mental impairment includes:

- (a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine
- (b) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term physical or mental impairment includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction and alcoholism.

(2) Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

(3) Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) Is regarded as having an impairment means:

- (a) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by a recipient as constituting such a limitation
- (b) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment
- (c) Has none of the impairments defined in paragraph (a) of this section but is treated by a recipient as having such an impairment

**Ocean City Housing Authority
County of Cape May
State of New Jersey**

**RESOLUTION NO. 2019-62
Resolution Approving Significant Amendment to the PHA Plan**

WHEREAS, the Board of Commissioners of the Ocean City Housing Authority approved the submission of the Annual Plan for the PHA fiscal year beginning October 1, 2019, and;

WHEREAS, the Board of Commissioners of the Ocean City Housing Authority desires to approve significant amendments to its Annual Plan, and;

WHEREAS, the Ocean City Housing Authority conducted a meeting with the residents to discuss the significant amendment recommendations as required by the certifications and agreements with the Department of Housing & Urban Development (HUD) in connection with the submission of the Annual Plan and implantation thereof, and;

WHEREAS, the Board of Commissioners of the Ocean City Housing Authority desires to make the significant amendments attached hereunto.

NOW, THEREFORE, BE IT RESOLVE by the Board of Commissioners of the Ocean City Housing Authority approves the significant amendments listed above to its Annual Plan effective immediately.

ADOPTED: December 17, 2019

VOTE:

Commissioner	Yes	No	Abstain	Absent	Motion	Second
Vice Chairman Halliday	✓				✓	
Commissioner McCall	✓					✓
Commissioner Jackson	✓					
Commissioner Henry	✓					
Commissioner Mumman	✓					
Commissioner Broadley				✓		
Chairman Barr	✓					

OCEAN CITY HOUSING AUTHORITY

BY: _____

Robert Barr, Chairperson

ATTESTATION:

This resolution was acted upon at the Regular Meeting of the Ocean City Housing Authority's Board of Commissioners held on December 17, 2019 at Administrative Offices -- 204 4th Street, Ocean City, New Jersey.

By: _____

Jacqueline S. Jones, Executive Director
Secretary/Treasurer

Streamlined Annual PHA Plan <i>(Small PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 02/29/2016
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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, and informs 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- income, very low- income, and extremely low- income families

Applicability. Form HUD-50075-SM is to be completed annually by **Small PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, HCV-Only PHA, or Qualified PHA do not need to submit this form.

Definitions.

- (1) **High-Performer PHA** – A PHA that owns or manages more than 550 combined public housing units and housing choice vouchers, and was designated as a high performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, or at risk of being designated as troubled, and that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 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 exceeds 550, and that was designated as a standard performer in the most recent PHAS or 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 housing choice vouchers combined, and is not PHAS or SEMAP troubled.

A.	PHA Information.																															
A.1	<p>PHA Name: <u>Ocean City Housing Authority</u> PHA Code: <u>NJ053</u> PHA Type: <input checked="" type="checkbox"/> Small <input type="checkbox"/> High Performer PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/2019</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units <u>121</u> Number of Housing Choice Vouchers (HCVs) <u>0</u> Total Combined <u>121</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission</p> <p>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. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <p><input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)</p> <table border="1"> <thead> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> </thead> <tbody> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:																	
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Lead PHA:																																
B.	Annual Plan Elements Submitted with 5-Year PHA Plans. Required elements for all PHAs completing this document in years in which the 5-Year Plan is also due. This section does not need to be completed for years when a PHA is not submitting its 5-Year Plan. See Section C for required elements in all other years (Years 1-4).																															

B.1	<p>Revision of PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA since its last <u>Five-Year PHA Plan</u> submission?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Statement of Housing Needs and Strategy for Addressing Housing Needs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Financial Resources.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Rent Determination.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Significant Amendment/Modification</p> <p>(b) The PHA must submit its Deconcentration Policy for Field Office Review.</p> <p>(c) If the PHA answered yes for any element, describe the revisions for each element below: The OCHA adopted the Over Income Limit Policy as an amendment to the Admissions & Occupancy Policy</p>
B.2	<p>New Activities.</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant Based Assistance.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Project-Based Assistance under RAD.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Units with Approved Vacancies for Modernization.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants).</p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process. If using Project-Based Vouchers (PBVs), provide the projected number of project based units and general locations, and describe how project basing would be consistent with the PHA Plan.</p> <p>The Authority is continuing to work on the submission of a RAD Conversion PBV Demolition/Disposition application for all 121 units of public housing. Sixty (60) units are located at 204 Fourth Street and sixty-one (61) units are located at 635 West Avenue in Ocean City NJ. All available forms of funding and financing will be considered for all redevelopment of all sites within the Ocean City Housing Authority jurisdiction including tax credits, loans, mortgages and COAH funds. Up to 25% of the units in any RAD project may be partially disposed of under Section 18. This permits the Authority to convert projects under RAD to receive Section 18 approval and vouchers in a Section 18 and RAD Blending, known as 75%- 25% RAD blending.</p>
B.3	<p>Progress Report.</p> <p>Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year Plan.</p> <p>It is the mission of the OCHA to redevelop the Pecks Beach Senior project, which consists of 20 units for the elderly, disabled and handicapped. The current Pecks Beach Senior project will be demolished and a new building will be built on existing OCHA property next to Bayview Manor utilizing funds through the NJ Housing and Mortgage Finance Agency (NJHMFA) & the City of Ocean City. The NJHMFA funds are intended for use by housing authorities that experienced flooding during Hurricane Sandy. The OCHA has issued an Invitation For Bid for the construction of on 4-story residential apartment building to be known as Speitel Commons at Bayview Manor. The OCHA is also continuing to work on the submission of a RAD Conversion PBV Demolition/Disposition application for all 121 units of public housing. The OCHA is continuing to investigate all available funding sources for improvements to the Bayview Manor building and site.</p>
C.	<p>Annual Plan Elements Submitted All Other Years (Years 1-4). Required elements for all other fiscal years. This section does not need to be completed in years when a PHA is submitting its 5-Year PHA Plan.</p>
C.1.	<p>New Activities</p> <p>(a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?</p> <p>Y N</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p>

	<p> <input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance. <input checked="" type="checkbox"/> <input type="checkbox"/> Project Based Vouchers. <input type="checkbox"/> <input checked="" type="checkbox"/> Other Capital Grant Programs (i.e., Capital Fund Community Facilities Grants or Emergency Safety and Security Grants). </p> <p>(b) If any of these activities are planned for the current Fiscal Year, describe the activities. For new demolition activities, describe any public housing development or portion thereof, owned by the PHA for which the PHA has applied or will apply for demolition and/or disposition approval under section 18 of the 1937 Act under the separate demolition/disposition approval process.</p> <p>The Authority is continuing to work on the submission of a RAD Conversion PBV Demolition/Disposition application for all 121 units of public housing</p> <p>(c) If using Project-Based Vouchers, provide the projected number of project-based units, general locations, and describe how project-basing would be consistent with the PHA Plan.</p> <p>There are 121 projected project-based units located in Ocean City NJ. Project-basing will allow the Authority to address the capital needs of the buildings by providing OCHA with access to private sources of capital to repair and preserve its affordable housing assets. Up to 25% of the units in any RAD project may be partially disposed of under Section 18. This permits the Authority to convert projects under RAD to receive Section 18 approval and vouchers in a Section 18 and RAD Blending, known as 75%- 25% RAD blending.</p> <p>(d) The PHA must submit its Deconcentration Policy for Field Office Review.</p>
C.2	<p>Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan Form 50077-SM. <i>Certification of Compliance with PHA Plans and Related Regulations</i>, including Item 5 must be submitted by the PHA as an electronic attachment to the PHA Plan. Item 5 requires certification on whether 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.</p>
D	<p>Other Document or Certification Requirements for Annual Plan Submissions. Required in all submission years.</p>
D.1	<p>Civil Rights Certification. Form 50077-SM-HP. <i>Certification of Compliance with PHA Plans and Related Regulations</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
D.2	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) provide comments to the PHA Plan? Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>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.</p>
D.3	<p>Certification by State or Local Officials. Form HUD 50077-SL. <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p>
E	<p>Statement of Capital Improvements. Required in all years for all PHAs completing this form that administer public housing and receive funding from the Capital Fund Program (CFP).</p>
E.1	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan (HUD-50075.2) and the date that it was approved by HUD.</p> <p>See HUD Form 50075.2 approved by HUD on 6/12/2019.</p>

SECTION 7, LINE 4
Consultation with Residents Advisory Board (RAB)

The RAB is the Resident organization that represents the OCHA residents at each OCHA 3 sub-project sites as a whole. The (OCHA) kept the RAB informed during the process. A formal review meeting on the Inventory Removal application was held on January 29, 2018. RAB members each received a written notice and were each phoned as a reminder. A copy of the January 9, sign-in sheet is attached to this Section 7, Line 4.

On January 29, 2018 the OCHA staff and the RAB met to review in detail the Inventory Removal Application requirements and proposed process. All components were reviewed including but not limited to the following:

- I. Need for Disposition
- II. Resident Participation
- III. Offer to Sell/Exception to HUD requirements "disposition outside the public housing program"
- IV. HUD criteria for approval
- V. Relocation
- VI. Open resident meeting
- VII. Written comments
- VIII. Time Table

The RAB is supportive of the OCHA application.

Questions and answers from the meeting:

1. What will happen to the current buildings after the new units are built and everyone moves?

Answer – The buildings will be demolished.

2. What will the City or OCHA do with the vacant site, sell it to a developer?

Answer – The OCHA does not intend to sell the site to a developer. The OCHA owns the site and HUD controls what happens there as it has a Declaration of Trust on the property. It is hoped that funds can be obtained to build new affordable units on the site so that the Family units at Pecks Beach Family can be replaces as those units are also below the current FEMA flood elevation. Note: there is no real plans and no funding at this time to do that.

3. What if HUD does not approve the application?

Answer- We believe we meet all the criteria for approval. We will provide HUD anything it needs so that this happens. We understand how important it is to the residents as they do not want to be flooded out of their units again.

DATE: January 29, 2018 2:30 PM

Sign In Sheet (PLEASE PRINT)

[illegible]

Civil Rights Certification
(Qualified PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approval No. 2577-0226
Expires 02/29/2016

Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairman or other authorized PHA official, I approve the submission of the 5-Year PHA Plan for the PHA of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) in connection with the submission of the public housing program of the agency and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964, the Fair Housing Act, section 504 of the Rehabilitation Act of 1973, and title II of the Americans with Disabilities Act of 1990, and will affirmatively further fair housing by examining their programs or proposed programs, identifying any impediments to fair housing choice within those program, addressing those impediments in a reasonable fashion in view of the resources available and working with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement and by maintaining records reflecting these analyses and actions.

Ocean City Housing Authority

NJ053

PHA Name

PHA Number/HA Code

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Jacqueline S. Jones

Title Executive Director

Signature

Date 12/17/19

204 4th Street
Ocean City, New Jersey 08226



Phone: 609-399-1062
Fax: 609-399-7590

Jacqueline S. Jones, Executive Director

STATEMENT OF SIGNIFICANT AMENDMENT

The Ocean City Housing Authority's definition of Significant Amendment and Substantial Deviation/Modification is as follows:

A significant amendment or modification includes any policies that are newly adopted or amended by the Board of Commissioners and any change with regard to demolition or disposition, designation or conversion activities. A change in classification or the addition/change in the capital work to be performed in a Capital Fund budget is **not** considered a significant amendment or substantial deviation/modification.

As part of the Rental Assistance Demonstration (RAD), OCHA is redefining the definition of a significant amendment and substantial deviation/modification from the PHA Plan to **exclude** the following RAD-specific items, not already mentioned above:

1. The decision to convert to either Project-Based Rental Assistance or Project-Based Voucher Assistance;
2. Changes to the Capital Fund budget produced as a result of each approved RAD Conversion, regardless of whether the proposed conversion will include the use of additional Capital Funds;
3. Changes to the construction and rehabilitation plan for each approved RAD conversion; and
4. Changes to the financing structure for each approved RAD conversion.

Violence Against Women Reauthorization Act of 2013 (VAWA 2013)

The Ocean City Housing Authority continues to subscribe to the federal VAWA and the Equal Access Rule. The Authority's ACOP and Administrative Plan are consistent with both regulations. The Authority will attempt to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault or stalking by applying for funding, when available, that will assist victims of domestic violence.