



**MEETING NOTICE AND AGENDA
Community Development Authority
November 21, 2017 at 4:30 pm
The Forum
Beloit City Hall
100 State Street**

1. Call to Order and Roll Call
2. Public Comments
3. Review and Consideration of the Minutes of the Special Meeting held on October 17, 2017
4. Housing Authority
 - a. Presentation of September Activity Report (Cole)
 - b. Presentation of September Financial Report (Cole)
 - c. Review and Consideration of Resolution 2017-32, Approving a Revision to the Beloit Housing Authority Housing Choice Voucher Administrative Plan (Cole)
5. Community and Housing Services
 - a. Review and Consideration of Resolution 2017-33, Recommending an Amendment to the 2018 HOME Budget (Christensen)
6. Adjournment

*If you are unable to attend this meeting, notify the Housing Authority Office at 364-8740 **no later than 4:00 PM the day before the meeting.***

Notice Posted: November 17, 2017
Julie Christensen, Executive Director

****Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511**

Minutes
Beloit Community Development Authority
100 State Street, Beloit WI 53511
October 25, 2017
4:30 P.M.

The regular meeting of the City of Beloit Community Development Authority was held on Wednesday, October 25, 2017 in the Forum of Beloit City Hall, 100 State Street.

1. **Call to Order and Roll Call:**

Meeting was called to order by Commissioner Baker at 4:46 p.m.

Present: Commissioners Baker, Ellison, Forbeck, Kenitzer and Leavy

Absent: Commissioner DeBrock and Evans

Staff Present: Julie Christensen, Teri Downing, Clinton Cole and Ann Purifoy

2. **Citizen Participation:**

None

3. **Review and Consideration of the Minutes of the Special Meeting held on October 17, 2017**

A motion was made by Commissioner Baker and seconded by Commissioner Forbeck to approve the minutes of the Special Meeting held on October 17, 2017. Motion carried unanimously.

4. **Housing Authority:**

a. **Presentation of August Activity Report**

Clinton Cole, Programs Manager, gave a brief summary of the report.

When we have Section 8 tenants port-in to our housing authority, we have the option to either absorb them or bill the porting housing authority. Currently, we have between 10 and 15 vouchers that we are billing. If 2018 funding allows, we will absorb these vouchers into our program.

Councilor Leavy questioned the large amount of outstanding receivables for vacated units in public housing. Clint explained that the majority of these charges are incurred when tenants move out of the units and includes only a small number of tenants. Every unit is inspected at least yearly in addition to occasional maintenance contact for repairs. A breakdown of these charges along with the amount recovered by the HA will be prepared and included in the next financial report.

b. **Presentation of August Financial Report**

Clinton Cole gave a brief summary of the report.

- c. Review and Consideration of Resolution 2017-30, Authorizing the Write-off of Beloit Housing Authority Third Quarter Public Housing Accounts Receivable
Clinton Cole presented the staff report and recommendation.

Write offs include unpaid charges incurred by tenants who have vacated our units and not communicated with us by the end of each quarter. Tenants have 30 days to contact us after receiving these charges.

Commissioner Forbeck moved and Commissioner Kenitzer seconded a motion to approve Resolution 2017-30. Motion carried unanimously.

5. **Community and Housing Services:**

- a. Review and Consideration of Resolution 2017-31, Authorizing the Division and Sale of 206 Eighth Street

Teri Downing, Community and Housing Services Director, presented the staff report and recommendation.

Commissioner Forbeck moved and Commissioner Leavy seconded a motion to approve Resolution 2017-31. Motion carried unanimously.

6. **Adjournment:**

The meeting was adjourned by Commissioner Baker at 5:24 p.m.

**REPORT TO THE BELOIT
COMMUNITY DEVELOPMENT AUTHORITY (CDA)**



Agenda Item: 4a

Topic: September Activity Report

Date: November 21, 2017

Presenter: Clinton Cole

Division: Beloit Housing Authority

Overview/Background Information:

Each month, the Housing Authority provides an activity report to the Community Development Authority. This report is for information only.

Key Issues (maximum of 5):

Public Housing:

There were no vacancies in public housing units in September and two upcoming vacancies in October of 2017. Public housing accounts receivable on occupied units totaled \$4,848.95 and vacated units totaled \$2,422.17 at the end of September 2017 which brings the total outstanding public housing accounts receivable to \$7,271.12. 10 applicants were pulled from the public housing waiting list in September; 5 applicants were briefed. 10 public housing inspections and 33 annual and interim re-certifications were completed in September.

Section 8:

558 vouchers were housed by September 30, 2017 with 6 voucher holders either searching for units or waiting for passed inspections. 16 portable vouchers were paid by BHA in September with 5 families waiting to Port-Out. 61 Section 8 inspections were completed in September, and the Housing Specialists completed 80 annual or interim re-certifications. No applicants were notified; none were briefed.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Approval of this project would conform to the strategic goal of creating and sustaining safe and healthy neighborhoods.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels** - N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** - N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** - N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** - N/A
- If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space

Action required/Recommendation:

No action required. Information only.

Fiscal Note/Budget Impact: All fiscal/budget impacts are noted in the report.

Attachments: September Activity Report

**Beloit Community Development Authority
Activity Report to Board for November 2017**

September (2017) Activity Report

Public Housing

Tenants Accounts Receivable

Outstanding Receivables – Occupied Units 8/31/2017	\$ 3,777.70
Outstanding Receivables – Vacated Units 8/31/2017	\$ 1,819.55
Outstanding Receivables – Occupied Units 9/30/17	\$ 4,848.95
Outstanding Receivables – Vacated Units 9/30/17	\$ 2,422.17
Total August 31, 2017 Outstanding Receivables:	\$ 5,597.25
Total September 30, 2017 Outstanding Receivables:	\$ 7,271.12
Increase of:	\$ 1,673.87

Vacancies – 9/30/2017

<u>Total Public Housing Units</u>	131 Units
	100% Occupancy
0 Vacancies	0 Elderly - 100% Occupancy
	2 Family - 98% Occupancy

Public Housing Inspections

10 Inspections completed. There were 9 annual inspections; there were no move-out inspections. There were 2 move-in inspections. There was 1 housekeeping inspection, 1 exterior inspections and no re-inspections.

Public Housing Activities

Annual Recerts:	14
Interim Recerts:	4
Notice to Vacate:	0
New Tenants:	2

Transfers:	0
Lease Terminations:	0
Possible Program Violations:	1
Evictions	0

Public Housing Briefings

Number Notified:	10
Number Briefed:	5

Section 8 Program

Total Section 8 Vouchers

598 Vouchers

September

558 under lease - 93% Occupancy
 16 Portable Vouchers –16 Not Absorbed by other PHAs
 6 Voucher holders searching or waiting for passed inspections

Section 8 Inspections

61 inspections were completed in September. 33 were annual inspections. 8 were initial inspections, 19 were re-inspections and there was 1 special inspection.

Section 8 Activities

New Participants:	3
Annual Recerts:	56
Interim Recerts:	24
Abatements:	7
Movers:	6
Possible Program Violations:	1
End of Program	2

Section 8 Briefings

Number Notified:	0
Number Briefed:	0

APPLICATIONS:

Waiting List:

94 Public Housing East
106 Public Housing West
158 Parker Bluff
81 Project-Based
303 Sec. 8

0 Tenants removed for Repayment Default
0 Tenants removed for unreported income
0 Tenants removed for unauthorized occupants
0 Applicants removed for debts owed
Some applicants are on both lists, some are not
Section 8 waiting list opened 4/4/11

**REPORT TO THE BELOIT
COMMUNITY DEVELOPMENT AUTHORITY (CDA)**



Agenda Item: 4b

Topic: September Monthly Report

Date: November 21, 2017

Presenter: Clinton Cole

Division:

Beloit Housing Authority

Overview/Background Information:

Each month, the Housing Authority provides a financial report to the Community Development Authority. This report is for information only.

Key Issues (maximum of 5):

Through the month of September, the Low Income Public Housing (LIPH) program income was \$409,870.39 and the LIPH expenses were \$407,083.52. There was a 2,786.87 reserve in LIPH. The Operating Reserve for LIPH was \$5,275,638.00 at the 12/31/2016 FYE. At 2017 Period End the Operating Reserve is \$5,278,424.87. The actual physical LIPH Operating Reserve at 2017 Period End is \$(01,649.15).

Through the month of September, the Project Based Voucher (PBV) program income was \$49,471.53 and the expenses were \$67,176.32. The PBV had a deficit of \$(17,704.79). The PBV Operating Reserve at this Period End is \$80,101.21.

Through the month of September, Phase 1 and Phase 2 program income was \$457,657.11 and the expenses were \$377,790.67. Phase 1 and Phase 2 had a surplus of \$76,866.44. The Operating Reserve for these programs at this Period End is \$202,776.44.

Through the month of September, the Housing Choice Voucher (HCV) program income was \$2,560,276.31 and expenses were \$2,526,566.62. The HCV program had a deficit of \$(17,605.91). The HCV Operating Reserve at this Period End is \$264,117.09.

Through the month of September 2017, \$12,379.11 in Section 8 and LIPH repayments have been collected through the Tax Return Intercept Program (TRIP). Through the month of September 2017, the BHA has collected \$13,909.12 as a result of repayment agreements with LIPH and Section 8 participants, for a total of \$26,288.23 in debt collected.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Approval of this project would conform to the strategic goal of creating and sustaining safe and healthy neighborhoods.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels** - N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** - N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** - N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** - N/A
- If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space
-

Action required/Recommendation:

No action required. Information only.

Fiscal Note/Budget Impact: All fiscal/budget impacts are noted in the report.

Attachments: September 2017 Consolidated Budget Report

Consolidated 2017 Budget Report for Beloit Housing Authority - September 2017

		YTD Actual						Annual Board Approved Budget		
Income	Approved YTD	LIPH	LIPH Grant	PBV	Phase 1 & 2	HCV	Agency Total	LIPH/LLC/PBV	HCV	Total
1 Dwelling Rental	219,221.25			44,977.00	189,177.28		234,154.28	292,295.00		292,295.00
2 Excess Utilities	-						-			-
3 Interest on Unrestricted Fund Investments	189.17	74.13			23,572.59	408.53	24,055.25	770.00	1,500.00	2,270.00
4 Income - Transfer In from PBV	-	30,000.00					30,000.00			-
5 Other Income - Tenants	2,585.00			4,494.53	34,323.40	1,688.50	40,506.43	31,020.00		31,020.00
6 HAP Fraud Recovery & FSS Forfeitures	-					1,688.50	1,688.50			-
7 Other Income - Bad Debt Collections	-	12,379.11			338.00		12,717.11			-
8 Other Income - Laundry/Copy Fees/Misc	2,736.67	15,983.15			22,607.00	2,059.78	40,649.93	32,840.00		32,840.00
9 Other Income - CFP Operation Money	5,000.00	70,000.00					70,000.00	60,000.00		60,000.00
10 Other Income - Sale of Asset Gain/Loss	-						-			-
11 Admin Fees Earned - HUD	26,427.83					238,485.00	238,485.00		317,134.00	317,134.00
12 Incoming Billable Admin Fees/Oper Sub	18,750.00				187,638.84		187,638.84	225,000.00		225,000.00
13 HAP Subsidy	-					2,315,946.00	2,315,946.00			-
14 Operating Subsidy	267,886.33	281,434.00					281,434.00	395,970.00	2,818,666.00	3,214,636.00
Total Income	542,796.25	409,870.39	-	49,471.53	457,657.11	2,560,276.31	3,477,275.34	1,037,895.00	3,137,300.00	4,175,195.00
Expenses	Approved YTD	LIPH	LIPH Grant	PBV	Phase 1 & 2	HCV	Agency Total	LIPH/LLC/PBV	HCV	Total
Administrative Expenses										
15 Admin Salaries	37,086.17	73,382.73		10,426.65	79,814.83	152,305.04	315,929.25	242,078.00	202,956.00	445,034.00
16 FSS Coordinator Admin Salaries	-	21,621.80					21,621.80			-
17 Admin Employee Benefits	19,447.33	33,129.09		4,118.10		73,405.04	110,652.23	127,711.00	105,657.00	233,368.00
18 FSS Coordinator Admin Benefits	-	16,657.23					16,657.23			-
19 Advertising & Marketing	441.67	375.00					375.00	4,300.00	1,000.00	5,300.00
20 Legal	41.67				2,350.25		2,350.25	250.00	250.00	500.00
21 Staff Training	416.67					2,650.00	2,650.00	2,500.00	2,500.00	5,000.00
22 Travel	41.67					272.45	272.45	250.00	250.00	500.00
23 Accounting Consultants	2,458.33	4,830.00		798.00	7,540.00	4,235.00	17,403.00	24,500.00	5,000.00	29,500.00
24 Audit Fee	1,625.00	6,801.50			19,054.00	6,801.50	32,657.00	19,500.00		19,500.00
25 Telephone	637.50	1,038.37				890.68	1,929.05	3,552.00	4,098.00	7,650.00
26 Postage	750.00	1,505.05					1,505.05	2,700.00	6,300.00	9,000.00
27 Office Supplies	458.33	2,488.35				2,541.96	5,030.31	3,420.00	2,080.00	5,500.00
28 Memberships & Publications	409.25	608.94					608.94	3,683.00	1,228.00	4,911.00
29 Bank Fees	150.00	5.00			27.35	2,129.13	2,161.48		1,800.00	1,800.00
30 Computer Maintenance	-						-			-
31 Copier Expenses	608.33	1,747.30				1,747.34	3,494.64		7,300.00	7,300.00
32 Office Equipment Maintenance	1,525.00						-	8,967.00	9,333.00	18,300.00
33 Postage Machine	-					3,390.93	3,390.93			-
34 Software Maintenance	916.67	245.00				255.00	500.00		11,000.00	11,000.00
35 Outgoing Portable Admin Fees	-						-			-
36 Sundry Administration/Compliance Fees	1,483.33	315.26		700.00	6,440.00	1,732.88	9,188.14	9,970.00	7,830.00	17,800.00
37 Management Improvements	-						-			-
38 Management Fees	1,500.00				15,444.39		15,444.39	18,000.00		18,000.00
39 Eviction & Collection Agent Fees	333.33						-	2,800.00	1,200.00	4,000.00
40 HAP Expense (net fraud recovery to HUD)	234,888.83					2,266,318.90	2,266,318.90		2,818,666.00	2,818,666.00
HAP Overfunding (Underfunding)	-					51,315.60				-
Maintenance Expenses										
41 Maintenance Salaries	10,238.08	6,462.12		3,781.39	110,185.25		120,428.76	122,857.00		122,857.00
42 Casual Labor - Maintenance	-						-			-
43 Maintenance Benefits	4,991.42	178.69		1,738.24			1,916.93	59,897.00		59,897.00
44 Maintenance Materials & Supplies	1,187.50	1,454.24		99.26	12,291.59		13,845.09	14,250.00		14,250.00
45 Plumbing Supplies	-	1,224.88					1,224.88			-
46 Locks, Locksets & Keys	-						-			-
47 Electrical Supplies	-	1,859.94					1,859.94			-
48 Painting Supplies	-	207.03					207.03			-
49 Cleaning Supplies	-	2,349.56					2,349.56			-
50 Equipment Repair Parts	-						-			-

51	Maintenance Contracted Services	1,000.00	1,845.77		1,142.94	25,682.92		28,671.63	12,000.00		12,000.00
52	Refuse Removal Services	375.00	70.00		322.50	3,122.50		3,515.00	4,500.00		4,500.00
53	Plumbing Repair Services	125.00			1,542.00			1,542.00	1,500.00		1,500.00
54	Heating/AC Repair Services	266.67			3,080.50	2,598.00		5,678.50	3,200.00		3,200.00
55	Electric Repair Service	41.67			190.91			190.91	500.00		500.00
56	Window Repair Service	83.33						-	1,000.00		1,000.00
57	Automotive Repairs/Fuel	416.67	2,877.14					2,877.14	5,000.00		5,000.00
58	Elevator Repair & Maintenance	275.00	741.83					741.83	3,300.00		3,300.00
59	Pest Control Services	666.67						-	8,000.00		8,000.00
60	Cable TV	-				(962.95)		(962.95)			-
61	Answering Service	150.00	1,623.48					1,623.48	1,800.00		1,800.00
62	Misc Contracts	583.33						-	7,000.00		7,000.00
63	Clean/Paint Units	66.67						-	800.00		800.00
	Utilities Expenses	-									
64	Water/Sewer	1,629.17	833.22		914.74	5,663.37		7,411.33	19,550.00		19,550.00
65	Electricity	2,125.00	4,610.28		379.64	12,759.06		17,748.98	25,500.00		25,500.00
66	Natural Gas	1,083.33	848.53		459.60	3,305.41		4,613.54	13,000.00		13,000.00
	Other Operating Expenses	-									
67	Protective Services Contract	3,741.67	20,984.36			3,075.88		24,060.24	44,900.00		44,900.00
68	Insurance	3,240.17	6,522.99		1,858.62	17,966.82	3,466.59	29,815.02	33,673.00	5,209.00	38,882.00
69	PILOT	2,185.67			1,014.56	16,744.95		17,759.51	26,228.00		26,228.00
70	Compensated Absences	-						-			-
71	Collection Losses	333.33			4,608.67	26,507.22		31,115.89	4,000.00		4,000.00
72	Replacement Reserves & Debt Pmt-Princ	-			30,000.00			30,000.00			-
73	Other General Expense/Asset Mgmt Fees	19,608.33	187,638.84			8,179.83	4,424.18	200,242.85	235,300.00		235,300.00
74	Casualty Losses - Non Capitalized	83.33						-	1,000.00		1,000.00
75	Capital Expenditures - Operations	166.67						-	2,000.00		2,000.00
76	Transfer In / Out	-						-			-
	Total Expense	359,882.75	407,083.52	-	67,176.32	377,790.67	2,526,566.62	3,378,617.13	1,124,936.00	3,193,657.00	4,318,593.00

	LIPH	LIPH Grant	PBV	Phase 1 & 2	HCV	Agency Total	Budget LIPH	Budget HCV	Budget Total
Operating Reserve - FYE 12/31/16	5,275,638.00	-	97,806.00	122,910.00	281,723.00	5,778,077.00	5,496,354.00		5,496,354.00
Change in Operating Reserve FYE 12/31/16 (reserve/deficit)	2,786.87	-	(17,704.79)	79,866.44	(17,605.91)	47,342.61	(87,041.00)	(56,357.00)	(143,398.00)
Operating Reserve at end Period for 2017	5,278,424.87	-	80,101.21	202,776.44	264,117.09	5,825,419.61	5,409,313.00	(56,357.00)	5,352,956.00

****LIPH Operating Reserve includes \$5,380,074.02 of money unavailable due to tax credit revenue on paper only**

Physical Operating Reserve at end of Period for 2017	(101,649.15)	-	80,101.21	202,776.44	264,117.09	1,741,026.78			
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SECTION 8 Funding Analysis

HAP	
HAP Funding received from HUD YTD	2,315,946.00
Fraud Recovery/FSS Forfeitures	1,688.50
Restricted Net Asset Interest Earned	-
HAP Payments made YTD	2,266,318.90
Under (Over) spending YTD	51,315.60
HAP Reserve FYE 12/31/16 *	-
HAP Reserve Balance at end of Period for 2017	51,315.60
ADMIN FEES	
Administrative Funding received from HUD YTD	238,485.00
Income from other funding sources	4,156.81
Administrative Expenses YTD	260,247.72
Under (Over) spending YTD	(17,605.91)
Admin Fee Reserve FYE 12/31/16	281,723.00
FSS Grant Shortage at end of Period for 2017	-
Admin Fee Reserve Balance at end of Period for 2017	264,117.09

FSS Grant Tracking	
FSS Grant Funding received from HUD YTD	-
FSS Coordinator Expenses YTD	-
Under (Over) spending YTD	-
FSS Grant Reserve FYE 12/31/14	-
FSS Grant Reserve Balance at end of Period for 2015	-

Cash Flow Statement
Beloit Housing Authority
9/30/2017

	BHA YTD	LLC Phase 1 & 2	HCV YTD Actual	YTD Budget	Variance Over (Under)
	Actual	Actual			
Income					
Dwelling Rent/Utilities	44,977.00	189,177.28		292,295.00	(58,140.72)
Interest on Investments	74.13	23,572.59	408.53	2,270.00	21,785.25
Other Income	62,856.79	244,907.24	3,748.28	123,860.00	187,652.31
HUD Admin Fees			238,485.00	317,134.00	(78,649.00)
HUD Grants/Subsidies	351,434.00		2,317,634.50	3,214,636.00	(545,567.50)
Total Income	459,341.92	457,657.11	2,560,276.31	3,950,195.00	(472,919.66)
Expenses					
Administrative					
Salaries/Benefits	159,335.60	79,814.83	225,710.08	678,402.00	213,541.49
Office Expenses	19,465.47	35,411.60	21,253.60	106,961.00	30,830.33
Office Contracted Services	1,992.30		5,393.27	40,600.00	33,214.43
Oper Sub Transfer/Mgmt Fee Pd		15,444.39		18,000.00	2,555.61
Housing Assistance Pmts			2,266,318.90	2,818,666.00	552,347.10
Maintenance					
Salaries/Benefits	12,160.44	110,185.25		182,754.00	60,408.31
Materials & Supplies	7,194.91	12,291.59		14,250.00	(5,236.50)
Maintenance Contracts	13,437.07	30,440.47		48,600.00	4,722.46
Utilities	8,046.01	21,727.84		58,050.00	28,276.15
Other Operating					
Protective Services	20,984.36	3,075.88		44,900.00	20,839.76
Insurance	8,381.61	17,966.82	3,466.59	38,882.00	9,066.98
PILOT	1,014.56	16,744.95		26,228.00	8,468.49
Other Operating Expenses	222,247.51	34,687.05	4,424.18	242,300.00	(19,058.74)
Total Expenses	474,259.84	377,790.67	2,526,566.62	4,318,593.00	939,975.87
Net Admin Income (Loss)	(14,917.92)	79,866.44	(17,605.91)		
Net HAP Income (Loss)			51,315.60		
Total YTD Income (Loss)	(14,917.92)	79,866.44	33,709.69		

**REPORT TO THE BELOIT
COMMUNITY DEVELOPMENT AUTHORITY (CDA)**



Agenda Item: 4c

Topic: Revision of the BHA Housing Choice Voucher (HCV) Administrative Plan

Date: November 21, 2017

Presenter: Clinton Cole

Division:

Beloit Housing Authority

Overview/Background Information:

BHA's Administrative Plan provides policies and guidance on the administration of BHA's Housing Choice Voucher (Section 8) Program. Chapter 16 of BHA's HCV Administrative Plan outlines the process governing Informal Reviews and Hearings for HCV applicants and participants.

Key Issues (maximum of 5):

1. The current HCV Administrative Plan allows the BHA Housing Programs Manager, BHA Director, and CDA Executive Director to serve as Informal Hearing Officers during the grievance process outlined in Chapter 16.
2. On occasion, one or more of the Informal Hearing Officers are unable to serve in that role during the grievance process.
3. The BHA would like to add a representative from the Beloit City Attorney's office or their appointed representative to act as a third-party Hearing Officer on occasions where one or more of the current Hearing Officers are unable to hear and decide on matters during the BHA's grievance process.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Approval of this project would conform to the strategic goal of creating and sustaining safe and healthy neighborhoods.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels** - N/A
 - **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** - N/A
 - **Reduce dependence on activities that harm life sustaining eco-systems** - N/A
 - **Meet the hierarchy of present and future human needs fairly and efficiently** - N/A
- If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space

Action required/Recommendation:

Staff recommends approval of the attached resolution

Fiscal Note/Budget Impact:

No fiscal or budget impact.

Attachments:

Resolution 2017-32, and Chapter 16 - Part III. of Beloit Housing Authority's Housing Choice Voucher Administrative Plan

RESOLUTION 2017-32

**APPROVING THE REVISION OF БЕЛОIT HOUSING AUTHORITY'S HOUSING CHOICE
VOUCHER ADMINISTRATIVE PLAN**

WHEREAS, the Department of Housing and Urban Development (HUD) allows the Beloit Housing Authority (BHA) to revise policies governing the Housing Choice Voucher (HCV) program when necessary; and

WHEREAS, there are three Hearing Officers currently listed in the HCV Administrative Plan who are on occasion unable to perform their duties;

WHEREAS, the BHA must add an additional third-party to serve as Hearing Officer on occasions when the pre-appointed Hearing Officers are unable to serve in that role;

NOW, THEREFORE BE IT RESOLVED, that the Beloit Community Development Authority authorizes the Beloit Housing Authority to revise its Housing Choice Voucher Administrative Plan to utilize a representative from Beloit City Attorney's office to serve as a Hearing Officer on occasions when the pre-appointed Hearing Officer is unable to perform their duties.

Adopted this 21st day of November, 2017

Community Development Authority

David Baker, Chairman

Attest:

Julie Christensen, Executive Director

16-III.C. INFORMAL HEARINGS FOR PARTICIPANTS [24 CFR 982.555]

PHAs must offer an informal hearing for certain PHA determinations relating to the individual circumstances of a participant family. A participant is defined as a family that has been admitted to the PHA's HCV program and is currently assisted in the program. The purpose of the informal hearing is to consider whether the PHA's decisions related to the family's circumstances are in accordance with the law, HUD regulations and PHA policies.

The PHA is not permitted to terminate a family's assistance until the time allowed for the family to request an informal hearing has elapsed, and any requested hearing has been completed. Termination of assistance for a participant may include any or all of the following:

- Refusing to enter into a HAP contract or approve a lease
- Terminating housing assistance payments under an outstanding HAP contract
- Refusing to process or provide assistance under portability procedures

Decisions Subject to Informal Hearing

Circumstances for which the PHA must give a participant family an opportunity for an informal hearing are as follows:

- A determination of the family's annual or adjusted income, and the use of such income to compute the housing assistance payment
- A determination of the appropriate utility allowance (if any) for tenant-paid utilities from the PHA utility allowance schedule
- A determination of the family unit size under the PHA's subsidy standards
- A determination to terminate assistance for a participant family because of the family's actions or failure to act
- A determination to terminate assistance because the participant has been absent from the assisted unit for longer than the maximum period permitted under PHA policy and HUD rules
- A determination to terminate a family's Family Self Sufficiency contract, withhold supportive services, or propose forfeiture of the family's escrow account [24 CFR 984.303(i)]

Circumstances for which an informal hearing is not required are as follows:

- Discretionary administrative determinations by the PHA
- General policy issues or class grievances
- Establishment of the PHA schedule of utility allowances for families in the program
- A PHA determination not to approve an extension or suspension of a voucher term
- A PHA determination not to approve a unit or tenancy
- A PHA determination that a unit selected by the applicant is not in compliance with the HQS
- A PHA determination that the unit is not in accordance with HQS because of family size
- A determination by the PHA to exercise or not to exercise any right or remedy against an owner under a HAP contract

PHA Policy

The PHA will only offer participants the opportunity for an informal hearing when required to by the regulations.

Informal Hearing Procedures

***Notice to the Family* [24 CFR 982.555(c)]**

When the PHA makes a decision that is subject to informal hearing procedures, the PHA must inform the family of its right to an informal hearing at the same time that it informs the family of the decision.

For decisions related to the family's annual or adjusted income, the determination of the appropriate utility allowance, and the determination of the family unit size, the PHA must notify the family that they may ask for an explanation of the basis of the determination, and that if they do not agree with the decision, they may request an informal hearing on the decision.

For decisions related to the termination of the family's assistance, or the denial of a family's request for an exception to the PHA's subsidy standards, the notice must contain a brief statement of the reasons for the decision, a statement that if the family does not agree with the decision, the family may request an informal hearing on the decision, and a statement of the deadline for the family to request an informal hearing.

PHA Policy

In cases where the PHA makes a decision for which an informal hearing must be offered, the notice to the family will include all of the following:

The proposed action or decision of the PHA.

A brief statement of the reasons for the decision, including the regulatory reference.

The date the proposed action will take place.

A statement of the family's right to an explanation of the basis for the PHA's decision.

A statement that if the family does not agree with the decision the family may request an informal hearing of the decision.

A deadline for the family to request the informal hearing.

To whom the hearing request should be addressed.

A copy of the PHA's hearing procedures.

Scheduling an Informal Hearing [24 CFR 982.555(d)]

When an informal hearing is required, the PHA must proceed with the hearing in a reasonably expeditious manner upon the request of the family.

PHA Policy

A request for an informal hearing must be made in writing and delivered to the PHA either in person or by first class mail, by the close of the business day, no later than 10 business days from the date of the PHA's decision or notice to terminate assistance.

The PHA must schedule and send written notice of the informal hearing to the family within 10 business days of the family's request.

The family may request to reschedule a hearing for good cause, or if it is needed as a reasonable accommodation for a person with disabilities. Good cause is defined as an unavoidable conflict which seriously affects the health, safety or welfare of the family. Requests to reschedule a hearing must be made orally or in writing prior to the hearing date. At its discretion, the PHA may request documentation of the "good cause" prior to rescheduling the hearing.

If the family does not appear within 20 minutes of the scheduled time, and was unable to reschedule the hearing in advance due to the nature of the conflict, the family must contact the PHA within 24 hours of the scheduled hearing date, excluding weekends and holidays. The PHA will reschedule the hearing only if the family can show good cause for the failure to appear, or if it is needed as a reasonable accommodation for a person with disabilities.

Pre-Hearing Right to Discovery [24 CFR 982.555(e)]

Participants and the PHA are permitted pre-hearing discovery rights. The family must be given the opportunity to examine before the hearing any PHA documents that are directly relevant to the hearing. The family must be allowed to copy any such documents at their own expense. If the PHA does not make the document available for examination on request of the family, the PHA may not rely on the document at the hearing.

The PHA hearing procedures may provide that the PHA must be given the opportunity to examine at the PHA offices before the hearing, any family documents that are directly relevant to the hearing. The PHA must be allowed to copy any such document at the PHA's expense. If the family does not make the document available for examination on request of the PHA, the family may not rely on the document at the hearing.

For the purpose of informal hearings, *documents* include records and regulations.

PHA Policy

The family will be allowed to copy any documents related to the hearing at a cost of \$.25 per page. The family must request discovery of PHA documents no later than 12:00 p.m. on the business day prior to the scheduled hearing date.

The PHA must be given an opportunity to examine at the PHA offices before the hearing any family documents that are directly relevant to the hearing. Whenever a participant requests an informal hearing, the PHA will automatically mail a letter to the participant requesting a copy of all documents that the participant intends to present or utilize at the hearing. The participant must make the documents available no later than 12:00 pm on the business day prior to the scheduled hearing date.

Participant's Right to Bring Counsel [24 CFR 982.555(e)(3)]

At its own expense, the family may be represented by a lawyer or other representative at the informal hearing.

Informal Hearing Officer [24 CFR 982.555(e)(4)]

Informal hearings will be conducted by a person or persons approved by the PHA, other than the person who made or approved the decision or a subordinate of the person who made or approved the decision.

PHA Policy

The PHA has designated the following to serve as hearing officers:

- Beloit Housing Authority Executive Director
- Community Development Authority Executive Director
- Beloit Housing Authority Housing Programs Manager
- Beloit City Attorney or their appointed representative

Attendance at the Informal Hearing

PHA Policy

Hearings may be attended by a hearing officer and the following applicable persons:

A PHA representative(s) and any witnesses for the PHA

The participant and any witnesses for the participant

The participant's counsel or other representative

Any other person approved by the PHA as a reasonable accommodation for a person with a disability

Conduct at Hearings

The person who conducts the hearing may regulate the conduct of the hearing in accordance with the PHA's hearing procedures [24 CFR 982.555(4)(ii)].

PHA Policy

The hearing officer is responsible to manage the order of business and to ensure that hearings are conducted in a professional and businesslike manner. Attendees are expected to comply with all hearing procedures established by the hearing officer and guidelines for conduct. Any person demonstrating disruptive, abusive or otherwise inappropriate behavior will be excused from the hearing at the discretion of the hearing officer.

Evidence [24 CFR 982.555(e)(5)]

The PHA and the family must be given the opportunity to present evidence and question any witnesses. In general, all evidence is admissible at an informal hearing. Evidence may be considered without regard to admissibility under the rules of evidence applicable to judicial proceedings.

PHA Policy

Any evidence to be considered by the hearing officer must be presented at the time of the hearing. There are four categories of evidence.

Oral evidence: the testimony of witnesses

Documentary evidence: a writing which is relevant to the case, for example, a letter written to the PHA. Writings include all forms of recorded communication or representation, including letters, words, pictures, sounds, videotapes or symbols or combinations thereof.

Demonstrative evidence: Evidence created specifically for the hearing and presented as an illustrative aid to assist the hearing officer, such as a model, a chart or other diagram.

Real evidence: A tangible item relating directly to the case.

Hearsay Evidence is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter. Even though evidence, including hearsay, is generally admissible, hearsay evidence alone cannot be used as the sole basis for the hearing officer's decision.

If either the PHA or the family fail to comply with the discovery requirements described above, the hearing officer will refuse to admit such evidence.

Other than the failure of a party to comply with discovery, the hearing officer has the authority to overrule any objections to evidence.

Hearing Officer's Decision [24 CFR 982.555(e)(6)]

The person who conducts the hearing must issue a written decision, stating briefly the reasons for the decision. Factual determinations relating to the individual circumstances of the family must be based on a preponderance of evidence presented at the hearing. A copy of the hearing must be furnished promptly to the family.

PHA Policy

In rendering a decision, the hearing officer will consider the following matters:

PHA Notice to the Family: The hearing officer will determine if the reasons for the PHA's decision are factually stated in the Notice.

Discovery: The hearing officer will determine if the PHA and the family were given the opportunity to examine any relevant documents in accordance with PHA policy.

PHA Evidence to Support the PHA Decision: The evidence consists of the facts presented. Evidence is not conclusion and it is not argument. The hearing officer will evaluate the facts to determine if they support the PHA's conclusion.

Validity of Grounds for Termination of Assistance (when applicable): The hearing officer will determine if the termination of assistance is for one of the grounds specified in the HUD regulations and PHA policies. If the grounds for termination are not specified in the regulations or in compliance with PHA policies, then the decision of the PHA will be overturned.

The hearing officer will issue a written decision to the family and the PHA no later than 10 business days after the hearing. The report will contain the following information:

Hearing information:

- Name of the participant;
- Date, time and place of the hearing;
- Name of the hearing officer;
- Name of the PHA representative; and
- Name of family representative (if any).

Background: A brief, impartial statement of the reason for the hearing.

Summary of the Evidence: The hearing officer will summarize the testimony of each witness and identify any documents that a witness produced in support of his/her testimony and that are admitted into evidence.

Findings of Fact: The hearing officer will include all findings of fact, based on a preponderance of the evidence. *Preponderance of the evidence* is defined as evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is, evidence which as a whole shows that the fact sought to be proved is more probable than not. Preponderance of the evidence may not be determined by the number of witnesses, but by the greater weight of all evidence.

Conclusions: The hearing officer will render a conclusion derived from the facts that were found to be true by a preponderance of the evidence. The conclusion will result in a determination of whether these facts uphold the PHA's decision.

Order: The hearing report will include a statement of whether the PHA's decision is upheld or overturned. If it is overturned, the hearing officer will instruct the PHA to change the decision in accordance with the hearing officer's determination. In the case of termination of assistance, the hearing officer will instruct the PHA to restore the participant's program status.

Procedures for Rehearing or Further Hearing

PHA Policy

The hearing officer may ask the family for additional information and/or might adjourn the hearing in order to reconvene at a later date, before reaching a decision. If the family misses an appointment or deadline ordered by the hearing officer, the action of the PHA will take effect and another hearing will not be granted.

In addition, within 10 business days after the date the hearing officer's report is mailed to the PHA and the participant, the PHA or the participant may request a rehearing or a further hearing. Such request must be made in writing and postmarked or hand-delivered to the hearing officer and to the other party within the 10 business day period. The request must demonstrate cause, supported by specific references to the hearing officer's report, why the request should be granted.

A rehearing or a further hearing may be requested for the purpose of rectifying any obvious mistake of law made during the hearing or any obvious injustice not known at the time of the hearing.

It shall be within the sole discretion of the PHA to grant or deny the request for further hearing or rehearing. A further hearing may be limited to written submissions by the parties, in the manner specified by the hearing officer.

PHA Notice of Final Decision [24 CFR 982.555(f)]

The PHA is not bound by the decision of the hearing officer for matters in which the PHA is not required to provide an opportunity for a hearing, decisions that exceed the authority of the hearing officer, decisions that conflict with or contradict HUD regulations, requirements, or are otherwise contrary to federal, state, or local laws.

If the PHA determines it is not bound by the hearing officer's decision in accordance with HUD regulations, the PHA must promptly notify the family of the determination and the reason for the determination.

PHA Policy

The PHA will mail a "Notice of Final Decision" including the hearing officer's report to the participant and their representative. This notice will be sent by first-class mail, postage pre-paid, with an affidavit of mailing enclosed. The participant will be mailed the original "Notice of Final Decision" and a copy of the proof of mailing. A copy of the "Notice of Final Decision" along with the original proof of mailing will be maintained in the PHA's file.

**REPORT TO THE BELOIT
COMMUNITY DEVELOPMENT AUTHORITY (CDA)**



Agenda Item: 5a

Topic: Resolution 2017-33, Amending the HOME Budget

Date: November 21, 2017

Presenter: Julie Christensen

Division: Community and Housing Services

Overview/Background Information:

We are currently in the process of rehabilitating 310 and 349 Euclid Avenue with Neighborhood Stabilization Program (NSP) and HOME Investment Partnership Program (HOME) funds. Additionally, the Wisconsin Partnership for Housing Development (WPHD) is in the process of constructing a new house at 340 Highland Avenue and will begin construction of another house on the lot located at 335 Highland Avenue.

Key Issues:

1. The City of Beloit currently has prior year funds available in the HOME program. It has recently come to our attention that the new potential buyers of 310 and 349 Euclid Avenue and 335 and 340 Highland Avenue may need homebuyer assistance. NeighborWorks Blackhawk Region has limited downpayment assistance dollars available.
2. When HOME projects are completed, they are required to be sold to a low to moderate-income homebuyer and are also required to comply with an affordability period. This means that if the property is sold within the affordability period, the property must be sold to another low to moderate-income homebuyer. The affordability periods are listed below. It is based on the amount of HOME funds put into a project. If more HOME funds are invested in a project, the affordability period is longer. For the projects listed above, the affordability period would be 15 years.

Amount of HOME Assistance Per Unit	Minimum Period of Affordability in Years
Under \$15,000	5 years
\$15,000 to \$40,000	10 years
Over \$40,000	15 years

3. Often potential buyers have a difficult time obtaining financing due to the longer affordability periods. If downpayment assistance is provided, the affordability period for the downpayment assistance amount is used. This would result in a shorter affordability period. This makes it easier for a potential buyer to obtain financing.
4. City staff is proposing an amendment to the HOME budget to use \$60,000 of prior year HOME funds for downpayment assistance. We are also proposing to award those funds to NeighborWorks Blackhawk region. We are also proposing to award them \$3,000 of the City's administrative funds for the administrative expenses related to administering the downpayment assistance.
5. We are recommending the award of these funds to NeighborWorks Blackhawk Region because they already operate a downpayment assistance program in the City of Beloit. They are also the only HUD-Approved Housing Counseling agency in Rock County.

Conformance to Strategic Plan (List key goals this action would support and briefly discuss its impact on the City's mission.): Approval of this project would conform to the strategic goal of creating and sustaining safe and healthy neighborhoods.

Sustainability (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines.):

- **Reduce dependence upon fossil fuels - N/A**
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature - N/A**
- **Reduce dependence on activities that harm life sustaining eco-systems - N/A**
- **Meet the hierarchy of present and future human needs fairly and efficiently - N/A**

If any of the four criteria are not applicable to your specific policy or program, an N/A should be entered in that space

Action required/Recommendation:

Staff recommends approval of the attached resolution.

Fiscal Note/Budget Impact: This will reduce the amount of funds available for acquisition-rehab for 2018.

Attachments: Resolution

COMMUNITY DEVELOPMENT AUTHORITY

RESOLUTION 2017-33

RECOMMENDING AN AMENDMENT TO THE HOME BUDGET

WHEREAS, the City of Beloit currently has prior year HOME funds allocated to housing rehab projects and administrative expenses; and

WHEREAS, the City of Beloit has identified a need for downpayment assistance for HOME projects in the City of Beloit; and

WHEREAS, NeighborWorks Blackhawk Region already operates a downpayment assistance program and could easily provide this assistance to potential buyers of HOME houses in the City of Beloit; and

WHEREAS, HOME funds are allowed to be used for downpayment assistance and housing rehabilitation activities.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Authority of the City of Beloit hereby recommends the award of \$60,000 in downpayment assistance and \$3,000 in administrative dollars to NeighborWorks Blackhawk Region for HOME projects in the City of Beloit.

Adopted this 21st day of November, 2017.

Community Development Authority

David Baker, Chairperson

ATTEST:

Julie Christensen, Executive Director