

**Summary of Changes**  
**2019 Housing Choice Voucher (HCV) Administrative Plan**  
**Effective January 1, 2019**

Below is a summary of changes to be incorporated into the 2019 HCV Administrative Plan.

**Chapter 1: Statement of Policies and Objectives**

1. Section 1.14.2 – Federal Americans with Disabilities Act of 1990: Based on the Federal Americans with Disability Act of 1990, added language to include that physical or mental impairments may include various conditions which impact major life activities, and that a person has a record of such impairment, or regarded as having such an impairment.
2. Section 1.14.4 – Requesting a Reasonable Accommodation: Based on the Federal Americans with Disability Act of 1990, added language to clarify that requests may be made orally or in writing.
3. Section 1.15 – Limited English Proficiency (LEP) Translation Services: Limited English Proficiency – HUD requires a limited English proficiency plan. Proposed language updates entire section for consistency among programs and added Language Assistance Plan to appendix B.

**Chapter 2: Applications and Interest List**

4. Section 2.9.1 – Removing Applicant Name: Staff propose to clarify HUD’s use of the term “purge” associated with purging the waiting list, not interest list.
5. Section 2.9.2 – Final Draw from the Interest List: Staff propose to clarify policy regarding draws performed as needed to maintain voucher utilization and updating the status of a pre-application on the interest list if the pre-application was drawn as part of the final draw.

**Chapter 3: Selection from the Interest List for Admission**

6. Section 3.3 – Method of Selection: FH utilizes an interest list from which random lottery selections are made and applicants are placed onto a waiting list. Staff proposes to clarify language detailing the method of selection from the interest list when applicants with equal preference status are randomly

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<sup>1</sup>Law signed in 2016 that provides updates and improvements to statutes that authorize and prescribe requirements for multiple HUD programs.

- selected, including the removal of duplicate pre-applications before performing lottery draws.
7. Section 3.4.2 – Displacement Referrals: Staff propose moving the preferences from 3.4.1 to section 3.4.2 and expanding criteria and verification methods for Displacement Referrals for persons displaced as a result of a government declared natural disaster, the result of government action, Violence Against Women’s Act (VAWA), and victim witness protection program, and natural disasters.
  8. Section 3.4.3 – Limited Preference Homeless: Staff proposes increasing the number of limited homeless preference vouchers in order to serve more homeless. This change is part of the broader strategy for ending homelessness through the collaboration with the City and County of Fresno.
  9. Section 3.4.5 – Preference Denial: Staff proposes language to clarify the policy that allows for the return of the applicant to the interest list in cases where staff is unable to verify a preference that was indicated by the applicant which caused the application to be initially drawn from the interest list. This change allows for the applicant to be re-selected utilizing the remaining applicable preferences should another draw occur. The application will be cancelled, as with all remaining applications, when there is a final draw, if the application is not selected at that final draw.

**Chapter 4: Eligibility for Admission (changes listed here also made in Section 15).**

10. Section 3 / 15.1.1 – Denial of Assistance - General Definitions: Updated definition of “covered person” to include any member of the tenant’s household, guest, or another person under the tenant’s control in accordance with 24 CFR 5.100.
11. Section 3 / 15.1.1 – Denial of Assistance - General Definitions: Updated definition of “drug” as references by Section 102 of the controlled substance act in accordance with 21 USC 802.
12. Section 3 / 15.1.1 – Denial of Assistance - General Definitions: Updated definition of “pattern of abuse” to include and/or possession of a controlled substance.
13. Section 4.18 / 15.3 – Mandatory Denial of Assistance / Termination: Alcohol abuse – Updated definition of “alcohol abuse” to include and “persons

residing in the immediate vicinity of the premises” in accordance with 24 CFR 982.553(a)(3).

### Chapter 5.2: Subsidy Standards

14. Section 5.2 – Subsidy/Voucher Size: Updated language to indicate that single persons will be issued a one bedroom voucher. HUD allows discretion for PHA’s to adopt subsidy standard policies, and after analysis of FH voucher utilization rates and unavailability of studio units, staff proposed this change to allow lease up to occur more quickly.

### Chapter 10: HQS inspections

15. Section 10.2.3 – Special/Complaint Inspections: Added language indicating that the owner may be asked to provide copies of notices given to residents prior to a complaint inspection being completed. Staff proposes this change in order to ensure proper communication between owner and resident was occurring prior to action by FH regarding lease violations. In addition, information from the health department may be a reason to conduct a special/complaint inspection.
16. Section 10.3 – Additions to HQS: Added language detailing additions to HQS acceptability criteria on the following: water heating, other structures, conversions, elevators, access in accordance with Fresno Building Code. HUD requires that local ordinance and/or building code be adopted as part of a PHA’s admin plan.
17. Section 10.4.3 – Non-Emergency Fail Deficiencies not Requiring Re-inspection HQS Self-certification: Staff proposes to expand the items allowed for HQS owner self-certification in order to allow inspectors to inspect serious deficiencies which require more attention and to relieve burden on residents who may be required to be on-site for re-entry into the unit.
18. Section 10.5 – Consequences if family is responsible: Based on HUD regulation, this change clarifies language in accordance with 24 CFR 982.404(b) regarding family responsibilities for failed HQS inspection.

### Chapter 11: Payment Standards, Rent Reasonableness, and Owner Rents

19. Section 11.2 – Small Area FMRs: HUD allows PHA's the option to opt-in to usage of the Small Area FMR or set payment standards based on the Small Area FMR. Staff proposes this policy so that FH may, after continued analysis, choose either to opt-in or set payment standards based on Small Area FMR in order to promote leasing in opportunity areas.

### Chapter 12: Re-examinations

20. Section 12.1/12.3 – Introduction/Streamlined Annual Reexaminations: HUD allows PHA's the option to perform triennial reexaminations. Staff proposes this policy so that FH may conduct triennial reexaminations based on further analysis of system capabilities and potential efficiencies to implement this optional ruling.

### Chapter 15: Termination of Assistance

21. Section 15.2 – Termination of Family Assistance: Based on HUD regulation, this change clarifies that termination of assistance may occur if a resident fails to maintain the assisted unit in accordance to HQS standards in accordance with 24 CFR 982.552(a).

### Chapter 17: Continuum of Care

22. Section 17.7 – CoC Definitions: Updated definition of literally homeless based on 24 CFR 578.3.
23. Section 17.9 – Income Limits: Removed income limits per HUD regulatory change.

### Chapter 22: Project-Based Vouchers

24. Section 22.1 – Project-Based Vouchers: Per HOTMA FR Notice 1/18/17, PHA's are allowed to use part of its voucher allocation and attach funding to specific units.
25. Section 22.1.1 – Current Program Goals: Per HOTMA FR Notice 1/18/17, if PBV units meet eligibility criteria, an additional 10% of units may be project based.
26. Section 22.4 – PBV Definitions: Per HOTMA FR Notice 1/18/17, revised PBV definition for FH-Owned Unit.

27. Section 22.11.8 – Cap on Number of PBV Units in a Project: Per HOTMA FR Notice 1/18/17, the limitation on the number of units that may be project based is the greater of 25 or 25% of the units in the project. See exceptions and projects not subject to project cap in section 22.26.6.
28. Section 22.11.9 – Excepted Units Within a Multifamily Project [FR 1/18/18]: Per HOTMA FR Notice 1/18/17, FH does not require participation in supportive services for PBV project. Additional language regarding units under contract prior to April 18, 2017.
29. Section 22.17.4 – Term of HAP Contract: Per HOTMA FR Notice 1/18/17, the initial term of the contract is be no more than 20 years.
30. Section 22.17.6 – Statutory Notice Requirements: Termination by Owner: Per HOTMA FR Notice 1/18/17, policy updates and clarifies when termination by an owner for PBV units may and may not occur.
31. Section 22.18.2 – Addition of Contract Units [24 CFR 983.207(a): Per HOTMA FR Notice 1/18/17, added language allowing for FH to amend HAP contracts to add additional PBV contract units.
32. Section 22.20.8 - Preferences: Per HOTMA FR Notice 1/18/17, added elderly families, or units with supportive services as a preference but clarified that a preference may not be disability specific based.
33. Section 22.26.6 – Exceptions to Occupancy Cap: Per HOTMA FR Notice 1/18/17, updated exceptions to the occupancy cap.
34. Section 22.27.3 – Small Area FMRs: HUD allows PHA’s the option to opt-in to usage of the Small Area FMR or set payment standards based on the Small Area FMR. Staff proposes this policy so that FH may, after continued analysis, choose either to opt-in or set payment standards based on Small Area FMR in order to promote leasing in opportunity areas.
35. Section 22.27.5 – Reexamination of Rent: Per HOTMA FR Notice 1/18/17, FH must re-determine rent upon owner request or when there is a 10 percent or greater decrease in FMR.

### **Chapter 26: Targeted Programs**

36. Section 26 - Targeted Program: Added Mainstream 6 as required by HUD as a covered targeted program. HUD required language to be in the Admin Plan

in order to receive grant funding. FH has a pending grant. Language will only be applicable if grant is approved.

37. Section 26 - Targeted Program: Increased maximum age to 24 years, left foster care at age 16 or older, or will leave foster care within 90 days for FSS participants per HUD regulatory change.
38. Section 26 - Targeted Program: If the HCV Waiting List is closed, FH may open the HCV waiting list to accept Mainstream 6 program specific pre-applications.
39. Section 26 - Targeted Program: For Mainstream 6 referrals, FH will select in date / time order.