

# PHA Plans

## Streamlined Annual Version

U.S. Department of Housing and  
Urban Development  
Office of Public and Indian  
Housing

OMB No. 2577-0226  
(exp. 08/31/2009)

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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 that introduced 5-year and annual PHA Plans. The full 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 of the PHA's mission and strategies for serving the needs of low-income and very low-income families. This form allows eligible PHAs to make a streamlined annual Plan submission to HUD consistent with HUD's efforts to provide regulatory relief for certain types of PHAs. Public reporting burden for this information collection is estimated to average 11.7 hours 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, Federal Housing Administration, 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. Information in PHA plans is publicly available.

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# Streamlined Annual PHA Plan for Fiscal Year: 2008

## PHA Name: New Jersey Department of Community Affairs, Division of Housing

**NOTE: This PHA Plan template (HUD-50075-SA) is to be completed in accordance with instructions contained in previous Notices PIH 99-33 (HA), 99-51 (HA), 2000-22 (HA), 2000-36 (HA), 2000-43 (HA), 2001-4 (HA), 2001-26 (HA), 2003-7 (HA), and any related notices HUD may subsequently issue.**

## Streamlined Annual PHA Plan Agency Identification

**PHA Name: New Jersey Dept. of Community Affairs, Division of Housing**

**PHA Number: NJ912**

**PHA Fiscal Year Beginning: (mm/yyyy) 07/2007**

**PHA Programs Administered:**

**Public Housing and Section 8**

Number of public housing units:  
 Number of S8 units:

**Section 8 Only**

Number of S8 units: 19,094

**Public Housing Only**

Number of public housing units:

**PHA Consortia: (check box if submitting a joint PHA Plan and complete table)**

Participating PHAs	PHA Code	Program(s) Included in the Consortium	Programs Not in the Consortium	# of Units Each Program
Participating PHA 1:				
Participating PHA 2:				
Participating PHA 3:				

**PHA Plan Contact Information:**

Name: Dennis Gallagher  
 TDD:

Phone: 609-633-6153  
 Email (if available): dgallagher@dca.state.nj.us

**Public Access to Information**

**Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)**

PHA's main administrative office     PHA's development management offices

**Display Locations For PHA Plans and Supporting Documents**

The PHA Plan revised policies or program changes (including attachments) are available for public review and inspection.     Yes     No.

If yes, select all that apply:

- Main administrative office of the PHA
- PHA development management offices
- Main administrative office of the local, county or State government
- Public library     PHA website     Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- Main business office of the PHA       PHA development management offices  
 Other (list below)

**Streamlined Annual PHA Plan**  
**Fiscal Year 2008**  
[24 CFR Part 903.12(c)]

**Table of Contents**  
[24 CFR 903.7(r)]

Provide a table of contents for the Plan, including applicable additional requirements, and a list of supporting documents available for public inspection.

<b>A. PHA PLAN COMPONENTS</b>	<b>PAGE</b>
<input type="checkbox"/> 1. Site-Based Waiting List Policies <b>903.7(b)(2) Policies on Eligibility, Selection, and Admissions</b>	N/A
<input type="checkbox"/> 2. Capital Improvement Needs <b>903.7(g) Statement of Capital Improvements Needed</b>	N/A
<input checked="" type="checkbox"/> 3. Section 8(y) Homeownership <b>903.7(k)(1)(i) Statement of Homeownership Programs</b>	6
<input type="checkbox"/> 4. Project-Based Voucher Programs	N/A
<input type="checkbox"/> 5. PHA Statement of Consistency with Consolidated Plan. Complete only if PHA has changed any policies, programs, or plan components from its last Annual Plan.	N/A
<input checked="" type="checkbox"/> 6. Supporting Documents Available for Review	9
<input type="checkbox"/> 7. Capital Fund Program and Capital Fund Program Replacement Housing Factor, Annual Statement/Performance and Evaluation Report	N/A
<input type="checkbox"/> 8. Capital Fund Program 5-Year Action Plan	N/A
<input checked="" type="checkbox"/> 9. Comments on the Streamlined Annual PHA Plan and the Housing Choice Voucher Program Administrative Plan	Attachment A

**B. SEPARATE HARD COPY SUBMISSIONS TO LOCAL HUD FIELD OFFICE**

**Form HUD-50076, *PHA Certifications of Compliance with the PHA Plans and Related Regulations: Board Resolution to Accompany the Streamlined Annual Plan*** identifying policies or programs the PHA has revised since submission of its last Annual Plan, and including Civil Rights certifications and assurances the changed policies were presented to the Resident Advisory Board for review and comment, approved by the PHA governing board, and made available for review and inspection at the PHA's principal office;

For PHAs Applying for Formula Capital Fund Program (CFP) Grants:

**Form HUD-50070, *Certification for a Drug-Free Workplace*;**

**Form HUD-50071, *Certification of Payments to Influence Federal Transactions*;** and

**Form SF-LLL & SF-LLL a, *Disclosure of Lobbying Activities*.**

**1. Site-Based Waiting Lists (Eligibility, Selection, Admissions Policies)**

[24 CFR Part 903.12(c), 903.7(b)(2)]

Exemptions: Section 8 only PHAs are not required to complete this component.

**A. Site-Based Waiting Lists-Previous Year**

1. Has the PHA operated one or more site-based waiting lists in the previous year? If yes, complete the following table; if not skip to B.

Site-Based Waiting Lists				
Development Information: (Name, number, location)	Date Initiated	Initial mix of Racial, Ethnic or Disability Demographics	Current mix of Racial, Ethnic or Disability Demographics since Initiation of SBWL	Percent change between initial and current mix of Racial, Ethnic, or Disability demographics

2. What is the number of site based waiting list developments to which families may apply at one time?
3. How many unit offers may an applicant turn down before being removed from the site-based waiting list?
4.  Yes  No: Is the PHA the subject of any pending fair housing complaint by HUD or any court order or settlement agreement? If yes, describe the order, agreement or complaint and describe how use of a site-based waiting list will not violate or be inconsistent with the order, agreement or complaint below:

**B. Site-Based Waiting Lists – Coming Year**

If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to next component.

1. How many site-based waiting lists will the PHA operate in the coming year?
2.  Yes  No: Are any or all of the PHA’s site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?  
If yes, how many lists?

3.  Yes  No: May families be on more than one list simultaneously  
If yes, how many lists?
4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?
- PHA main administrative office
  - All PHA development management offices
  - Management offices at developments with site-based waiting lists
  - At the development to which they would like to apply
  - Other (list below)

## **2. Capital Improvement Needs**

[24 CFR Part 903.12 (c), 903.7 (g)]

Exemptions: Section 8 only PHAs are not required to complete this component.

### **A. Capital Fund Program**

1.  Yes  No Does the PHA plan to participate in the Capital Fund Program in the upcoming year? If yes, complete items 7 and 8 of this template (Capital Fund Program tables). If no, skip to B.
2.  Yes  No: Does the PHA propose to use any portion of its CFP funds to repay debt incurred to finance capital improvements? If so, the PHA must identify in its annual and 5-year capital plans the development(s) where such improvements will be made and show both how the proceeds of the financing will be used and the amount of the annual payments required to service the debt. (Note that separate HUD approval is required for such financing activities.).

### **B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)**

Applicability: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

1.  Yes  No: Has the PHA received a HOPE VI revitalization grant? (if no, skip to #3; if yes, provide responses to the items on the chart located on the next page, copying and completing as many times as necessary).
2. Status of HOPE VI revitalization grant(s):

<b>HOPE VI Revitalization Grant Status</b>	
a. Development Name:	
b. Development Number:	
c. Status of Grant:	
	<input type="checkbox"/> Revitalization Plan under development
	<input type="checkbox"/> Revitalization Plan submitted, pending approval
	<input type="checkbox"/> Revitalization Plan approved
	<input type="checkbox"/> Activities pursuant to an approved Revitalization Plan underway

3.  Yes  No: Does the PHA expect to apply for a HOPE VI Revitalization grant in the Plan year?  
If yes, list development name(s) below:
4.  Yes  No: Will the PHA be engaging in any mixed-finance development activities for public housing in the Plan year? If yes, list developments or activities below:
5.  Yes  No: Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement? If yes, list developments or activities below:

### **3. Section 8 Tenant Based Assistance--Section 8(y) Homeownership Program**

(if applicable) [24 CFR Part 903.12(c), 903.7(k)(1)(i)]

1.  Yes  No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If "No", skip to the next component; if "yes", complete each program description below (copy and complete questions for each program identified.)

#### 2. Program Description:

##### a. Size of Program

- Yes  No: Will the PHA limit the number of families participating in the Section 8 homeownership option?

If the answer to the question above was yes, what is the maximum number of participants this fiscal year?

##### b. PHA-established eligibility criteria

- Yes  No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?

If yes, list criteria:

The minimum income required for program participation by elderly or disabled applicants is 12 times the monthly SSI/SSD amount for the State of New Jersey (see page 18-4 of our Housing Choice Voucher Program Administrative Plan).

c. What actions will the PHA undertake to implement the program this year (list)?

The DCA will continue to work with the counseling agencies to address participants' credit issues. In addition, the DCA will identify additional lenders to participate in the program.

### 3. Capacity of the PHA to Administer a Section 8 Homeownership Program:

The PHA has demonstrated its capacity to administer the program by (select all that apply):

- Establishing a minimum homeowner downpayment requirement of at least 3 percent of purchase price and requiring that at least 1 percent of the purchase price comes from the family's resources.
- Requiring that financing for purchase of a home under its Section 8 homeownership will be provided, insured or guaranteed by the state or Federal government; comply with secondary mortgage market underwriting requirements; or comply with generally accepted private sector underwriting standards.
- Partnering with a qualified agency or agencies to administer the program (list name(s) and years of experience below):
- Demonstrating that it has other relevant experience (list experience below):

## **4. Use of the Project-Based Voucher Program**

### **Intent to Use Project-Based Assistance**

Yes  No: Does the PHA plan to "project-base" any tenant-based Section 8 vouchers in the coming year? If the answer is "no," go to the next component. If yes, answer the following questions.

1.  Yes  No: Are there circumstances indicating that the project basing of the units, rather than tenant-basing of the same amount of assistance is an appropriate option? If yes, check which circumstances apply:
  - low utilization rate for vouchers due to lack of suitable rental units
  - access to neighborhoods outside of high poverty areas
  - other (describe below):
2. Indicate the number of units and general location of units (e.g. eligible census tracts or smaller areas within eligible census tracts):

## **5. PHA Statement of Consistency with the Consolidated Plan**

[24 CFR Part 903.15]

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary) only if the PHA has provided a certification listing program or policy changes from its last Annual Plan submission.

1. Consolidated Plan jurisdiction: (provide name here)
  
2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)
  - The PHA has based its statement of needs of families on its waiting lists on the needs expressed in the Consolidated Plan/s.
  - The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.
  - The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.
  - Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)
  - Other: (list below)
  
3. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

## 6. Supporting Documents Available for Review for Streamlined Annual PHA Plans

PHAs are to indicate which documents are available for public review by placing a mark in the “Applicable & On Display” column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Standard Annual, Standard Five-Year, and Streamlined Five-Year/Annual Plans;</i>	5 Year and Annual Plans
X	<i>PHA Certifications of Compliance with the PHA Plans and Related Regulations and Board Resolution to Accompany the Streamlined Annual Plan</i>	Streamlined Annual Plans
	<i>Certification by State or Local Official of PHA Plan Consistency with Consolidated Plan.</i>	5 Year and standard Annual Plans
	Fair Housing Documentation Supporting Fair Housing Certifications: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions’ initiatives to affirmatively further fair housing that require the PHA’s involvement.	5 Year and Annual Plans
	Housing Needs Statement of the Consolidated Plan for the jurisdiction(s) in which the PHA is located and any additional backup data to support statement of housing needs for families on the PHA’s public housing and Section 8 tenant-based waiting lists.	Annual Plan: Housing Needs
	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources
	Public Housing Admissions and (Continued) Occupancy Policy (A&O/ACOP), which includes the Tenant Selection and Assignment Plan [TSAP] and the Site-Based Waiting List Procedure.	Annual Plan: Eligibility, Selection, and Admissions Policies
	Deconcentration Income Analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
	Any policy governing occupancy of Police Officers and Over-Income Tenants in Public Housing. <input type="checkbox"/> Check here if included in the public housing A&O Policy.	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
	Public housing rent determination policies, including the method for setting public housing flat rents. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Schedule of flat rents offered at each public housing development. <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Rent Determination
	Section 8 rent determination (payment standard) policies (if included in plan, not necessary as a supporting document) and written analysis of Section 8 payment standard policies. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Rent Determination
	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation).	Annual Plan: Operations and Maintenance
	Results of latest Public Housing Assessment System (PHAS) Assessment (or other applicable assessment).	Annual Plan: Management and Operations
	Follow-up Plan to Results of the PHAS Resident Satisfaction Survey (if necessary)	Annual Plan: Operations and Maintenance and Community Service & Self-

<b>List of Supporting Documents Available for Review</b>		
<b>Applicable &amp; On Display</b>	<b>Supporting Document</b>	<b>Related Plan Component</b>
		Sufficiency
	Results of latest Section 8 Management Assessment System (SEMAP)	Annual Plan: Management and Operations
	Any policies governing any Section 8 special housing types <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan	Annual Plan: Operations and Maintenance
	Public housing grievance procedures <input type="checkbox"/> Check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
	Section 8 informal review and hearing procedures. <input checked="" type="checkbox"/> Check here if included in Section 8 Administrative Plan.	Annual Plan: Grievance Procedures
	The Capital Fund/Comprehensive Grant Program Annual Statement /Performance and Evaluation Report for any active grant year.	Annual Plan: Capital Needs
	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grants.	Annual Plan: Capital Needs
	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans, or any other approved proposal for development of public housing.	Annual Plan: Capital Needs
	Self-evaluation, Needs Assessment and Transition Plan required by regulations implementing Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. See PIH Notice 99-52 (HA).	Annual Plan: Capital Needs
	Approved or submitted applications for demolition and/or disposition of public housing.	Annual Plan: Demolition and Disposition
	Approved or submitted applications for designation of public housing (Designated Housing Plans).	Annual Plan: Designation of Public Housing
	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act, Section 22 of the US Housing Act of 1937, or Section 33 of the US Housing Act of 1937.	Annual Plan: Conversion of Public Housing
	Documentation for required Initial Assessment and any additional information required by HUD for Voluntary Conversion.	Annual Plan: Voluntary Conversion of Public Housing
	Approved or submitted public housing homeownership programs/plans.	Annual Plan: Homeownership
X	Policies governing any Section 8 Homeownership program (See Chapter 18 of the Section 8 Administrative Plan)	Annual Plan: Homeownership
	Public Housing Community Service Policy/Programs <input type="checkbox"/> Check here if included in Public Housing A & O Policy	Annual Plan: Community Service & Self-Sufficiency
	Cooperative agreement between the PHA and the TANF agency and between the PHA and local employment and training service agencies.	Annual Plan: Community Service & Self-Sufficiency
	FSS Action Plan(s) for public housing and/or Section 8.	Annual Plan: Community Service & Self-Sufficiency
	Section 3 documentation required by 24 CFR Part 135, Subpart E for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports for public housing.	Annual Plan: Community Service & Self-Sufficiency
	Policy on Ownership of Pets in Public Housing Family Developments (as required by regulation at 24 CFR Part 960, Subpart G). <input type="checkbox"/> Check here if included in the public housing A & O Policy.	Annual Plan: Pet Policy
	The results of the most recent fiscal year audit of the PHA conducted under the Single Audit Act as implemented by OMB Circular A-133, the results of that audit and the PHA's response to any findings.	Annual Plan: Annual Audit
	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)
	Consortium agreement(s) and for Consortium Joint PHA Plans <u>Only</u> : Certification that consortium agreement is in compliance with 24 CFR Part 943 pursuant to an opinion of counsel on file and available for inspection.	Joint Annual PHA Plan for Consortia: Agency Identification and Annual Management and Operations

## 7. Capital Fund Program Annual Statement/Performance and Evaluation Report and Replacement Housing Factor

<b>Annual Statement/Performance and Evaluation Report Capital Fund Program and Capital Fund Program Replacement Housing Factor (CFP/CFPRHF) Part I: Summary</b>					
PHA Name:		Grant Type and Number Capital Fund Program Grant No: Replacement Housing Factor Grant No:			Federal FY of Grant:
<input type="checkbox"/> Original Annual Statement <input type="checkbox"/> Reserve for Disasters/ Emergencies <input type="checkbox"/> Revised Annual Statement (revision no:    )					
<input type="checkbox"/> Performance and Evaluation Report for Period Ending: <input type="checkbox"/> Final Performance and Evaluation Report					
Line No.	Summary by Development Account	Total Estimated Cost		Total Actual Cost	
		Original	Revised	Obligated	Expended
1	Total non-CFP Funds				
2	1406 Operations				
3	1408 Management Improvements				
4	1410 Administration				
5	1411 Audit				
6	1415 Liquidated Damages				
7	1430 Fees and Costs				
8	1440 Site Acquisition				
9	1450 Site Improvement				
10	1460 Dwelling Structures				
11	1465.1 Dwelling Equipment—Nonexpendable				
12	1470 Nondwelling Structures				
13	1475 Nondwelling Equipment				
14	1485 Demolition				
15	1490 Replacement Reserve				
16	1492 Moving to Work Demonstration				
17	1495.1 Relocation Costs				
18	1499 Development Activities				
19	1501 Collateralization or Debt Service				
20	1502 Contingency				
21	Amount of Annual Grant: (sum of lines 2 – 20)				
22	Amount of line 21 Related to LBP Activities				
23	Amount of line 21 Related to Section 504 compliance				
24	Amount of line 21 Related to Security – Soft Costs				
25	Amount of Line 21 Related to Security – Hard Costs				
26	Amount of line 21 Related to Energy Conservation Measures				





## 8. Capital Fund Program Five-Year Action Plan

Capital Fund Program Five-Year Action Plan					
Part I: Summary					
PHA Name					
		<input type="checkbox"/> <b>Original 5-Year Plan</b> <input type="checkbox"/> <b>Revision No:</b>			
Development Number/Name/HA-Wide	Year 1	Work Statement for Year 2	Work Statement for Year 3	Work Statement for Year 4	Work Statement for Year 5
		FFY Grant: PHA FY:	FFY Grant: PHA FY:	FFY Grant: PHA FY:	FFY Grant: PHA FY:
	Annual Statement				
CFP Funds Listed for 5-year planning					
Replacement Housing Factor Funds					



**8. Capital Fund Program Five-Year Action Plan**

<b>Capital Fund Program Five-Year Action Plan</b> <b>Part II: Supporting Pages—Work Activities</b>					
Activities for Year : ____ FFY Grant: PHA FY:			Activities for Year: ____ FFY Grant: PHA FY:		
Development Name/Number	Major Work Categories	Estimated Cost	Development Name/Number	Major Work Categories	Estimated Cost
Total CFP Estimated Cost		\$			\$

## Attachment A (nj912a01)

### Comments on the State Fiscal Year 2008 Streamlined Annual PHA Plan and the Housing Choice Voucher Program Administrative Plan

Four meetings with the members of the Resident Advisory Board were held to develop the program's Housing Choice Voucher Program Administrative Plan and the Streamlined Annual PHA Plan for state fiscal year 2008 that begins on July 1, 2007. (No changes have been made to the Streamlined Annual PHA Plan for state fiscal year 2008.) The first meeting occurred on September 22, 2006. This meeting focused on the program's efforts to fill the vacancies in the membership of the Resident Advisory Board, a discussion of the program's cost-cutting policies that were adopted in state fiscal year 2007 (see p. 17-2 of the Administrative Plan), the takeover of the administration of the City of Cape May's Housing Choice Voucher Program, and an overview of some of the programs that are available to assist persons with disabilities such as Shelter Plus Care, Mainstream, the Housing Opportunities Program for Persons with AIDS, and the Home Program.

The second meeting with the members of the Resident Advisory Board occurred on November 17, 2006. At this meeting a written summary of the proposed changes to the Administrative Plan was distributed to each member in attendance, and each item was discussed with the members. Written comments were solicited from the members on the proposed changes and also on any of the other discretionary policies of the program that are described in the Administrative Plan and the PHA Plan.

The third meeting of the Resident Advisory Board occurred on December 15, 2006. Most of the discussion time was dedicated to the proposal to revise the program's criminal record screening policy (see pages 4-2 to 4-4 of the Administrative Plan) and the proposal to require all of the adult members in each household to attend the initial briefing for the household when they are first offered a voucher and also attend the annual reexamination interviews. The proposals to clarify the definition of the term "Family break-up" and the new policies of the Homeownership Program were supported by the members with very little discussion or debate.

The key points of discussion on the issue of criminal record screening centered on the distinction between program applicants and program participants and that the program's screening efforts are designed to *prevent* drug abusers and violent criminals from becoming participants of the program. Once a household becomes a participant of the program, the program does not conduct an annual criminal background review. Should the program learn of any criminal activity by a member of an assisted household, it would investigate and move to terminate the household, or exclude the offending member, in accordance with the provisions of 24 CFR §982.552, *PHA denial or termination of assistance for family*.

On the matter of briefing households, there was support for the new proposal to require all of the adult members in each household to attend the initial briefing for the household when they are first offered a voucher and also attend the annual reexamination interviews. There was also support for the alternative that would only require the adult members of an applicant household to attend the initial briefing, but not the annual reexamination interviews. One member of the Resident Advisory Board suggested that the program should identify when a household member should be excused from these meetings because it would be impracticable for all household members to be present for

the initial briefing and annual reexamination interviews. Some suggestions included a waiver for students who are attending school in another state, and for members of the military.

At the conclusion of the third meeting with the members of the Resident Advisory Board, it was announced that any written comments from the members were due by January 15, 2007.

The final meeting of the Resident Advisory Board occurred on February 22, 2007 for a final review and discussion of the proposed changes. To prepare for this meeting, the program reviewed its records of the number of applicant households that were denied a voucher because of criminal activity. During the three-year period ending on December 31, 2006, the program denied 124 individuals and households admission into the program because of criminal activity. The majority of the denials were for drug violations (71), sexual assault (21), aggravated assault (9), and weapons violations (8). It was also stressed that the program conducts an individualized evaluation of each case before making a final decision to deny or terminate assistance. For every case, the program considers all relevant circumstances including the seriousness of the case, the extent of the participation by the household member, any mitigating circumstances related to the disability of a household member and the effect denial or termination would have on the household members not engaged in the activity. The program reserves the right to require a participant household to exclude the offending member in order to continue receiving housing assistance. Another point that was emphasized with the members concerns the seriousness of the offenses that merit denial or termination. Individuals and households are not denied or terminated for minor or petty offenses. In addition, most of the cases that have been denied admission to the program involve persons with a record of multiple convictions.

On the matter of tenant briefings, the program has decided not to change its current policy (see Chapter 7 of the Administrative Plan, Briefing Households). It was decided that requiring all of the adult members in each household to attend the initial briefing when the household is offered a voucher and to also attend the annual reexamination interviews would create a scheduling problem for the program as well as for the applicants and participants. Our current policy, which requires only the head of household to attend these briefings, reinforces the importance of the role of the head of household as the person who is responsible for the actions and inactions of all of the members of the household and we do not want to diminish the importance of this role.

## **Public Notice**

On March 6, 2007, a public notice was published in The Bergen Record, The Star Ledger, and The Atlantic City Press to announce the scheduling of a public hearing on March 26, 2007 to discuss the proposed changes to the Streamlined Annual PHA Plan and the Housing Choice Voucher Program Administrative Plan. The public hearing was also announced on the program's Website: [www.nj.gov/dca/dh](http://www.nj.gov/dca/dh)

## **Comments on the Housing Choice Voucher Program Administrative Plan**

*Comment.* One commenter expressed reservations about the program's proposed changes to its criminal record screening policy (see pages 4-2 to 4-4). This proposal includes an expansion of the

review period from three to five years but does not change the reasons or circumstances for denial or termination of assistance.

*Response.* In the three-year period ending December 31, 2006, the program identified 124 individuals and households with a criminal background that questioned their suitability for tenancy. A number of applicants from this group were allowed to participate in the program after an individual review of their case confirmed that the subject household member had successfully completed a drug or alcohol rehabilitation program. Over the same three-year period, the Housing Choice Voucher Program admitted almost 5,000 households and issued many more vouchers to applicants that did not become program participants. We believe the number of households who were denied a voucher because of drug abuse and other criminal activity is not a significant number for a program of our size and that adequate procedures are in place to consider the circumstances of each of these cases before a final decision is made. We also believe that an expanded review period is necessary to ensure that a dwindling supply of federally funded housing vouchers benefits those with the greatest housing need while protecting the integrity of the program.

*Comment.* One commenter was very generous with his comments about the program's record in cooperating with households that have expressed an interest in moving to or from our jurisdiction under the portability feature of the Housing Choice Voucher Program.

*Response.* We appreciate the commenter's recognition of our efforts to ensure that vouchers are truly portable from one jurisdiction to another. Over the years our agency has made an effort to cooperate with all of the housing agencies and households that have contacted us about portability. We have concluded that portability works best for all parties when the receiving agency absorbs the cost of the transfer rather than entering into a billing arrangement with the initial housing agency. Because of the size of our agency and our management practices, we are fortunate to be able to continue our policy of absorbing the cost of all portability transfers that are received by our agency.

*Comment.* One commenter inquired about the program's payment standard amounts and exceptions to the standard amounts.

*Response.* All agencies administering a Housing Choice Voucher Program must adopt a payment standard schedule that establishes voucher payment standard amounts for each Fair Market Rent (FMR) area in the agency's jurisdiction. For each FMR area, the agency must establish payment standard amounts for each unit size. The agency may establish the payment standard amount for a unit size at any level between 90 percent and 110 percent of the published FMR for that unit size. HUD approval is not required to establish a payment standard amount in that range, which is referred to as the basic range, but an agency must request HUD approval to establish a payment standard amount that is higher or lower than the basic range.

The Department of Community Affairs has adopted a schedule of payment standard amounts that are from 100 percent to 110 percent of the published FMR for each unit size in all eleven of the FMR areas that are included in the state. Our payment standard amounts are set at 100 percent of the FMR as a baseline amount. After reviewing the average gross rent for each unit size in each FMR area, the program has increased the payment standard amounts in those instances where the average gross rent is greater than the proposed FMR. For example, in the Trenton-Ewing (Mercer

County) FMR area, where the average gross rents are less than the FMRs, the payment standard amounts are set at the published FMR. In the Middlesex-Somerset-Hunterdon area, the 0-bedroom, 1-bedroom, and 2-bedroom FMRs were determined to be adequate when compared to the average gross rents, but our data indicated that the proposed FMRs to be inadequate for the larger-sized units. Accordingly, the payment standard amounts for 3, 4, and 5-bedroom units were set between 100 percent and 110 percent of the FMRs to ensure that the participants in this market area who need a larger-sized unit are not rent burdened.

In each case, the proposed FMRs were compared to actual program data to help us determine where higher payment standard amounts are needed so that a reasonable schedule of payment standard amounts is implemented.

On a case-by-case basis, the program may request approval from the HUD-Newark office of an exception payment standard amount within the upper range (from 110 percent to 120 percent of the published FMR) if required as a reasonable accommodation for a household that includes a person with disabilities. (See Exhibit 9-4, Request for HUD Approval of Exception Payment Standard Amount on page 9-13 of the Administrative Plan.)

*Comment.* One commenter suggested that the program should waive the down payment requirement for persons with disabilities who are interested in participating in the Homeownership Program.

*Response.* In accordance with 24 CFR §982.625, *Homeownership option: General*, the program must establish that it has the capacity to operate a successful Homeownership Program. The program has satisfied this requirement by establishing a minimum homeownership down payment requirement in accordance with the provisions of paragraph (g)(1) of the cited section. Our policy on down payments is stated on page 18-7 of the Housing Choice Voucher Program Administrative Plan. Our policy requires a minimum homeowner down payment of at least three percent of the purchase price for *all* participants of the Homeownership Program. The household must contribute at least one percent of the purchase price from its own resources with the remaining two percent coming from other sources as a gift or a grant. We believe our down payment policy not only complies with the program requirements but also includes enough flexibility, with the possibility of the household contributing only one percent of the purchase price as a down payment, to be a very inclusive policy for all Housing Choice Voucher Program participants who are interested in homeownership.