NI CALLELLEL A IIIIAI	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires 03/31/2024
(HCV Only PHAs)		

**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-HCV is to be completed annually by **HCV-Only PHAs**. PHAs that meet the definition of a Standard PHA, Troubled PHA, High Performer PHA, Small PHA, or Qualified PHA do not need to submit this form. Where applicable, separate Annual PHA Plan forms are available for each of these types of PHAs.

#### 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 <u>both</u> 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 and 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.

Α.	PHA Information.					
A.1	PHA Plan for Fiscal Year Be PHA Inventory (Based on An Number of Housing Choice V PHA Plan Submission Type:  Availability of Information.  A PHA must identify the speci and proposed PHA Plan are av reasonably obtain additional in submissions. At a minimum, P encouraged to post complete P A copy of the PHA 2024-25 Street and online at cityofpe between through June 7, 20 hand-delivery to the Housin mreeves@cityofpensacola.ci	Name: City of Pensacola Housing Department Plan for Fiscal Year Beginning: (MM/YYYY): 10/2024 Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning, above) ther of Housing Choice Vouchers (HCVs): 2,251 HCVs, 50 NED, 203 VASH Plan Submission Type:  Annual Submission Revised Annual Submission    Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission   Revised Annual Submission Submiss				
	Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program	
	Lead HA:			Consortia		

Page 1 of 18 form HUD-50075-HCV

В.	Plan Elements.
B.1	Revision of Existing PHA Plan Elements.
	a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission?
	Y N  Statement of Housing Needs and Strategy for Addressing Housing Needs. Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. Financial Resources. Rent Determination. Operation and Management. Informal Review and Hearing Procedures Homeownership Programs. Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. Substantial Deviation. Significant Amendment/Modification.
B.2	New Activities. – Not Applicable
В.3	Progress Report.
	Provide a description of the PHA's progress in meeting its Mission and Goals described in its 5-Year PHA Plan. See attachment B.3.
B.4	Capital Improvements. – Not Applicable
B.5	Most Recent Fiscal Year Audit.
	(a) Were there any findings in the most recent FY Audit?
	$egin{array}{cccccccccccccccccccccccccccccccccccc$
	(b) If yes, please describe:
C.	Other Document and/or Certification Requirements.
C.1	Resident Advisory Board (RAB) Comments
	(a) Did the RAB(s) have comments to the PHA Plan?
	Y N □
	(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. See attachment C.1.
C.2	Certification by State or Local Officials.
	Form HUD 50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan. See attachment C.2.
C.3	Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan.
C 4	Form HUD-50077-ST-HCV-HP, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed, must be submitted by the PHA as an electronic attachment to the PHA Plan. See attachment C.3.  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 shellowers to Plan elements, the source of the shellowers and the PHA? Teaments to the public.
C.4	any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.  (a) Did the public challenge any elements of the Plan?  Y N  S  If yes, include Challenged Elements.

D.	Affirmatively Furthering Fair Housing (AFFH).
D.1	Affirmatively Furthering Fair Housing (AFFH).  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.
	Fair Housing Goal:
	Describe fair housing strategies and actions to achieve the goal
	Fair Housing Goal:
	Describe fair housing strategies and actions to achieve the goal
	Fair Housing Goal:
	Describe fair housing strategies and actions to achieve the goal

# Instructions for Preparation of Form HUD-50075-HCV Annual PHA Plan for HCV-Only PHAs

A.	PH	A Information. All PHAs must complete this section. (24 CFR §903.4)
		Include the full PHA Name, PHA Code, PHA Type, PHA Fiscal Year Beginning (MM/YYYY), Number of Housing Choice Vouchers (HCVs), PHA Plan Submission Type, and the Availability of Information, specific location(s) of all information relevant to the public hearing and proposed PHA Plan.
		PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table. (24 CFR §943.128(a))
B.	Pla	n Elements. All PHAs must complete this section. (24 CFR §903.11(c)(3))
	B.1	Revision of Existing PHA Plan Elements. PHAs must:
		Identify specifically which plan elements listed below that have been revised by the PHA. To specify which elements have been revised, mark the "yes" box. If an element has not been revised, mark "no."
		Statement of Housing Needs and Strategy for Addressing Housing Needs. Provide a statement addressing the housing needs of low-income, very low-income and extremely low-income families and a brief description of the PHA's strategy for addressing the housing needs of families who reside in the jurisdiction served by the PHA and other families who are on the Section 8 tenant-based assistance waiting lists. The statement must identify the housing needs of (i) families with incomes below 30 percent of area median income (extremely low-income); (ii) elderly families (iii) households with individuals with disabilities, and households of various races and ethnic groups residing in the jurisdiction or on the public housing and Section 8 tenant-based assistance waiting lists. The statement of housing needs shall be based on information provided by the applicable Consolidated Plan, information provided by HUD, and generally available data. The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. Once the PHA has submitted an Assessment of Fair Housing (AFH), which includes an assessment of disproportionate housing needs in accordance with 24 CFR 5.154(d)(2)(iv), information on households with individuals with disabilities and households of various races and ethnic groups residing in the jurisdiction or on the waiting lists no longer needs to be included in the Statement of Housing Needs and Strategy for Addressing Housing Needs. (24 CFR § 903.7(a)).
		The identification of housing needs must address issues of affordability, supply, quality, accessibility, size of units, and location. (24 CFR §903.7(a)(2)(i) Provide a description of the ways in which the PHA intends, to the maximum extent practicable, to address those housing needs in the upcoming year and the PHA's reasons for choosing its strategy. (24 CFR §903.7(a)(2)(ii))
		Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions. A statement of the PHA's policies that govern resident or tenant eligibility, selection and admission including admission preferences for HCV. (24 CFR §903.7(b))
		Financial Resources. A statement of financial resources, including a listing by general categories, of the PHA's anticipated resources, such as PHA HCV funding and other anticipated Federal resources available to the PHA, as well as tenant rents and other income available to support tenant-based assistance. The statement also should include the non-Federal sources of funds supporting each Federal program, and state the planned use for the resources. (24 CFR §903.7(c))
		Rent Determination. A statement of the policies of the PHA governing rental contributions of families receiving tenant-based assistance, discretionary minimum tenant rents, and payment standard policies. (24 CFR §903.7(d))
		Operation and Management. A statement that includes a description of PHA management organization, and a listing of the programs administered by the PHA. (24 CFR §903.7(e)).
		☐ Informal Review and Hearing Procedures. A description of the informal hearing and review procedures that the PHA makes available to its applicants. (24 CFR §903.7(f))
		☐ Homeownership Programs. A statement describing any homeownership programs (including project number and unit count) administered by the agency under section 8y of the 1937 Act, or for which the PHA has applied or will apply for approval. (24 CFR §903.7(k))
		Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements. A description of any PHA programs relating to services and amenities coordinated, promoted, or provided by the PHA for assisted families, including those resulting from the PHA's partnership with other entities, for the enhancement of the economic and social self-sufficiency of assisted families, including programs provided or offered as a result of the PHA's partnerships with other entities, and activities subject to Section 3 of the Housing and Community Development Act of 1968 (24 CFR Part 135) and under requirements for the Family Self-Sufficiency Program and others. Include the program's size (including required and actual size of the FSS program) and means of allocating assistance to households. (24 CFR §903.7(1)(ii)) Describe how the PHA will comply with the requirements of section 12(c) and (d) of the 1937 Act that relate to treatment of income changes resulting from welfare program requirements. (24 CFR §903.7(1)(iii)).
		☐ Substantial Deviation. PHA must provide its criteria for determining a "substantial deviation" to its 5-Year Plan. (24 CFR §903.7(r)(2)(i))
		☐ <b>Significant Amendment/Modification</b> . PHA must provide its criteria for determining a "Significant Amendment or Modification" to its 5-Year and Annual Plan.
		If any boxes are marked "yes", describe the revision(s) to those element(s) in the space provided.
	<b>B.2</b>	<b>New Activities.</b> This section refers to new capital activities which is not applicable for HCV-Only PHAs.

- **B.3** Progress Report. For all Annual Plans following submission of the first Annual Plan, a PHA must include a brief statement of the PHA's progress in meeting the mission and goals described in the 5-Year PHA Plan. (24 CFR §903.11(c)(3), 24 CFR §903.7(r)(1))
- **B.4** Capital Improvements. This section refers to PHAs that receive funding from the Capital Fund Program (CFP) which is not applicable for HCV-Only PHAs
- **B.5 Most Recent Fiscal Year Audit.** If the results of the most recent fiscal year audit for the PHA included any findings, mark "yes" and describe those findings in the space provided. (24 CFR §903.7(p))
- C. Other Document and/or Certification Requirements.
  - C.1 Resident Advisory Board (RAB) comments. If the RAB had comments on the annual plan, mark "yes," submit the comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR §903.13(c), 24 CFR §903.19)
  - C.2 Certification by State of Local Officials. Form HUD-50077-SL, Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan, must be submitted by the PHA as an electronic attachment to the PHA Plan. (24 CFR §903.15). Note: A PHA may request to change its fiscal year to better coordinate its planning with planning done under the Consolidated Plan process by State or local officials as applicable.
  - C.3 Civil Rights Certification/ Certification Listing Policies and Programs that the PHA has Revised since Submission of its Last Annual Plan. Provide a certification that the following plan elements have been revised, provided to the RAB for comment before implementation, approved by the PHA board, and made available for review and inspection by the public. This requirement is satisfied by completing and submitting form HUD-50077 ST-HCV-HP, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed. Form HUD-50077-ST-HCV-HP, PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations Including PHA Plan Elements that Have Changed must be submitted by the PHA as an electronic attachment to the PHA Plan. This includes all certifications relating to Civil Rights and related regulations. A PHA will be considered in compliance with the certification requirement to affirmatively further fair housing if the PHA fulfills the requirements of §§ 903.7(o)(1) and 903.15(d) and: (i) examines its programs or proposed programs; (ii) identifies any fair housing issues and contributing factors within those programs, in accordance with 24 CFR 5.154; or 24 CFR 5.160(a)(3) as applicable (iii) specifies actions and strategies designed to address contributing factors, related fair housing issues, and goals in the applicable Assessment of Fair Housing consistent with 24 CFR 5.154 in a reasonable manner in view of the resources available; (iv) works with jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; (v) operates programs in a manner consistent with any applicable consolidated plan under 24 CFR part 91, and with any order or agreement, to comply with the authorities specified in paragraph (o)(1) of this section; (vi) complies with any contribution or consultation requirement with respect to any applicable AFH, in accordance with 24 CFR 5.150 through 5.180; (vii) maintains records reflecting these analyses, actions, and the results of these actions; and (viii) takes steps acceptable to HUD to remedy known fair housing or civil rights violations. impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with the local jurisdiction to implement any of the jurisdiction's initiatives to affirmatively further fair housing; and assures that the annual plan is consistent with any applicable Consolidated Plan for its jurisdiction. (24 CFR §903.7(o)).
    - C.4 Challenged Elements. If any element of the Annual PHA Plan or 5-Year PHA Plan is challenged, a PHA must include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

#### D. Affirmatively Furthering Fair Housing (AFFH).

**D.1** Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) .... Strategies and actions must affirmatively further fair housing ...." Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D., nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own 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 maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the Annual PHA Plan. The Annual PHA Plan provides a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA's operations, programs, and services, and informs HUD, families served by the PHA, and members of the public for serving the needs of low- income, very low- income, and extremely low- income families.

Public reporting burden for this information collection is estimated to average 6.02 hour 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.

**Privacy Act Notice.** 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

# City of Pensacola Housing Department Streamlined Annual PHA Plan for FY 2024-25 (HCV Only PHAs)

# **B. Plan Elements**

# Statement of Housing Needs and Strategy for Addressing Housing Needs

Like many areas of the country, Escambia County, FL experienced significant pressures on its housing market and on housing availability during the COVID pandemic, and those pressures continued into 2022. In HUD Notice PIH 2021-34, "Expedited Regulatory Waivers for the Public Housing and Housing Choice Voucher (including Mainstream and Mod Rehab) Programs," HUD identified the Pensacola-Ferry Pass-Brent FL FMR Area as one of 227 jurisdictions experiencing "significant rental market fluctuations" in the aftermath of the pandemic. This affected our entire community but had a particularly deleterious effect on low-income, very low-income, and extremely low-income families.

As a response to market conditions, Pensacola Housing increased its payment standards for all unit sizes in March 2022 and again in December 2022. We also took advantage of a HUD waiver that allows us to apply higher payment standards on an Interim Reexamination so that rent-burdened households can experience some relief without having to wait for their regularly scheduled Annual Reexam. We will continue to use this waiver until it expires on December 31, 2023.

During the fourth quarter of 2022, we saw a significant increase in interest from new landlords and a very welcome increase in the number of Requests for Tenancy Approval (RTAs) for eligible units submitted by our clients. The program manager and members of the lease-up team held phone conferences with the prospective landlords to answer their questions about the voucher program and learn about their interest. The landlords shared stories of nonpayment of rent, unauthorized residents, and other lease violations on the part of private-market tenants that led them to consider the voucher program. Several expressed interest in the shared housing concept, and some also mentioned that they had been using their investment properties for short-term rentals but had begun to experience issues with that business model. We believe the end of the State's Our Florida Emergency Rental Assistance Program in May 2022 and the end of Escambia County's Emergency Rental Assistance Program in the January 2023 also contributed to this uptick in landlord interest and the number of units available to our clients.

Through the end of the year and into quarter one of 2023, we were able to write new contracts at a level not seen since before the pandemic started. However, the families who benefited most from the increased availability were families with three-, four-, or five-bedroom vouchers. Though we saw a modest uptick among them as well, our single-member and other small households—the largest group—continued to experience challenges finding units. Therefore, we increased the payment standards again for one- and two-bedroom vouchers only in March 2023.

#### Deconcentration and Other Policies that Govern Eligibility, Selection, and Admissions

Pensacola Housing encourages program applicants and participants to search for units that will meet their needs and provides information regarding the location of low-poverty census tracts, as well as web links to information about school districts, sheriff's office crime data and maps, and public transit routes. Pensacola Housing regularly reviews deconcentration data in accordance with the SEMAP indicator to determine the percent of tenant-based families with children that live within, or who have moved to, a low poverty census tract within the jurisdiction.

In July 2022, as the waiting period for a voucher climbed to more than two years, we closed our waiting list, and as of May 2024 the waiting list remains closed. Though we have continued to pull names from the waitlist and issue vouchers regularly, the average wait time has continued to increase as our success rate and average time to lease up for new applicants continue to be impacted by market conditions.

Pensacola Housing gives preference to those families on the waiting list who are victims of federal- or state-declared natural disasters. Third-party verification of displacement may be required before a voucher is issued. In addition, federal guidelines stipulate that at least 75% of the families newly assisted by Pensacola Housing each fiscal year must be extremely-low-income families. To ensure this goal is met, there may be occasions when Pensacola Housing will assist an extremely-low-income household from the waiting list before assisting a very-low-income household, even if the very-low-income household has been on the waiting list longer.

Some of the vouchers administered by Pensacola Housing have been allocated to assist specific populations; for example, non-elderly disabled families (NED), homeless veterans (VASH), or homeless (EHV). Pensacola Housing follows HUD guidelines regarding the administration of these programs. At times this may result in a NED family receiving a voucher before other families from the Section 8 waiting list, or in a VASH family receiving a voucher before all families on the Section 8 waiting list.

Beyond ensuring that all the requirements stipulated above are met, Pensacola Housing does not utilize preferences on its HCV waiting list. City Council has tentatively approved a small set aside of 25 vouchers specifically for a homeless preference, but the production of policies and procedures to govern this set aside is in progress and formal Council approval and implementation is not expected until next fiscal year.

#### **Financial Resources**

Pensacola Housing's financial resources are limited to the funding allocated through the federal budget process and awarded annually in the Consolidated Annual Contributions Contract. FY2024 renewal funding of \$16,175,054 was received mid-May, which included VASH vouchers. Our authorized budget authority to implement the EHV program is \$369,687.

#### **Rent Determination**

Pensacola Housing determines total tenant payment of rent in accordance with federal guidelines.

The Total Tenant Payment (TTP) is the minimum amount that a voucher household is required to pay toward rent and utilities, regardless of the unit selected. In Pensacola Housing's jurisdiction, TTP is the greater of:

- 30 percent of monthly adjusted income;
- 10 percent of monthly gross income; or
- Pensacola Housing's minimum rent

Family share is the actual amount the family pays toward rent and utilities (with the utility cost based on Pensacola Housing's utility allowance, not on the family's actual utility bills). If the family selected a unit where the gross rent is higher than the payment standard, then the family share will be higher than the TTP.

Tenant rent is the portion of the contract rent paid by the assisted family. TTP will be the same regardless of the unit selected, whereas family share and tenant rent are dependent on the characteristics of the specific unit.

Pensacola Housing has established a minimum rent of \$50 for participants in its HCV programs. Minimum rent refers to the Total Tenant Payment, not the tenant rent, and means that Pensacola Housing expects program participants to pay a minimum of \$50 toward utilities and/or rent.

The minimum rent applies to all participants of Pensacola Housing's HCV programs. Any household subject to the minimum rent may petition for a temporary or long-term hardship waiver for one of the following reasons:

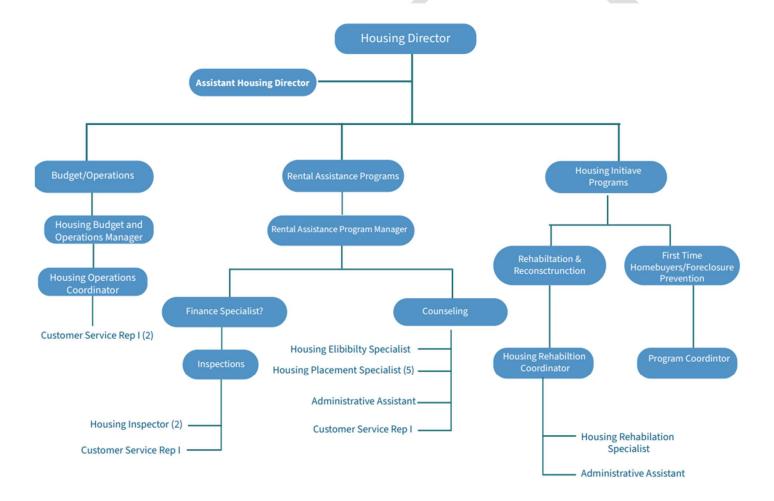
- 1. A recent death in the immediate family has occurred and no income was received into the household the previous month.
- 2. The household's out-of-pocket medical expenses equal or exceed 50% of the gross household income, and calculated rent, minus utility estimate if applicable, would be less than \$50.
- 3. The household has lost federal, state, or local government assistance or is waiting for an eligibility determination, and no income was received into the household the previous month.
- 4. The household income has decreased due to a change in circumstances, such as loss of employment, and no income was received into the household the previous month.

# **Operation and Management**

Pensacola Housing administers the following programs:

- Housing Choice Voucher Program (HCV) throughout Escambia County FL
- HUD-VASH Program (VASH) throughout Escambia County FL
- Emergency Housing Voucher Program (EHV) throughout Escambia County FL
- State Housing Initiatives Partnership (SHIP) First-Time Home Buyers Program, in conjunction with Escambia County
- HOME Homebuyers Program, in conjunction with Escambia County
- City of Pensacola Homebuyer Incentive Program within the City of Pensacola
- Homebuyer & Foreclosure education classes
- Community Development Block Grant Program
- HOME, CDBG, and SHIP Housing Rehabilitation Programs within the City of Pensacola

Here is the Pensacola Housing organizational chart effective May 2024:



# **Informal Review and Hearing Procedures**

Pensacola Housing uses the following procedures regarding informal reviews for applicants who are denied assistance on its HCV programs, as defined in Chapter 22 of its HCV Program Administrative Plan:

22.2.1 Notice of Denial

When Pensacola Housing determines that an applicant is ineligible, the applicant will be notified of the decision in writing. The notification will state:

- 1. The reason(s) for ineligibility;
- 2. A statement that the applicant may request an informal review if they disagree with the decision;
- 3. The procedure for requesting a review if the applicant does not agree with the decision; and
- 4. The deadline for requesting a review.

When an application is denied because of criminal activity described in a criminal record, Pensacola Housing will, on request, provide the applicant a copy of the criminal record upon which the denial decision was based, in accordance with 24 CFR 5.903 (f).

# 22.2.3 Informal Review Process

A request for an informal review must be submitted in writing to Pensacola Housing within 10 business days from the date of Pensacola Housing's notice of denial. An informal review will be scheduled within 10 business days from the date the review request is received.

The review will be conducted by a staff person who was not involved in the decision under review, and who is not subordinate to the person who made the decision.

The applicant will be given the opportunity to present oral or written objections to the decision. Both Pensacola Housing and the applicant may present evidence and witnesses.

The applicant may, at the applicant's own expense, be represented by an attorney or other representative. Upon request, the applicant may be present at the review to provide information, though the applicant's presence is not required. At the discretion of Pensacola Housing, the review may also be conducted as a conference call.

An applicant may request a reasonable accommodation to participate in the informal review process. Pensacola Housing will provide such reasonable accommodation, unless doing so would result in a fundamental alteration in the nature of the services Pensacola Housing offers.

The decision of the review officer shall be provided to the applicant in writing within 10 business days after the date of the review and shall include an explanation of the reasons for the decision.

All review requests, supporting documentation, and a copy of the final decision will be retained in the applicant's file.

Pensacola Housing uses the following procedures regarding informal hearings for participants whose program assistance is terminated from its HCV programs, as defined in Chapter 22 of its HCV Program Administrative Plan:

# 22.3 Informal Hearings for Participants

Except for participants whose moving or port vouchers have expired, an opportunity for an informal hearing will always be provided when Pensacola Housing has made a determination to terminate assistance. In addition, Pensacola Housing will offer participant families an opportunity for an informal hearing to consider whether the following decisions relating to the participant family were made in accordance with the law, HUD regulations, and Pensacola Housing policies:

- 1. A determination of the family's annual or adjusted income, and the use of such income to compute the HAP.
- 2. A determination of the appropriate utility assistance payment, if any, to assist toward tenant-paid utilities from Pensacola Housing's utility estimate schedule.
- 3. A determination of the family voucher size and payment standard under Pensacola Housing's subsidy standards.
- 4. A determination to terminate assistance for a participant family because of the family's action or failure to act.
- 5. A determination to terminate assistance because the participant family has been absent from the assisted unit for longer than the maximum period permitted under Pensacola Housing policy and HUD rules.

Pensacola Housing will make reasonable accommodations to ensure that persons with disabilities have complete access to participate in the informal hearing process.

#### 22.4 Informal Hearing Procedures

Pensacola Housing will adhere to the following procedures in conducting informal hearings.

#### 22.4.1 Discovery

Before the hearing, the family will be provided copies of, and adequate time to examine any documents Pensacola Housing intends to present at the hearing. If Pensacola Housing doesn't make a document available for examination prior to the hearing, it may not rely on the document at the hearing.

Prior to the informal hearing, Pensacola Housing must also be given the opportunity to examine any documents the family intends to present that are directly relevant to the hearing. Pensacola Housing will be allowed to copy any such documents at Pensacola Housing's expense. If the family doesn't make a document available for examination prior to the hearing, the family may not rely on the document at the hearing. For the purpose of an informal hearing, the term document includes records and regulations.

# 22.4.2 Representation of the Family

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

# 22.4.3 Hearing Officer

The informal hearing shall be conducted by a Hearing Officer appointed by Pensacola Housing who is neither the person who made or approved the decision under review, nor a subordinate of that person.

The person who conducts the hearing will regulate the conduct of the hearing in accordance with the informal hearing procedures described in this section of the Pensacola Housing Administrative Plan.

#### 22.4.4 Evidence

Pensacola Housing and the family will have the opportunity to present evidence and to question any witnesses. The family may request that Pensacola Housing staff be present at the hearing to answer questions pertinent to the case. Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence used in judicial proceedings.

# 22.4.5 Conduct of the Hearing

Only the issues subject to appeal, and raised by the participant in their notice of appeal, shall be addressed at the hearing. A participant family may present any relevant legal argument arising from any valid source of law, and hearing officers shall consider such arguments to the extent that they are relevant and germane to the case. Relevance shall be determined by the hearing officer based on the specific facts and circumstances of each particular case. No legal theories or authorities shall be precluded from consideration at informal hearings or otherwise excluded on a categorical or near-categorical basis.

Evidence presented at the hearing may be considered without regard to admissibility under the rules of evidence used in judicial proceedings, except that the hearing officer may exclude evidence that is irrelevant, immaterial, unduly repetitious, or fails to meet the following evidentiary principles:

- 1. That the information offered presents a danger of unfair prejudice, confusion of the issues, undue delay, or other delay, or other deleterious effects that substantially outweigh the probative value of the information;
- 2. That the information is offered in violation of some public policy, such as evidence unlawfully obtained in violation of a family's legal or constitutional rights; or
- 3. That the information lacks competence or is not based on personal knowledge.

No documents may be presented at the hearing that weren't provided to the other party, if requested, before the hearing. "Documents" include all written records.

The hearing officer may ask the family for additional information and/or may adjourn the hearing as needed. The hearing officer will not impose arbitrary limits on the length of time that a hearing may last, or the amount of time a specific portion of the hearing may consume, or impose unreasonable limits on the number of witnesses that may be called or the number of exhibits that may be presented. The hearing officer may impose such limits, but only as warranted for good cause, in which case the hearing officer should state the reasons for imposing the limits on the record and in the written decision.

#### 22.4.6 Failure to Appear

If the family fails to appear at the informal hearing, or fails to meet a deadline imposed by the hearing officer, Pensacola Housing's decision shall become final and take effect immediately. No new hearing will be granted unless the participant is able to demonstrate to Pensacola Housing, by clear and compelling evidence, that their failure to appear or meet the deadline was caused by circumstances beyond their control.

#### 22.4.7 Issuance of Decision

The hearing officer will issue a written decision within 10 business days from the date of the hearing. The decision will include:

- 1. The names of all persons present at the hearing, and identification of their roles (whether as the hearing officer, a representative for Pensacola Housing, a member of the family, a witness, interpreter, or other);
- 2. The date and location of the hearing;
- 3. A summary of the factual allegations and the Pensacola Housing action or decision under review;
- 4. A summary of any evidence and arguments presented by the parties;
- 5. A statement of the facts upon which the decision is based;
- 6. A clear statement of the Hearing Officer's findings, conclusion, and decision;
- 7. A clear summary of the decision and explanation for the decision;
- 8. If the decision involves money owed, a clear statement of the amount owed, and documentation of how the amount owed was calculated;
- 9. The date the decision is effective; and
- 10. If the decision is to uphold termination of assistance, notice of the availability of judicial review. Such notice shall also indicate that time limitations for seeking judicial review may apply; that participants who seek judicial review must do so at their own expense; that neither the hearing officer nor Pensacola Housing can offer legal advice; and that participants who cannot afford an attorney may seek referral to a legal services provider such as Legal Services of North Florida, Inc.

# 22.4.8 Decisions Not Binding on Pensacola Housing

Pensacola Housing shall not be bound by any decision that:

- 1. Concerns matters for which no opportunity for a hearing is required to be provided;
- 2. Conflicts with or contradicts HUD regulations or requirements;
- 3. Conflicts with or contradicts federal, state, or local laws;
- 4. Exceeds the authority of the hearing officer; or
- 5. Involves issues not raised in the participant's appeal notice.

If Pensacola Housing determines that it is not bound by a hearing decision, it will notify the family within 10 business days of the hearing officer's determination, and provide a summary of the reasons for Pensacola Housing's determination, and the results of it.

#### 22.4.9 Recordkeeping

Pensacola Housing will record all informal hearings by electronic means.

If a party seeks to record any informal hearing by means other than audio/video recording, such as by stenographic transcription, the hearing officer will permit such alternative recording at the requesting party's expense, unless good cause exists to disallow the method of recording, in which case the hearing officer should state the reasons for denial on the record and in the written decision.

Pensacola Housing will provide a copy of a hearing recording to the family or its representative on request, provided that the family or its representative shall pay reasonable reproduction costs prior to receiving the recordings.

All hearing requests, supporting documentation, and a copy of the final decision shall be retained in the participant's file.

Pensacola Housing will safely keep and maintain the electronic recordings of all informal hearings involving voucher terminations as a public record on file for no fewer than 5 years after the decision date. If a family's HCV program participation is terminated pursuant to the informal hearing decision, Pensacola Housing will keep the hearing recording for at least 5 years from the date of the last HAP payment made on the family's behalf. Pensacola Housing will also keep, for the same duration as the hearing recording, copies of all exhibits and all other tangible materials presented to the Hearing Officer, whether or not admitted into evidence.

22.5 Informal Hearing Procedures for Denial of Assistance on the Basis of Ineligible Immigrant Status
If a family member claims to be an eligible immigrant and the INS SAVE system and manual search do not verify the claim, the participant or applicant will be notified within 10 business days of the right to appeal to the INS. Such an appeal must be filed with INS within 30 days of receipt of Pensacola Housing's decision. The applicant or

participant may also request an informal hearing with Pensacola Housing. The request for a hearing must be made within 10 business days of receipt of Pensacola Housing's initial decision.

If the applicant or participant appeals to the INS, he or she must provide a copy of the appeal and proof of mailing to Pensacola Housing, or Pensacola Housing may proceed to deny the application or terminate assistance. After receipt of a request for an informal hearing, Pensacola Housing shall schedule and conduct the hearing in accordance with the procedures described in Section 22.4 above.

# 22.5.1 Ineligibility Determinations

If the hearing officer determines that the applicant or participant is not eligible, and there are no other eligible family members, Pensacola Housing will terminate assistance.

If there are eligible members in the household, Pensacola Housing will offer to pro-rate assistance, or give the family the option to remove the ineligible members.

Participants whose assistance is pro-rated (either because some members are ineligible, or because of the failure to verify eligible immigrant status for some members after exercising their appeal and hearing rights described above) are entitled to an informal hearing regarding TTP and tenant rent determinations.

Families denied or terminated for fraud in connection with the non-citizens rule are entitled to an informal review or informal hearing in the same manner as terminations for any other fraud.

# 22.6 Hearing Officer Selection

Persons having no other affiliation with Pensacola Housing (that is, other than as hearing officers) shall serve as hearing officers for all informal hearings.

Pensacola Housing will make outreach to persons from the community with knowledge of contract law; Fair Housing law; landlord/tenant law; and/or regulations and processes governing federal and state benefit or assistance programs to serve as hearing officers for its voucher programs.

# **Homeownership Programs**

Pensacola Housing does not currently offer a voucher-based HCV Homeownership program, though we plan to update our HCV Administrative Plan to allow us to offer one in the future. Comments received by Resident Advisory Board members include the desire to participate in a homeownership program.

Pensacola Housing does administer the State Housing Initiatives Partnership (SHIP) First-Time Home Buyers Program and a HOME Homebuyers Program, both in conjunction with Escambia County, Florida. Additionally, Pensacola Housing offers homebuyer assistance utilizing ARPA funding to buyers wishing to purchase properties within the Pensacola city limits.

# Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements

Although Pensacola Housing does not administer a formal Family Self-Sufficiency Program, historically each quarter several HCV families have reached the program goal of zero HAP/self-sufficiency, a trend that continued in 2023, despite inflation and rising housing costs. Pensacola Housing staff coaches families who achieve this milestone on available homebuyer programs such under SHIP, HOME, and Habitat for Humanity.

Pensacola Housing's treatment of income changes resulting from welfare program requirements are as follows, as defined in section 16.6 of our HCV Administrative Plan in accordance with federal requirements:

#### 16.6 Income Changes Resulting from Welfare Program Requirements

Pensacola Housing will not reduce the family share or tenant rent for families whose welfare assistance is reduced due to a "specified welfare benefit reduction," which is a reduction in benefits by the welfare agency specifically because of:

- 1. Fraud in connection with the welfare program; or
- 2. Non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program.

However, Pensacola Housing will reduce the tenant rent if the welfare assistance reduction is a result of:

1. The expiration of a lifetime limit on receiving benefits;

- 2. A reduction in welfare assistance resulting from the family's failure to obtain employment, after having complied with welfare program requirements; or
- 3. A reduction in welfare assistance resulting from a family member's failure to comply with other welfare agency requirements.

# 16.6.1 Families Affected by Welfare Rules

Families are affected by the welfare rules discussed above if they are currently receiving benefits for welfare or public assistance from a state or public agency program that requires, as a condition of eligibility to receive assistance, the participation of a family member in an economic self-sufficiency program.

# 16.6.2 Definition of "Imputed Welfare Income"

"Imputed welfare income" is an amount of annual income, not actually received by a family, that results from a specified welfare benefit reduction, and that is included in the family's income for purposes of determining tenant rent.

The amount of imputed welfare income is determined by Pensacola Housing, based on written information supplied to Pensacola Housing by the welfare agency, including:

- 1. The amount of the benefit reduction;
- 2. The term of the benefit reduction;
- 3. The reason for the reduction; and
- 4. Subsequent changes in the term or amount of the benefit reduction.

The family's annual income will include the imputed welfare income, as determined at the family's annual or interim re-examination, during the term of the welfare benefits reduction specified by the welfare agency. The amount of imputed welfare income will be offset by the amount of additional income the family receives that commences after the sanction is imposed. When additional income from other sources is at least equal to the imputed welfare income, the imputed welfare income will be reduced to zero.

If the family was not an assisted resident when the welfare sanction began, imputed welfare income will not be included in annual income.

# 16.6.3 Verification Before Denying a Request to Reduce Rent

Before denying the family's request for rent reduction, Pensacola Housing will obtain written verification from the welfare agency stating that the family's benefits have been reduced due to fraud or non-compliance with welfare agency economic self-sufficiency or work activity requirements.

#### 16.6.4 Family Dispute of Amount of Imputed Welfare Income

If the family disputes the amount of imputed income, the housing specialist or a supervisor will review the calculation for accuracy. If Pensacola Housing denies the family's request to modify the amount, Pensacola Housing will provide the tenant with a notice of denial, which will include:

- 1. An explanation for Pensacola Housing's determination of the amount of imputed welfare income;
- 2. A statement that the tenant may request an informal hearing; and
- 3. A statement that the grievance information received from the welfare agency cannot be disputed at the informal hearing, and the issue to be examined at the informal hearing will be Pensacola Housing's determination of the amount of imputed welfare income, not the welfare agency's determination to sanction the welfare benefits.

#### **Substantial Deviation**

Pensacola Housing considers the following a substantial deviation from its 5-Year Plan:

• The addition of new activities that do not otherwise further Pensacola Housing's stated mission or further the goals set forth in the current 5-Year Plan.

An exception to this definition will be made for any new activities that are adopted to reflect changes in HUD regulatory requirements or as a result of a declared emergency. Such changes will not be considered a substantial deviation by Pensacola Housing.

#### **Significant Amendment/Modification**

Pensacola Housing considers the following a Significant Amendment or Modification to its 5-Year Plan:

- Addition of new program initiatives not included in the current 5-Year Plan.
- Demolition or disposition, designation or conversion activities not currently identified in the plan or otherwise approved by HUD.

An exception to this definition will be made for any of the above that are adopted to reflect changes in HUD regulatory requirements or as a result of a declared emergency. Such changes will not be considered significant amendments or modifications by Pensacola Housing.



# **Attachment B.3 – Progress Report**

PHA Goal: Increase the availability of decent, safe, and affordable housing.

# 1. Apply for additional rental vouchers.

Update: On May 7, 2021, HUD offered Pensacola Housing an allocation of 35 Emergency Housing Vouchers (EHVs) and on May 13, 2021, Pensacola Housing accepted the allocation. 2 vouchers were lost after the September 2023 deadline and were not available for turnover leasing, so the current voucher allocation stands at 33. As of April 2024, all of Pensacola Housing's EHV vouchers are allocated, and our EHV leasing utilization is 100%. We are hopeful that HUD will consider us for an additional EHV allocation if more of these vouchers become available as a result of voluntary returns or underutilization elsewhere.

In September 2023, we discussed applying for additional VASH vouchers under the mid-year Registration of Interest in partnership with the VA, but due to support staffing, the VA did not want to proceed at that time. City Council amendment the PHA Administrative Plan in September 2023 to allow for special vouchers under the Foster Youth to Independence program, but to date we have been unable to secure a partnership with a local PCWA that will provide the required case management and support services.

# 2. Leverage private or other public funds to create additional housing opportunities.

Update: The City of Pensacola has committed to create an attainable housing infill program to support homeownership. Municipally owned property will be made available to eligible applicants for the construction of owner-occupied housing. Last fiscal year, funding was leveraged through the State Housing Initiatives Partnership (SHIP) program, HOME Program, and ARPA program to assist 3 families reach the goal of homeownership within the City limits. The city's Community Development Block Grant funds provided homebuyer and foreclosure prevention educational classes to 42 families. ARPA and SHIP funds assisted 12 families rehabilitate their homes, stabilizing the neighborhoods and ensuring a supply of attainable housing stock for the future.

Last fiscal year, both local governments supported various low income housing tax credit applications under various RFAs issued by Florida Housing Finance Corporation (FHFC). Under the 4%/State Apartment Incentive Loan (SAIL) program RFA to FHFC, Escambia County supported one 120 unit elderly development called Magnolia Trail and one 75 unit family development called Corry Family Housing. The City of Pensacola supported a family development named Avery Place Apartments under the same RFA. Both the County and the City had a partnership with Escambia County Housing Finance Authority (ECHFA) to provide the required \$37,500 minimum local government funding contribution for development of these units as well as use of bond financing through ECHFA. Additionally, the City supported an elderly application named Kupfrian Manor under the 9% housing tax credit RFA through provision of a \$460,000 local government contribution utilizing ARPA funding. Unfortunately, the RFA application process is very competitive statewide and none of the submitted applications were selected for funding.

City staff continues to provide support to the joint City-County Affordable Housing Advisory Committee which reviews and provides recommendations to each local government regarding monetary and non-monetary incentives for affordable housing. The State of Florida passed SB 102, or the "Live Local Act," in March 2023, which contains various provisions related to affordable housing. Public policy impacts included in the bill include state mandated affordable housing tax exemptions such as a "multi-family property exemption" for developments with 70 or more units with agreements with Florida Housing Finance Corporation (FHFC) and the "Affordable Housing Property Exemption" for non-profit owned properties serving households up to 120% area median income (AMI). The new bill permits an optional local property exemption for properties with 50 or more units serving households at or below 60% AMI; at this time, the City is reviewing whether to offer

these additional property tax exemptions. The new law also requires local governments to allow multi-family and mixed-use residential in areas zoned for commercial or mixed use without obtaining zoning or land use changes or other plan exceptions if at least 40% of the units are affordable to income eligible households for 30 years. The City has seen significant interest in these new opportunities under the Live Local Act.

# 3. Encourage landlords and owners to participate in the HCV programs.

Update: Staff has seen an increase in interest in the section 8 program from new landlords as rental prices have beginning a slight cooling. Staff is working on reinstituting a landlord outreach meeting, which has not been held since COVID.

In February 2022, Pensacola Housing adopted an HCV Administrative Plan update opening special housing types, including shared housing, to all eligible voucher holders. We were very hopeful that this model would increase housing opportunities for our client base. However, once we began working with the shared housing model, we found that the program math, especially the required prorated payment standards, were an impediment to utilization, as the fractional payment standards resulted in affordable rents that were lower than landlords were willing to accept and tenant rents higher than tenants would pay in conventional units. We contacted our HUD field office to request a waiver for the payment standard proration, but the request was (kindly) denied. Our program manager has continued to explore this option by attending a March 2023 training on shared housing offered by HUD's EHV team and making outreach to an agency with reported success in shared housing, but so far we have not found a solution to the payment standard issue and to date we have only written four shared housing contracts, two of which have already been terminated. We will continue to consider this option, but we have had to turn to other ideas, such as those listed above, to expand our pool of active landlords and eligible units.

# PHA Goal: Improve the quality of assisted housing.

Update: Housing staff attended a 3 day NSPIRE training offered by Nan McKay in order to prepare for the HUD required changes expected to be implemented in Fall 2024. Staff has discussed some the compliance issues anticipated with smaller scale developments owned by "mom and pop" landlords particularly with hardwired detectors and the possibility of offering some financial assistance through non-Section 8 funding to these owners within the City limits in order to encourage continued assistance under the Section 8 program.

All Section 8 staff have received training related to new HOTMA requirements in order to ensure program compliance with new regulations and program management.

The Administrative Plan was most recently reviewed and updated in September 2023 and will be updated again before the end of the fiscal year to accommodate new HOTMA and NSPIRE rules as well as minor updates to program operations.

The City Housing Department continues to offer housing rehabilitation to low income homeowners, and recently was awarded a \$5.8M Community Development Block Grant-Disaster Recovery Grant to specifically serve low income homeowners affected by Hurricane Sally.

# PHA Goal: Promote self-sufficiency and asset development for individuals.

Update: Pensacola Housing continues to provide first-time homebuyer and foreclosure prevention classes. In addition, Housing staff advises voucher families who reach the program goal of self-sufficiency about homebuyer programs including the homebuyer programs administered by the Housing Department and Habitat for Humanity. Members of the rental assistance team are eager to offer our clients an HCV Homeownership Program and we hope to have the necessary updates to the HCV Administrative Plan to be able to offer this.



# Attachment C.1 – Resident Advisory Board (RAB) Comments

In 2024, Pensacola Housing appointed all currently assisted HCV program participants to the Resident Advisory Board (RAB), forming a committee of the whole. Participants were notified of this appointment, and of their rights and responsibilities regarding the development of the PHA Plan. The RAB was invited to participate in an online survey to share opinions and ideas and demonstrate knowledge of the voucher program. We assured members that participation was voluntary and anonymous, and that the survey was accessible from an array of devices including smart phones. Hyperlinks and a QR code for the survey were posted on our website and on the walls of our physical office. The survey was open through May 24, 2024.

Common trends last calendar year included complaints regarding unit conditions as well as fair housing concerns, so the survey targeted these subject matters. We received XX responses to the survey

Here are some highlights of the results:

**INSERT SURVEY RESULTS**