

Tuscaloosa Housing Authority

DRAFT FY2023 Annual PHA Plan

Published September 23, 2022

Written comments are due by 2PM CST on November 8, 2022

A Public Hearing will be held at 12:15PM CST on November 16, 2022



ALL comments must be submitted in writing to:

Jessica Alexander
Director of Development & Capital Programs
2117 Jack Warner Parkway, Suite 2
Tuscaloosa, Alabama 35401
Or via email to:
jalexander@tuscaloosahousing.org

Annual PHA Plan <i>(Standard PHAs and Troubled PHAs)</i>	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
--	---	--

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, including changes to these policies, 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. The Form HUD-50075-ST is to be completed annually by **STANDARD PHAs or TROUBLED PHAs**. PHAs that meet the definition of a High Performer PHA, Small 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 the most recent Public Housing Assessment System (PHAS) and Section Eight Management Assessment Program (SEMAP) assessments if administering both programs, or PHAS if only administering public housing.
- (2) **Small PHA** - A PHA that is not designated as PHAS or SEMAP troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceed 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** - A PHA that administers more than 550 HCVs, was not designated as troubled in its most recent SEMAP assessment and does not own or manage public housing.
- (4) **Standard PHA** - A PHA that owns or manages 250 or more public housing units and any number of vouchers where the total combined units exceed 550, and that was designated as a standard performer in the most recent PHAS 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	PHA Name: <u>Tuscaloosa Housing Authority</u> PHA Code: <u>AL077</u> PHA Type: <input checked="" type="checkbox"/> Standard PHA <input type="checkbox"/> Troubled PHA PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>04/2023</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) Number of Public Housing (PH) Units: <u>960</u> Number of Housing Choice Vouchers (HCVs): <u>1344</u> Total Combined Units/Vouchers: <u>2,304</u> PHA Plan Submission Type: <input checked="" type="checkbox"/> Annual Submission <input type="checkbox"/> Revised Annual Submission					
	Availability of Information. 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. 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.					
	<input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below)					
	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
					PH	HCV
	Lead PHA:					

B.	Plan Elements
B.1	<p>Revision of Existing PHA Plan Elements.</p> <p>(a) Have the following PHA Plan elements been revised by the PHA?</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 checked="" type="checkbox"/> <input 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"/> Operation and Management.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Grievance Procedures.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Homeownership Programs.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Community Service and Self-Sufficiency Programs.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Safety and Crime Prevention.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Pet Policy.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Asset Management.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Substantial Deviation.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Significant Amendment/Modification</p> <p>(b) If the PHA answered yes for any element, describe the revisions for each revised element(s):</p> <p><u>Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions:</u></p> <p>THA recently updated its Admissions and Continued Occupancy Policy (ACOP) and Public Housing Lease in June 2022. The Deconcentration Policy is found in Section 17, Page 120 of the revised ACOP (Attachment 2). Each public housing development will continue to maintain a site-based waiting list.</p> <p>THA is in the process of amending its Section 8 Administrative Plan to include a special admission procedure for individuals who qualify for certain grant-specific program funding such as Foster Youth to Independence (FYI) , Tenant-Based Rental Assistance (TBRA), HUD-Veteran Affairs Supportive Housing (HUD-VASH), and Continuum of Care (CoC). THA also plans to include a provision that allows the agency to issue vouchers to public housing families required to relocate because of a HUD approved modernization project when no other public housing units are available.</p> <p><u>Rent Determination:</u></p> <p>THA increased the HCV payment standards up to 120% of the Fair Market Value in February 2022.</p> <p><u>Grievance Procedures:</u></p> <p>THA updated its Grievance Procedures in June 2022, and included the new procedures in the revised ACOP (Attachment 3).</p> <p><u>Safety and Crime Prevention:</u></p> <p>The City of Tuscaloosa Police Department (TPD) and the Tuscaloosa County Sheriff's Department both have access to security cameras and license plate recognition cameras installed in each public housing development. THA continues to meet monthly with the TPD to identify problem areas, and to develop strategies and solutions to eradicate criminal activity in each development.</p> <p><u>Significant Amendment/Modification:</u></p> <p>A "Significant Amendment/Modification" is any amendment or modification to a THA policy, rule, regulation or other aspect of the plan that occurs after THA has submitted its 5-Year Plan or Annual Plan to HUD, and includes:</p> <ul style="list-style-type: none"> - Significant changes to the rent or admission policies outlined in the Authority's ACOP or HCV Section 8 Administrative Plan; - New work activities to be included in an approved 5-Year Plan/Annual Plan; - Conversion activities that affect any number of units, including activities regarding demolition/disposition, unit designation or conversion activities, for purposes of a RAD conversion, or a mixed-finance proposal; - Conversion activities that affect any number of units, including homeownership or activities using Capital Fund Financing (CFFP); - Significant changes to any proposed activities or policies described in the agency plan that would momentarily affect services or programs provided to residents; this definition does not include budget revisions, changes in organizational structure, changes resulting from HUD-imposed regulations, or minor policy changes. <p>THA will perform the following actions in the event of a significant amendment/modification:</p> <ol style="list-style-type: none"> (1) THA will consider recommendations from the THA Resident Advisory Board and submit those recommendations with the HUD submission. (2) THA will call a public meeting of its Board of Commissioners at which the amendment or modification is adopted. (3) THA will not implement the amendment or modification until notification of the amendment or modification is provided to HUD, and approved by HUD in accordance with HUD's plan review procedures.

	<p>(c) The PHA must submit its Deconcentration Policy for Field Office review.</p> <p>The Agency's recently revised ACOP includes the Deconcentration Policy which is referenced under Section 17, Page 120 (Attachment 2).</p>
<p>B.2</p>	<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 checked="" type="checkbox"/> <input type="checkbox"/> Hope VI or Choice Neighborhoods.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Mixed Finance Modernization or Development.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Demolition and/or Disposition.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Designated Housing for Elderly and/or Disabled Families.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Conversion of Public Housing to Tenant-Based Assistance.</p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Occupancy by Over-Income Families.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Occupancy by Police Officers.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Non-Smoking Policies.</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/> Project-Based Vouchers.</p> <p><input checked="" type="checkbox"/> <input 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><u>Choice Neighborhoods:</u></p> <p>THA and the City of Tuscaloosa plans to discuss the possibility of applying for a Choice Neighborhood Grant to perform a comprehensive neighborhood revitalization in an area to be determined.</p> <p><u>Mixed Finance Modernization or Development AND Designated Housing for Elderly and/or Disabled Families (Robertson Tower Replacement):</u></p> <p>THA and its developer partner received a 9% tax credit award from the Alabama Housing Finance Authority in June 2020 to acquire and rehabilitate Pine Cone Apartments. The 48-unit elderly development will be comprised of 25 public housing ACC units and 23 Low-Income Housing Tax Credit (LIHTC) units. The 25 ACC units will serve to replace a portion of the 102 elderly housing units lost as a result of the disposition of Robertson Tower in 2016. Pine Cone Apartments will maintain a site-based waiting list. THA obtained HUD Approval in a letter dated March 29, 2016 to use sales proceeds from the Robertson Tower disposition towards the development's replacement of ACC units. THA obtained HUD Site and Neighborhood Standards Approval in a letter dated May 31, 2019, and HUD Elderly Designation Approval in a letter dated May 30, 2019. Financing for Pine Cone includes Low-Income Housing Tax Credits, Robertson Tower Disposition Proceeds (SAC Approval received December 18, 2020) and THA Capital Funds (HUD Field Office Approval received May 14, 2021) (Attachment 4). The mixed-finance development closed in December 2021. The Pine Cone rehabilitation is in progress and is projected to be completed in December 2022.</p> <p><u>Demolition and/ or Disposition (Disposition of 6.48 acres of real property known as the "Locklear Property"):</u></p> <p>THA previously purchased several parcels of land located at the intersection of Greensboro Ave and 10th Avenue. Many of the properties were included in the development of Rosedale Phase III. The remainder of the property included 3 parcels totaling approximately 6.48 acres (known as Locklear Property). THA received HUD Approval to dispose of the excess property in a letter dated February 14, 2018. THA advertised the property for public bid on two separate occasions during the spring and summer of 2018 without receiving a legitimate offer. THA notified the Birmingham Field Office and HUD SAC Office of the renewed interest in these properties, and of THA's intention to sell the properties through a competitive public proposal whereas the minimum acceptable price will be the Fair Market Value (FMV) established by the appraisal. THA received SAC Approval in an email dated November 18, 2021, to dispose of the properties at a price no less than 80% of the appraised FMV, in accordance with PIH Notice 2021-07. THA disposed of the properties in July 2022 at a price of 81% of the appraised fair market value.</p> <p><u>Conversion of Public Housing to Project-Based Rental Assistance or Project-Based Vouchers under RAD:</u></p> <p>THA will continue to study the potential for a RAD conversion for some or all its units. THA may also use RAD for new construction.</p> <p><u>Units with Approved Vacancies for Modernization:</u></p> <p>THA received HUD Field Office Approval for vacancies at Branscomb Apartments for comprehensive modernization work. THA will obtain HUD approval for any upcoming modernization vacancies on a project-by-project basis.</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 and Annual Plan.</p> <p>THA’s mission is the same as that of the Department of Housing and Urban Development.</p> <p>HUD’s mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. HUD is working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes; utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination and transform the way HUD does business.</p> <p>A list of THA’s Goals as described in its 5-Year Plan, and the progress made are as follows:</p> <p>Goal 1.) Achieve and maintain an average Section 8 Leasing rate of 98% or above Progress: The Average Section 8 Leasing Rate is currently 100 %. This rate is determined by the information THA submits to the HUD PIC system.</p> <p>Goal 2.) Maintain Annual Tenant Accounts Receivable at or below 10% of total charges Progress: Annual Tenant Accounts Receivable is currently at 36%. THA has implemented a Rent Collection Procedure, which will improve rent collection.</p> <p>Goal 3.) Complete routine Work Orders within 48 hours Progress: Routine work orders were completed within an average of 10 hours. Staff will continue to monitor work orders to ensure timely delivery of services.</p> <p>Goal 4.) Acquire Property for the development of the Delaware Jackson replacement units Progress: THA and its developer partner developed two phases of affordable housing, Jackson I and Jackson II Apartments, which has very effectively replaced the units lost because of the Delaware Jackson disposition.</p> <p>Goal 5.) Reduce public housing average vacancy turnaround to 10 days or fewer Progress: The current average vacancy turnaround is 20 days. Contractors are closely monitored to reduce prep time and managers are required to process two applications for each vacant unit.</p> <p>Goal 6.) Meet Capital Funds Program obligation and expenditure deadlines Progress: THA continues to meet all CFP obligation and expenditure deadlines.</p> <p>Goal 7.) Begin Construction on another phase of the homeownership Progress: Springer IV - A and Springer IV - Section 3 infrastructure only phases were completed in early 2021. Springer IV- Section 4 infrastructure only phase is currently in progress and should be completed by December 2022. These infrastructure phases develop the land for future home development. Phase V vertical home construction, consisting of 4 to 7 homes, will tentatively begin spring/summer 2023 and is contingent upon funding.</p> <p>Goal 8.) Apply for additional Section 8 Vouchers (Special Purpose Vouchers) Progress: THA continues to partner with the State of Alabama Department of Human Resources in issuing Foster Youth to Independence (FYI) housing vouchers. These vouchers assist youth exiting the foster care system who are at risk of homelessness. THA also received an allocation of Emergency Housing Vouchers (EHV) as a part of the 2021 American Rescue Plan (ARP). A MOU was executed with Continuum of Care (CoC) and other local social service agencies for direct referrals and services. EHV assist families experiencing homelessness, at risk of homelessness, fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and recently homeless, as outlined by HUD. HUD also issued THA new incremental regular HCVs under the Consolidated Appropriations Act 2022. THA has the discretion to specify additional terms and conditions for the use of these vouchers to ensure that vouchers are used by survivors of domestic violence, and/or individuals and families who are homeless or at risk of homelessness.</p> <p>Goal 9.) Complete the disposition of 6.48 Acres of the “Locklear Property” Progress: THA received HUD approval to dispose of the Locklear Property in a letter dated February 14, 2018. THA advertised the property for public bid on two separate occasions during the spring and summer of 2018 without receiving a legitimate offer. THA notified the Birmingham Field Office and SAC Office of the renewed interest in these properties, and of THA’s intention to sell the properties through a competitive public proposal whereas the minimum acceptable price will be the Fair Market Value (FMV) established by the appraisal. THA received SAC approval in an email dated November 18, 2021, to dispose of the property at a price no less than 80% of the appraised FMV in accordance with PIH Notice 2021-07. THA disposed of the properties in July 2022 at a price of 81% of the appraised fair market value.</p> <p>Goal 10.) Maintain SEMAP High Performer designation Progress: THA is currently a SEMAP Standard Performer yet continues to strive for High Performer designation.</p> <p>Goal 11.) Maintain PHAS High Performer designation Progress: THA is currently a PHAS Standard Performer designation yet continues to strive for High Performer designation.</p>
-----	---

	<p>Goal 12.) Improve REAC physical inspection score to 75 or above Progress: THA has improved the REAC physical inspection score to 78.</p> <p>Goal 13.) Achieve Family Self-Sufficiency (FSS) Program goals Progress: THA continues to achieve FSS Program goals. The pandemic has posed challenges with conducting quarterly PCC meetings. FSS Staff plans to restart meetings and offer more workshops to participants in the coming fiscal year.</p> <p>Goal 14.) Achieve Resident Opportunity & Self –Sufficiency(ROSS) Program goals Progress: THA continues to work to achieve ROSS Program goals. The pandemic has posed challenges with residents overcoming barriers; however, the ROSS Coordinator continues to connect participants with opportunities to promote self-sufficiency.</p>
B.4	<p>Capital Improvements. Include a reference here to the most recent HUD-approved 5-Year Action Plan in EPIC and the date that it was approved.</p> <p>See HUD Form 50075.2 (5 Year Action Plan) approved by HUD in EPIC on August 3, 2022.</p>
B.5	<p>Most Recent Fiscal Year Audit.</p> <p>(a) Were there any findings in the most recent FY Audit?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, please describe:</p> <p><u>2021 -001 – Internal Control of Public and Indian Housing:</u> Of the Auditor’s review of forty (40) Public and Indian Housing Program files, there was one (1) file where the income after exclusions was incorrect, resulting in an incorrect calculation of the tenant rent.</p>
C.	Other Document and/or Certification Requirements.
C.1	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the PHA Plan?</p> <p>Y N <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p> <p>THA met with the RAB on <i>October 13, 2022</i> to discuss the Draft FY2023 Annual Plan. RAB comments and applicable THA responses have been included as Attachment 5.</p>
C.2	<p>Certification by State or Local Officials.</p> <p>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> <p>Form 50077-SL has been included as Attachment 6.</p>
C.3	<p>Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.</p> <p>Form HUD-50077-ST-HCV-HP, <i>PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>Form 50077-ST-HCV-HP has been included as Attachment 7.</p>
C.4	<p>Challenged Elements. If any element of the PHA Plan is challenged, a PHA must include such information as an attachment with a description of any challenges to Plan elements, the source of the challenge, and the PHA’s response to the public.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p>

	If yes, include Challenged Elements.			
C.5	<p>Troubled PHA.</p> <p>(a) Does the PHA have any current Memorandum of Agreement, Performance Improvement Plan, or Recovery Plan in place? Y N N/A <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, please describe:</p>			
D.	Affirmatively Furthering Fair Housing (AFFH).			
D.1	<p>Affirmatively Furthering Fair Housing (AFFH).</p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1"> <tr> <td> <p>Fair Housing Goal: Accessible Agency Website</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency's website www.tuscaloosahousing.org now has Userway technology embedded within to assist individuals with accessibility needs with obtaining housing information and also to help reduce/eliminate communication barriers.</p> </td></tr> <tr> <td> <p>Fair Housing Goal: Annual Employee Fair Housing Training</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>All Agency staff is required to complete mandatory Fair Housing Training annually.</p> </td></tr> <tr> <td> <p>Fair Housing Goal: Reasonable Accommodation Request Procedure</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency will implement a Reasonable Accommodation Request Procedure to ensure that all requests are handled in an objective and consistent manner.</p> </td></tr> </table>	<p>Fair Housing Goal: Accessible Agency Website</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency's website www.tuscaloosahousing.org now has Userway technology embedded within to assist individuals with accessibility needs with obtaining housing information and also to help reduce/eliminate communication barriers.</p>	<p>Fair Housing Goal: Annual Employee Fair Housing Training</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>All Agency staff is required to complete mandatory Fair Housing Training annually.</p>	<p>Fair Housing Goal: Reasonable Accommodation Request Procedure</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency will implement a Reasonable Accommodation Request Procedure to ensure that all requests are handled in an objective and consistent manner.</p>
<p>Fair Housing Goal: Accessible Agency Website</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency's website www.tuscaloosahousing.org now has Userway technology embedded within to assist individuals with accessibility needs with obtaining housing information and also to help reduce/eliminate communication barriers.</p>				
<p>Fair Housing Goal: Annual Employee Fair Housing Training</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>All Agency staff is required to complete mandatory Fair Housing Training annually.</p>				
<p>Fair Housing Goal: Reasonable Accommodation Request Procedure</p> <p><u>Describe fair housing strategies and actions to achieve the goal</u></p> <p>The Agency will implement a Reasonable Accommodation Request Procedure to ensure that all requests are handled in an objective and consistent manner.</p>				

DRAFT FY2023 Annual Plan

Published September 23, 2022

Draft FY 2023 Annual PHA Plan Available for Review & Comment

The Tuscaloosa Housing Authority's Draft FY2023 Annual PHA Plan is available for public review and comment until 2PM CST on Tuesday, November 8, 2022.

The Draft FY2023 Plan will be available for review at THA's Central Office located at 2117 Jack Warner Parkway, Suite 2, or can be accessed on THA's website at www.tuscaloosahousing.org.

All comments regarding the Draft Annual Plan must be made in writing and addressed to:

*Jessica Alexander
Director of Development & Capital Programs
Tuscaloosa Housing Authority
2117 Jack Warner Parkway, Suite 2
Tuscaloosa, Alabama 35401*

Written comments must be received no later than 2:00PM on Tuesday, November 8, 2022.

A **Public Hearing** is scheduled for Wednesday, November 16, 2022 at 12:15PM in the *Board Room at the Central Office*. Interested parties are invited to attend.

THA Staff will be hosting a series of meetings to discuss the draft plan. A tentative schedule is outlined below:

- Draft 2023 Plan is finalized for public review and comment – September 23, 2022
- *Official* 45-Day Public Review and Comment Period begins – September 23, 2022
- Hay Court/ McKenzie/ Jackson Apartments Resident Meeting – 8:30AM October 12, 2022 @ the Hay Court Community Center
- Rosedale Resident Meeting (Rosedale) – 9:30AM October 12, 2022
- Branscomb Resident Meeting (Branscomb) – 10:30AM October 12, 2022
- Crescent East Resident Meeting (Crescent East) – 11:30AM October 12, 2022
- Resident Advisory Board (THA Central Office) – 10:00AM October 13, 2022
- Public Review and Comment Period Ends – 2PM November 8, 2022
- **FY 2023 Annual PHA Plan Public Hearing – 12:15PM November 16, 2022**

TUSCALOOSA HOUSING AUTHORITY

Tuscaloosa, Alabama

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

Adopted by PHA Board of Commissioners

Resolution No.: 36-04

Date of Adoption: June 15, 2022

This document was altered by the Tuscaloosa Housing Authority on the following dates:

Authorized Use by Tuscaloosa Housing Authority
©2022 The Nelrod Company, Fort Worth, Texas 76107

TABLE OF CONTENTS

INTRODUCTION AND STATEMENT OF LOCAL OBJECTIVES.....	1
OVERVIEW OF THE PHA	1
A. Legal Jurisdiction	1
B. Mission Statement.....	1
C. Statement of Local Objectives	1
D. Organizational Structure.....	2
E. Customer Relations.....	2
F. Code of Conduct.....	2
CHAPTER 1: PUBLIC HOUSING PROGRAM BACKGROUND AND KEY EVENTS	4
A. National Housing Act.....	4
B. United States Housing Act of 1937.....	4
C. Housing Act of 1949.....	4
D. The Housing Act of 1954	5
E. The Housing and Urban Development Act of 1965	5
F. Community Development Block Grant (CDBG).....	5
G. McKinney-Vento Act of 1987	5
H. Hope VI and Faircloth Amendment.....	6
I. Quality Housing and Work Responsibility Act of 1998 (QHWRA)	6
J. Rental Assistance Demonstration (RAD).....	7
K. Applicable Regulations.....	7
CHAPTER 2: RELATIONSHIP BETWEEN HUD, THE PHA, AND THE FAMILY	8
A. Annual Contributions Contract.....	8
B. Roles and Responsibilities.....	8
CHAPTER 3: THE ADMISSIONS AND CONTINUED OCCUPANCY POLICY.....	14
A. Adoption of the ACOP	14
B. Contents of the ACOP.....	14
C. Organization of this ACOP	15
D. Changes in Laws and Regulations.....	15
CHAPTER 4: NONDISCRIMINATION AND EQUAL HOUSING OPPORTUNITIES	15
A. General Policy	16
B. Specific Actions	17
C. Reasonable Accommodation and Reasonable Modifications	19
D. Effective Communication.....	23
CHAPTER 5: VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA).....	25
A. Who is Eligible for VAWA Protections	25
B. Who is Ineligible for VAWA Protections	26
C. VAWA Notice of Occupancy Rights and Certification Form	26
D. VAWA Notice of Occupancy Rights, HUD-5380	26
E. VAWA Certification Form, HUD-5382	27
F. Certification and Documentation	27
G. Limited VAWA Protections.....	29
H. VAWA Confidentiality	29
CHAPTER 6: OUTREACH	30

A. Affirmative Marketing and Equal Opportunity	30
B. Family Outreach	30
C. Monitoring and Evaluating Outreach Efforts	32
CHAPTER 7: WAITING LIST AND TENANT SELECTION	33
A. Waiting List Management	33
B. Site-Based Waiting List.....	37
C. Accepting the Application.....	38
D. Local Preferences.....	41
E. Selection Priorities from the Waiting List.....	42
F. Income Targeting.....	43
CHAPTER 8: BASIC ELIGIBILITY REQUIREMENTS.....	45
A. Definition of a Family	45
B. Definition of a Household.....	46
C. Income Eligibility.....	49
D. Citizenship and Eligible Immigration Status.....	49
E. Mandatory Disclosure of Social Security Numbers (SSNs)	53
F. Restriction on Students of Higher Education Eligibility	54
CHAPTER 9: APPLICANT SCREENING	55
A. Applicant Screening.....	55
B. Consideration of Favorable Factors.....	56
C. Falsified or Misrepresented Information.....	57
D. Mitigating Circumstances.....	57
CHAPTER 10: DENIAL OF ADMISSION.....	59
A. Denial of Admission Because of the Family's Action or Failure to Act.....	60
B. Denial of Admissions for Criminal Activity and/or Alcohol Abuse.....	61
C. Denial of Admission Based on Consumer Reporting Agency Criminal Reports.....	62
D. Consideration of Circumstances Before Denial of Admission	63
CHAPTER 11: DETERMINATION OF INCOME.....	65
A. Annual Income.....	65
B. Income Inclusions.....	65
C. Federally Mandated Income Exclusions	71
D. Assets	76
E. Income from Assets	80
F. Annualizing and Averaging Income	81
G. Earned Income Disallowance Self-Sufficiency Incentive (EID)	82
H. Adjusted Annual Income.....	83
I. HUD Mandatory Deductions and Allowances	83
CHAPTER 12: VERIFICATION REQUIREMENTS.....	91
A. General Verification Requirements	91
B. The EIV System	92
C. HUD Verification Hierarchy and PHA Verification Procedures.....	93
D. HUD Verification Hierarchy Techniques.....	93
E. PHA Compliance with Mandated Use of EIV.....	96
F. Income Discrepancies and Disputes.....	96

G. Verification of Legal Identity	99
H. Verification of Relationships.....	99
I. Verification of Citizenship or Eligible Immigration Status.....	100
J. Verification of Social Security Numbers and Social Security/SSI Benefits	101
K. Verification of Included Income	103
L. Verification Requirements for Excluded Income.....	103
M. Verification of Assets and Income from Assets.....	104
N. Verification of Deductions from Annual Income	106
CHAPTER 13: NOTIFICATION OF ELIGIBILITY	110
A. Ineligible Applicants	110
B. Eligible Applicants	111
CHAPTER 14: PRE-OCCUPANCY ORIENTATION	112
A. Scheduling the Pre-Occupancy Orientation.....	112
B. Pre-Occupancy Orientation Topics	112
C. Effective Communication.....	114
CHAPTER 15: TYPES OF DEVELOPMENTS AND REQUIREMENTS	115
A. General Occupancy Developments.....	115
B. Mixed Population Developments	115
C. Units Designed for Persons with Disabilities.....	116
D. Designated Housing	117
E. See Appendix D for Development Units.....	117
CHAPTER 16: OCCUPANCY STANDARDS	118
CHAPTER 17: OFFERING THE UNITS (TENANT SELECTION AND ASSIGNMENT PLAN).....	120
A. Deconcentration.....	120
B. Unit Offer	121
CHAPTER 18: USE AND OCCUPANCY	123
A. Primary Residence	123
B. Absence from the Unit.....	123
C. Abandonment of the Unit	126
D. VAWA Exception	126
CHAPTER 19: CHOICE OF RENT.....	127
A. Rent Options and Annual Reviews.....	127
B. Flat Rent	128
C. Flat Rent, Utilities and Utility Allowance	128
D. Annual Flat Rent Compliance.....	129
E. Flat Rent Exception.....	129
F. Income-Based Rent.....	131
G. Switch from Flat Rent to Income-Based Rent Because of Financial Hardship.....	131
CHAPTER 20: TENANT RENT AND OTHER CHARGES	133
A. Tenant Rent.....	133
B. Changes in Addition to Tenant Rent.....	133
C. Forms of Payment	134
D. Delinquent Changes and Late Fees	134
E. Total Tenant Payment (TTP).....	134

F. Minimum Rent	135
G. Minimum Rent Hardship Exemption	135
H. Special Reexamination	136
CHAPTER 21: SECURITY DEPOSIT	138
CHAPTER 22: UTILITIES AND THE UTILITY ALLOWANCE	139
A. Utility Services	139
B. Individual Metering of Utilities	139
C. Establishment of Utility Allowances	140
D. Resident-Purchased Utilities	142
E. PHA-Furnished Utilities	142
F. Surcharges for Excess Consumption of PHA-Furnished Utilities	143
G. Review and Revision of Allowances	144
H. Utility Reimbursement	144
I. Reasonable Accommodation and Individual Relief	145
J. General Utility Policies	145
CHAPTER 23: THE DWELLING LEASE	146
A. Lease Provisions	146
B. PHA Lease Requirements	146
C. Lease Term and Renewal	148
D. Lead-Based Paint Notification and Records	148
E. Lease Revisions or Modifications	150
F. Termination of Lease	151
CHAPTER 24: REEXAMINATIONS	152
A. Annual Reexaminations	152
B. General Redetermination Requirements	152
C. Community Service and Self-Sufficiency Requirements (CSSR)	153
D. Annual Reexamination Appointment	159
E. Streamlined Annual Reexamination Income Determination for Fixed Incomes	160
F. PHA Interim Requirements	162
G. Family Interim Reporting Requirements	162
H. Interim Reexamination Appointments	163
I. Interim Household Composition Reporting Requirements	163
J. Effective Dates of Interim Reexaminations	167
K. Notification of the Annual/Interim Reexamination Results	167
CHAPTER 25: ZERO-INCOME FAMILIES	169
CHAPTER 26: OCCUPANCY OF OVER-INCOME FAMILIES	170
CHAPTER 27: INSPECTIONS	172
A. Types of Inspections	172
B. Move-In/Move-Out Unit Inspections	172
C. Annual Inspections/UPCS	173
D. Scheduling Inspections	176
CHAPTER 28: PROGRAM INTEGRITY	177
A. Investigation of Suspected Abuse or Fraud	177
B. Steps to Investigating Allegations of Possible Abuse and Fraud	178

C. Responding to Allegations of Possible Abuse and Fraud	179
D. Maintaining Evidence and Statements Obtained by the PHA	179
E. Evaluation of Findings.....	179
F. Resolving Confirmed Violations	180
G. Misrepresentations.....	181
H. The Tenant Conference for Serious Violations and Misrepresentations	181
I. Disposition of Cases Involving Misrepresentation	182
J. Notifying Family of Proposed Action	182
CHAPTER 29: DEBT OWED TO THE PHA.....	183
A. Repayment Agreement for Families	183
B. Establishing the Repayment Agreement	183
C. Retroactive Payment Amount and Timeframe	184
D. Enforcing Repayment Agreements	185
E. Repayment Agreement with Previous Tenant or Program Participation	186
F. Ineligibility for Repayment Agreements	187
G. Debts Owed to PHAs and Terminations	187
H. Remaining Family Members and Prior Debt.....	188
CHAPTER 30: RECORDS MANAGEMENT.....	189
A. EIV Printouts	189
B. Authority to Obtain Criminal Records	189
C. Receipt of Information from Law Enforcement Agencies	189
D. Criminal Records.....	189
E. Permitted Use and Disclosure of Criminal Records.....	190
F. Use of Criminal Records.....	191
CHAPTER 31: OTHER MATTERS	193
A. Smoke-Free Living Environment.....	193
B. Pet Ownership.....	193
C. Transfers.....	193
D. Emergency Transfer Plan (ETP)	193
E. Collection	194
F. Termination of Lease.....	194
G. Grievance Procedures	194
H. Community Service and Self-Sufficiency Requirements.....	195
I. Housekeeping Standards.....	195
J. Resident Initiatives Policy	195
K. Preemption of Restrictions on Placement of Direct Broadcast Satellite, Multi-channel Multipoint Distribution Service and Television Broadcast Antennas	195
L. Occupancy of Police Officers.....	196
M. Minimum Heating Standards	196
APPENDIX A: HUD VERIFICATION HIERARCHY AND TECHNIQUES	198
APPENDIX B: LIST OF CHARGES IN ADDITION TO TENANT RENT	199
APPENDIX C: UTILITY ALLOWANCES OR CONSUMPTION ALLOWANCES	200
APPENDIX D: DEVELOPMENTS OF SITES BY TYPE	201
APPENDIX E: PHA INCOME LIMITS	202

APPENDIX F: TABLE OF FLAT RENTS.....	203
APPENDIX G: SECURITY DEPOSITS.....	204
APPENDIX H: IRS PUBLICATION 502-MEDICAL AND DENTAL EXPENSES	205
APPENDIX I: TERMINATION AND EVICTION POLICY	206
APPENDIX J: GRIEVANCE PROCEDURES	207
APPENDIX K: TRANSFERS AND TRANSFER WAITING LIST.....	208
APPENDIX L: HOUSEKEEPING STANDARDS POLICY	209
GLOSSARY.....	210
DEFINITIONS.....	213

CHAPTER 17: OFFERING THE UNITS (TENANT SELECTION AND ASSIGNMENT PLAN)

As units become available for occupancy, the PHA will offer units to applicants on the waiting list. In accordance with the QHWRA, the PHA encourages occupancy of its developments by families with a broad range of incomes. At a minimum, 40% of all new admissions on an annual basis will be extremely low-income families (See Appendix E for Income Limits). The offer of assistance will be made without discrimination because of race, color, religion, sex, national origin, age, disability, or familial status.

A. Deconcentration

The offers will be made in the following manner. To the maximum extent feasible, the deconcentration and income-mixing requirements of the QHWRA will be followed.

1. Families with incomes ranging from 0% to 80% of median income will be selected in accordance with the tenant selection section of this ACOP.
 - a. Families with the highest incomes will be offered units in developments where average family incomes are lowest.
 - b. Conversely, families with the lowest incomes will be offered units in developments with the highest average family incomes.
 - c. The PHA may offer incentives to families to accomplish the deconcentration and income mixing objectives.
2. The PHA may employ a system of income ranges in order to maintain a resident body composed of families with a range of incomes and tenant rent paying abilities representative of the range of incomes among low-income families in the PHA's area of operation and may take into account the average tenant rent the PHA should receive to maintain financial solvency.
3. The PHA's selection policies are designed so that selection of new public housing residents will bring the PHA's actual distribution of tenant rents closer to the projected distribution of tenant rents.
4. The PHA will select, based on date and time of application and preferences, two (2) families in the extremely low-income category and two (2) families from the lower income category (31% to 80% of area median income) alternately until the 40% admission requirement of extremely low-income families is achieved (2 plus 2 policy).
5. After the minimum level is reached, all selections will be made based solely on date, time, and preferences.
6. Any applicants passed over as a result of implementing this 2 plus 2 policy will retain their place on the waiting list and will be offered a unit in order of their original placement on the waiting list.

TUSCALOOSA HOUSING AUTHORITY

Tuscaloosa, Alabama

GRIEVANCE PROCEDURES

Adopted by PHA Board of Commissioners

Resolution No.: 36-04

Date of Adoption: June 15, 2022

Authorized Use by Tuscaloosa Housing Authority
©2022 The Nelrod Company, Fort Worth, Texas 76107

Table of Contents

GRIEVANCE PROCEDURES	3
A. Purpose and Scope	3
B. Governing Law	3
C. Definitions.....	3
D. Incorporation in Lease	4
E. Exceptions.....	4
F. Grievance Process.....	5
G. Selection of Hearing Officer or Hearing Panel.....	7
H. Hearing Process.....	7
I. Transcript	8
J. Decision of the Hearing Officer or Hearing Panel	9
K. Notification.....	9
L. Accommodation to Persons with Disabilities	10
M. Effective Communications	10
N. Modifications.....	10

GRIEVANCE PROCEDURES

The grievance procedure is an administrative remedy, prescribed by HUD to the Tuscaloosa Housing Authority (hereinafter referred to as PHA), to ensure adequate due process regarding adverse actions against public housing resident.

A. Purpose and Scope

The purpose of the grievance procedures is to assure that the residents are afforded an opportunity for a hearing, if the resident disputes within a reasonable time, any PHA action or failure to act, involving the resident's lease, or PHA regulations which adversely affect the individual resident's right's, duties, welfare, or status, including, but not limited to:

- Community Service and Self-Sufficiency Requirements
- Minimum rent hardship exemptions
- Income changes resulting from welfare program requirements
- Improper disclosure or inappropriate use of information obtained by the PHA through criminal records, sex offender registration records, drug abuse treatment facility records and domestic violence records.

1. The grievance procedure shall be applicable to all individual grievances as defined herein.
2. The PHA will furnish a copy of the grievance procedure to each tenant and to resident organizations.

B. Governing Law

The law governing this grievance procedure is Section 6 (K) of the U.S. Housing Act of 1937 (42 U.S.C. sec. 1437d(k)) and subpart B of 24 CFR part 966 (24 CFR secs. 966.50-966.57).

C. Definitions

The following definitions of terms shall be applicable to this grievance procedure:

1. Grievance: Any dispute which a resident may have with respect to an action or a failure to act by the PHA in accordance with the individual resident's lease or PHA regulations, which adversely affects the individual resident's rights, duties, welfare or status.
2. Complainant: Any resident whose grievance is presented to the PHA or at the project management office in accordance with the requirements set forth in this procedure.
3. Elements of Due Process: An eviction action or termination of tenancy in a state or local court in which the following procedural safeguards are required:
 - a. Adequate notice to the resident of the grounds for terminating the tenancy and for eviction;
 - b. Right of the resident to be represented by counsel;
 - c. Opportunity for the resident to refute the evidence presented by the PHA, including the right to confront and cross examine witnesses and to present any affirmative legal or equitable defense which the resident may have; and

- d. A decision on the merits.
- 4. **Expedited Grievance:** The procedure established by the PHA for any grievance concerning a termination of tenancy or eviction that involves:
 - a. Any criminal activity that threatens the health, safety and right to peaceful enjoyment of the PHA's public housing premises by other residents or employees of the PHA; or
 - b. Any drug-related or violent criminal activity on or off PHA premises.
- 5. **Hearing Officer or Hearing Panel:** An impartial person or persons selected by the PHA, other than the person who made or approved the decision under review, or a subordinate of that person. Such individual or individuals do not need legal training.
- 6. **Resident organization:** An organization of residents, which includes any resident management corporation.
- 7. **Resident:** The adult person (or persons) other than a live-in aid:
 - a. Who resides in the unit and who executed the lease with the PHA as lessee of the dwelling unit, or, if no such persons reside in the unit;
 - b. The person who resides in the unit, and who is the remaining head of the household of the resident family residing in the dwelling unit.

D. Incorporation in Lease

This grievance procedure shall be included in, or incorporated by reference in, all leases between the residents and the PHA.

E. Exceptions

These procedures are applicable to all individual grievances, as defined in Section C of this Policy, between the resident and the PHA with the following exceptions:

- 1. The PHA's grievance procedures are not applicable to disputes between residents not involving the PHA, or to class grievances.
- 2. The grievance procedures are not intended as a forum for initiating or negotiating policy changes between a group or groups of residents and the PHA's Board of Commissioners; and
- 3. Due Process Determination
 - a. A determination by HUD that law of the jurisdiction requires that the resident must be given the opportunity for a hearing in court which provides the basic elements of due process before eviction from the unit. If HUD has issued a due process determination, the PHA may exclude from the PHA's administrative grievance procedure any grievance concerning a termination of tenancy or eviction that involves:
 - 1) Any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents or employees of PHA; or
 - 2) Any violent or drug-related criminal activity on or off such premises; or

- 3) Any criminal activity that resulted in felony conviction of a household member.
 - b. HUD will publish in the Federal Register a notice listing the judicial eviction procedures for which HUD has issued a due process determination.
 - c. HUD will make available for public inspection and copying a copy of the legal analysis on which the determinations are based.
 - d. If HUD has issued a due process determination, the PHA may evict the occupants of the unit through the judicial eviction procedures which are the subject of the determination.
 - e. In this case, the PHA is not required to provide the opportunity for a grievance hearing under the PHA's administrative grievance procedure.
4. Improper use of or disclosure of information obtained by the PHA through criminal records, sex offender registration records, and drug abuse treatment facility records, may be the subject of a grievance by a complainant of the PHA.

F. Grievance Process

Grievances shall be personally presented, either orally or in writing, to the PHA's central office, or to the office of the development in which the complainant resides.

Except as stated above, the PHA's procedures shall afford each resident an opportunity for a hearing on a grievance, in accordance with the requirements, standards, and criteria contained in these procedures, with such modifications as are required by state law.

1. Informal Settlement of Grievance

The primary objective of this process is to informally discuss and settle the grievance at the lowest level and as quickly as possible without a hearing.

- a. The PHA will review the grievance to:
 - 1) Ensure that the grievance can be appropriately address during the grievance process.
 - 2) Ensure the grievance is referred to the appropriate department or office responsible for the matter being grieved.
 - 3) Ensure the PHA is correctly handling disputes that differ from PHA operations, such as on allegations of discrimination or harassment.
 - 4) Inform the complainant may attend with a representative at their discretion and expense.
- b. The PHA will prepare a summary of such discussion within five (5) business days.
- c. A copy of the summary of such discussion will be given to the resident and one shall be retained in the PHA's resident file. The summary of discussion will specify:
 - 1) The names of the participants,

- 2) Date(s) of the meeting(s),
 - 3) The nature of the proposed disposition of the complainant and the specific reasons therefore,
 - 4) The rights of the complainant to a grievance hearing, and
 - 5) The procedures by which a grievance hearing may be obtained if the complainant is not satisfied with the outcome of the informal discussion.
- d. The PHA shall specifically include notice to the complainant of the following:
- 1) The time limit to request a grievance hearing;
 - 2) The grievance hearing will be heard by a hearing officer or a hearing panel, and the procedures for selecting the hearing officer or hearing panel;
 - 3) What specifically must be included in the complainant's request for a grievance hearing;
 - 4) If the complainant fails to request a hearing within the required time period (5 business days) after receiving the summary, the PHA's decision rendered at the Informal Settlement conference becomes final. However, the complainant does not waive the right to contest the PHA's action in an appropriate judicial proceeding;
 - 5) The complainant's rights to be represented by counsel or other representative at the grievance hearing; and
 - 6) The complainant requesting a hearing has a right to examine any PHA documents relevant to the hearing, including records and regulations. The complainant shall be allowed to obtain a copy from the PHA of any such documentation at the complainant's expense.
2. Procedures to Obtain a Grievance Hearing
- A grievance hearing must be held before a hearing officer.
- a. Request for a Grievance Hearing:
- 1) The complainant shall submit a written or oral request for a hearing to the PHA, or to the development office, within five (5) business days after receipt of the written summary of the Informal Settlement conference.
 - 2) The written request shall specify:
 - a) The reasons for the grievance;
 - b) The action or relief sought;
 - c) The complainant's statement setting forth the times at which the complainant will be available for a hearing during the next ten (10) business days;
 - d) Complainant's preference, if any, concerning whether the grievance should be heard by a single hearing officer or by a hearing panel.

- b. If the complainant fails to request a hearing within five (5) business days after receiving the written summary of the Informal Settlement conference, the PHA's decision rendered at the Informal Settlement conference becomes final and the PHA is not thereafter obligated to offer the complainant a hearing.
- c. Should the complainant fail to request a hearing, such failure shall not constitute a waiver by the complainant of his/her right thereafter to contest the PHA's action in disposing of the complaint in an appropriate judicial proceeding.

G. Selection of Hearing Officer or Hearing Panel

- 1. Grievances shall be presented before a hearing officer or hearing panel.
- 2. The hearing officer or hearing panel shall be an impartial, disinterested person selected by the PHA. The hearing officer or hearing panel shall not be:
 - a. The person who made or approved the decision,
 - b. A subordinate of the person who made or approved the decision, or
 - c. A member of the PHA Board of Commissioners.

H. Hearing Process

All grievances shall be personally presented, either orally or in writing, pursuant to the informal procedure prescribed in the paragraph on Informal Settlement of Grievance as a condition precedent to a hearing under this section.

- 1. Scheduling Hearings
 - a. The hearing officer or hearing panel shall promptly schedule the hearing, for a time and place reasonably convenient to both the complainant and the PHA, upon the complainant's compliance with the above requirements.
 - b. A written notification specifying the time, place, and the procedures governing the hearing shall be delivered to the complainant and the appropriate PHA official.
 - c. The hearing may be conducted in person or through electronic communications such as teleconference or web meetings.
- 2. Failure to Appear
 - a. If the complainant or the PHA fails to appear at a scheduled hearing, the hearing officer or hearing panel may make a determination to postpone the hearing, for a period not to exceed five (5) business days or may make a determination that the party has waived his or her right to a hearing.
 - b. The hearing officer or hearing panel will notify both the complainant and the PHA of the determination.

- c. A determination that the complainant has waived his or her right to a hearing shall not constitute a waiver of any right the complainant may have to contest the PHA's disposition of the grievance in an appropriate judicial proceeding.

3. Conducting the Hearing

The hearing shall be conducted informally by the hearing officer or hearing panel.

- a. At the hearing, the complainant must first make a showing of an entitlement to the relief sought.
- b. The PHA must sustain the burden of justifying the PHA's action or failure to act against which the complaint is directed.
- c. The complainant shall be afforded a fair hearing providing the basic safeguards of due process, which include the following:
 - 1) The opportunity to examine documents before the grievance hearing, and to copy, at the complainant's expense, all documents, records, and regulations of the PHA that are relevant to the hearing at the expense of the complainant.
 - 2) Any requested document not made available to the complainant may not be relied on by the PHA at the grievance hearing.
- d. The right to be represented by counsel or other person chosen as the complainant's representative and to have such person make statements on the complainant's behalf.
- e. The right to a private hearing, unless the complainant requests a public hearing.
- f. The right to present evidence and arguments in support of the complainant's complaint, to controvert evidence relied on by the PHA or development management, and to confront and cross examine all witnesses on whose testimony or information the PHA or development management relies.
- g. Oral or documentary evidence pertinent to the facts and issues raised by the complainant may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- h. The hearing officer or hearing panel shall require the PHA, the complainant, legal counsel, and other participants or spectators to conduct themselves in an orderly fashion. Failure to comply with the directions of the hearing officer or hearing panel to obtain order may result in exclusion from the proceedings, or in a decision adverse to the interests of the disorderly party, and granting or denial of the relief sought, as appropriate.
- i. A decision based solely and exclusively upon the facts presented at the grievance hearing.

I. Transcript

- 1. The complainant or the PHA may arrange, in advance and at the expense of the party making the arrangement, for a transcript of the hearing.

2. Any interested party may purchase a copy of such transcript.

J. Decision of the Hearing Officer or Hearing Panel

The hearing officer or hearing panel will prepare a written decision, with the reasons therefore, within a reasonable time after the hearing (usually within 10 business days).

1. A copy of the decision shall be sent to the complainant and the PHA.
2. The PHA will retain a copy of the decision in the complainant's folder.
3. The PHA will maintain a log of all hearing officer or hearing panel decisions and make it available upon request of the hearing officer or hearing panel, a prospective complainant, or a prospective complainant's representative. At a minimum, the log must include:
 - a. The date of the hearing decision,
 - b. The general reason for the grievance hearing (failure to pay rent, CSSR noncompliance, etc.), and
 - c. Whether the decision was in the favor of the complainant or the PHA
4. The decision of the hearing officer or hearing panel will be binding on the PHA, which shall take all actions, or refrain from any actions, necessary to carry out the decision, unless the Board of Commissioners determines, within ten (10) business days, and promptly notifies the complainant of its determination, that:
 - a. The grievance does not concern PHA action or failure to act in accordance with or involving the complainant's lease or PHA regulations, which adversely affect the complainant's rights, duties, welfare, or status; and
 - b. The decision of the hearing officer or hearing panel is contrary to applicable federal, state, or local law, HUD regulations, or requirements of the ACC between HUD and the PHA.
5. A decision by the hearing officer, hearing panel, or Board of Commissioners in favor of the PHA's action or failure to act, or a decision that denies the relief requested in whole or in part, does not waive the complainant's rights to a subsequent trial or judicial review.

K. Notification

Any notice to the complainant will be in writing.

1. PHA Notices

Notices under this grievance procedure shall be deemed delivered:

- a. Upon delivery to the complainant or to an adult member (18 years of age or older) of the complainant's household; or
- b. Sent by prepaid first-class mail properly addressed to the complainant.

2. Concurrent Notice

Notices to the PHA shall be in writing, delivered to the project office or the PHA central office or sent by prepaid first-class mail properly addressed.

- a. If a complainant has filed a request for grievance hearing in a case involving the PHA's notice of termination of tenancy, the complainant should be aware that the state law notice to vacate and the notice of termination of tenancy required under federal law can run concurrently.
- b. If the hearing officer or hearing panel upholds the PHA's action to terminate the tenancy, the PHA may commence an eviction action in court by the later of:
 - 1) The expiration of the date for termination of tenancy and vacation of premises stated in the delivered termination notice, or
 - 2) The delivery of the report of decision of the hearing officer or panel to complainant.

L. Accommodation to Persons with Disabilities

1. The PHA will provide reasonable accommodation for persons with disabilities throughout the grievance process.
2. This includes, but is not limited to, accommodating individuals with disabilities by accepting grievances at alternate sites or by mail, having PHA staff reduce an oral request for a grievance to writing for a tenant with a disability who cannot write due to the disability, and providing accommodations in the grievance hearing itself by providing qualified sign language interpreters, readers, accessible locations, or attendants.

M. Effective Communications

The PHA will take appropriate steps to ensure effective communication during the grievance process for families that includes persons with disabilities or persons with Limited English Proficiency.

1. If the complainant is visually impaired, any notice to the complainant which is required must be in an accessible format.
2. Limited English Proficiency

The PHA will comply with HUD's "Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" issued on January 22, 2007.

N. Modifications

This grievance procedure may not be amended or modified except by approval of a majority of the Board of Commissioners of the PHA, present at a regular meeting or a special meeting called for such purposes.

1. The PHA must provide for at least 30 days' advance notice to residents and resident organizations of any changes proposed to be made to this grievance procedure, setting forth the proposed changes and providing an opportunity to present written comments.
2. The PHA shall consider any comments submitted before final adoption of any amendments.

NOTICE

The Nelrod Company has made its best efforts to comply with regulations, laws, and Federal/local policies. The Nelrod Company does not offer advice on legal matters or render legal opinions. We recommend that the Housing Authority's general counsel and/or attorney review this policy prior to approval by the Board of Commissioners.

The Nelrod Company is not responsible for any changes made to these policies by any party other than The Nelrod Company.

STATEMENT OF CAPITAL IMPROVEMENTS (OPEN GRANTS)

2022 CFP

The 2022 Capital Fund award in the amount of \$3,175,520 will be used as follows:

- \$317,552 will be used for operations.
- \$317,552 will be used for administration costs.
- \$1,600,000 will be used for the comprehensive renovations at Crescent East Apartments. The work will include interior and exterior renovations and related site improvements.
- \$100,000 will be used for fees and costs associated with the renovations at Crescent East.
- \$50,000 will be used for fees and costs associated with the Crescent East relocation.
- \$250,000 will be used for playground and site improvements at Branscomb Apartments.
- \$75,000 will be used for fees and costs associated with playground improvements at Branscomb.
- \$315,416 will be used for unit renovations and site improvements in Hay Court.
- \$50,000 will be used for fees and costs associated with improvements at Hay Court.
- \$100,000 will be used for the mixed-finance development of the Robertson Tower Replacement properties.

2021 CFP

The 2021 Capital Fund award in the amount of \$3,122,750 will be used as follows:

- \$312,275 will be used for operations.
- \$312,275 will be used for administration costs.
- \$1,200,000 will be used towards the comprehensive renovations at Branscomb Apartments. Phase V of the renovations (19 units) began in June 2022. The work includes interior and exterior renovations of the apartments and site work.
- \$60,000 will be used for fees and costs associated with the renovations at Branscomb Apartments.
- \$50,000 will be used for fees and costs associated with the Branscomb relocation.
- \$302,750 will be used for comprehensive renovations at Crescent East. The work includes interior unit renovations and site improvements. Unit renovations will begin in Summer/Fall of 2023. Site improvements will begin Fall 2022 and will include storm drainage, curb and gutter, road paving, fencing, and grassing.
- \$40,000 will be used for fees and costs associated with improvements at Crescent East.
- \$745,450 will be used for renovations at Hay Court. Unit renovations began May 2022, and include new HVAC, carbon monoxide/ smoke combo detectors, hot water heaters, and bathroom improvements at (30) units. Site improvements includes signage, storm drainage, minor sidewalk repair, grassing, basketball court, and related improvements.
- \$50,000 will be used for fees and costs associated with improvements at Hay Court.
- \$50,000 will be used for the mixed-finance development of the Robertson Tower Replacement properties.

2020 CFP

The 2020 Capital Fund award in the amount of \$3,153,851 will be used as follows:

- \$313,111 will be used for operations.
- \$313,111 will be used for administration costs.
- \$1,100,000 will be used for the comprehensive renovations at Branscomb Apartments. Phase IV of the renovations (19 units) began in July 2021. The work includes interior and exterior unit renovations. Site Improvements include storm drainage and grassing.
- \$196,000 will be used for fees and costs associated with the renovations at Branscomb Apartments.
- \$40,000 will be used for fees and costs associated with the Branscomb relocation.
- \$369,214.82 will be used for building conversion and site improvements at Crescent East. The building conversion project includes converting a former health clinic to three – two (2) bedroom units. The site improvements include storm drainage, curb and gutter, road paving, fencing, and grassing.
- \$47,000 will be used for fees and costs associated with improvements at Crescent East.
- \$195,000 will be used for unit renovations and site improvements at Hay Court. Unit renovations began May 2022, and includes new HVAC, carbon monoxide/ smoke combo detectors, hot water heaters, and bathroom improvements at (30) units. Site improvements include signage, storm drainage, minor sidewalk repair, grassing, basketball court, and improvements. Surveillance cameras (2) throughout the site for safety and security needs.
- \$157,000 will be used for fees and costs associated with improvements at Hay Court.
- \$14,890 will be used for RAD Consulting Services.
- \$100,000 will be used for the mixed-finance development of the Robertson Tower Replacement property. These funds will be used for the acquisition and rehabilitation of Pine Cone Apartments.
- \$308,524.18 will be used for modifications to THA Main Office to Prepare for, Prevent against, and Respond to Coronavirus.

FY2023 Annual Plan Discussion

Tuscaloosa Housing Authority Resident Advisory Board (RAB)

TBD, October 13, 2022 (Location TBD)

Agenda: Topics discussed during the RAB Meeting are as follows:

- *Annual Plan Process (Timeline, Written Comment Submission, Public Hearing)*
- *Annual Plan Elements*
- *ACOP, Public Housing Lease, and Grievance & Other Policy Revisions*
- *Development Activities (Pine Cone Apartments)*
- *Disposition of Locklear Properties*
- *Potential for conversion of units under the Rental Assistance Demonstration (RAD)*
- *Homeownership Program Overview*
- *Overview of THA's Mission/ Goals & Progress*
- *5-Year Action Plan & Proposed Capital Improvements*
- *Fair Housing Goals*

RAB Comments: Questions/ Comments provided by the Resident Advisory Board and the applicable THA responses.

RAB1:

THA1:

RAB2:

THA2:

RAB3:

THA3:

RAB4:

THA4:

RAB5:

THA5:

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Walt Maddox, the Mayor for the City of Tuscaloosa
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years FY 2023 – FY 2027 and/or Annual PHA
Plan for fiscal year FY 2023 of the Tuscaloosa Housing Authority is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair
Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

City of Tuscaloosa
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR §§ 903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or
State Consolidated Plan.

*The Consolidated Plan regulations require grantees to create strategies to address the needs of
public housing residents. As part of the Consolidated Plan, all grantees must affirmatively further
fair housing, which means conducting an Analysis of Impediments to Fair Housing Choice (AI)
and taking appropriate actions to overcome the effects of any impediments identified. The PHA
Plan is a comprehensive guide to PHA policies, programs, operations, and strategies for meeting
local housing needs. These documents have been reviewed and were determined to be consistent.*

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:	Title:
Walt Maddox	Mayor, City of Tuscaloosa
Signature:	Date:

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

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing
instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD
may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

**Certifications of Compliance with
PHA Plan and Related Regulations
(Standard, Troubled, HCV-Only, and
High Performer PHAs)**

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

**PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations
including PHA Plan Elements that Have Changed**

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the x 5-Year and/or x Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning 04/2023, in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. 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 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
 11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
 18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
 20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).
 - 23.

Tuscaloosa Housing Authority
PHA Name

AL077
PHA Number/HA Code

☒ Annual PHA Plan for Fiscal Year 2023

☒ 5-Year PHA Plan for Fiscal Years 2023 - 2027

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 Executive Director: Chris Hall		Name Board Chairman: Lin Moore	
Signature	Date	Signature	Date

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.