



## Legislation Text

File #: 22-2010, Version: 1

**HEARING** - Health and Human Services Agency (HHS) recommending the Board, acting as the Governing Board of the El Dorado County Public Housing Authority (PHA):

- 1) Adopt and authorize the Chair to sign Resolution **183-2022** to acknowledge the El Dorado County Public Housing Authority (PHA) as a standard performing agency exempt from the requirement to annually receive approval from United States Department of Housing and Urban Development (HUD) of its Agency Plan;
- 2) Approve the 2022 update to the annual PHA Administrative Plan for continued administration of the Housing Choice Voucher (HCV) Program, Special Purpose Vouchers, and Emergency Housing Vouchers;
- 3) Authorize the Chair to sign the HUD PHA Civil Rights Compliance Certification, HUD PHA Plan Consistency with HUD Consolidated or State Consolidated Plan Certification, and Certification of Compliance with PHA Plans and Regulations, and any other documents related to submittal of the 2022 update to the annual PHA Administrative Plan, contingent upon County Counsel approval; and
- 4) Recognize the contribution of the Resident Advisory Board in assisting with the 2022 update to the Administrative Plan. (Est. Time: 10 Min.)

**FUNDING:** 97.5% Federal United States Department of Housing and Urban Development funding, 2.2% General Fund, 0.3% other revenue sources.

**DISCUSSION / BACKGROUND:**

The El Dorado County (EDC) Public Housing Authority (PHA) is a legal entity established under the Health and Human Services Agency (HHS). The HHS PHA operates under federal guidelines from the United States Department of Housing and Urban Development (HUD) to provide a rental subsidy assistance program called the Housing Choice Voucher (HCV) Program. The HCV Program is the federal government's major program for assisting very low-income families, the elderly, and those with disabilities to afford decent, safe, and accessible housing in the private market. The HCV Program allows the HHS PHA to provide eligible participants with rental assistance through the administration of HUD allocated housing vouchers.

HUD requires all PHAs to develop and maintain two plans for the operation and administration of the HCV Program which include:

- 1) The PHA Agency Plan, which includes a Five-Year Plan that outlines program goals and objectives of operation and administration of the HCV Program; and
- 2) An annually updated PHA Administrative Plan that covers program administration, policies and procedures in conformance with HUD regulations.

On September 12, 1995, the Board adopted a local annual PHA Administrative Plan to establish policies for the HHS PHA HCV Program. To comply with HUD regulations, the PHA Administrative Plan is amended on an annual basis to keep it consistent with changes initiated at the federal level and to reflect any local policy changes. HUD requires that the public is provided with an opportunity to review and comment on the annually updated plans in a public hearing, and that the local Governing Board adopt a Resolution approving the annual update of the PHA Administrative Plan.

The EDC PHA's Five-Year Agency Plan and annual 2021 PHA Administrative Plan were last reviewed and approved by the El Dorado County Board of Supervisors (Board) on December 7, 2021 (File ID 21-1625, Resolution 163-2021).

The HHSA PHA is providing the updated 2022 PHA Administrative Plan along with the list of changes made to the plan in this Board item, which reflect minor federal regulatory changes made during the past year and local policy changes. In accordance with HUD noticing requirements, the HHSA PHA posted the updated Administrative Plan to the HHSA PHA website, displayed printed Administrative Plan copies at PHA offices on both County slopes, and published an advance notice of the annual 2022 Administrative Plan presentation before the Board in the Mountain Democrat and Tahoe Tribune newspapers on October 28, 2022.

Prior to 2008, annual updates made to PHA Administrative Plans were provided to HUD for approval. Title VII of the Housing and Economic Recovery Act of 2008, passed by the United States Congress on July 28, 2008, established certain exemptions to the annual Administrative PHA Plan submittal requirements under sections 2701 and 2702 of the Small Public Housing Authorities Paperwork Reduction Act. Under statute, a PHA is exempt from submitting the required updated annual Administrative Plan to HUD when the PHA has fewer than 550 housing vouchers or units allocated, is not designated in a HUD audit as a troubled PHA and does not have a failing score under the Section 8 Management Assessment Program (SEMAP). The HUD SEMAP scoring ranges and designation categories are as follows:

- 90-100 equates to a High Performer designation
- 60-89 equates to a Standard Performer designation; and
- A score less than 60 is considered a Troubled Housing Authority designation.

For the fiscal year ending June 30, 2022, the HHSA PHA was allocated 494 housing vouchers and received a final SEMAP score of 86, meeting the HUD criteria of a Standard Rating designation. Consequently, the HHSA PHA must only provide copies of the following documents to HUD after the Board approvals have been granted, versus seeking HUD's approval of the Administrative Plan:

- HHSA PHA's updated annual Administrative Plan;
- Resolution adopted by the Board indicating their approvals of the updates made to the HHSA PHA annual Administrative Plan; and
- Board Chair signed HUD PHA Certifications of Compliance.

The HHSA PHA is required to submit the updated 2022 Administrative Plan to HUD by December 31, 2022, to remain in compliance with federal regulations. HHSA PHA's submission of the 2022 Administrative Plan, signed HUD Certifications, and adopted Board Resolution to HUD by the deadline will bring the HHSA PHA up to date in all aspects of administering the HCV Program.

#### **ALTERNATIVES:**

Should the Board decline to approve this recommendation or disapprove the Resolution, the HHSA PHA will be out of compliance with federal regulations. The HHSA PHA must stay in compliance to continue providing safe and affordable housing to eligible low-income individuals and families through the Housing Choice Voucher Program.

#### **PRIOR BOARD ACTION:**

- 1) 12/07/2021, File ID 21-1625, HHSA Amended 2021 Public Housing Authority Administrative Plan
- 2) 10/13/2020, File ID 20-1261, HHSA PHA 2020-2025 5-yr Agency Plan and Admin Plan Update
- 3) 05/05/2020, File ID 20-0457, HHSA PHA Further Amended PHA 2019 Administrative Plan
- 4) 10/22/2019, File ID 19-1289, HHSA Amended 2019 Public Housing Authority Administrative Plan
- 5) 06/04/2019, File ID 19-0797, HHSA 2019 Public Housing Authority
- 6) 06/05/2018, File ID 18-0691, HHSA 2018 Public Housing Authority Resolution and Certifications
- 7) 06/06/2017, File ID 17-0540, HHSA 2017 PHA Reso/Update to Admin Plan

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

County Counsel

**CAO RECOMMENDATION:**

Approve as recommended.

**FINANCIAL IMPACT:**

Approval of the 2022 update to the annual PHA Administrative Plan does not directly have a financial impact. The HHSA PHA Fiscal Year 2022-23 Budget includes \$91,500 in General Fund to support the administrative activities required to operate the PHA.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Obtain signature of Chair on one (1) Resolution and the three (3) Certifications of Compliance forms: HUD PHA Civil Rights Compliance Certification, HUD PHA Plan Consistency with HUD Consolidated or State Consolidated Plan Certification, and Certification of Compliance with PHA Plans and Regulations.
- 2) Return the signed documents to the HHSA Contracts Unit at 3057 Briw Road.

**STRATEGIC PLAN COMPONENT:**

Healthy Communities

**CONTACT**

Evelyn Schaeffer, Director, Health and Human Services Agency