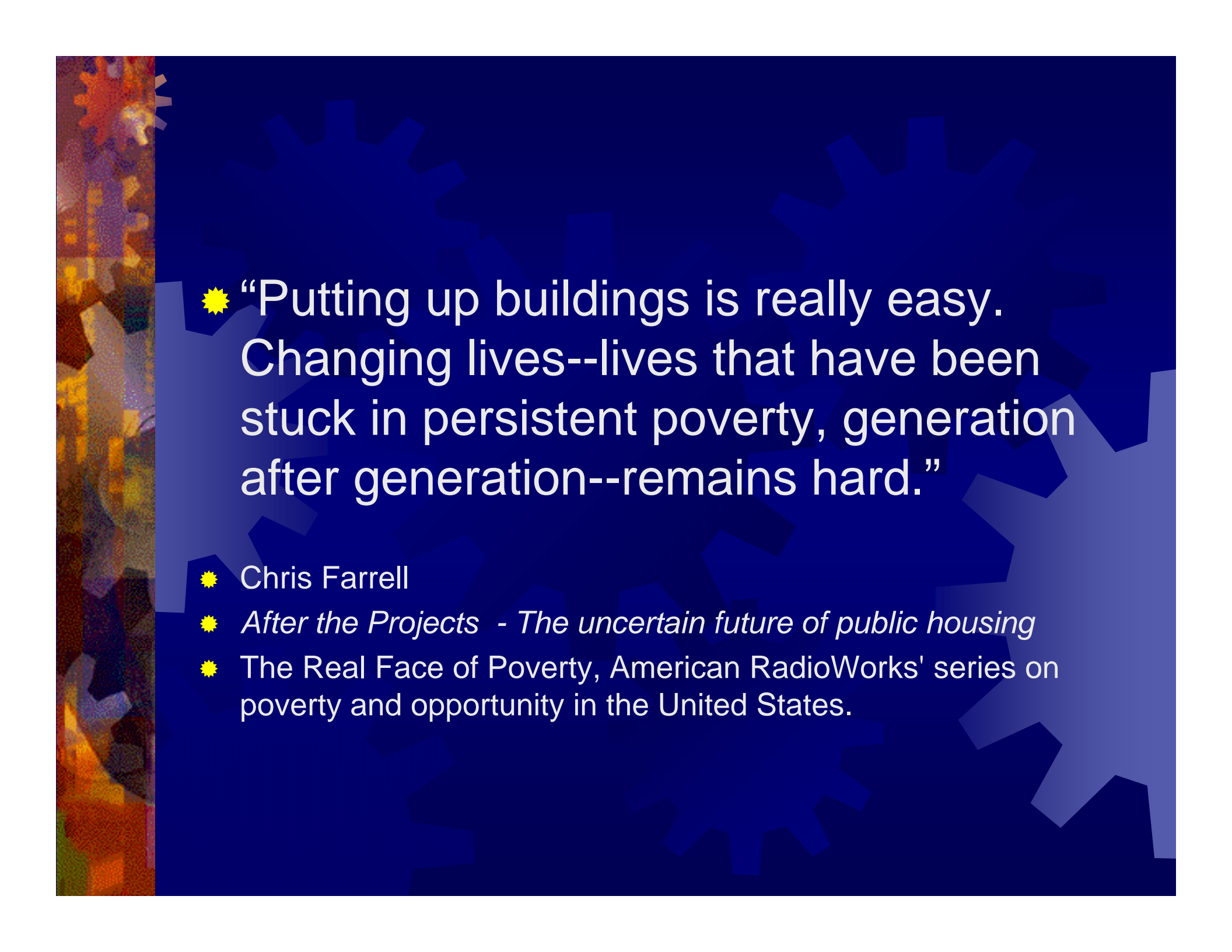




PHA Board Commissioner Training

Back to the Basics



✦ “Putting up buildings is really easy. Changing lives--lives that have been stuck in persistent poverty, generation after generation--remains hard.”

✦ Chris Farrell

✦ *After the Projects - The uncertain future of public housing*

✦ The Real Face of Poverty, American RadioWorks' series on poverty and opportunity in the United States.



U.S. Housing Act of 1937

- ✦ Allows for creation of municipal housing organizations/corporations (*aka* Public Housing Authorities) to undertake federal housing programs and apply for federal funds.
- ✦ Goal is to provide decent and affordable housing for all citizens.
- ✦ Creation of the Public and Indian Housing program. These programs now provide affordable housing to over 2.9 million households nationwide. The average yearly income of families is \$12,500.




What is a PHA?

Any State, county, municipality, or other governmental entity or public body, or agency or instrumentality of these entities, that is authorized to engage or assist in the development or operation of low-income housing under the 1937 Act.

- 
- ✦ The PHA is a legally created governmental entity.

A PHA may sue, and be sued.

- ✦ Assure that the PHA operates legally and within the established requirements, and with integrity in its daily operations.



As a public body, the PHA is subject to State and local laws governing open meetings and records. A PHA must also protect information obtained and covered under the federal Privacy Act.

To foster greater economy and efficiency, PHAs are encouraged to enter into State and local intergovernmental agreements for procurement of common goods and services.



PHAs may also undertake other housing related programs:

- Financing, planning, undertaking, constructing or operating a housing project(s)
- Homeownership programs;
- Property Management;
- Security and crime prevention programs;
- Supportive service and tenant opportunities
- Economic and self-sufficiency programs

Note: Use of HUD funds has limitations. PHAs may also form partnerships with governmental agencies, non-profits, and private organizations to mutually achieve goals.



Public Housing

PHAs assist eligible low-income families (under 80th percentile of median family income) in renting PHA owned housing covered under an Annual Contributions Contract with HUD.

Financial assistance from HUD includes operating subsidy, capital funds, and other special purpose grants awarded to the PHA.

The PHA operates the program through dwelling rent income, operating subsidy from HUD, and other income generated by the PHA or property.

High or long-term vacancies, high turnover rates, poor management and maintenance, and competition with other affordable housing options all impact the ability of the PHA to achieve its mission.



Public Housing

- ✦ As owners of the property, the board must ensure its assets are adequately protected through insurance, sound and quality business practices for managing, maintaining and modernizing its property, and by complying with regulatory requirements of the program, and applicable State or local requirements.
- ✦ The PHA's staff or agents manage the property and act as the landlord for the PHA. The terms of the rental lease are subject to federal regulations at 24 CFR Part 966, your State's Tenant/Landlord laws for residential leases, and other locally adopted rules or policies (i.e., Pets, Grievance, House rules, etc.) incorporated into the lease by reference.

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Public Housing

- ★ Families who are eligible for Public Housing may choose to pay either an income-based rent, or a flat rent amount.
- ★ A PHA with less than 250 units may remove units from the rent roll in order to rent to over-income (i.e., non-eligible) families, subject to requirements at 24 CFR 960.503.

U.S. Housing Act of 1937, as amended

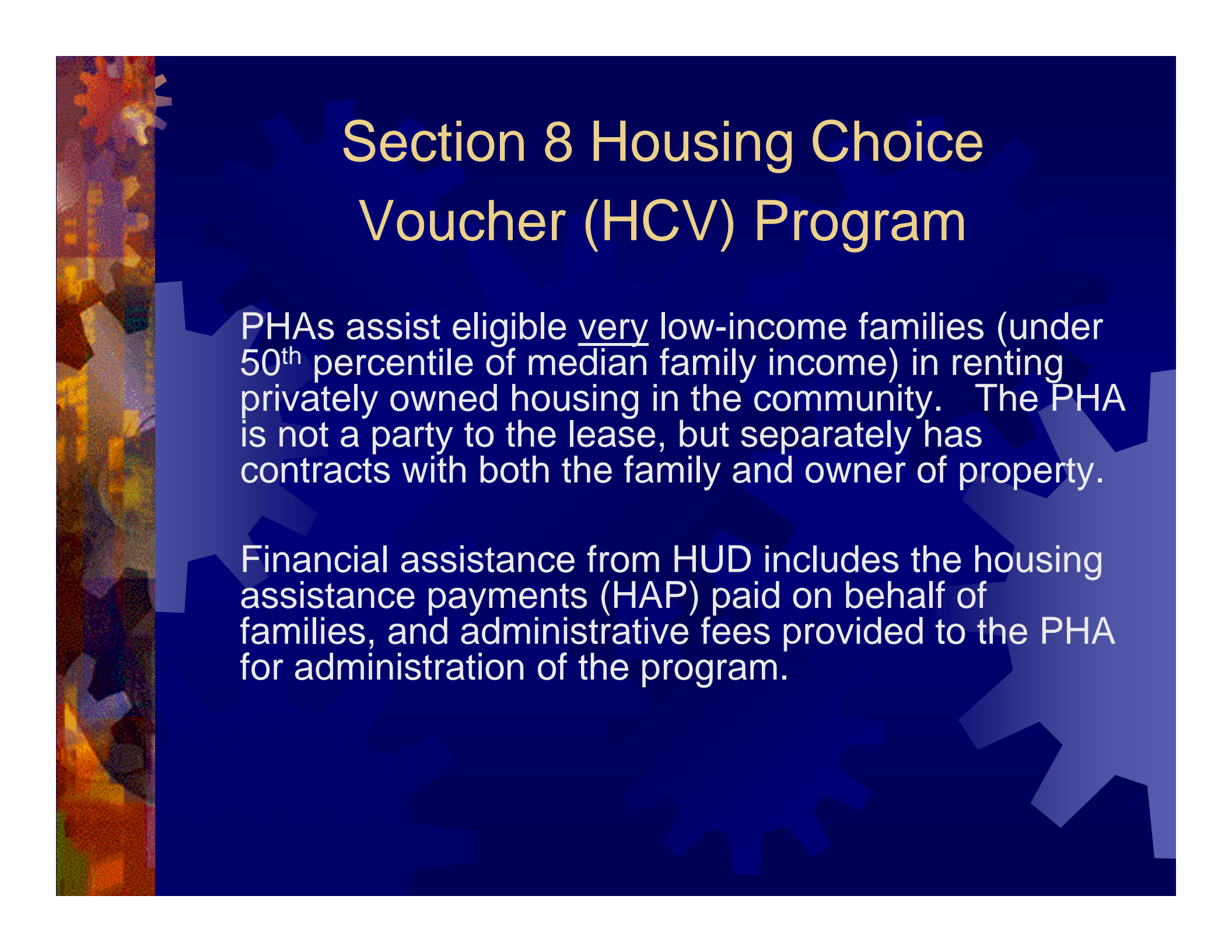
Congressional strategy shifts over the years towards private housing sector subsidy. Section 8 project-based and tenant-based voucher programs created. In 1998, the certificate and voucher programs were merged into the Housing Choice Voucher (HCV) program.

- Housing Act of 1968;
- Housing and Community Development Act of 1974;
- Housing and Community Development Act of 1987;
- Quality Housing and Work Responsibility Act (QHWRA) of 1998



Quality Housing and Work Responsibility Act (QHWRA) of 1998

- required community service for public housing residents (exemptions for some)
- flat rent option in public housing
- screening and eligibility criteria related to criminal background
- requirement for the Five-Year and Annual Plan, including Resident Advisory Board
- requirement for a resident appointment to the governing board of PHAs
 - Note: Iowa PHAs are excluded for the FFY; however, Resident Advisory Board requirements differ



Section 8 Housing Choice Voucher (HCV) Program

PHAs assist eligible very low-income families (under 50th percentile of median family income) in renting privately owned housing in the community. The PHA is not a party to the lease, but separately has contracts with both the family and owner of property.

Financial assistance from HUD includes the housing assistance payments (HAP) paid on behalf of families, and administrative fees provided to the PHA for administration of the program.



Section 8 HCV Program

Eligible families are issued a Housing Choice Voucher (HCV) and search for housing in the community, or in some cases, anywhere in the United States.

The PHA executes a Housing Assistance Payment (HAP) contract with the property owner and makes monthly payments to the owner on behalf of the family. The family must contribute towards their rent & utilities (i.e., Total Tenant Payment), plus pay any amount which is above the payment standard set by the PHA for the unit.



Minimum Property Standards

Public Housing: The PHA must inspect its units, site, and buildings to the Uniform Physical Conditions Standards.

Vouchers: The PHA must inspect the dwelling unit to ensure it meets the housing quality standards (HQS), which are minimum property standards. With HUD approval, a PHA may adopt variances to HQS.



State Municipal Housing Authority Law

- Powers and authority of the PHA
- Purpose and responsibilities of the PHA
- Board member qualifications
 - Appointments to, and removal from, the board;
 - terms of office
- Other PHA requirements
i.e., the annual report to the local governing bodies on the state of the PHA.

State Municipal Housing Authority Law

Missouri

RSMO99

Kansas

Section 17, 2337-2365

- Housing Law – Cities; Development Credit Corporation

Iowa

Chapter 403A

- Municipal Housing Projects

Nebraska

Statute 71, Section 15

- Housing Cooperation Law
- Nebraska Housing Authorities Law

Organizational Transcripts

- Authorizing resolutions from municipality creating the Housing Authority and conferring the power and authority to transact business
 - Area of operation established
- Cooperation Agreements/Interagency Agreements
- Bylaws of PHA
 - Authority name and if applicable, seal
 - Office location and hours of operation
 - PHA Meetings (types, time/location)
 - Officer positions/duties and elections
 - Provisions for amending bylaws



Annual Contributions Contract

HUD and the PHA's authorized official enter into a Consolidated Annual Contributions Contract (CACC).

- Public Housing

Forms HUD-53012A and 53012B

Section 8

- Forms HUD-52520 and 52520A



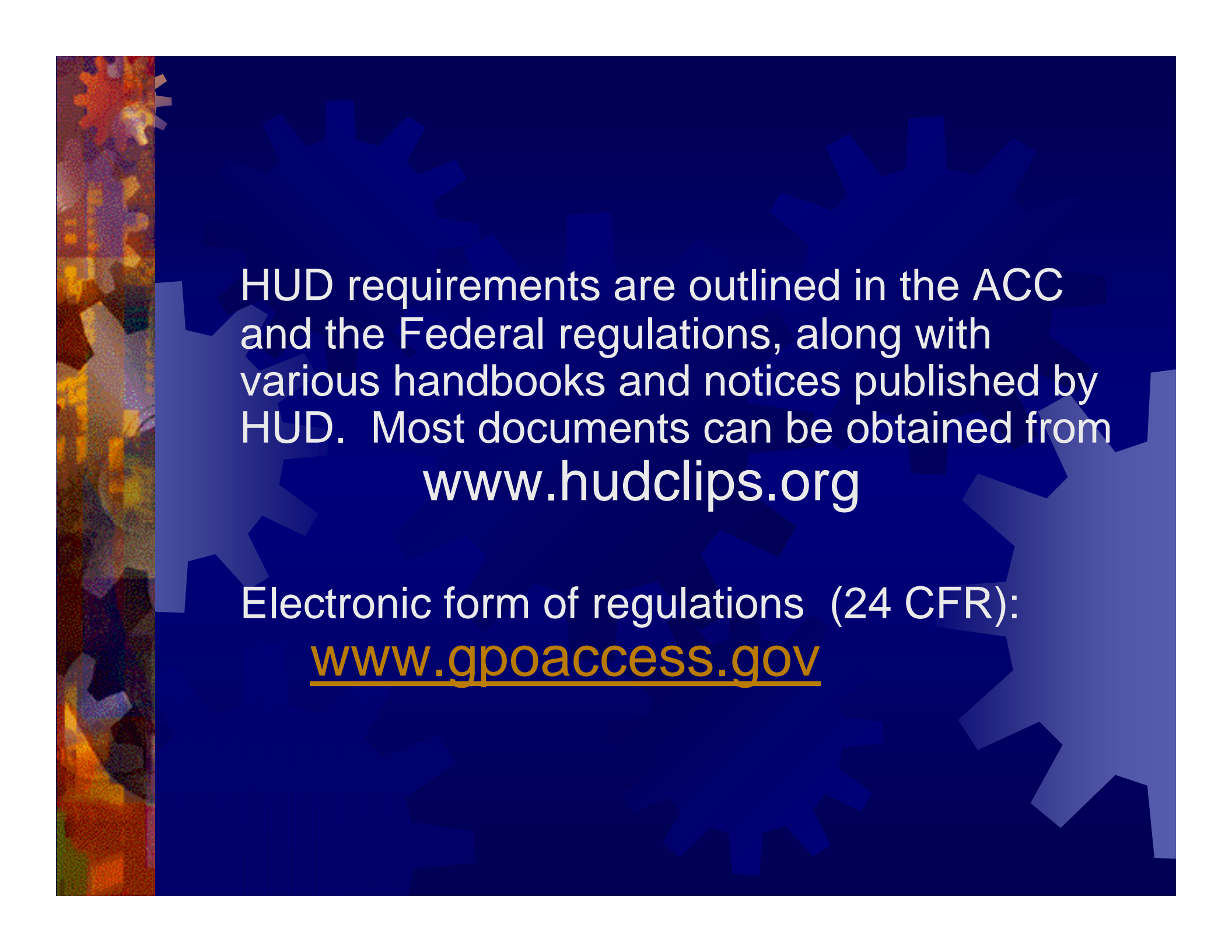
Annual Contributions Contract

Provides the terms and conditions between the PHA and the United States of America, by the Department of Housing and Urban Development (HUD), including:

Civil Rights Requirements

Conflict of Interest

- Public Housing (section 19 of ACC)
- Section 8 (24 CFR 982.161)



HUD requirements are outlined in the ACC and the Federal regulations, along with various handbooks and notices published by HUD. Most documents can be obtained from www.hudclips.org

Electronic form of regulations (24 CFR):
www.gpoaccess.gov



The PHA Board of Commissioners

The local governing board is the council or other legislative body charged with governing the municipality. The powers of a municipal housing authority shall be exercised by the commissioners/officers of the PHA. It is the board's responsibility to act in the best interest of the PHA.



The Board's Role



Provide for proper management and oversight of PHA operations

- ✦ The Board is responsible for securing the management of the PHA, and ensuring that PHA operations are undertaken in accordance with the laws and program requirements, and the board's priorities and policies.



Securing Management for the PHA

- Fully consider and evaluate all available options (hire staff, contract for management, intergovernmental agency agreement, consortia, etc.) for efficient operation of PHA.
- Select a qualified Director or administrator. Have a clear understanding of the skills and qualifications needed, duties to be performed, compensation to be provided, and other terms and conditions of employment or contract.
- Monitor and evaluate performance. Remember that the Director/Administrator works for the board and not the other way around.



Authorize new contracts, budgets, payments, and Applications for Funding

Approve, review and monitor budgets, contracts and other financial documents to ensure expenditures are in compliance with Federal and local laws or other requirements, and otherwise follow good business practices for safeguarding the financial integrity of the PHA and preventing fraud, waste, mismanagement and abuse.



Develop the PHA's Mission, Goals, and Plan

PHAs must develop an Annual Plan and Five-Year Plan in consultation with its Resident Advisory Board, State and public.

- Housing Needs (waiting lists, including site-based);
- Policies for deconcentration, eligibility and rent determinations, grievance, pets, community service and self sufficiency;
- Homeownership programs;
- Designated Housing;
- Project-based assistance;
- Conversion of public housing to tenant-based assistance;
- Capital improvement funding, including demolition and disposition.



Developing the PHA's Mission, Goals and Plan

- What is your organization's mission?
- What goals does it have?
- Does it have a plan to achieve its goals and meet its mission?
- How do you know whether you are on target?
 - Utilize local housing needs data and reports in HUD systems to assess your resident characteristics and key management indicators



Establish local discretionary policy

- Policies are board adopted and spell out expectations with respect to operation of the PHA and its programs. Internal procedures may be developed which spells out how staff will accomplish.
- Consider local needs and conditions, priorities, goals and resources.
- As laws or program requirements change, or as PHA circumstances warrant, policies, plans and goals should be reviewed, and if necessary, revised.



Example -Essential Components of a Personnel Policy

family medical leave

Amer. Disability Act

sexual harassment

retirement

disciplinary procedures

terms of employment

dismissal

confidentiality

security of files

license/certification

grievance procedures

employee complaints

comp/OT use

vacation & benefits

nepotism

conflict of interest



The Executive Director
(or Administrator's)
Role is.....



Executive Director's Role is...

.....the day-to-day
administration of the
PHA and its programs.

The background of the slide is a dark blue field filled with various sizes of semi-transparent gears. On the left side, there is a vertical strip with a colorful, abstract pattern of orange, yellow, and brown, resembling a close-up of a gear or a textured surface. The title 'The Executive Director's Role' is written in a large, bold, yellow font at the top center.

The Executive Director's Role

- Hiring, training, supervision and termination of PHA staff;
- Procurement of goods and services and oversight of all contract work;
- Preparation of PHA budgets, supervision of cash management, and bank reconciliation;



The Executive Director's Role

- Enforcing the lease (Public Housing) and family and landlord obligations (Section 8);
- Monitoring operations for fraud and abuse;
- Maintaining overall compliance with Federal, State and local laws, as well as board-adopted policies and procedures;



The Executive Director's Role

Keeping the PHA Commissioners informed of any problems such as audit concerns, legal issues, major resident issues, financial status, changes to laws, and other important issues.



Grievance/Informal Hearings

Assure that the policies and procedures provide families with fair and impartial review of PHA decisions having an adverse affect (i.e., denial of application, rent determinations, lease or program violations leading to termination of lease/assistance), where required.

- Public Housing – Informal Hearing (applicants)
Grievance Policy & Procedures (tenants)
- Section 8 - Informal Reviews & Hearings



HUD Assessment of PHA Performance and Compliance

- Section 8 Management Assessment Program (SEMAP)
- Public Housing Assessment System (PHAS)
 - MASS - Management Assessment
 - FASS - Financial Assessment
 - PASS - Physical Assessment



Evaluating PHA Performance and Compliance

- HUD Monitoring Reviews & Assessments
- Inspections
- Communication with clients, municipality, community members and partners
- Independent Audit Reports
- Internal or Quality Control Reviews
- Occupancy and Financial Reports

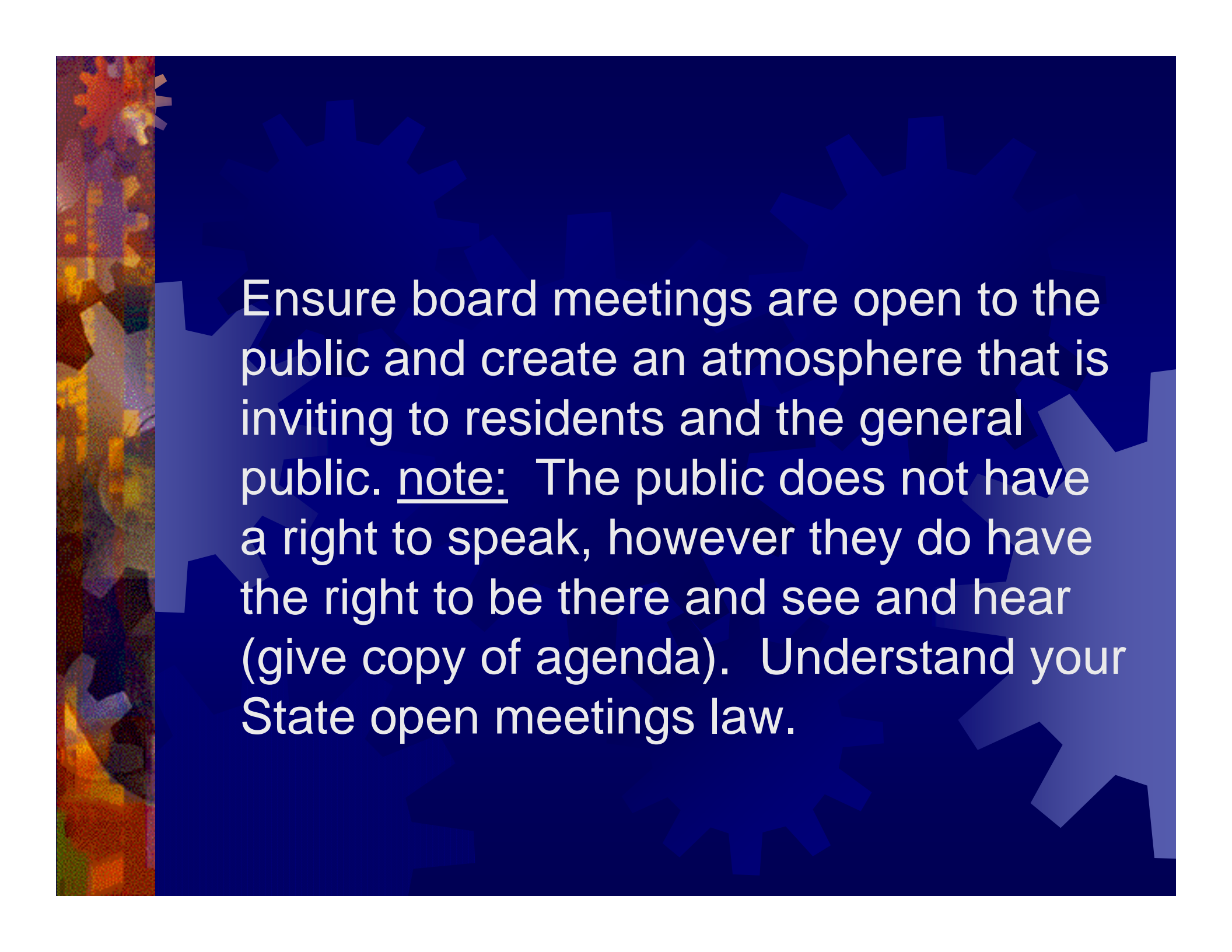


Board Meetings



Board Meetings

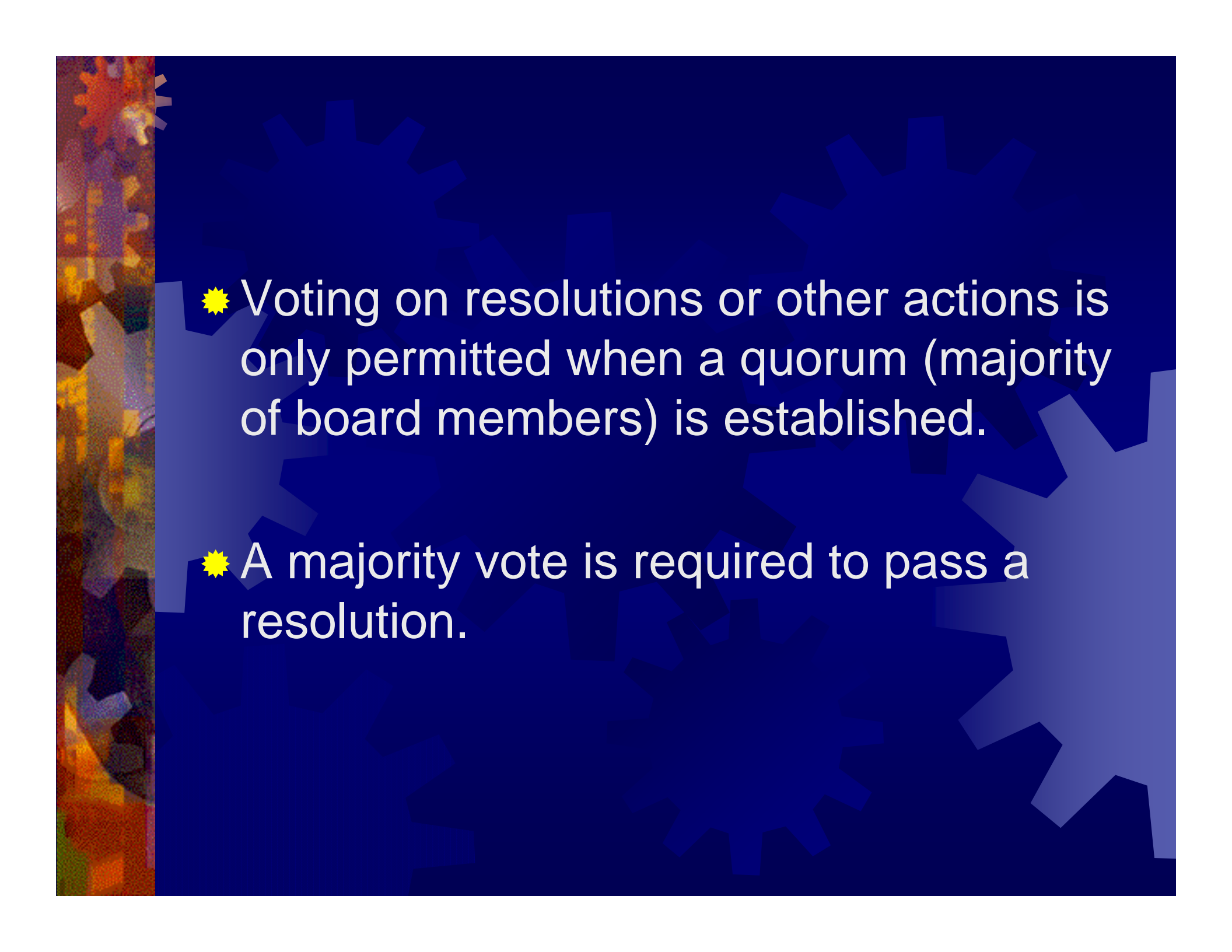
- It's a business meeting – conduct in a businesslike manner
- Most PHAs use parliamentary procedures
- Meetings should be productive (exchanging ideas, deliberation and taking action) and not used for gathering information
- Each board member was appointed for their perspective – be respectful



Ensure board meetings are open to the public and create an atmosphere that is inviting to residents and the general public. note: The public does not have a right to speak, however they do have the right to be there and see and hear (give copy of agenda). Understand your State open meetings law.

Board Business

- ☀ Notice of board meetings, agendas, board minutes, and resolutions are official records of the board's proceedings, and as such, should clearly and accurately reflect the board's undertakings. Care must be taken to safeguard the official records of the board's actions.

- 
- ✦ Voting on resolutions or other actions is only permitted when a quorum (majority of board members) is established.
 - ✦ A majority vote is required to pass a resolution.



Meeting Planning

- Meeting schedule should be known well in advance (1 year)
- Schedule election of officers, director's evaluation, housing conferences, budget review, etc.
- Agenda should be established in advance
- Meeting packets should be provided in advance to allow review prior to the meeting (i.e., Director's report, financial, committee reports, etc.).



PHA Bylaws

Bylaws establish:

- How often board meets

- Location of meetings

- Date and time

- Meeting attendance policy

- Regular agenda

Consider the use of technology (e:mail, fax) for more efficient communications between members and the Executive Director

Chairperson's Role

- Chairperson approves agenda (although each board member has input);
- Exercises control over the meeting;
- Establishes whether a quorum is met;
- Recognizes visitors/welcomes them;

Chairperson's Role

☀ Ensure meetings:

- are started on time, called to order, and adjourned after conclusion of all business;
- follow the approved agenda;
- provide opportunity for each board member's input.

Previews next meeting



Agenda Etc.

- Clean up unfinished (not “old”) business
- Identify new business (determine if it’s the board’s business vs. management’s business)
- Include Board development topics (attorney, accountant, auditor, PHA staff, municipal organizations, community organizations, etc.)

The Board Minutes

- Date/Time
- Type of meeting (regular, special, annual)
- Identify members present & absent; who's presiding over meeting
- Executive Director's report (the issues, background information and recommendations)
- Motions and their disposition
- Notations (references to supporting materials in packet)
- General Notes
 - Minutes from previous meeting
 - Financials & financial notes (statistics, explanation of budget variances, other information as appropriate)
 - Committee reports (brief report, with recommendation to full board)

Resources

★ PIH website: www.hud.gov/offices/pih

Guidebooks:

- Section 8 HCV (7420.10G)

www.hudclips.org

- Public Housing

[www.hud.gov/offices/pih/programs/ph/rhiip/
phguidebook.cfm](http://www.hud.gov/offices/pih/programs/ph/rhiip/phguidebook.cfm)




Resources

- Network with other PHA staff and officials, and develop partnerships with other governmental and community organizations.
- Housing Associations and Training Organizations
- Other technical experts as may be necessary



Local HUD Offices

- ✦ Kansas City HUB Office
(913) 551-6916
- ✦ St. Louis Program Center
(314) 539-6503
- ✦ Omaha Program Center
(402) 492-3139



Thank you for your
commitment and service to
the PHA in providing decent,
safe and affordable housing
for your community.