

**THE PHILADELPHIA HOUSING AUTHORITY
AGENDA FOR THE MEETING OF THE BOARD OF COMMISSIONERS
2013 RIDGE AVE.
PHILADELPHIA, PA 19121
THURSDAY, JANUARY 19, 2023, at 3 p.m.**

- A. Call to Order** Lynette Brown-Sow, Chair of the Board of Commissioners
- B. Remarks** Kelvin A. Jeremiah, President & CEO
- C. Approval of Minutes** of the Board Meeting held December 15, 2022, as distributed.
- D. New Business**
 - 1. RESOLUTION APPROVING AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY'S PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY AND THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN**

Jennifer Ragen
 - 2. RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF WEST PARK APARTMENTS**

Nicholas Dema
- E. Public Comment Period**

RESOLUTION NO. 1

RESOLUTION APPROVING AMENDMENTS TO THE PHILADELPHIA HOUSING AUTHORITY'S PUBLIC HOUSING ADMISSIONS AND CONTINUED OCCUPANCY POLICY AND THE HOUSING CHOICE VOUCHER ADMINISTRATIVE PLAN

WHEREAS, the Philadelphia Housing Authority ("PHA") has adopted the Admissions and Continued Occupancy Policy ("ACOP") applicable to the Public Housing program, most recently amended with an effective date of July 1, 2022, that provides for PHA to update the ACOP to reflect changes in law or regulations, Moving to Work ("MTW") initiatives, PHA operations, or when needed to ensure staff consistency in operation; and

WHEREAS, PHA has an Administrative Plan applicable to the Housing Choice Voucher Program ("Admin Plan"), most recently amended with an effective date of January 1, 2022, that provides for PHA to update the Admin Plan to reflect changes in law or regulations, MTW initiatives, PHA operations, or when needed to ensure staff consistency in operation; and

WHEREAS, PHA has determined that the proposed amendments to the ACOP and the Admin Plan, as substantially reflected on the Summary Sheet attached to this Resolution and as distributed to the Board of Commissioners, are necessary and appropriate to promote efficient program administration, conform to legislative and regulatory requirements, MTW initiatives, or the necessity for staff consistency in operation; and

WHEREAS, PHA provided opportunities for public comment on the proposed amendments, including publishing a notice, posting the changes on PHA's website and soliciting public comments from November 9, 2022 through December 22, 2022, as well as holding a public hearing on the proposed amendments on November 14, 2022, and making a presentation to resident leadership on November 9, 2022;

BE IT RESOLVED, that the PHA Board of Commissioners hereby approves the changes to the ACOP and Admin Plan, as substantially reflected on the Summary Sheet attached to this Resolution, to be effective as of 12:01 a.m. on January 19, 2023.

ATTACHMENT TO RESOLUTION FOR ACOP AND ADMIN PLAN CHANGES

Summary of Proposed Changes to the HCV Administrative Plan

No.	Chapter Name Subject Area	Summary of Change	Proposed Admin Plan
1.	1.3 Overview & Purpose of the Plan	<ul style="list-style-type: none"> Updated description of PHA 	<ul style="list-style-type: none"> Updated the following language: <ul style="list-style-type: none"> The Philadelphia Housing Authority (PHA) is a Commonwealth agency created under the Pennsylvania Housing Authorities Law that administers the HCV program in conformance with all applicable federal, State and local regulatory requirements.
2.	1.6 Regulatory & Statutory Waivers during Emergencies	<ul style="list-style-type: none"> Removed reference to Appendices with authorized MTW and CARES Act emergency waivers, which are no longer in effect 	<ul style="list-style-type: none"> Added language that information on previously approved emergency waivers can be found in prior Administrative Plans. Removed appendices L and M, which are no longer applicable.
3.	4.5 Income Eligibility	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Added to the list of income eligible families: <ul style="list-style-type: none"> A low income family who meets the eligibility criteria for the Second Chance program
4.	5.2 Applying for Assistance	<ul style="list-style-type: none"> Updated language regarding notice to applicants 	<ul style="list-style-type: none"> Added language to indicate that PHA will provide notice if they plan to limit the number of applicants who will be added to the waiting list
5.	5.4 Placement on the Waiting List	<ul style="list-style-type: none"> Removed and updated language regarding methods for opening and placing applicants on waiting list 	<ul style="list-style-type: none"> Added the following language: <ul style="list-style-type: none"> PHA may open the waiting list for a defined application period or keep the waiting list open continuously. If the waiting list is opened for a defined application period, PHA may use a lottery or other random choice technique to select which applicants will be placed on the waiting list and the order of their placement. In such case, PHA may limit the number of applicants who will be placed on the waiting list in order to avoid an unreasonably long wait for housing while also ensuring that there are a sufficient number of applicants for a PHA determined period of time. PHA will inform all applicants selected through the lottery that they have been placed on the waiting list. PHA will inform all applicants who were not selected in the lottery that they have not been placed on the waiting list. If applications received are to be subject to a lottery, the randomly generated order of the waiting list determined by the lottery process will be recorded and utilized to establish placement on the waiting list in lieu of date and time of application.
6.	5.5 Local Preference(s)	<ul style="list-style-type: none"> Not currently in the Plan 	<ul style="list-style-type: none"> Added the following language: <ul style="list-style-type: none"> PHA will offer a local preference to applicants who reside in the city of Philadelphia. In addition to families residing in Philadelphia, PHA will also offer the local preference to applicants who are working or have been notified that they are hired to work in the city of Philadelphia.

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			<ul style="list-style-type: none"> • PHA will comply with all requirements set forth in the regulations at 24 CFR 982.297(b). Accordingly, the local preference will not have the purpose or effect of delaying or otherwise denying admission to the program based on the race, color, ethnic origin, gender, religion, disability, or age of any member of an applicant family. • Once a voucher is available to be issued to the applicant, PHA will verify the local preference for applicants who live and/or work in the city of Philadelphia during initial eligibility screening. If the applicant does not qualify for the local preference at this time, PHA will remove the preference from their application, return the applicant to the waiting list, and re-determine the applicant's waiting list position.
7.	5.6 Organization of the Waiting List and various sections of the Admin Plan	<ul style="list-style-type: none"> • Revised references to method which applicants are placed on the waiting list 	<ul style="list-style-type: none"> • Revised language in Chapter 5 and other various chapters to indicate that PHA will record the waiting list position of each applicant and select applicants based on their waiting list position
8.	8.7 Guaranteed Income Exclusion	<ul style="list-style-type: none"> • Not currently in the Plan 	<ul style="list-style-type: none"> • Added the following income exclusion to the MTW Plan and Admin Plan: <ul style="list-style-type: none"> • PHA will exclude 100% of income that a family receives from a guaranteed income program intended to support financial stability. Only guaranteed income programs reviewed and approved by PHA will be eligible for this exclusion.
9.	10.3 General Verification Requirements	<ul style="list-style-type: none"> • Removed prior policy language which now conflicts with updated MTW verification policies 	<ul style="list-style-type: none"> • Language regarding the age of verification documents and requirements related to original documents were removed consistent with changes in subsequent sections of this chapter
10.	10.4 Age of Verification Documents	<ul style="list-style-type: none"> • Not currently in Plan 	<ul style="list-style-type: none"> • Revised language regarding the age of verification documents to allow PHA to accept documents dated within 180 days.
11.	10.5 Substantial Difference	<ul style="list-style-type: none"> • PHA currently uses \$2,400 as the threshold for a substantial difference between verification sources 	<ul style="list-style-type: none"> • PHA will use \$5,000 as the threshold for a substantial difference. If the difference between verification sources is \$5,000 or more, PHA will conduct further review of the verification of income/expense.
12.	10.8 Hierarchy of Verification	<ul style="list-style-type: none"> • Revised to reflect proposed MTW hierarchy 	<ul style="list-style-type: none"> • Revised verification hierarchy to streamline verification process.
13.	16.5 Notification of and Participation in Regular Recertification Process	<ul style="list-style-type: none"> • Removed procedural elements that are included in PHA's Resource Guide 	<ul style="list-style-type: none"> • Removed notification requirements that are procedural in nature and referenced the PHA's adherence to its procedures on Reexamination Compliance procedures

No.	Chapter Name Subject Area	Summary of Change	Proposed Admin Plan
14.	16.13 Interim Recertification	<ul style="list-style-type: none"> Removed requirement to complete ACO in order to request interim recertification 	<ul style="list-style-type: none"> Removed reference to completion of an Application for Continued Occupancy (ACO) during an interim recertification.
15.	22.2 to 22.5 Special Housing Types	<ul style="list-style-type: none"> Not currently included in the Plan 	<ul style="list-style-type: none"> Added policies on special housing types to identify differences between regular HCV policies: <ul style="list-style-type: none"> Single Room Occupancy Shared Housing
16.	23.15 Foster Youth to Independence Program (FYI)	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Added policies on the FYI program which are consistent with the requirements in PIH 2021-26 and PHA's MOU with the Philadelphia Department of Human Services.
17.	23.6 VASH Program	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Added language to indicate that the VASH program is not subject to HCV income targeting requirements
18.	27.1 Overview	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Included an overview of the MTW Opening Doors to Affordable Homeownership Program (ODAHP)
19.	28.1 – 28.16 Family Self-Sufficiency	<ul style="list-style-type: none"> Updated the existing policies 	<ul style="list-style-type: none"> Updated the existing policies to reflect PHA's new FSS Action Plan and final rule requirements.
20.	28.9.1 Contract Term and Extensions	<ul style="list-style-type: none"> Left existing plan contract expiration as is and did not adopt HUD final rule change 	<ul style="list-style-type: none"> The Contract of Participation, under MTW, will expire five years from the effective date. Through the MTW Plan, PHA waives the HUD final rule requirement that the end date to be five years from the first reexamination following the execution of the CoP.
21.	28.13 Escrow Accounts	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Added new MTW proposed policy of establishing a system of escrow credits based upon a tiered table of income ranges and related escrow. Added new MTW proposed incentive payments to encourage attainment of established goals. Removed references to escrow calculations based on increases in earned income.
22.	28.13.5 Interim Disbursements	<ul style="list-style-type: none"> Not currently in Plan 	<ul style="list-style-type: none"> Added policy whereby interim disbursements will be allowed twice in a six month period and cannot exceed 30% of the escrow account's balance.
23.	Appendix L: MTW Emergency Waivers	<ul style="list-style-type: none"> Removed description of waivers no longer in effect 	<ul style="list-style-type: none"> Removed list of MTW waivers that expired at the end of local state of emergency.
24.	Appendix M: CARES Act Emergency Waivers	<ul style="list-style-type: none"> Removed description of waivers no longer in effect 	<ul style="list-style-type: none"> Removed list of CARES Act waivers that expired on December 31, 2021.

Summary of Proposed Changes to the Public Housing Admissions & Continued Occupancy Policy (ACOP)

No.	Chapter Name Subject Area	Summary of Change	Proposed ACOP
1.	1.3 Overview & Purpose of the Plan	Updated description of PHA	<ul style="list-style-type: none"> • Updated the following language: <ul style="list-style-type: none"> • The Philadelphia Housing Authority (PHA) is a Commonwealth agency created under the Pennsylvania Housing Authorities Law that administers the Public Housing program in conformance with all applicable federal, State and local regulatory requirements.
2.	1.7 Regulatory & Statutory Waivers during Emergencies	<ul style="list-style-type: none"> • Removed reference to removed appendices 	<ul style="list-style-type: none"> • Added language that information on previously approved emergency waivers can be found in prior Administrative Plans. • Removed reference to Appendix H: MTW Emergency Waivers and Appendix I: CARES Act Waivers, which are no longer applicable.
3.	5.5 Organization of the Waiting List(s)	<ul style="list-style-type: none"> • Added reference to waiting list preferences 	<ul style="list-style-type: none"> • The section was updated to indicate that an applicant's qualification for waiting list preference will also be used to place them on the waiting list.
4.	5.6 Opening a Waiting List	<ul style="list-style-type: none"> • Revised language related to re-opening the waiting list for select applicants 	<ul style="list-style-type: none"> • The section was updated to indicate that PHA may re-open a waiting list to families who qualify for a preference. PHA will include this information in any public notice provided for a waiting list re-opening.
5.	5.20 Preferences	<ul style="list-style-type: none"> • Revised and updated language to discuss the establishment of a new working preference for admission to scattered sites 	<ul style="list-style-type: none"> • Replaced previous language with the following: <ul style="list-style-type: none"> • PHA will establish a preference that incorporates employment, educational, and/or job training requirements as a condition of continued occupancy in Public Housing scattered sites units. Applicant and transferring resident families who include at least one adult family member who is working at least 20 hours a week and/or engaged in job training or education programs will be eligible for an admissions preference for scattered sites units. Additionally, elderly or disabled families who apply or request to transfer to scattered sites will also be eligible for the admissions preference. PHA will verify the preference at the time of initial eligibility screening. • Upon admission, all non-exempt adult family members (defined in Appendix I: Work Requirement Policy) must agree to remain employed or engaged in job training or educational activities as a condition of continued occupancy.
6.	8.6 Guaranteed Income Exclusion	<ul style="list-style-type: none"> • Not currently in the ACOP 	<ul style="list-style-type: none"> • Added the following income exclusion to the MTW ACOP and Admin Plan: <ul style="list-style-type: none"> PHA will exclude 100% of income that a family receives from a guaranteed income program intended to support financial stability. Only guaranteed income programs reviewed and approved by PHA will be eligible for this exclusion.

No.	Chapter Name Subject Area	Summary of Change	Proposed ACOP
7.	9.4 Total Tenant Payment: Over Income Families	<ul style="list-style-type: none"> Updated language to reflect HUD required changes on rent for over-income families 	<ul style="list-style-type: none"> From April 1, 2020 through December 31, 2021, PHA adopted the CARES Act provision that waived the requirement to charge an alternative rent to families whose income exceed the program maximum income level for two years. Beginning January 1, 2022, any family whose adjusted income exceeds 120% of the area median income for two consecutive years will be treated as a public housing family and will be offered the option of paying an income-based rent or PHA's ceiling rent at their next annual reexamination. The ceiling rent to be applied is for the unit size occupied by the family. Once the final HOTMA rule implementing section 16(a)(5)(A)(i) alternative rent options takes legal effect, all over-income families who have exceeded the over-income limit for at least two consecutive years will be either terminated or charged an alternative rent in accordance with HUD requirements.
8.	10.3 General Verification Requirements	<ul style="list-style-type: none"> Removed prior policy language which now conflicts with updated MTW verification policies 	<ul style="list-style-type: none"> Language regarding the age of verification documents and requirements related to original documents were removed consistent with changes in subsequent sections of this chapter
9.	10.4 Age of Verification Documents	<ul style="list-style-type: none"> Section not currently in ACOP 	<ul style="list-style-type: none"> Revised language regarding the age of verification documents to allow PHA to accept documents dated within 180 days.
10.	10.5 Substantial Difference	<ul style="list-style-type: none"> PHA currently uses \$2,400 as the threshold for a substantial difference between verification sources 	<ul style="list-style-type: none"> PHA will use \$5,000 as the threshold for a substantial difference. If the difference between verification sources is \$5,000 or more, PHA will conduct further review of the verification of income/expense.
11.	10.8 Hierarchy of Verification	<ul style="list-style-type: none"> Revised to reflect proposed MTW hierarchy 	<ul style="list-style-type: none"> Revised verification hierarchy to streamline verification process.
12.	12.3 Over Income Families	<ul style="list-style-type: none"> Updated language to reflect HUD required changes on rent for over-income families 	<ul style="list-style-type: none"> Under the Housing Opportunity Through Modernization Act (HOTMA) of 2016, over-income is defined as a family with adjusted income which exceeds 120% of area median income (AMI). After a family's adjusted income has exceeded 120% of AMI for two consecutive years, HOTMA requires that the family be terminated or charged an alternative rent. On January 28, 2022, HUD indicated its intention to publish a final rule and establish regulations related to charging over-income families an alternative rent after two consecutive years. From April 1, 2020 through December 31, 2021, PHA adopted the CARES Act provision which waived the requirement to charge an alternative rent to families whose income exceed the program maximum income level for two years. Beginning January 1, 2022, any family whose adjusted income exceeds 120% of the area median income for two consecutive years will be treated as a public housing family and will be offered the option of paying an income-based rent or PHA's ceiling rent at their next

No.	Chapter Name Subject Area	Summary of Change	Proposed ACOP
			<p>annual reexamination. The ceiling rent to be applied is for the unit size occupied by the family.</p> <ul style="list-style-type: none"> Once the final HOTMA rule implementing section 16(a)(5)(A)(i) alternative rent options takes legal effect, all over-income families who have exceeded the over-income limit for at least two consecutive years will be either terminated or charged an alternative rent in accordance with HUD requirements.
13.	12.12 Compliance with Work Requirement	<ul style="list-style-type: none"> Not currently in ACOP 	<ul style="list-style-type: none"> Added the following language: <ul style="list-style-type: none"> Upon admission, applicant families who received an admissions preference for working, job training, and education for scattered sites units must agree to comply with the work requirement and remain employed or engaged in job training or educational activities as a condition of continued occupancy. PHA will determine compliance the work requirement at the time of regular recertification. See Appendix I: Work Requirement Policy for policies governing applicability, compliance, and exemptions to the work requirement.
14.	15.14 Transfer Waiting Lists	<ul style="list-style-type: none"> Updated and expanded language on transfer waiting lists by transfer request type 	<ul style="list-style-type: none"> Replaced existing language with the following: <ul style="list-style-type: none"> A central Transfer Waiting List is administered by the Admissions Department. All approved transfer requests described in 15.2 Types of Transfers will be added to the central Transfer Waiting List. Operations staff submit requests for mandatory transfers (listed in 15.3 Mandatory Transfers) including necessary documentation, to the Admissions Department. Residents submit requests for tenant-initiated transfers (listed in 15.4 Tenant-Initiated Transfers). Transfers are sorted by transfer type by the Admissions staff according to the priority order. Within each category, transfer applications will be sorted by the date the completed file (including any verification needed) is received from the Asset Manager. As described in 15.21 Tenant Voluntary Transfers to Another PHA Site, residents who wish to move to another PHA site voluntarily will be added to the selected site's site-based waiting list (SBWL) and will be subject to preference and selection policies in CHAPTER 5: APPLICATIONS, WAITING LIST AND TENANT SELECTION. Tenant voluntary transfers do not include transfer types described in 15.2 Types of Transfers; these transfer types will be added to the central Transfer Waiting List.
15.	18.1 Overview	<ul style="list-style-type: none"> Not currently in ACOP 	<ul style="list-style-type: none"> Included an overview of the MTW Opening Doors to Affordable Homeownership Program (ODAHP)

No.	Chapter Name Subject Area	Summary of Change	Proposed ACOP
16.	22.1 – 28.15 Family Self-Sufficiency	<ul style="list-style-type: none"> Updated the existing policies 	<ul style="list-style-type: none"> Updated the existing policies to reflect PHA's new FSS Action Plan and final rule requirements.
17.	22.9 FSS Contract of Participation	<ul style="list-style-type: none"> Left existing plan contract expiration as is and did not adopt HUD final rule change 	<ul style="list-style-type: none"> The Contract of Participation, under MTW, will expire five years from the effective date. Through the MTW Plan, PHA waives the HUD final rule requirement that the end date to be five years from the first reexamination following the execution of the CoP.
18.	22.13 Escrow Accounts	<ul style="list-style-type: none"> Not currently in ACOP 	<ul style="list-style-type: none"> Added new MTW proposed policy of establishing a system of escrow credits based upon a tiered table of income ranges and related escrow. Added new MTW proposed incentive payments to encourage attainment of established goals. Removed references to escrow calculations based on increases in earned income.
19.	28.13.5 Interim Disbursements	<ul style="list-style-type: none"> Not currently in ACOP 	<ul style="list-style-type: none"> Added policy whereby interim disbursements will be allowed twice in a six month period and cannot exceed 30% of the escrow account's balance.
20.	Appendix H: MTW Waivers	<ul style="list-style-type: none"> Removed appendix related to policies that are no longer in effect 	<ul style="list-style-type: none"> Removed list of MTW waivers that expired at the end of local state of emergency.
21.	Appendix I: CARES Act Waivers	<ul style="list-style-type: none"> Removed appendix related to policies that are no longer in effect 	<ul style="list-style-type: none"> Removed list of CARES Act waivers that expired on December 31, 2021.
22.	Appendix I: Work Requirement Policy* <i>* Please note that appendices were re-ordered after the existing Appendix H: MTW Waivers and Appendix I: CARES Act Waivers were removed.</i>	<ul style="list-style-type: none"> Added appendix to describe new continued occupancy policy 	<ul style="list-style-type: none"> Added appendix to provide an overview of the work requirement for families who are newly admitted or transfer to Public Housing scattered site units. Elderly and disabled families, as well as current resident families, will not be subject to the work requirement described in this appendix. Appendix also includes a description of the applicability, exemptions, compliance, and hardship policies related to the work requirement.

RESOLUTION NO. 2

RESOLUTION AUTHORIZING THE PHILADELPHIA HOUSING AUTHORITY TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF WEST PARK APARTMENTS

WHEREAS, the Philadelphia Housing Authority (“PHA”) desires to complete a master redevelopment of West Park Apartments (“Campus”); and

WHEREAS, the Philadelphia Housing Authority (“PHA”) through a solicitation preliminarily selected a joint venture of L+M Development Partners LLC & MSquared (“Developer”) as its development partner for the redevelopment of the Campus; and

WHEREAS, the selection enabled PHA and the Developer to negotiate a preliminary master development plan (“Plan”) for the Campus; and

WHEREAS, the Plan proposes the following:

- Renovate the three existing towers
- New construction of townhouse units and mid-rise buildings
- 1,000 rental units distributed as follows:
 1. 327 Replacement Units for relocated West Park residents (including a dedicated senior preference building) that will be under a 20-year Project Based contract through the Rental Assistance Demonstration Program (“RAD”)
 2. 254 Affordable units
 3. 419 Market Rate units
- Approximately 10,000 SF of commercial space
- Create a Market Street gateway into the site and better circulation throughout the site with new streets

WHEREAS, PHA seeks to enter into a Redevelopment Agreement (“Agreement”) with the Developer to implement the Plan for the Campus; and

WHEREAS, PHA and the Developer have negotiated a term sheet outlining roles and responsibilities along with key financial terms that will be incorporated into the Agreement and wish to proceed thereunder;

BE IT RESOLVED, the Board of Commissioners hereby authorizes PHA’s President & CEO and/or his authorized designee(s) to negotiate and execute a Redevelopment Agreement with the Developer and a predevelopment loan, on a revolving basis, in an amount not to exceed five-million dollars.