



GARLAND

AGENDA

CITY COUNCIL WORK SESSION

City of Garland

Work Session Room, City Hall

William E. Dollar Municipal Building

200 North Fifth Street

Garland, Texas

May 15, 2017

6:00 p.m.

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**[Public comment will not be accepted during Work Session
unless Council determines otherwise.]**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, Tex. Gov't Code.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, Tex. Gov't Code.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, Tex. Gov't Code.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, Tex. Gov't Code.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, Tex. Gov't Code.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; Tex. Gov't Code; Sec. 552.133, Tex. Gov't Code]

1. Consider the Consent Agenda

A member of the City Council may ask for discussion or further information on an item posted as a consent agenda item on the next Regular Meeting of the City Council. The Council Member may also ask that an item on the posted consent agenda be pulled from the consent agenda and considered for a vote separate from consent agenda items on the regular agenda. All discussions or deliberations on this portion of the work session agenda are limited to posted agenda items and may not include a new or unposted subject matter.

2. Written Briefings:

a. LED Conversion Project - Update

Staff will update Council on the status of the LED Conversion Project. This will include the percentage of completion for each phase of the project and the remaining projected schedule.

b. Neighborhood Vitality Matching Grant

The Community Services Committee recommends approval for the applications as submitted by the following four neighborhood associations: Brentwood Village Homeowners Association, Pecan Grove Neighborhood Association, Meadow Creek Village Residents' Association, and Gatewood Homeowners Association Inc. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

c. Annual Performance Update on the City of Garland Housing Agency 2015-2019 Five Year Plan and Administrative Plan Approval

Council is requested to consider approval of the Garland Housing Agency Annual Performance Update and the Administrative Plan revisions. This is required for the City of Garland to continue to receive funding from the Department of Housing and Urban Development for rental assistance to low income families. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

d. Guthrie Road Bike Lane and Parking Restrictions

Parking will need to be restricted as part of the restriping of Guthrie Road in order to provide a two-way left turn lane and bike lanes.

e. Atmos Settlement Agreement

Council is requested to consider approval of the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos Mid-Tex") and the resulting rate change under the Rate Review Mechanism (RRM) tariff. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the June 6, 2017 Regular Meeting.

f. First Amendment to Electric Utility Loan Agreement

Council is requested to consider certain amendments to terms of the Electric Utility System Notes, Series 2016 Loan Agreement. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

3. Verbal Briefings:

a. Garland Youth Council Presentation

The Garland Youth Council will provide a presentation and summary of the 2016-17 year to the City Council.

b. May Transportation Update

The Transportation Director will provide a monthly briefing on the activities related to the Strategic Transportation Initiatives of the City of Garland.

c. Introduction of Assessment of Fair Housing (AFH) and Request to Hold a Public Meeting on July 11, 2017 at 7:00 p.m. to Gather Community Input

Fair Housing Services, Housing Agency, and Housing and Community Services will provide an introduction on the Assessment of Fair Housing (AFH) process required by HUD to fulfill requirements of the Affirmatively Furthering Fair Housing Rule (AFFH). Community assessments are required for recipients of Federal funds, including CDBG, HOME, ESG, and the Housing Choice Voucher program. Staff will present a tentative outline of activities and events in the development of the AFH. The City's participation in a regional consortium to develop a regional plan will also be discussed.

4. Regular Items:

a. North Texas Municipal Water District Applicant Interviews

Council will conduct interviews with applicants and discuss the appointment / reappointment process for the City of Garland's representation on the North Texas Municipal Water District (NTMWD). Mr. Gordon's term of office as a NTMWD Board Member expires May 31, 2017.

b. 2017-2018 CDBG, HOME and ESG Budget Allocation

Council will review and discuss information regarding applications, funding history, and available funds for the Community Development Block Grant, HOME Infill Partnership Grant and Emergency Solutions Grant budgets. The City Council will adopt a final budget for the CDBG, HOME and the ESG programs during the Regular Meeting scheduled for May 16, 2017.

c. IH-30 Corridor Catalyst Area Revitalization Plan Update

Staff will provide Council an update and briefing on the IH-30 Corridor Catalyst Area Revitalization Plan.

d. Rescheduling Council Meetings in June and July

At the request of Mayor Douglas Athas, Council is asked to consider rescheduling the June 5 Work session to June 12, June 6 Regular Meeting to June 13, June 19 Work Session to June 26, June 20 Regular Meeting to June 27, July 3, Work session and Regular Meeting to July 10 and July 11, July 17 Work session to July 24 and July 18 Regular Meeting to July 25. Moving the meetings as proposed would allow the Council to canvass the June 10th run-off election in an expeditious manner and would accommodate the July 4th holiday which is on the first Tuesday in July. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

5. Announce Future Agenda Items

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

6. Adjourn



City Council Work Session Agenda

2.a.

Meeting Date: May 15, 2017

Item Title: LED Conversion Project - Update

Submitted By: Ross Owen, Director of Transmission & Distr

Council Goal: Consistent Delivery of Reliable City Services

ISSUE

Update Council on the status of the LED Conversion Project. This will include the percentage of completion for each phase of the project and the remaining projected schedule.

OPTIONS

For informational purposes only.

RECOMMENDATION

For informational purposes only.

BACKGROUND

GP&L recognized the need to address the aging streetlight infrastructure in 2014, and began working on a project to upgrade all the median and thoroughfare lights with new LED lights and poles. This was to enhance the esthetics, improve the efficiency, and reduce the maintenance costs for the streetlight system. In addition, a new streetlight management system would be installed in conjunction with the LED lights, which will allow for improved monitoring and control of the system.

In 2015, GP&L was requested by Council to include the residential lights into the program. GP&L generated specifications and selected replacement lights for the residential areas. The lights selected by GP&L were equivalent replacements for the 100W high pressure sodium lights installed in these areas.

The overall project is sectionalized into 8 Phases (with the residential lights only having 7 Phases since it started one year after the median lights). As of April 24, 2017, the project remains on the projected scheduled that was provided to Council in December 2016.

Below is a chart showing the percentage complete in each of the Phases for both median and residential lights through April 24, 2017.

Median & Thoroughfare	Total Lights	Residential	Total Lights
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Phase 1 – 100%	774		
Phase 2 – 96%	560	Phase 1 – 84%	2,207
Phase 3 – 0%	668	Phase 2 – 21%	1,947
Phase 4 – 0%	557	Phase 3 – 6%	678
Phase 5 – 0%	657	Phase 4 – 2%	1,333
Phase 6 – 0%	718	Phase 5 – 4%	912
Phase 7 – 0 %	1,201	Phase 6 – 2%	1,336
Phase 8 – 0%	395	Phase 7 – 3%	1,411

Below are the anticipated completion dates for each of the Phases:

Median & Thoroughfare Residential

Phase 1: 4/30/16

Phase 2: 2/1/17

Phase 3: 9/30/17

Phase 4: 12/31/18

Phase 5: 12/31/19

Phase 6: 12/31/20

Phase 7: 12/31/21

Phase 8: 12/31/22

Phase 1: 5/31/17

Phase 2: 8/30/18

Phase 3: 12/31/18

Phase 4: 12/31/19

Phase 5: 12/31/20

Phase 6: 12/31/21

Phase 7: 12/31/22

These dates are projected and may be influenced by means outside of GP&L control (i.e. weather, material, labor)

Included Maps: LED Conversion Project, Phase 1, Phase 2, Phase 3

CONSIDERATION

Provided as an update only.

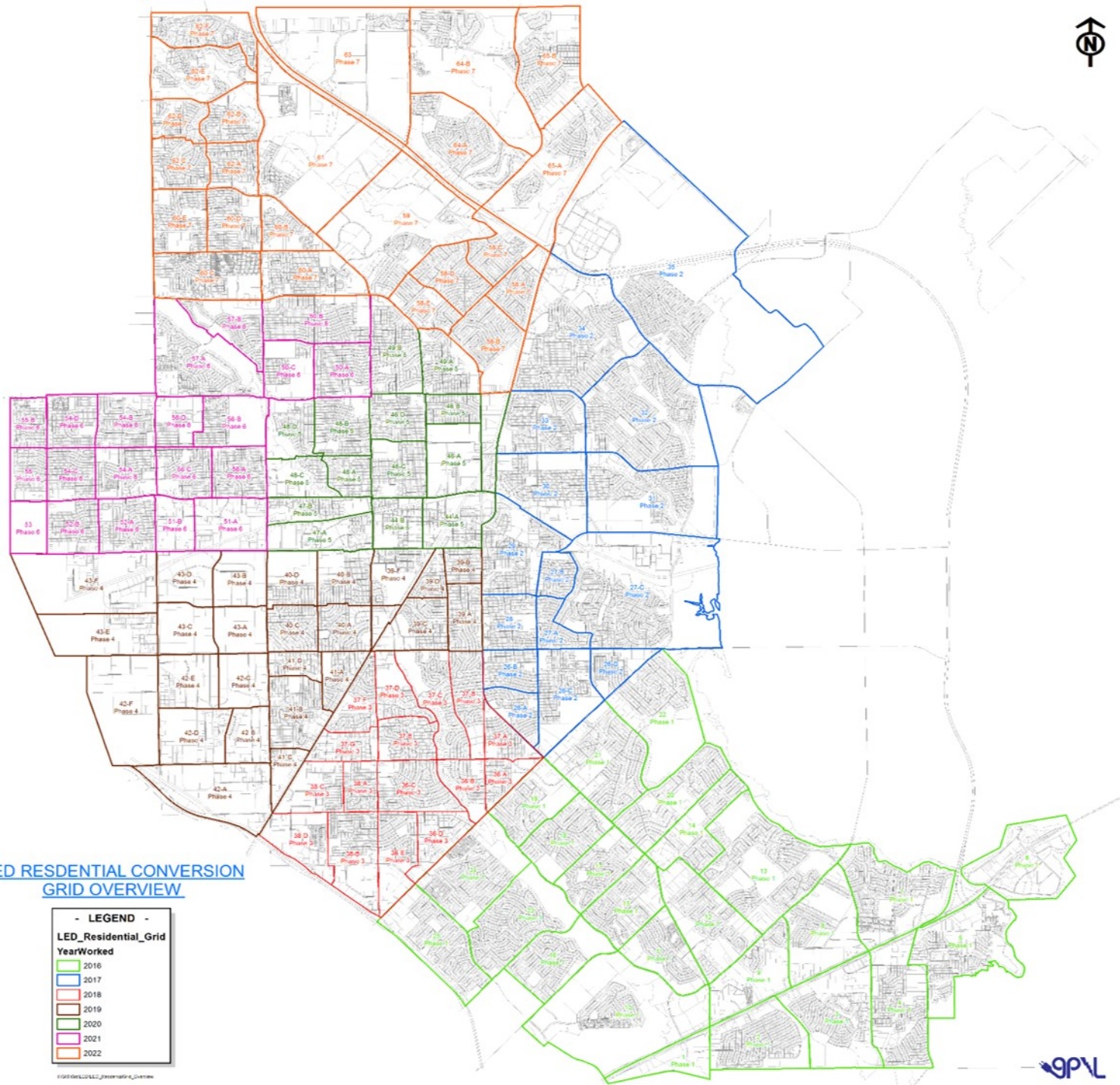
Attachments

Map LED Conversion Project

Map Phase 1

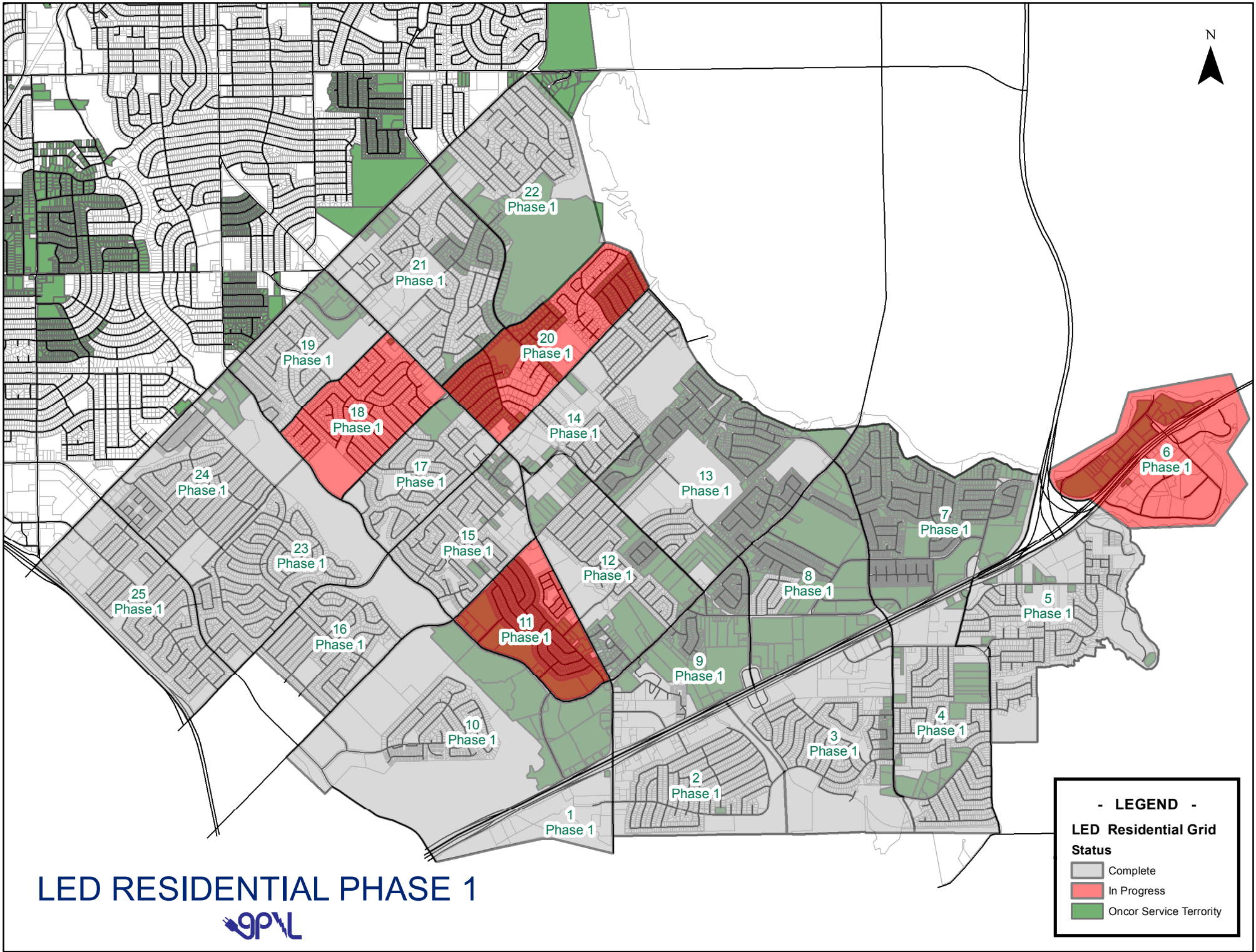
Map Phase 2

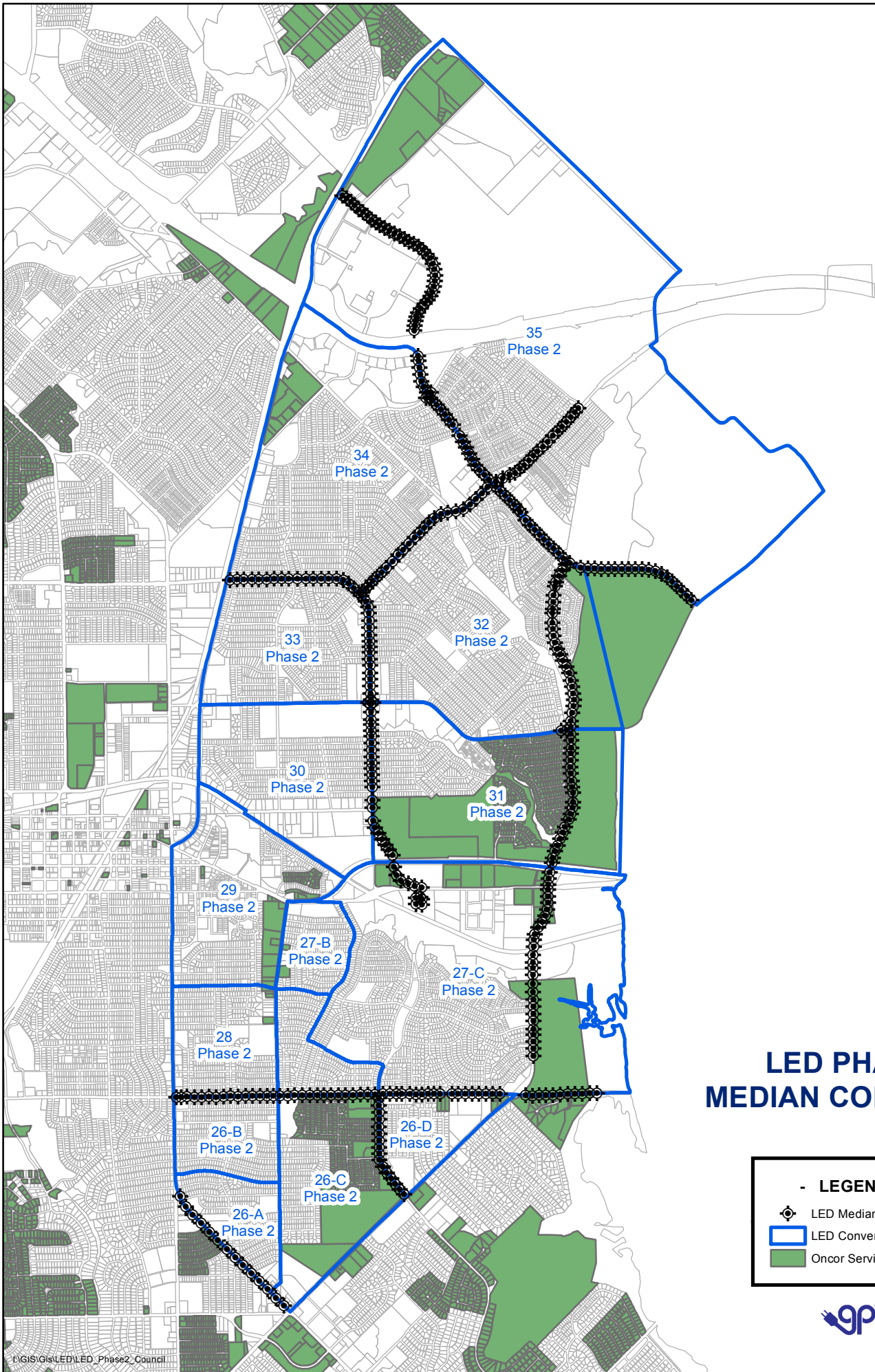
Map Phase 3



LED RESIDENTIAL CONVERSION GRID OVERVIEW

- LEGEND -	
LED_Residential_Grid	
YearWorked	
2016	2017
2018	2019
2020	2021
2022	



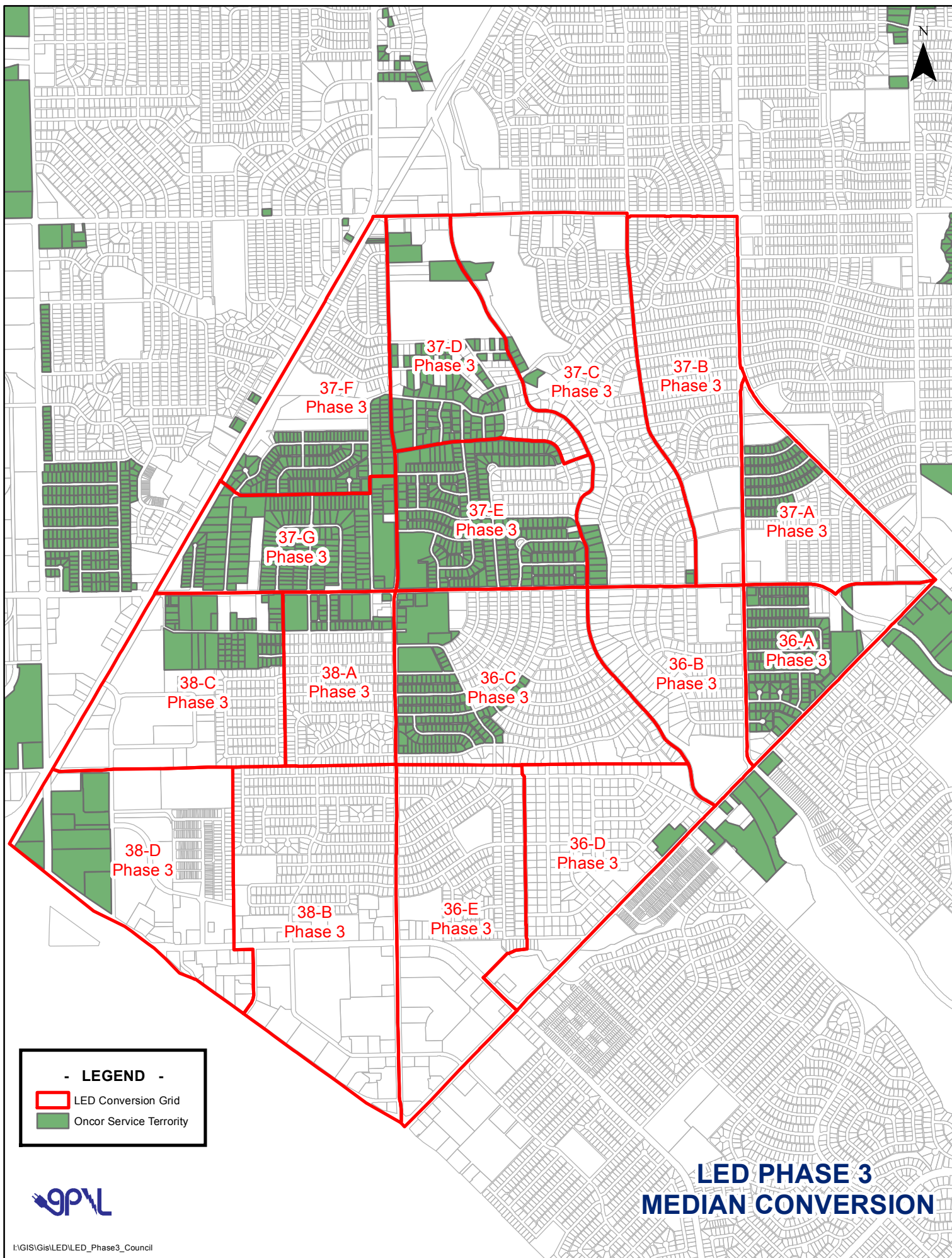


LED PHASE 2 MEDIAN CONVERSION

- LEGEND -

-  LED Median Light
-  LED Conversion Grid
-  Oncor Service Territory







GARLAND POLICY REPORT

City Council Work Session Agenda

2.b.

Meeting Date: May 15, 2017

Item Title: Neighborhood Vitality Matching Grant

Submitted By: Scott Bollinger, Neighborhood Resource Manager

Council Goal: Safe, Family-Friendly Neighborhoods

ISSUE

Review Neighborhood Vitality Matching Grant Applications

OPTIONS

1. Approve applications as submitted
2. Approve applications with modifications
3. Deny approval of applications

RECOMMENDATION

The Community Services Committee recommends approval for the applications as submitted by the following four neighborhood associations: Brentwood Village Homeowners Association, Pecan Grove Neighborhood Association, Meadow Creek Village Residents' Association, and Gatewood Homeowners Association Inc. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

BACKGROUND

Proposition 6 was approved by Garland voters in May 2004 and included \$5,000,000 for the Neighborhood Vitality Matching Grant Program. Council has previously indicated that funds would be made available annually for neighborhood improvement projects. The Community Services Committee reviewed the applications on April 17, 2017. Preliminary bids obtained by the applicants total \$50,917.03.

Costs may vary after awards are made and final bids are received.

CONSIDERATION

1. According to the program guidelines, approximately \$500,000 will be available annually for the grant program. These funds will be appropriated as part of the annual Capital Improvement Program for approved Neighborhood Vitality projects.
2. Staff has reviewed the applications to ensure compliance with the program guidelines. Issues identified during the review process are indicated on the project summary sheets.

Attachments

Neighborhood Vitality Matching Grant Attachments

NEIGHBORHOOD VITALITY MATCHING GRANT

PROJECT SUMMARIES

Neighborhood Association: Brentwood Village HOA

Project Name: Sign Toppers, Entryway Landscaping with irrigation and New Safety lighting in Community Park Area

Project Location: Two Worlds, Apollo (see map)

Total Project Cost: \$ 25,917.03

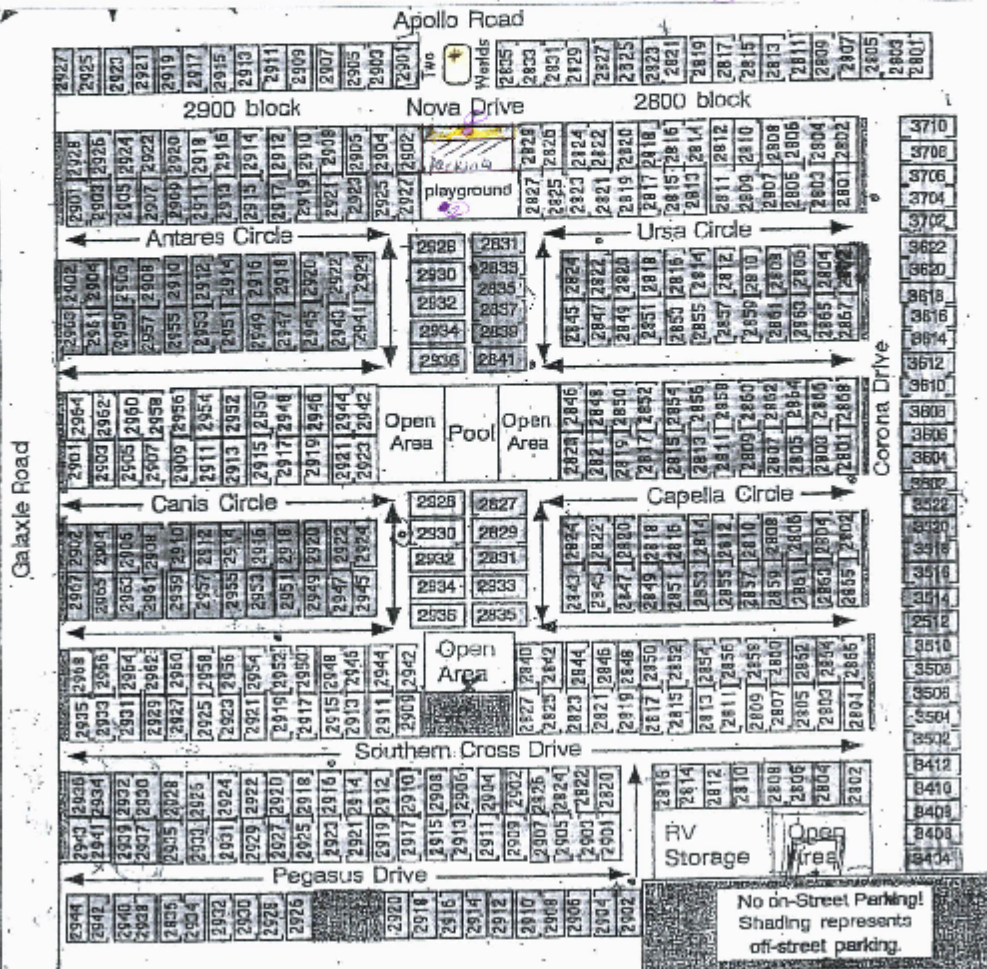
Requesting Amount: \$ 20,733.62

Neighborhood Match: \$ 5,183.41

Project:

- Sign Toppers
- Median landscaping at the entrances with xeriscaping and new irrigation
- New safety lighting in community park area

* Area for landscaping project
• New lights (5)



Brentwood Village, Garland, Texas

NEIGHBORHOOD VITALITY MATCHING GRANT

PROJECT SUMMARIES

Neighborhood Association: Pecan Grove

Project Name: Neighborhood Entry Sign

Project Location: Glenbrook Dr (North of W Centerville) (see map)

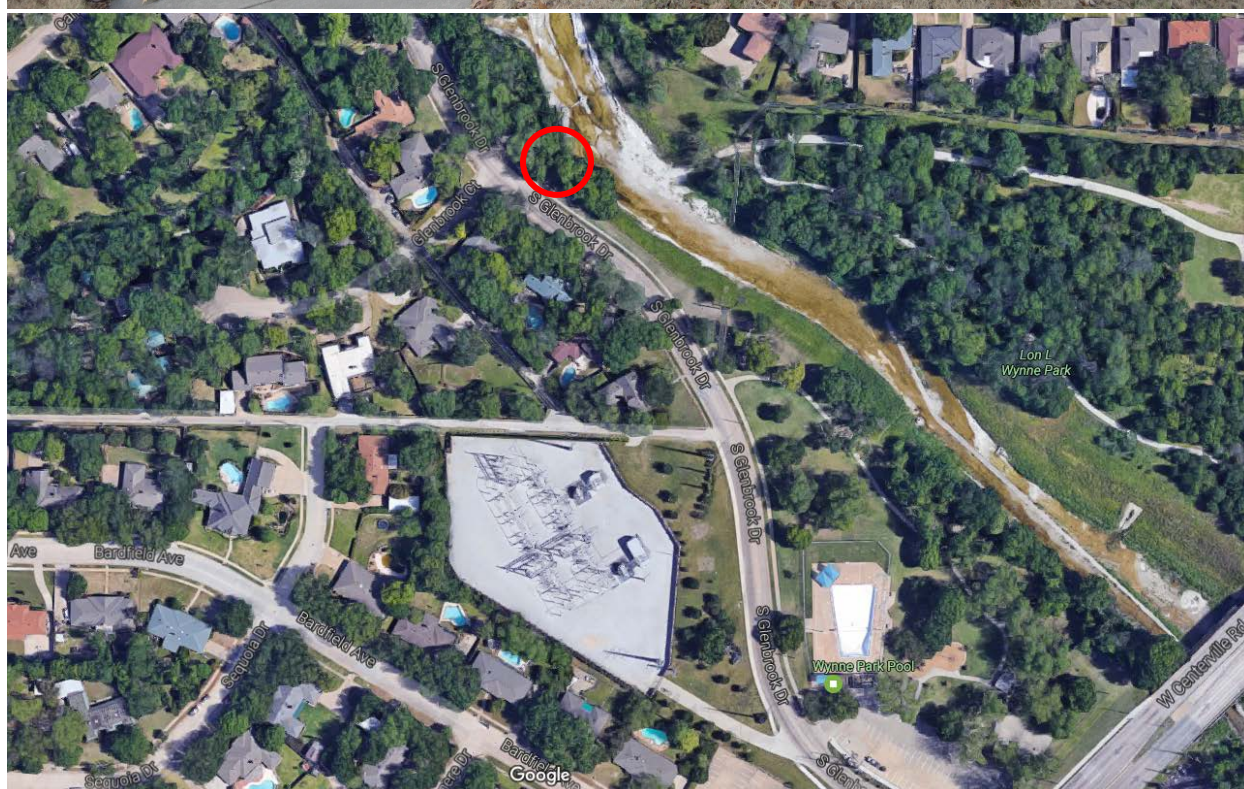
Total Project Cost: \$10,000

Requesting Amount: \$ 9,000

Neighborhood Match: \$ 1,000

Project Components:

- Neighborhood Entry Sign (Masonry and corten steel)



Sign Style



NEIGHBORHOOD VITALITY MATCHING GRANT

PROJECT SUMMARIES

Neighborhood Association: Meadow Creek Village Residents' Association

Project Name: Pergola, seating for the pergola, 2 barbeque grills, and path to pergola for community gathering and events

Project Location: 717 Valiant Circle Garland, TX 75043

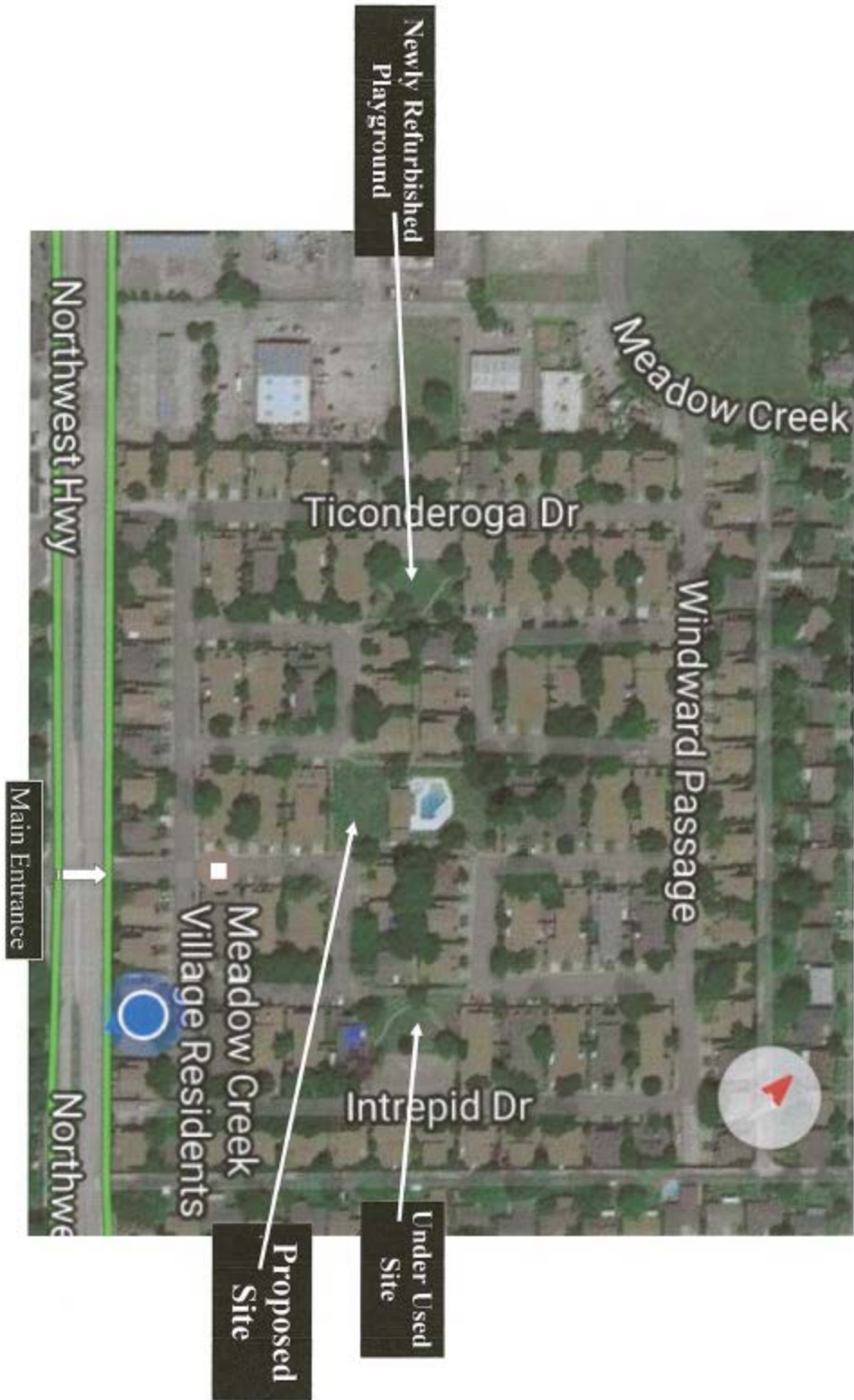
Total Project Cost: \$10,000

Requesting Amount: \$ 9,000

Neighborhood Match: \$ 1,000

Project Components:

- Pergola
- Park-style table seating
- 2 park-style barbeque grills
- Decomposed granite for base and for paths to the pergola



Proposed Site:
MCVRA Clubhouse Pergola





NEIGHBORHOOD VITALITY MATCHING GRANT

PROJECT SUMMARIES

Neighborhood Association: Gatewood Homeowners Association Inc.

Project Name: Neighborhood Entry Signage – 2 monument signs

Project Location: 717 Valiant Circle Garland, TX 75043

Total Project Cost: \$ 5,000

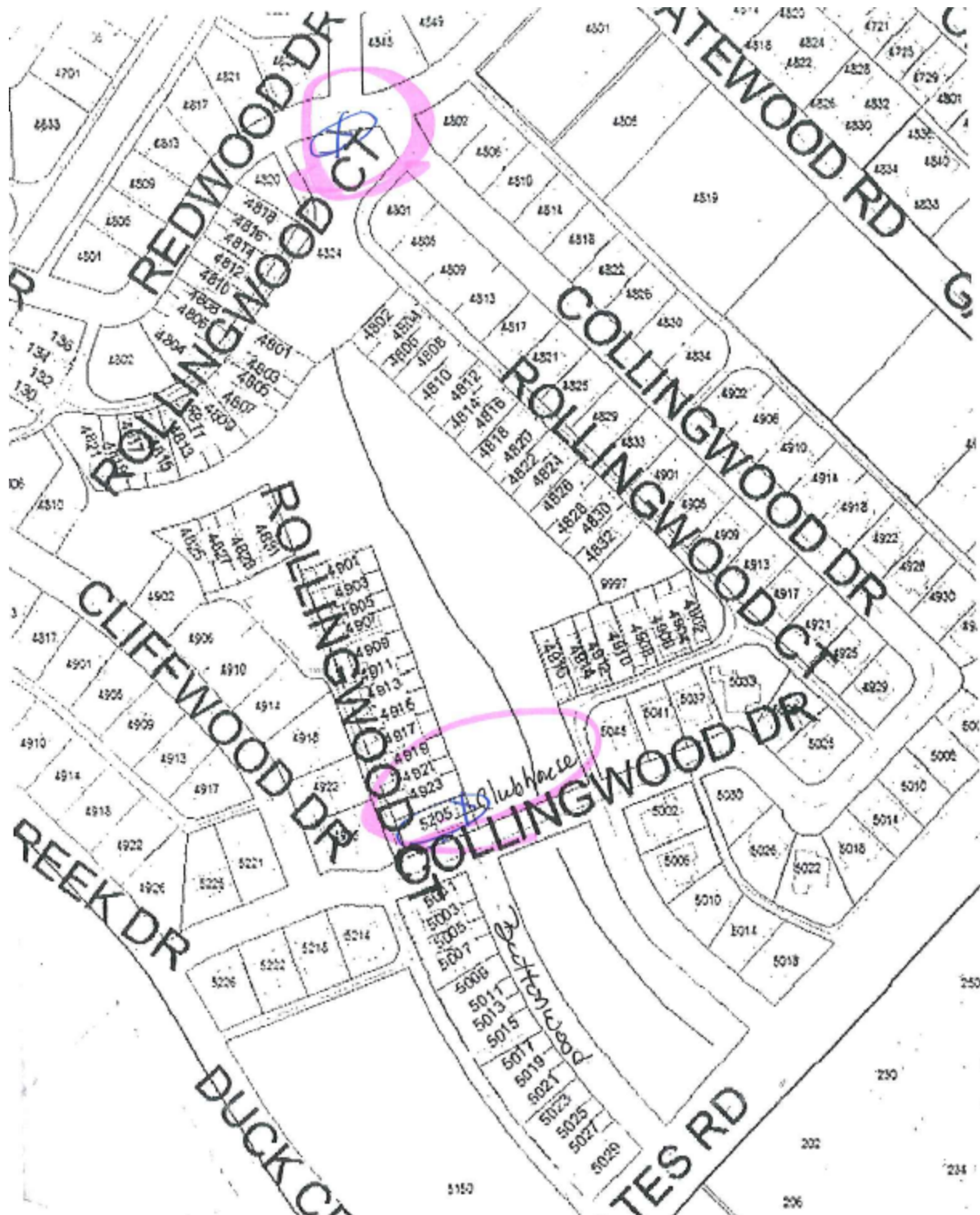
Requesting Amount: \$ 4,500

Neighborhood Match: \$ 500

Project Components:

- 2 monument signs for neighborhood entry by clubhouse / pool area and dog play area / driveway area
 - Collingwood Dr.
 - Rollingwood Ct.







GARLAND POLICY REPORT

City Council Work Session Agenda

2.c.

Meeting Date: May 15, 2017

Item Title: Annual Performance Update on the City of Garland Housing Agency 2015-2019
Five Year Plan and Administrative Plan Approval

Submitted By: Steve Fitch, Housing Agency Administrator

Council Goal: Fully Informed and Engaged Citizenry
Consistent Delivery of Reliable City Services
Safe, Family-Friendly Neighborhoods

ISSUE

To consider approval of the Garland Housing Agency Annual Performance Update and the Administrative Plan revisions. This is required for the City of Garland to continue to receive funding from the Department of Housing and Urban Development for rental assistance to low income families.

OPTIONS

(1) At the May 16, 2017 regular City Council meeting, the City Council can approve a resolution adopting the GHA's Annual Performance Update on the Five-Year Plan for submission to HUD and a resolution to approve the Administrative Plan.

(2) The City Council could take no action. Funding for fiscal year 2017-2018 housing assistance payments for 1,525 families and approximately \$11 million could be withheld by HUD.

RECOMMENDATION

For the City Council to adopt the accomplishments presented in the FY 2017 Annual Plan and approve the Garland Housing Agency's Administrative Plan. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

BACKGROUND

The U.S. Department of Housing and Urban Development (HUD) signed into law on October 4, 1998, the Quality Housing and Work Responsibility Act of 1998 (QHWRA). The QHWRA merges the Section 8 Voucher and Certificate programs, and it requires all housing authorities and agencies to develop a five-year plan and an annual strategic plan prior to receiving funds from HUD. The development of the Garland Housing Agency Plans requires the City to engage in a process that examines the needs of those being served in public housing, consults with interested and affected parties, and designs strategies for addressing those needs. The City

Council approved the Garland Housing Agency's Five-Year Plan on August 18, 2015. The attached electronic document is a summary of the City of Garland Housing Agency's (GHA) annual performance under its second year of the 2015-2019 Five-Year Plan, as required by HUD.

HUD Requires each agency to submit an annual performance progress report on their five-year plan. The progress report must be made available to the public for comments, prior to submitting to HUD for annual certification. The Annual and Administrative Plan were made available for public viewing by interested parties at the Garland Housing Agency on March 28, 2017, for the required 45 day comment period. All this information was made available to the public through advertisement in the Dallas Morning News. A public hearing was held at the Garland Housing Agency office for public comments on May 8, 2017. Comments from the public hearing are attached.

HUD requires that each Housing Agency develop and adopt an Administrative Plan that identifies the policies the agency will follow to administer the Housing Choice Voucher Program Funds. Each year, the administrative plan is reviewed and changes are made as HUD regulations and policies are updated or changed and as internal policies need to be changed or updated to improve the administration of the program.

Additionally, the GHA requested members of its advisory board to meet and discuss the update of the Annual Plan and the Administrative Plan on April 24, 2017. To increase participation in the process, the families that must attend an annual recertification briefing each April were utilized. There were 17 participants in attendance. Comments from the advisory board are attached.

CONSIDERATION

The approval of the annual performance report and any changes to the administrative plan are required in order for the City of Garland to continue to receive Housing Choice Voucher funds to provide housing assistance to low income families.

Attachments

Electronic format of the Annual Performance Update
Administrative Plan
Resident Advisory Board Comments

Offices:
Fort Worth, Texas
Washington, D.C.
Houston, Texas
Austin, Texas
San Antonio, Texas



March 23, 2017

Steven Fitch
Executive Director
City of Garland Housing Agency
210 Carver Dr., Ste. 201B
Garland, TX 75040

Re: FYB 2017 Annual PHA Plan Update – First Draft

Dear Mr. Fitch:

Enclosed is the first draft of the FYB 2017 Annual PHA Plan update which is comprised of the documentation to be submitted electronically to HUD (if applicable). These documents include the Annual PHA Plan and attachments.

As a courtesy, we have also included the Data Collection Tool file. The Data Collection Tool file information contains all PHA Plan information from your previous year PHA Plan including the revisions for 2017. The New PHA Plan template only contains the revised information. The Data Collection Tool file will not be submitted to HUD with the PHA Plan, it is for display only.

A few items may not be answered if we are still awaiting data from your agency. As we receive this data, these items will be completed and forwarded to you.

Review the first draft of the PHA Plan and attachments carefully and let us know if any changes or corrections are needed. Many efforts have been taken to ensure accuracy. Please provide the items needed to complete the Plan at your earliest convenience. They are clearly marked in yellow highlight.

To fulfill the resident input requirements, we recommend the PHA to call a meeting of the Resident Advisory Board to review the Plan and make recommendations. Utilize the last 2 pages of the Resident Advisory Board Kit from the Production Kit provided earlier to record comments from the residents. Please let us know how your agency responded to the resident comments. Fax this information to the Nelrod Company, as soon as possible, as it must be added to the Plan. After review and feedback, the plan will be edited and the final draft will be returned to Agency to place on display.

If you have any questions, comments, or corrections regarding this first draft, please contact me at 817-922-9000, extension 132. Thank you very much for working closely with us.

Sincerely,

A handwritten signature in blue ink that reads "Denise Avalos".

Denise Avalos
Administrative Assistant II
PHA Plans/Policy Division

Enclosure

PHA Plans for the City of Garland Housing Agency Annual Plan for FYB 2017

Steven Fitch, Executive Director

FYB October 1, 2017

FIRST DRAFT



Presented by:

The **Nelrod** Company

**3109 Lubbock Avenue
Fort Worth, Texas 76109
(817) 922-9000/FAX (817) 922-9100**

Satellite Offices: Washington, D.C.; Houston, TX

E-Mail Address: info@nelrod.com

Web Site: www.nelrod.com

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**Streamlined Annual
PHA Plan
(HCV Only PHAs)**

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

OMB No. 2577-0226
Expires 02/29/2016

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, 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. 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 higher performer on both of the most recent Public Housing Assessment System (PHAS) and Section Eight Management 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, or at risk of being designated as troubled, that owns or manages less than 250 public housing units and any number of vouchers where the total combined units exceeds 550.
- (3) **Housing Choice Voucher (HCV) Only PHA** – A PHA that administers more the 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 exceeds 550, and that was designated as a standard performer in the most recent PHAS or 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.

A	PHA Information.																																
A.1	PHA Name: <u>City of Garland Housing Agency</u> PHA Code: <u>TX435</u> PHA Plan for Fiscal Year Beginning: (MM/YYYY): <u>10/2017</u> PHA Inventory (Based on Annual Contributions Contract (ACC) units at time of FY beginning above) Number of Housing Choice Voucher (HCVs): <u>1525</u> PHA Submission Type: ☒ Annual Submission ☐ Revised Annual Submission Availability of Information. PHAs must have the elements listed below in sections B and C readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official website. PHAs are also encouraged to provide each resident council a copy of their PHA Plans. The following are the specific locations where the public may obtain copies of the 2017 Annual PHA Plan: ▪ Administrative Office – 210 Carver Drive, Suite 201B, Garland, TX 75040 ☐ PHA Consortia: (Check box if submitting a joint PHA Plan and complete table below) <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2" style="width: 20%;">Participating PHAs</th> <th rowspan="2" style="width: 10%;">PHA Code</th> <th rowspan="2" style="width: 20%;">Program(s) in the Consortia</th> <th rowspan="2" style="width: 20%;">Programs Not in the Consortia</th> <th colspan="2" style="width: 30%;">No. of Units in Each Program</th> </tr> <tr> <th style="width: 15%;">PH</th> <th style="width: 15%;">HCV</th> </tr> </thead> <tbody> <tr> <td>Lead HA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Participating PHAs	PHA Code	Program(s) in the Consortia	Programs Not in the Consortia	No. of Units in Each Program		PH	HCV	Lead HA:																							
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Lead HA:																																	

B	Annual Plan Elements																																																																																								
B.1	Revision of PHA Plan Elements. (a) Have the following PHA Plan elements been revised by the PHA since its last Annual Plan submission? Y N ☒ ☐ ☐ ☒ ☒ ☐ ☐ ☒ ☒ ☐ ☐ ☒ ☐ ☒ ☒ ☐ ☐ ☒ ☐ ☒ 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) If the PHA answered yes for any element, describe the revisions for each element(s): Housing Needs and Strategy for Addressing Housing Needs: <u>Housing Needs</u> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="8" style="text-align: center;">Housing Needs of Families in the Jurisdiction by Family Type</th> </tr> <tr> <th style="text-align: left;">Family Type</th> <th>Overall</th> <th>Afford- ability</th> <th>Supply</th> <th>Quality</th> <th>Access- ibility</th> <th>Size</th> <th>Loca- tion</th> </tr> </thead> <tbody> <tr> <td>Income <= 30% of AMI</td> <td style="text-align: center;">5</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Income >30% but <=50% of AMI</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Income >50% but <80% of AMI</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Elderly</td> <td style="text-align: center;">5</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td></td> <td></td> </tr> <tr> <td>Families with Disabilities</td> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">3</td> <td></td> <td></td> </tr> <tr> <td>White</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Black/African American</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Hispanic</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> <tr> <td>Native American</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> <td></td> </tr> </tbody> </table>	Housing Needs of Families in the Jurisdiction by Family Type								Family Type	Overall	Afford- ability	Supply	Quality	Access- ibility	Size	Loca- tion	Income <= 30% of AMI	5	3	1	1	1			Income >30% but <=50% of AMI	4	3	1	1	1			Income >50% but <80% of AMI	3	2	1	1	1			Elderly	5	3	2	1	2			Families with Disabilities	3	3	2	1	3			White	4	3	1	1	1			Black/African American	4	3	1	1	1			Hispanic	4	3	1	1	1			Native American	4	3	1	1	1		
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B.1**Waiting List for Section 8*****Total: 10,896******Extremely Low Income: 7,752-71%******Very Low Income: 0-0%******Low Income: 1-0.01%******Families with children: 6,765-62%******Elderly Families: 851-8%******Families with Disabilities: 1,700-16%******White: 599-5.5%******Black/African American: 9,282-85%******American Indian/Alaska Native: 19-0.17%******Asian: 227-2%******Native Hawaiian/Other Pacific Islander: 8-0.07%******Hispanic: 490-4.5%***

The waiting has been closed since August 2009 and the PHA does not expect to reopen in PHA Plan year.

Financial Resources:

Financial Resources: Planned Sources and Uses		
Sources	Planned \$	Planned Uses
1. Federal Grants (FY 2017 grants)		
a) Public Housing Operating Fund		
b) Public Housing Capital Fund		
c) HOPE VI Revitalization		
d) HOPE VI Demolition		
e) Annual Contributions for Section 8 Tenant-Based Assistance	10,740,180.00	
f) Resident Opportunity and Self- Sufficiency Grants	51,368.00	
g) Community Development Block Grant		
h) HOME		
Other Federal Grants (list below)		
2. Prior Year Federal Grants (unobligated funds only) (list below)		
3. Public Housing Dwelling Rental Income		
4. Other income (list below)		
5. Non-federal sources (list below)		
Total resources	\$10,791,548.00	

B.1 Operation and Management:

PHA Management Structure See attachment tx435b01)

Self Sufficiency Programs and Treatment of Income Changes Resulting from Welfare Program Requirements:**Family Self-Sufficiency Programs**

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants	Actual Number of Participants (As of: 03/01/2017)
Public Housing	N/A	N/A
Section 8	75	48

B.2 New Activities.

- (a) Does the PHA intend to undertake any new activities related to the following in the PHA's current Fiscal Year?

Y N

☐ ☒ Project-Based Vouchers.

- (b) If this activity is planned for the current Fiscal Year, describe the activities. Provide the projected number of project-based units and general locations, and describe how project-basing would be consistent with the PHA Plan. N/A

B.3 Most Recent Fiscal Year Audit.

- (a) Were there any findings in the most recent FY Audit?

Y N N/A

☐ ☐ ☒

- (b) If yes, please describe: N/A

B.4 Civil Rights Certification.

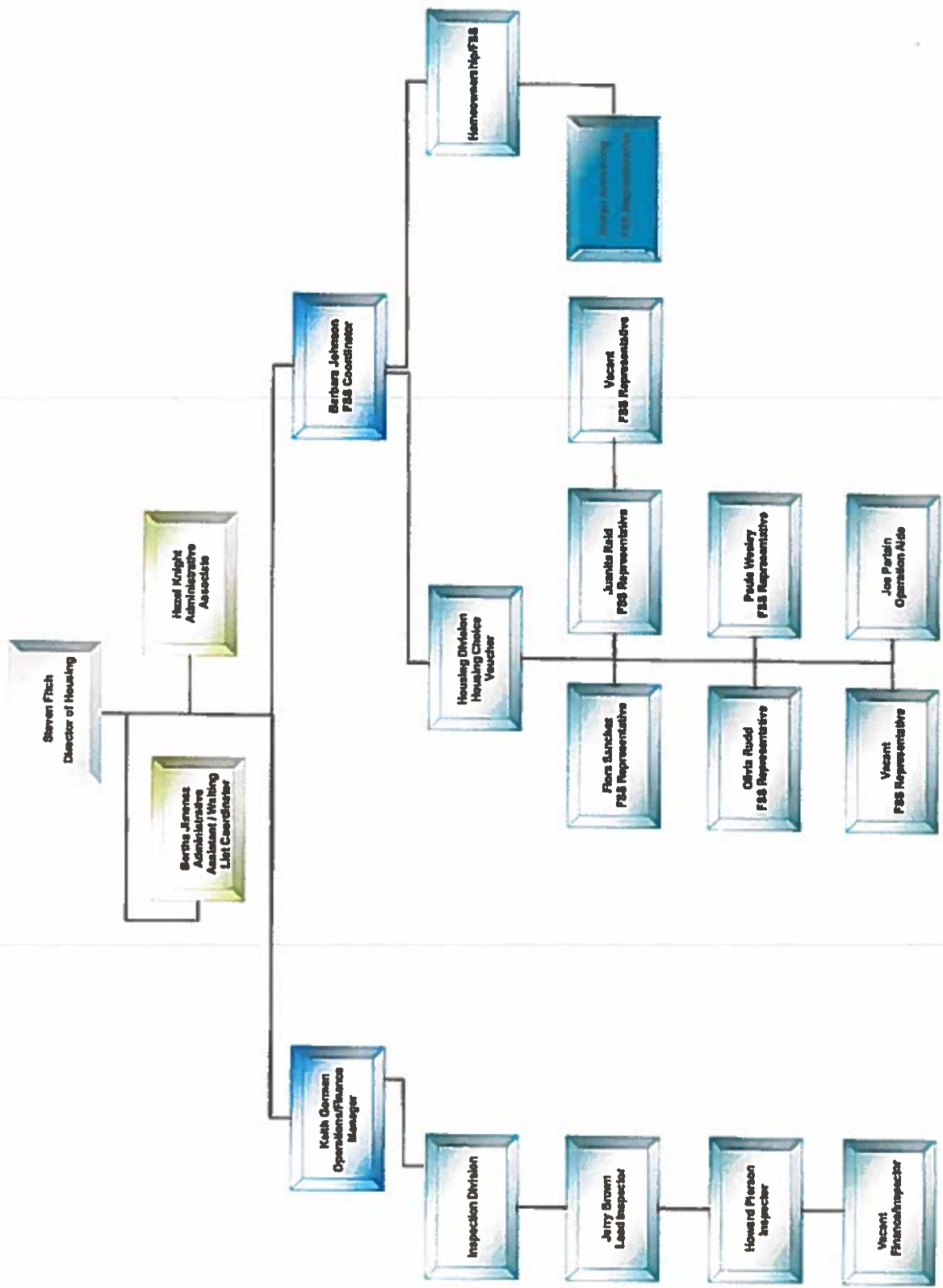
Form HUD-50077, *PHA Certifications of Compliance with the PHA Plans and Related Regulations*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

B.5	Certification by State or Local Officials. Form HUD 50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.
B.6	Progress Report. Provide a description of the PHA's progress in meeting its Mission and Goals described in the PHA 5-Year and Annual Plan. PHA GOAL #1: EXPAND THE SUPPLY OF ASSISTED HOUSING The PHA established the following objectives to strive in meeting goal #1: ▪ Apply for additional rental vouchers if available <u>Progress Statement:</u> <i>No vouchers have been made available.</i> PHA GOAL #2: IMPROVE THE QUALITY OF ASSISTED HOUSING The PHA established the following objectives to strive in meeting goal #2: ▪ Increase customer satisfaction ▪ Concentrate on efforts to improve specific management functions ▪ Provide replacement vouchers <u>Progress Statement:</u> <i>GHA issues new vouchers on a monthly basis in order to maintain a high lease up rate. In addition, GHA works to educate voucher holders in finding units and has a success rate of 85%. GHA has also made AssistanceCheck available to tenants to increase communication and faster, more reliable contact.</i> PHA GOAL #3: INCREASE ASSISTED HOUSING CHOICES The PHA established the following objectives to strive in meeting goal #3 ▪ Provide voucher mobility counseling ▪ Conduct outreach efforts to potential voucher landlords <u>Progress Statement:</u> <i>GHA continues to provide mobility counseling. GHA representatives conduct landlord outreach through landlord oriented seminars and meetings, office visits to new landlords and through the use of a new on-line landlord portal called AssistanceCheck, which increases landlord contact and resolutions.</i>

B.6	PHA GOAL #4: PROMOTE SELF-SUFFICIENCY AND ASSET DEVELOPMENT OF ASSISTED HOUSEHOLDS The PHA established the following objectives to strive in meeting goal #4 ▪ Increase the number and percentage of employed persons in assisted families ▪ Provide or attract supportive services to improve assistance recipients' employability ▪ Provide and encourage budget classes <u>Progress Statement:</u> <i>GHA continues to work with various non-profits that offer credit repair and budgeting classes. Of the participating families, 36 are employed.</i> PHA GOAL #5: ENSURE EQUAL OPPORTUNITY AND AFFIRMATIVELY FURTHER FAIR HOUSING The PHA established the following objectives to strive in meeting goal #5 ▪ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion, national origin, sex, familial status and disability ▪ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing regardless of race, color, religion, national origin, sex, familial status and disability ▪ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required <u>Progress Statement:</u> <i>The Garland Housing Agency works alongside the City of Garland's Fair Housing Department to ensure compliance and proactively take steps to provide access to safe and affordable housing.</i>
B.7	Resident Advisory Board (RAB) Comments. (a) Did the RAB(s) provide 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. <i>(See attachment tx435a01)</i> Challenged Elements:

Attachment: tx435b01
City of Garland Housing Agency
Organizational Chart

Garland Housing Agency Organizational Chart 2017



AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Dan Navarro, Advertising Representative for The Dallas Morning News, being duly sworn by oath, states the attached advertisement of

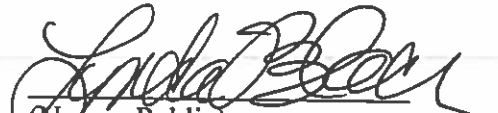
Garland Housing Agency

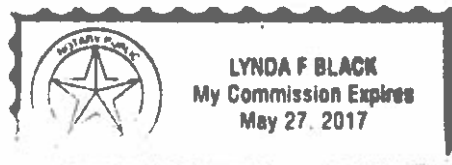
was published in The Dallas Morning News

March 28, 2017


(Dan Navarro)

Sworn to and subscribed before me this March 28, 2017


(Notary Public)



Garland Housing Agency

Administrative Plan



GARLAND

HOUSING AGENCY

Adopted by City of Garland City Council

Resolution No.: 10248

Date of Adoption: June 21st, 2016

Administered by:
Garland Housing Agency
210 Carver; Suite 201
Garland, TX 75040
(972) 205-3393

Steven Fitch, Director of Housing

CITY OF GARLAND HOUSING AGENCY

HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

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**CITY OF GARLAND HOUSING AGENCY
HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN**

I. INTRODUCTION AND STATEMENT OF APPROACH AND OBJECTIVES TO ADMINISTER THE HOUSING CHOICE VOUCHER PROGRAM

BACKGROUND

The City of Garland's Housing Agency was established in 1976, and was empowered with the responsibility and authority to maintain the Public Housing Program for the City of Garland, Texas. The Housing Choice Voucher Program (HCV), better known as Section 8, was created by the Housing and Community Development Act of 1974 and amended by the Housing and Community Development Act of 1981 and the Quality Housing and Work Responsibility Act of 1998. In 1976, the Housing Choice Voucher Program was established by The Housing Authority of the City of Garland (hereinafter referred to as PHA or Housing Authority), when it received the first Annual Contributions Contract (ACC) under the Housing Choice Voucher Existing Housing Assistance Payments Program.

Administration of the Housing Choice Voucher Housing Program and the function and the responsibilities of the PHA staff shall be in compliance with the Personnel Policy of the PHA, the Equal Opportunity for Housing regulations, the Housing Choice Voucher Administrative Plan, and applicable Standard Operating Procedures. All Federal, State and local housing laws will be followed and the PHA will comply with the City of Garland's Consolidated Plan.

B. HOUSING AUTHORITY MISSION STATEMENT AND HOUSING CHOICE VOUCHER PROGRAM OBJECTIVES

1. The mission statement of the PHA is:

The Housing Authority's mission is to serve the needs of low-income, very low-income and extremely low-income families in the PHA's jurisdiction and to (1) increase the availability of decent, safe and affordable housing in its communities; (2) ensure equal opportunity in housing; (3) promote self-sufficiency and asset development of families and individuals; and (4) improve community quality of life and economic viability.

The Garland Housing Authority will also strive to improve the quality of life of its residents through self-sufficiency.

2. The following objectives of the Housing Choice Voucher Programs support the above mission statement:

- a. to provide decent, safe, and sanitary living conditions;
- b. to provide improved living conditions for very low-income families while maintaining their rent payments at an affordable level;

- c. to promote personal, economic and social upward mobility to assist residents to make the transition from subsidized to non-subsidized housing; and
- d. to provide an incentive to private property owners/landlords to rent to low-income families by offering timely assistance payments and excellent service.

C. LEGAL JURISDICTION

The area of operation of the PHA is geographically defined as the Garland, Texas city limits and units found within Dallas County, Collin County, Rockwall County, areas in Denton County south and east of Lake Lewisville and Kaufman County west of Terrell and north of Highway 175.

D. PURPOSE OF THE ADMINISTRATIVE PLAN

The purpose of the Administrative Plan is to establish policies for items that are not covered under Federal Regulations for the Housing Choice Voucher Program and other programs administered by the agency

The Administrative Plan, hereinafter referred to as the Plan, covers both the admission and continued participation in the above mentioned program.

Changes in the Plan will be approved by the Garland City Council for the PHA and a copy provided to the U.S. Department of Housing and Urban Development (HUD).

PHA staff shall develop and revise as needed operating procedures, systems, forms and methods designed to ensure that the policies set forth in this Administrative Plan are administered correctly, fairly and uniformly by all program staff.

E. NON-DISCRIMINATION

The PHA affirmatively furthers Fair Housing and works to remove impediments to Fair Housing in the administration of the program by complying fully with all Federal, State and local nondiscrimination laws and administers programs in accordance with the rules and regulations governing Fair Housing and Equal Opportunity in housing, and marketing the program to members of protected classes who are “least likely to apply.”

The PHA shall not discriminate against applicants, participants, or landlords because of race, color, gender, religion, creed, national or ethnic origin, age, family or familial status, disability, or sexual orientation, in the performance of its obligations in any program under its jurisdiction covered by a contract for annual contributions under the United States Housing Act of 1937, as amended.

To further the commitment to full compliance with applicable Civil Rights laws, the PHA will provide information to Housing Choice Voucher participants with regard to housing discrimination. Information and Discrimination Complaint Forms will be made part of the briefing packet.

Posters and housing information with the Equal Opportunity Housing logo will be displayed in locations through the PHA office in such a manner as to be easily readable from a wheelchair.

The PHA's Housing Choice Voucher office space is accessible to persons with disabilities.

F. SERVICE POLICY/ACCOMMODATIONS

It is the policy of the PHA to be service-directed in the administration of its housing programs, and to exercise and demonstrate a high level of professionalism while providing housing services.

Policies and practices are designed to provide assurances that all persons with disabilities are provided reasonable accommodation so that they may fully access and utilize the housing program and related services. The availability of specific accommodations will be made known by including notices on forms and letters to all families, and all requests may be verified so that these needs can be properly accommodated. All mailings will be made available in an accessible format upon request, as a reasonable accommodation. Organizations which provide assistance for hearing-impaired and sight-impaired persons will be utilized.

Reasonable Accommodations for Persons with Disabilities

1. An applicant or participant with a disability may request information or accommodations by contacting the Garland Housing Agency at 210 Carver Street, Suite 201, Garland, Texas 75040 or by calling 972.205.3347.
2. A reasonable accommodation is a modification or change GHA can make to its offices, methods, or procedures to assist an otherwise eligible applicant or participant with a disability to take full advantage of and use GHA's programs.
3. An accommodation is not reasonable if it: causes an undue financial and administrative burden; or represents a fundamental alteration in the nature of the program.
4. Subject to the undue burdens and fundamental alterations tests, GHA will correct physical situations in its office or procedures that create a barrier to equal housing opportunity for all.
5. To permit persons with disabilities to take full advantage of the program, in accordance with Section 504 and the Fair Housing Amendments Act of 1988, GHA shall comply with all requirements and prohibitions in applicable law.
6. Facilities and programs used by applicants and participants shall be accessible to all persons with disabilities.

7. Documents and procedures used by applicants and participants will be accessible for those with disabilities.

G. TRANSLATION OF DOCUMENTS

In order to determine whether it is feasible to translate documents into other languages, or Braille for the blind, the PHA will consider the following facts:

1. number of applicants and residents who do not speak English and speak another language or need Braille for adequate understanding;
2. cost of translation into other languages per client who speaks another language or into Braille;
3. evaluation of the need for translation by the bilingual staff and by agencies that work with the non-English speaking clients;
4. the availability of organizations to translate documents, letters and forms for non-English speaking families;
5. availability of bilingual staff to explain untranslated documents to clients.

H. PRIVACY RIGHTS

Applicants and participants will be required to sign the Federal Privacy Act Statement in conjunction with HUD 50058 form which states under what conditions HUD will release resident and owner/landlord information at admission and every recertification thereafter. Applicants and participants will also be required to sign HUD 9886, Authorization for Release of Information.

The PHA policy regarding release of information is:

1. Information shall not be released without the signed client release with the individual request for information unless the blanket authorization is used.
2. However, the PHA will release information on amounts owed for claims paid and not reimbursed by the client.
3. The PHA must release the client's current address and the name of the current owner/landlord, the client's former address and the name of the owner/landlord of the former address if known to the Housing Choice Voucher holder's prospective owner/landlord, upon written request of the prospective owner/landlord.
4. The PHA will release information on amounts requested by court subpoena, a federal or state agency, or a law enforcement agency.

5. The PHA must limit use and disclosure of family information obtained through release and consent to purposes directly connected with the program administration.

I. RECORDS MANAGEMENT POLICY

1. Purpose

The purpose of this policy is to direct the PHA's handling of all records and documents associated with the operation of the agency and the administration of its program.

2. General Policy

In accordance with the Privacy Act of 1974, as revised, the PHA will maintain only such information on applicants/residents as is necessary and relevant to the performance of its mandated duties and will to the best of its ability protect the privacy of applicants/residents.

3. Legal Action

In the event of current or pending litigation, legal counsel will be sought regarding applicable documents. If litigation is pending, all applicable documents and records, regardless of disposal dates will be retained until resolution of the legal matter.

4. Back Up of the Electronic Data

Computer data will be backed-up on CDs or separate drive in order to avoid loss of important information due to equipment failure. If CDs are used, they will be locked in fireproof storage. Financial information will be backed up every day that new data is entered. Other files, including tenant files will be backed up daily.

5. Special Security Measures for EIV Data

Privacy Protection Policy

- HUD has provided specific guidelines for the protection of data retrieved from its online up front income verification system, entitled Enterprise Income Verification (EIV)
- EIV resident data will be used only to verify a resident's eligibility for participation in the Housing Choice Voucher Program and to determine the level of assistance for which resident is eligible.
- Data provided via EIV System will be protected to ensure that information is used only for official purposes and not disclosed in any way that would violate the privacy of the individuals represented in the system data.
- In compliance with HUD requirements the PHA will:
 1. Maintain and enforce security procedures
 2. Keep records and monitor security issues
 3. Communicate security information and requirements to appropriate staff, and coordinate and conduct security awareness training for staff
 4. Conduct quarterly review of User Ids

5. Report any evidence of unauthorized access or known security breaches

Security Safeguards

- Only authorized staff will have access to the EIV System via ID and Password
- All users of the EIV System will have a current signed USER AGREEMENT on file
- PHA will keep a record of all authorized users, including date access was granted and date access was revoked, if applicable
- Work area of persons authorized to research and download EIV and other privacy-sensitive information will be shielded from the public.
- Unauthorized staff persons will not have access to work station and computer of authorized persons
- PHA staff will not leave resident folders exposed on desktops or computer screens open with sensitive data unattended. Folders will be locked in files and computer screens cleared before staff person leaves his/her office for any reason.
- Staff will never take resident files home for any reason. If it is necessary to transport resident files between PHA offices, files will be transported in a locked box.
- Any EIV printout will be removed from the printer immediately so that nothing will be inadvertently left vulnerable to unauthorized access.
- EIV printout data will be kept in family file until verifications are complete and all discrepancies have been resolved. Applicable information will be documented in the family file and then all originals and copies of EIV printout will be housed in a secure area.
- At the close of business, resident files will be locked and file cabinet areas locked.
- Any combination locks used will be reset regularly.
- Security procedures will be reviewed with staff periodically to safeguard against laxity and breaches.

J. RULES AND REGULATIONS

All issues not addressed in this document related to residents and participants are governed by HUD Handbook 7420.7, the Code of Federal regulations, HUD Memos, Notices and Guidelines or other applicable law, and the Housing Choice Voucher Programs Standard Operations Procedures.

K. Programs Administered by Garland Housing Agency

The following is a list of Housing Choice Voucher Programs offered by the PHA:

Housing Choice Voucher Program
 Housing Choice Voucher Homeownership Program
 Family Self Sufficiency (FSS)

L. STAFFING POSITIONS

The following are the positions/titles of staff members who are responsible for the implementation of the Housing Choice Voucher Programs:

Housing Administrator	Operations/Finance Manager
Administrative Assistant (2)	Sr. Housing Inspector
FSS Coordinator	Housing Inspector (2)
FSS Representatives (8)	AARP Workers
Operation Aide	Temporary Employees

Others may be added without written or update to the administrative plan depending on their function.

M. CUSTOMER RELATIONS

The PHA considers all families and owners as its “customers”. The goal of the PHA is to respond promptly to the needs of its customers. All contact with the customer and the general public will be handled in a professional and courteous manner. The PHA may require that complaints other than HQS violations be put in writing. Complaints that would otherwise not be resolved through the informal review or informal hearing processes will be referred to the appropriate staff person for resolution.

These complaints may include, but are not limited to:

1. treatment of customers by staff;
2. complaints or referrals from persons in the community in regard to customers;
3. disagreement with an action or inaction by the family or owner; and
4. treatment of staff by customers.

N. CONDUCT BUSINESS IN ACCORDANCE WITH CORE VALUES AND ETHICAL STANDARDS

In accordance with CFR24-982.161 Conflict of Interest, the PHA has established a written code of conduct.

1. Neither the PHA, nor any of its contractors or subcontractors, will enter into any contract or arrangement in connection with tenant-based programs in which the following class of persons has any interest, direct or indirect, during tenure or for one year thereafter.
 - any present or former member or officer of the PHA (except a participant commissioner);

- any employee of the PHA, any contractor or subcontractor, any agent of the PHA, who formulates policy or who influences decisions with respect to the programs;
 - any public official, member of a governing body, or state or local legislator, who exercises functions or responsibilities with respect to programs;
 - any member of the Congress of the United States;
 - any member of the classes described in paragraph 1 of this section must disclose their interest or prospective interest to the PHA and HUD.
2. The code of ethics prohibits solicitation or acceptance of gifts or gratuities, in excess of nominal value, by any officer or employee of the PHA, any contractor or subcontractor, or agent of the PHA.

The PHA shall adhere to the code of conduct and shall sanction and/or terminate any officer, employee, or agent for violations consistent with applicable state or local law.

The conflict of interest prohibition under this section may be waived by the HUD field office for good cause.

3. An employee will follow the standards of conduct as listed below. As such, an employee shall not:
- accept or solicit, for personal gain any benefit that might reasonably tend to influence them to act improperly in the discharge of official duties;
 - use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives or others. This provision does not preclude officers or employees from action in any manner consistent with their official duties or from zealously providing public services to anyone who is entitled to them.
 - participate in making or influencing any GHA governmental decision or action in which they know that they have any financial interest distinguishable from that of the public generally or from that of other employees generally.
 - by their conduct give reasonable basis for the impression that any person can improperly influence, or unduly enjoy their favor in, the performance of their official duties, or that they are unduly affected by the kinship, rank position or influence of any person.
 - use or disclose, other than the performance of their official duties or as may be required by law, confidential information gained in the course of or by reason of their positions. This provision applies to former officers and employees as well as to current ones.

- transact any business (other than ministerial acts) on behalf of the GHA with any business entity of which they or their relatives are officers, agents or members or on which they or their relatives have a financial interest.
- in the event such a circumstance arises, then they shall make known their interest, and in the case of an employee, disclose the matter to the appropriate administrative authority within city government so that reassignment or other suitable action may be taken to remove the employee from further involvement in the matter.
- personally provide services for compensation, directly or indirectly, to a person or organization who is requesting an approval, investigation, or determination from the body or department of which the officer or employee is a member.
- accept other employment or engage in outside activities incompatible with the full and proper discharge of their duties and responsibilities within the city, or which might impair their independent judgment in the performance of their public duty.
- personally participate in a decision, approval, disapproval, recommendation, investigation, or rendering of advice in a proceeding, application, request for ruling or determination, contract, claim, or other matter under the jurisdiction of the city, if the employee or relative of the employee is negotiating or has an arrangement concerning prospective employment with a person or organization that has a financial interest in a matter in which the employee has been participating, the employee shall immediately notify the official responsible for appointment to his or her position of the nature of the negotiation or arrangement and, if the Housing Administrator or his/her designee determines that a conflict of interest exists, follow the instructions of the Housing Administrator with regard to further involvement in the matter, or
- receive any fee or compensation for their services as employees of the GHA from any source other than the GHA, except as may be otherwise provided by law. This shall not prohibit their performing that same or other services for a public or private organization that they perform for the GHA if there is no conflict with their GHA duties and responsibilities.
- knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the GHA ordinances, rule or regulations or the achievement of official GHA programs.

- personally represent or appear in behalf of the private interest of another; or if the represented person's interest is adverse to that of the GHA; represent any person

(a) in any quasi-judicial proceeding involving the GHA;

or

(b) in any judicial proceeding to which the GHA is a party

4. Provided, nothing in the subsection above shall preclude:

- (1) any employee from performing the duties of his or her employment;
- (2) any employee from testifying as a witness under subpoena in a judicial or quasi-judicial proceeding.

5. Penalties

- the failure of any employee to comply with this article or the violation of one or more of the standards of conduct set forth in the Code of Ethics, which apply to him or her, shall constitute grounds for expulsion, reprimand removal from office or discharge.
- disciplinary action and appeals in the case of an employee of the GHA, shall be in conformance with the procedures established by the Housing Administrator's rules and regulations.

II. OUTREACH TO FAMILIES AND OWNERS/LANDLORDS

A. FAMILY OUTREACH

1. The Housing Choice Voucher Office continues to publicize and disseminate information, as needed, concerning the availability and nature of housing assistance. Upon execution of an Annual Contributions Contracts (ACC) for additional units, the Housing Choice Voucher office will make known to the public through publication in a newspaper of general circulation, minority media, and other suitable means the availability and nature of housing assistance for very low-income families, unless application-taking has been suspended according to HUD regulation.
2. To reach persons who cannot read the newspapers, the Housing Choice Voucher office will distribute fact sheets to the broadcast media. Personal contacts with the news media and with community service personnel as well as public service announcements will be handled by the Housing Administrator's office.
3. Upon receipt of new funding, the Housing Choice Voucher office will review its current waiting list and consider whether outreach is needed. If it is needed, the Housing Choice Voucher office will analyze outreach options to accommodate

the diversity and distribution of eligible families and the differences in their willingness to respond to and participate in the program.

B. OPENING/CLOSING THE WAITING LIST

1. The waiting list will be opened at certain times specified by the agency. Applications will only be accepted by utilizing an online application. Applicants can utilize personal computers, computers at local libraries. Computers will also be available during normal business hours for persons to apply, if they do not have access to a computer and staff assistance will be available.

2. Closing the Waiting List

The closing date of the Waiting List may be announced at the same time as the opening is announced.

3. The opening/closing of the Waiting List shall be announced through public notices as follows:
 - a. The notice shall be placed in a newspaper of general circulation, the City of Garland's website (www.garlandtx.gov) and in plain view at the Garland Housing Agency's main administration office.
 - b. Postings will be made at locations throughout the community and will be mailed to social service agencies.
 - c. The notices shall contain all of the information needed to enable interested parties to complete the process.
 - d. The notice must contain the Equal Opportunity Housing logo.

C. OWNER/LANDLORD OUTREACH

1. The Housing Choice Voucher office maintains good relations with existing owners/landlords and encourages new owners/landlords to participate and to make dwelling units available for leasing by eligible families in accordance with the Equal Opportunity Housing Plan.
2. The PHA will conduct periodic meetings with participating owners/landlords to improve owner/landlord relations and to recruit new owners/landlords.
3. The PHA will use a comprehensive marketing effort described in the next section to recruit owners/landlords in areas that offer expanded opportunities to our participants, as needed.
4. In order to assure that owner/landlord outreach efforts are recruiting owners/landlords with units outside areas of low-income and minority concentration, the PHA evaluates new Request for Tenancy Approvals by determining if the address is in an area outside poverty/minority concentration.

D. PROMOTING GREATER HOUSING OPPORTUNITIES FOR FAMILIES OUTSIDE AREAS OF LOW-INCOME AND MINORITY CONCENTRATION

1. The following steps may be used to locate owners/landlords, as follows:
 - a. Owners / Landlords in un-impacted areas will be identified and contacted.
 - b. Regular meetings are held with investors and other owner/landlord groups to explain the program and recruit owners/landlords. A presentation is given with written materials.
 - c. The rental stock in areas without concentration of very low-income and minority residents will be surveyed to identify vacant units. The owners/landlords and managers are contacted.
 - d. Investors are recruited to purchase units in the identified areas and rent them to the Housing Choice Voucher applicants.
 - e. Complex managers are recruited through meetings with manager associations and special training programs geared toward managers.
 - f. All Housing Choice Voucher staff is required to adopt the customer service representative approach and implement the program accordingly.
2. Mass media is used as needed.
3. Printed materials for owners/landlords consist of:
 - a. An owner/landlord manual that describes all of the procedures as well as tips to be successful with the Housing Choice Voucher program, and other materials as needed.
4. The following actions are to be taken to comply with SEMAP requirements:
 - a. Families will be provided a website address (www.gosection8.com) to identify landlords that are willing to accept Housing Choice Voucher vouchers and a listing of available rental property may be provided Housing Choice Voucher participants. These listings show addresses, deposit information, etc. as provided by owners/ landlords.
 - b. Applicants are made aware of the fact that they may choose any unit within the PHA's jurisdiction as long as the program requirements are met regarding the unit.
 - c. Applicants are advised of portability provisions available in the Housing Choice Voucher Housing Choice Voucher Program.
 - d. Housing Choice Voucher participants are provided a map which identifies areas of low-poverty and minority concentrations.

III. COMPLETION OF APPLICATION, PREFERENCES, DETERMINATION OF ELIGIBILITY, AND SELECTION OF FAMILIES

A. COMPLETION OF APPLICATION

1. Pre-Application Procedures

- a. A preliminary-application form (pre-application) is utilized. The information is to be filled out by the applicant on date specified for taking applications. To provide specific accommodation for persons with disabilities, the information may be completed by a family representative at the place where the applications are taken.
- b. The purpose of the pre-application is to permit the PHA to preliminarily assess family interest in the program and to determine placement on the waiting list. The pre-application will contain questions designed to obtain the following information:
 - Names and age of all members;
 - Sex and relationship of all members;
 - Street Address and phone numbers;
 - Mailing Address (if PO Box or other permanent address);
 - Amount(s) and source(s) of income received by household members;
 - Information regarding disabilities
 - Social Security Numbers;
 - Race/ethnicity;
 - Arrests/Convictions for Drug-Related or Violent Criminal Activity;
 - Program integrity questions regarding previous participation in HUD programs.
- c. Pre-applications do not require an interview. The information on the application will not be verified until the applicant has been selected for final eligibility determination. Final eligibility will be determined when the full application process is completed and all information is verified.
- d. Applicants must be 18 or older to apply unless they are an emancipated minor and can provide documentation.
- e. Applicants are required to inform the PHA, in writing or in person, of changes in address. Applicants are also required to respond to requests from the PHA to update information on their application and to determine their interest in assistance.
- f. Failure to provide information or to respond to mailings will result in the applicant's name being removed. Mail that is returned by the U.S. Postal Service will result in removal from the waiting list. Applicants who are removed from the waiting list are allowed to reapply for assistance when the waiting list is opened.

2. Notification of Applicant Status

Applicants will receive a confirmation of their online application at the time of submission.

3. Completion of a Full Application

- a. Families will be invited to come into the office to complete a full application at a scheduled interview. Appointments are scheduled by mail and generally provide the applicant with at least two (2) weeks written notice. The appointment letter also identifies the type of information that the applicant will be required to bring to the interview.
 - b. The family will complete the application on their own within two (2) weeks of the verification process and acceptance of required documents. All changes to the pre-application will be updated during the scheduled interview. The head of household, as well as all members of the household eighteen (18) years or older must sign all required HUD forms. Reasonable accommodations are made for persons with disabilities.
 - c. The applicant is required to attend the scheduled meeting. If the applicant fails to attend the scheduled appointment and does not contact the Housing Choice Voucher Department in writing or by telephone to reschedule the appointment, the application will be rejected.
 - d. The original waiting list applicant must be included on the full application unless the applicant is deceased and there is another household member listed on the original application that is 18 or older or an emancipated minor at the time the name is pulled from the waiting list and is willing to have their eligibility determined to receive a voucher.
- d. Verification of Full Application Information
- (1) Information provided by the applicant will be verified including information documenting family composition, income, assets, allowances and deductions, preference status (if needed), full-time student status, and other factors relating to eligibility, to determine applicant eligibility before the applicant is issued assistance. Eligibility will be determined based on information that is provided at time of application.
 - (2) Third-party verifications in writing (sent by mail directly to the PHA) are preferred. The PHA will retain the returned envelope in the tenant's file as proof of receipt of third-party documentation. Oral third-party verifications are acceptable if they are properly documented with details and a reason given as to why third-party written verification was not obtained.
 - (3) If third-party verification is impossible to obtain, documentation will be placed in the tenant's file explaining why another method was used and other documents may be provided by the family. Documents will be photocopied when not prohibited by law. When documents cannot be photocopied, staff certification forms, noting documents viewed will be used by recording the source of information, the information obtained, and signed and dated by the staff person who viewed the document.

4. Final Determination and Notification of Eligibility

- a. After the verification process is completed, a final determination is needed. Final determination of eligibility is based upon the same factors as preliminary or provisional eligibility, except that data at this point is verified through a third-party or documented best source available.
- b. The household is not actually eligible for assistance until this final determination has been made.

5. Denial of Admissions

In addition to Section D of this chapter, denial of program assistance must be made for an applicant for any of the following grounds:

- a. The family fails to supply any information that is determined necessary in the administration of the program;
- b. The applicant provides information that is not true or complete;
- c. The applicant or family member(s) has been evicted from federally-assisted housing in the last five (5) years;
- d. If any member of the family commits fraud, bribery or any other corrupt or criminal act in connection with any federally-assisted housing program. If any member has less than five (5) years history of drug-related criminal activity and less than ten (10) years history of violent criminal activity. Drug related criminal activity includes the possession, sale or deliver of an illegal control substance. Violent criminal activity is activity that has as one of its elements the use, attempted or threatened use of physical force against the person or property of another which may include all assaults with or without a deadly weapon, terrorist threats, rape, murder, sex offenders; Criminal background checks will be conducted annually for all participant families including those porting into the PHA program.
- e. If the family currently owes rent or other amounts to the PHA or another PHA in connection with Housing Choice Voucher or Public Housing Assistance under the 1937 Act;
- f. If the family has not reimbursed any PHA for amounts paid to an owner/landlord under a HAP contract for rent, damages to the unit, or other amounts owed by the family under the lease;
- g. If the family breaches an agreement to pay amounts owed to a housing authority or amounts paid to an owner/landlord by a housing authority. The PHA, at its discretion, may offer a family the opportunity to enter an agreement to pay amounts owed to a PHA or amounts paid to an owner/landlord by a PHA. The PHA will prescribe the terms of the agreement;
- h. If the family has engaged in or threatened abusive or violent behavior toward PHA personnel; and
- i. If an applicant is a Sex Offender and/or required to be registered in a “State life-time sexual offender” registry, they will be determined ineligible.

6. Right to an Informal Review

The Informal Review process can be reviewed in greater detail in “Section XX. Informal Hearing and Reviews”.

- a. Applicants who are denied Housing Choice Voucher assistance are entitled to an informal review.
- b. Ineligible applicants will be promptly provided with a letter detailing their individual status, stating the reason for ineligibility, and offering them an opportunity for an informal review.
- c. Applicants must submit their request for an informal review in writing to the PHA within ten (10) business days from the date of the determination.

7. Updating the Waiting List

- a. The PHA will update the waiting list to ensure that it is current and accurate every two years or as needed. The PHA may update the waiting list more often at their discretion.
- b. The PHA mails a letter to the applicant's last known address requesting information regarding their continued interest in maintaining a place on the waiting list.
- c. If the applicant did not notify the PHA of a move as required, the PHA is not responsible for the applicant's failure to receive the update request.
- d. The request letter will include a deadline date by which the applicant must submit their continued interest, by mail, email or in person. If the PHA fails to receive the updated applicant information by the deadline date, the applicant's name will be removed from the waiting list.
- e. Notification of a change in address to the U.S. Post Office or sources other than the PHA is not considered compliance with the requirements to notify the PHA.
- f. Applicants are given thirty (30) days to return the notice of continued interest. The PHA does not accept responsibility for mail delays.

B. LOCAL PREFERENCES

- a. The Garland Housing Agency currently does not have local preferences

C. APPLICATION PROCESS

STEP 1: Applications will be accepted using an online application system during a time specified by the Housing Agency.

STEP 2: Enter data from the applications taken into the PHA software program: HAPPY

STEP 3: Sort the Waiting List in order of Date and Time – HAPPY does this.

STEP 4: Make up a file for each applicant. Put application in file.

STEP 5: Applicants will be able to check their waiting list status using the online application system.

D. TRANSFERRING APPLICANTS TO OCCUPANCY

STEP 1: FSS Supervisor and Operator/Finance Manager determine number of applicants to be removed from the Waiting List.

STEP 2: Update Waiting List and take into account any applications that have been added to the Waiting List since the last update.

STEP 3: According to date and time, remove the designated number of applicants from the active Waiting List by changing their status from “Waiting for Voucher” to “Ready for Occupancy”.

STEP 4: Mail a letter to each applicant informing them that the PHA is now ready to determine their eligibility for a Voucher and the date of their scheduled appointment. Remind them to bring in the documents listed in the letter.

STEP 5: Accept documents on date of appointment. Documents will be put in applicant’s file.

STEP 6: Determining Eligibility:

Mail or fax third-party verifications to agencies. Do criminal background checks for every family member 18 years of age and older and for every name they have had. Red flag files that show ANY drug activity in the past five (5) years, violent crimes in past ten (10) years, and any sexual crime ever. Drug related criminal activity includes the manufacturing, production, distribution of methamphetamines, possession, and sale of a control substance. Violent criminal activity includes all assaults with or without a deadly weapon, terrorist threats, rape, murder, sex offenders and sex offenders that are required to register with the State lifetime sex offender’s registry program. Give information to the FSS Coordinator to determine if the applicant is eligible for admission into the program. Income eligibility is determined at the time of the pre-qualification.

STEP 7: Give files that appear to be eligible to the designated caseworker.

STEP 8: Mail orientation appointment letter to processed applicants.

STEP 9: FSS Representatives will conduct group orientation sessions and issue vouchers.

Step 10: Families will not be allowed to make changes to the family composition or report increases in income once the voucher has been issued. However; loss of income will be accepted after the voucher has been issued.

E. FAILURE TO BE HOUSED

- STEP 1: Change applicant's status accordingly (i.e., Voucher expired, declined assistance, ineligible, TIF not returned, etc.) Make notes in the applicant's file and in the computer.
- STEP 2: Mail a letter to the applicant informing them that their name has been removed from Waiting List and the reason(s) why. The applicant will be given the opportunity to request an informal review.
- STEP 3: File a copy of the final letter in appropriate file and remove files to an inactive file drawer for at least one (1) year before sending it to storage.

F. ELIGIBILITY DETERMINATION

1. Family Designation

- a. Family includes, but is not limited to the following, regardless of actual or perceived sexual orientation, gender identity or marital status: a single person, who may be an elderly person, displaced person, disabled person, near-elderly person, or any other single person; or a group of persons residing together, and such group includes, but is not limited to: A family with or without children (a child who is temporarily away from the home because of placement in foster care is considered a member of the family); an elderly family, a near-elderly family, a disabled family, displaced family and the remaining member of a tenant family.
- b. Two (2) or more persons who intend to share residency whose income and resources are available to meet the family's needs and who have a history as a family unit or show evidence of a stable family relationship for at least one year.
- c. Evidence of a "stable family relationship" may include any of the following: birth certificates of children, joint tax returns, prior lease (held jointly), joint bank accounts, insurance policies and/or equivalent documentation.
- d. A child who is temporarily away from home because of placement in foster care is considered a member of the family. This provision only pertains to the foster child's temporary absence from the home, and is not intended to artificially enlarge the space available for other family members.
- e. An elderly household whose head or spouse meets the following definitions (unless otherwise approved by HUD). The head, spouse or sole member must be:
 - 62 years of age or older; or
 - Disabled with a physical impairment which is expected to be of a long, continued and indefinite duration (at least the next 12 months), which substantially impedes but does not prohibit his/her ability to live

independently. (Alcohol and drug addiction is not considered part of the definition for disabled.); or

- Disabled within the meaning of Section 223 of the Social Security Act or Section 102(b) or 6001(7) of the Developmentally Disabled Act; or
- Two (2) or more elderly or disabled persons living together, or one or more elderly or disabled persons living with a live-in aide.

f. Single Persons

A person who lives alone or intends to live alone, and who does not qualify as an elderly family or displaced person or as the remaining member of a resident family.

g. Remaining Members

The remaining members of a participant family shall be considered a family. When the head of household departs the family, the adult responsible for the children will receive assistance until the head of household returns. (See also Section XVI. Family Break-up, Section D)

h. Head of Household

The head of household is an adult member of the household who is designated by the family as the head, is wholly or partly responsible for paying the rent, and has the legal capacity to enter into a lease under State/local law. Emancipated minors who qualify under State laws will be recognized as a head of household.

i. Split Households Prior to Issuance of Assistance

When a family on the waiting list splits into two otherwise eligible families due to divorce or legal separation and the new families both claim the same placement on the waiting list, and there is no court determination, the following will be considered:

- which family unit retains the children or any disabled or elderly members;
- recommendation of social services agencies or qualified professionals, such as children's protective service.

Documentation of these factors is the responsibility of the applicant families. If either or both of the families do not provide the documentation, they will be denied placement on the waiting list. The Housing Administrator will make the final determination of which of the new family remains on the waiting list or receives the voucher.

j. Anticipated Family Composition

For initial application, members of the family not currently residing together, but who will be in the household under Housing Choice Voucher will be listed. The family is to provide documentation describing why the family members are not currently living together.

k. Joint Custody of Children

Children who are subject to a joint custody agreement, but live with one parent at least 51% of the time will be considered members of the household. "51% of the time" is defined as 186 days of the year, which do not have to run consecutively.

l. Live-in Aides (also referred to as Live-in Attendants)

A family may include a live-in aide who:

- is determined to be essential to the care and well-being of an elderly person, a near-elderly person, or a person with disability as defined by 24 CFR PART 8.3;
- is not obligated for the support of the family; and
- would not be living in the unit except to provide care for the person(s);
- whose income will not be counted for purposes of determining eligibility or rent; and
- who will not be considered as a remaining member of the resident family;
- relatives are not automatically excluded from being care attendants, but must meet the definition described above;
- a live-in attendant's family members will be allowed to reside in the assisted unit provided that doing so does not increase the subsidy cost of an additional bedroom, and the presence of the live-in attendant's family does not overcrowd the unit;
- a live-in aide will only reside in the unit with pre-approval. Written verification will be required from a reliable, knowledgeable medical professional. The provider of the verification must certify that a live-in aide is needed for the care of the family member in order to provide reasonable accommodation to make the program accessible to the family member with the disability. Verification must be updated annually;
- a live-in aide cannot be a spouse or boyfriend/girlfriend (since they would be living in the unit anyway);
- a live-in aide cannot have a job outside of the unit or another place to live since he/she is verified to be necessary to provide care on a live-in aide basis and is supposed to live in the unit;
- relatives are not automatically excluded from being care attendants, but must meet the definition described above;
- a live-in must pass a criminal background check and cannot owe another housing authority funds;
- a live-in aide is required to attend the annual recertification appointments with the Head of Household and the GHA must determine annually the eligibility of the household for a live-in aide;
- Although family members may be qualified to perform the services needed by the individual with disabilities, a live-in aide is not a family member, his/her income is not counted for eligibility or rent purposes and the live-in aide cannot receive the voucher as a "remaining member of a tenant/participant
- a live-in aide may not change their status to a family member when the head of household is no longer in the unit.

2. Income Eligibility

Family income must fall within the applicable Very Low-Income limits as published by the Department of Housing and Urban Development. Some families may qualify if they are Low-Income under these circumstances:

- a. a low-income family that is “continuously assisted” under the 1937 Housing Act;
 - b. a low-income family physically displaced by rental rehabilitation activity under 24 CFR 511;
 - c. a low-income non-purchasing family residing in a HOPE I (HOPE for Public and Indian Housing Homeownership) or HOPE 2 (HOPE for Multifamily Units) Project;
 - d. a low-income non-purchasing family residing in a project subject to a homeownership program under 24 CFR 248.173;
 - e. a low-income family displaced as a result of the prepayment of a mortgage or voluntary termination of a mortgage insurance contract under 24 CFR 248.165.
3. Restrictions on Assistance to Non-citizens or Eligible Immigration Status Requirements

a. Required Documentation

- Housing Choice Voucher programs are covered under Section 214 of the Housing and Community Development Act of 1980, which makes financial assistance contingent upon the submission of verifiable evidence of citizen or eligible non-citizen status.
- Families must submit evidence of citizenship or eligible non-citizen status. A family consisting of members with both eligible and ineligible status will be eligible for pro-rated assistance.
- Verification of evidence of eligible non-citizen status is necessary to determine whether or not the applicant/participating family is eligible for continuing assistance or admittance to the program. Families will be required to submit a declaration for all members who claim eligible status and/or provide a listing of those members who do not claim eligible status.
- Non-citizen students do not have eligible status, nor does their non-citizen spouse and/or minor children accompanying or joining the non-citizen student. A citizen spouse or minor children of a citizen spouse and non-citizen student are eligible for assistance, however;
- Eligible immigration status includes the following categories:
 - Citizens or national of the United States;
 - Non-citizens with status in one of the following categories:
 - A non-citizen admitted to the U.S. for permanent residence under Section 101(a) (20) of the Immigration and Nationality Act (INA); as an immigrant under Section 101(a) (15) or as a special agricultural worker under Section 120 or 210A of the INA;
 - A non-citizen who entered the U.S. before January 1, 1972, (or such later date as enacted by law), and who (1) has continuously maintained residence in the U.S. since then, (2) who is not ineligible for citizenship, and (3) who has been deemed to be lawfully admitted for permanent residence as a result of an

exercise of discretion by the Attorney General under Section 249 of the INA;

- A non-citizen admitted to the U.S. with refugee status under Section 207 of the INA, or with asylum status under Section 208 of the INA, or admitted before April 1, 1980 under Section 203(a)(7) of the INA;
 - A non-citizen admitted to the U.S. with parole status under Section 212(d) (5);
 - A non-citizen lawfully present in the U.S. as a result of the Attorney General's withholding deportation under Section 243(h) of the INA (threat to life or freedom); or
 - A non-citizen admitted for temporary or permanent residence under Section 245A of the INA.
- Evidence of citizenship or eligible non-citizen status shall consist of the following documents or such other documents as deemed acceptable by HUD or the U.S. of Citizenship and Immigration Services (CIS) (formerly INS):
 - For citizens: a signed Declaration of U.S. citizenship;
 - For all other non-citizens:
 - A signed Declaration of eligible immigration status;
 - The CIS documents listed in Handbook 7465.7, Chapter 6, Section 6-4 (or any other documents determined by the CIS to be acceptable evidence and announced by notice in the Federal Register); and
 - A signed Verification Consent Form.
 - Documents submitted by an applicant family to verify eligible immigration status will be first verified using the CIS Systematic Alien Verification for Entitlements (SAVE) system. If the SAVE system does not provide verification, a secondary manual search of CIS records will be instituted by the PHA. If both searches fail to verify eligibility, the family will be notified and will be given the option of requesting an appeal to the CIS and/or a PHA informal hearing.
- b. Ineligible Immigration Status
- Families determined to be ineligible when the evidence of citizenship or eligible non-citizen status submitted by a head of household or spouse cannot be verified either by the PHA's preliminary inquiry or by the CIS secondary search will be notified in writing that the individual or family has been determined ineligible.
 - Families determined ineligible due to lack of citizenship or non-eligible citizenship status may request an appeal to the CIS according to 24 CFR 5.514(e) and may request an informal hearing with the PHA. Applicant families may request an informal hearing as described in Section 9-2 (c) (2) of Handbook 7465.7 either upon the completion of the CIS appeal or in place of the CIS appeals.
 - Assistance to an applicant will be delayed if the CIS appeal process has been concluded, but will not be denied until after the conclusion of the

PHA informal hearing process, if an informal hearing is requested by the applicant.

4. Restrictions on Full and Part time Students

- a. A family whose household members contain a Head of Household, Co-head or Other Adult, who is not living with their parents, that is a fulltime or part-time student enrolled in an institution of higher education and is seeking to reside in a Housing Choice Voucher assisted unit cannot be determined eligible if the person is not considered independent from their parents. The term independent, when used to respect to a student, means any individual who is:
 - Over the age of 24 years old;
 - A veteran (the term veteran means a person who served in the active military, naval, or air service, and who is discharged or released there from under conditions other than dishonorable.);
 - Married;
 - Has a dependent child;
 - Is an orphan or ward of the court or was a ward of the court until the individual reached the age of 18;
 - Is a graduate or professional student;
 - Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.
- b. An institution of higher education is defined under Section 102 of the Higher Education Act of 1965 as an educational institution in any state that:
 - Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate,
 - Legally authorized within such State to provide a program of education beyond secondary education;
 - Provides an educational program for which the institution awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward such degree;
 - Is a public or other nonprofit institution; is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

Additional institutions include:

- Any school that provides not less than a 1 year program of training to prepare students for gainful employment in a recognized occupation or
- A public or nonprofit private educational institution in any state that admits as regular students persons who are beyond the age of

compulsory school attendance in the State in which the institution is located.

- c. If a student is not considered independent, and is not otherwise income eligible or has parents who are not otherwise income eligible, they shall not receive a voucher. Both student's income and parent's income must be assessed for income eligibility and must be determined to be low-income in the area where the parent resides. Students will be asked to provide proof of parent or parent's income through but not limited to previous year's tax return, their Student Aid Report Status, child support records, pay check stubs, social security benefits, veteran's benefits, etc... The student will be asked to provide this documentation for both parents if they are currently married and/or residing together. In the cases where the parents are not married and separated, the student will be asked to provide the information from the parent who provides 51% of the student's support.
- d. The PHA must include any financial assistance in excess of tuition excluding loans when determining income eligibility. Financial assistance may include but is not limited to any assistance that an individual receives:
 - Under the Higher Education Act of 1965,
 - From private sources
 - From an institute of higher education
- e. The student is required to provide enrollment documentation, transcripts and/or other documents that indicate the student is enrolled and/or attending school full-time. This documentation must be provided at each annual reexamination and/or interim examination to ensure the rent is calculated correctly.

G. DRUG ABUSE AND CRIMINAL ACTIVITY

1. Denial of Admissions

a. Prohibiting Admission of Persons Evicted for Drug-Related Criminals Activity

The Garland Housing Agency will deny housing assistance to applicants or participants if they have less than a ten (10) year history of violent criminal activity and less than a five (5) year history of drug-related criminal activity. Violent criminal activity includes all assaults with or without a deadly weapon, terrorist threats, rape, and murder. Drug related includes the manufacturing, production, of methamphetamine, possession, sale, or distribution of a control substance. Criminal background checks will be conducted at annual re-examination for every member of the household who is 18 years or older.

The PHA **must** prohibit admission to the program of an applicant for three (3) years from the date of eviction if a household member has been evicted

from federally-assisted housing for drug-related criminal activity. However, the PHA will admit the household if the PHA determines:

- (1) that the evicted household member who engaged in drug-related criminal activity has successfully completed a supervised drug rehabilitation program approved by the PHA; or
 - (2) that the circumstances leading to eviction no longer exist. (For example, the criminal household member has died or is imprisoned.)
- b. At all times a household shall be denied admission if any member of the household is a Sex offender and/or subject to a lifetime registration requirement under a State sex offender registration program. In the screening of applicants, the PHA must perform criminal history background checks necessary to determine whether or not any household member is subject to a lifetime sex offender registration requirement in the state where the housing is located and in other states where the household members are known to have resided.
- c. Households shall be denied admission for having less than a five (5) year arrest and/or conviction if any household member is arrest and/or convicted of a drug-related criminal activity, and less than 10 years of violent criminal activity, other criminal activity which may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or persons residing in the immediate vicinity; other criminal activity which may threaten the health or safety of the owner, property management staff, or persons performing a contract administration function or responsibility on behalf of the PHA (including a PHA employee or a PHA contractor, subcontractor or agent), or pattern of alcohol abuse. A “pattern” shall be at least three alcohol-related criminal offenses within the five (5) year period prior to application for assistance.
- d. The following are standards to be applied as appropriate for drug-related criminal activity and other criminal activity concerning denial of admission:
- (1) The PHA will “determine” the use of an illegal drug through an arrest and/or conviction of a drug-related charge.
 - (2) The PHA shall “determine” involvement in criminal activity through an arrest and/or conviction for a criminal activity.
 - (3) Any “household member” includes adults and minors who are on the lease or who are living in the household, but not reported to the PHA.
 - (4) “Currently engaging in illegal use of a drug” or other criminal activity shall be defined as a conviction within one year from the date the PHA discovers the conviction.
 - (5) “Reasonable cause shall be determined by a conviction on an illegal use of a drug charge or other criminal activity.
 - (6) There is no time period concerning the conviction of a drug-related charge for manufacturing, production, or distribution of methamphetamine on the premises of federally-assisted housing. Such household members being convicted of this offense will always be denied admission.
 - (7) The time period of ineligibility for admission for other drug-related convictions or other criminal activity convictions shall be five (5) years from the date of the conviction.

- (8) If the PHA previously denied admissions for criminal activity, the PHA elects not to consider evidence that a household member was not engaged in criminal activity for a period of time. The household shall not be eligible for admission for five (5) or ten (10) years from the date of the conviction (depending on the criminal activity).
- (9) Evidence of criminal activity shall be defined as the PHA has acquired/been presented with the preponderance of evidence that the family, including any family member, is engaging in drug-related criminal activity or violent criminal activity or other criminal activity or alcohol abuse, regardless of whether the family member has been arrested or convicted for such activity.

2. Use of Criminal Record

- a. Denial. If a PHA proposes to deny admission for criminal activity as shown by a criminal record, the PHA must provide the subject of the record and the applicant with a copy of the criminal record. The PHA must give the family an opportunity to dispute the accuracy and relevance of that record, in the informal review process in accordance with Sec. 982. 554.
The Garland Housing Agency will deny housing assistance to applicants or participants who are adding additional adult family members, if they have less than a ten (10) year history of violent criminal activity and less than a five (5) year history of drug-related criminal activity. The PHA will conduct criminal background checks for every household member 18 years and older at the time of the annual reexamination.

Drug related criminal activity includes the manufacturing, production, and distribution of methamphetamine, possession or sale of a control substance.

Violent criminal activity includes all assaults with or without a deadly weapon, terrorist threats, rape, murder, sex offenders and sex offenders that are required to register with the State lifetime sex offender's registry program.

- b. Cost of Obtaining Criminal Record. The PHA will not pass along to the tenant the costs of a criminal records check.
- c. Permitted use and disclosure of criminal records/sex offender registration records received by the PHA will only be used for applicant screening and/or for lease enforcement and eviction. A PHA will disclose criminal convictions as follows:
 - (1) To officers or employees of the PHA, or to authorized representatives of the PHA who have a job-related need to have access to the information.
 - (2) If a PHA obtains criminal records from a State or local agency showing that a household member has been convicted of a crime/sex offense relevant to applicant screening or tenant lease enforcement or eviction, the PHA must notify the household of the proposed action based on the information obtained. The PHA must also provide the subject of the record and give the applicant or resident a copy of such

information before a denial of admission, eviction or lease enforcement action on the basis of such information.

- d. If, at any time during the program participation, the PHA has reasonable cause (e.g., newspaper articles, credible informants, police reports) to believe that a household member is engaged in drug-related or other criminal activity which would pose a threat to the health, safety, or right to peaceful enjoyment of the premises by other residents or PHA employees, the PHA will run a subsequent criminal check of that household member.

3. Consideration of Circumstances

In determining whether to deny or terminate assistance because of action or failure to act by members of the family:

- a. The PHA will consider all relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstance related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action or failure.
- b. In determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the PHA will consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program, or has otherwise been rehabilitated successfully (42 U. S. C. 13661). For this purpose, the PHA will require the applicant or tenant to submit evidence of the household member's current participation in, or successful completion of a supervised drug or alcohol rehabilitation program or evidence of otherwise having been rehabilitated successfully.
- c. If the family includes a person with disabilities, the PHA decision concerning such action is subject to consideration of reasonable accommodation in accordance with 24 CFR Part 8.

4. Records Management

- a. All criminal and information from a drug facility treatment center received will be maintained confidentially and not misused, or improperly disseminated.
- b. Such information will be housed in a locked file with access restricted to individuals responsible for screening and determining eligibility and to the Housing Administrator.

5. Drug Treatment Facility Information

- a. As needed during the informal review or hearing process the PHA will seek information from a drug treatment facility to verify that an applicant or participant is participating in or has completed a drug rehabilitation program, or to verify drug-free status.

- b. In such cases the PHA will utilize a written consent form required by 24 CFR 960.205.
- c. The PHA is not obligated to request information from drug treatment facilities and is not liable for damages for failure to request or receive the information.

6. Components of Screening Process

A criminal history report will be requested from the law enforcement agency for adult members according to the following procedure:

- a. For all applicable household members, the PHA will submit to a law enforcement agency the name, and date of birth.
- b. Based on the identifiers submitted, the law enforcement agency will provide this PHA with any criminal history conviction record information and outstanding warrants that are found on the law enforcement agency Computerized Criminal History database and the appropriate Crime Information Center.
- c. The law enforcement agency may also search the National Crime Information Center (NCIC) for criminal information. If a record exists, the law enforcement agency will notify this PHA that such information was found, and will provide the PHA with a copy of the information.
- d. In no case will the applicant be charged for the cost of the criminal history checks.

7. Ineligibility Determination

- a. Families determined to be ineligible due to the definition of family, income, or drug-related criminal or violent criminal activity, or a pattern of alcohol abuse, will be notified in writing that they do not qualify for the program. Families will be notified of the right to have an Informal Review.
- b. The Informal Review will be conducted according to regulatory requirements and as outlined further in this Administrative Plan.
- c. If the applicant or household members who refuse to supply required information and/or refuses to sign HUD form 9886 to obtain other income information, the family will be determined to be ineligible. The informal review process will apply to an applicant family who has been denied assistance on these grounds.

H. SELECTION FROM WAITING LIST

1. Basic Selection Policy

- a. Applicants shall be selected in order of date and time of the initial application with consideration given to the regulations governing income targeting as well as any adopted local preference. Applicants with local preferences that

applied prior to July 1, 2004 will continue to be pulled from the waiting list in accordance with the local preferences.

- b. Applicants whose income is greater than thirty percent (30%) of the area's median income may be passed on the waiting list pursuant to the income targeting requirements detailed below.
- c. Applicants who applied earlier than applicants who are eligible for local preferences may be passed on the waiting list.
- d. PHA's may not select applicants from the waiting list in an order different from the selection procedures "for the purpose of selecting higher income families" for the program.

2. Families that are not selected from the Waiting List:

- a. Families that are participating in a project-based program and have been identified by HUD that the housing assistance should be continued under the Preservation Multi-family Program rules and regulations;
- b. Families issued an enhanced voucher and qualified for the tenant-based Housing Choice Voucher Program;

All families under the programs above will be required to provide the same documents to determine their eligibility.

3. Income Targeting Pursuant to the Quality Housing and Work Responsibility Act

- a. Seventy-five percent (75%) of all new admissions shall be families whose income is below thirty percent (30%) of the area median income. A "new admission" shall be defined as an applicant being offered assistance.

I. MONITORING OF SELECTION AND LEASING

In compliance with SEMAP requirements, a statistical report is prepared each month to insure that PHA has complied with current regulations affecting the waiting list and selection as it relates to income requirements, single elderly and non-elderly families, and the local preference selection of families.

J. SPECIAL PURPOSE FUNDING ADMISSIONS

HUD may provide funding to serve a targeted population. When HUD targets funding of assistance for a special populace the PHA may accept an application and place the applicant on the waiting list even though the waiting list may be closed. Since HUD specifies the special population, there is no limit to the number of admissions except for the limit as defined by HUD in establishing the special population.

IV. VERIFICATION OF INCOME AND DETERMINATION OF TOTAL TENANT PAYMENT

The PHA will not devise or implement income or rent determination, verification, or other related policies or procedures in a way that discriminates against persons on the basis of race, color, national origin, sex, religion, familial status, and perceived or actual disability.

A. GENERAL POLICIES CONCERNING VERIFICATION

1. The PHA verifies family income, family composition, status of full-time students, value of assets, factors allowing a preference, and other factors relating to eligibility determinations before an applicant is issued assistance.
2. The PHA will use several methods to verify income and income deductions. Up-front and third-party (independent) verifications will be obtained by the PHA either electronically or sent by mail to the appropriate agency. To qualify as third-party verification the document(s) must never touch the applicant's or tenant's hands. If third-party written verification is not possible, the PHA will use third-party oral verification. The PHA staff will fill out an Oral Verification Form which contains the name of the agency contacted, the full name and title of the contact person, the date of the conversation and detailed documentation of the conversation, including the reason for the contact. If third-party verification is not possible, the Review of Documents method of verification will be used. And if that method is not possible, the PHA will use the Notarized Statement by Applicants method as well as stating in the file the reason why third-party documentation was not obtained. The EIV (Enterprise Income Verification) System will be used as a tool to meet the objective of assuring that the "right benefits go to the right persons." The EIV system is a federal system that provides quick, easy access to resident income information. The system will streamline and simplify the income verification process at the time of recertification, by providing independent source that systematically and uniformly maintains income information. Data contained in the EIV system include resident income information from the Social Security Administration, Department of Health and Human Services, new hire information, employment wages per quarter, deceased participants and unemployment compensation benefits. The system will enable the housing agency to identify cases of unreported or under reported resident income, identify potential cases of current residents who are receiving HUD subsidy under multiple rental housing assistance programs and whether an applicant is already receiving rental housing assistance from another subsidized source. A current, signed and dated HUD9887/9887A must be on file for the head, spouse, co-head and any family member who is 18 years of age or older or has turned 18 since the last recertification, prior to EIV data is accessed for a tenant. Information collected from EIV will be used for official purposes and not disclosed in any way that would violate the privacy of the individuals represented in the system data. The EIV information will be safeguarded by allowing only authorized staff to access the system, all users must have a current user agreement on file, a record of all users will be maintained, unauthorized staff persons and participants will not have access to computer of authorized persons, staff will not

leave resident folders exposed on desk tops, computer screens open with sensitive data unattended, documents will be locked in files and passwords required to access computer stations, all documents will be immediately removed from printer, fax machines, copier, and/or scanners, and at the close of business, resident files will be locked and security procedures will be reviewed with staff periodically to safeguard against laxity and breaches.

3. Photocopies will be accepted with a written documentation as to why third-party verification was not obtained.

B. INCOME ALLOWANCES

Income includes all monetary amounts that are received on behalf of the family. All income that is not specifically excluded in the HUD regulations is counted. Monetary is defined as it relates to any money received on behalf of the family.

Annual Income is used to determine whether the family is within the Income Limits. It is the anticipated amounts, “monetary or not,” that go to, or “on behalf of,” the family (including temporarily absent head or spouse), and are received from a source outside the family within the twelve (12) months after certification.

Adjusted Income is the Annual Income minus any HUD allowable expenses and deductions.

Both Annual and Adjusted Income are used to calculate the amount of the subsidy for Vouchers. In calculating Annual and Adjusted Income, the PHA must estimate the income of every member of the household, including those who are temporarily absent. Income of persons who are permanently absent from the household will not be counted. Income is defined by HUD regulations and is further interpreted in HUD Notices, Memos and Addenda. Those rules must be followed. However, there are policy decisions that are needed in order to assure consistent interpretation of the HUD rules.

C. HUD ALLOWABLE DEDUCTIONS

HUD has five (5) allowable deductions from annual income:

1. Dependent Allowance: \$480 each for family members (other than the head or spouse) who are minors (including children who are adopted), and for family members who are eighteen (18) and older who are full-time students or who are disabled (foster children are not included in this deduction).
2. Elderly/Disabled Allowance: \$400 per family for families whose head or spouse is 62 or over or disabled.
3. Allowable Medical Expenses: Deducted for all family members of an eligible elderly/disabled family.

4. Allowable Disability Assistance Expenses: Deducted for attendant care or auxiliary apparatus for persons with disabilities if needed to enable the individual or an adult family member to work.
5. Child-Care Expenses: Deducted for the care of children under thirteen (13) years of age when child-Care is necessary to allow an adult member to work, attend school, or actively seek employment.

Child-care deductions are allowed only for the care of children under the age of thirteen (13), including foster children. Child-care deductions will not be allowed unless there is no adult household member available and capable of caring for the child. Those adult members who would be considered unable to care for the child include a disabled or older person (as verified by a doctor's written statement) or a documented child abuser.

The following standards are the criteria for allowing child-care expenses as a deduction:

- a. Child-care to work: The maximum child-care allowed would be based on the amount earned by the person enabled to work. The "person enabled to work" is the adult member of the household who earns the least amount of income from employment. The child-care deduction will not exceed the amount of income earned by the person enabled to work.
- b. Child-care for school: The PHA will compare the number of hours the family member is attending school and base the reasonableness standard on the number of hours that the family member is attending school (with the addition of one hour travel time to and from school) versus the number of hours claimed for child-care. The number of hours for which the child-care deduction is allowed shall not exceed the school and travel time.
- c. Child-care to seek employment: The deduction for child-care to seek employment must not exceed the Annual Adjusted Income of the family member seeking employment. The deduction does not include transportation costs, or other expenses incurred, and is limited to one year per individual.

To claim the deduction, verification from the child-care provider must include the name, address, and phone number of the company or individual child-care provider, the names of the children being cared for, the number of hours for which child-care is provided, the rate of pay, and the typical yearly amount paid (taking into account school and vacation periods).

Verification from the job seeker must include documentation from an employment service agency and/or written verifications of interviews from potential employers.

D. MINIMUM RENT

The minimum rent for Housing Choice Voucher participants is \$50.00. All Voucher families will contribute the highest of thirty percent (30%) of monthly adjusted income or ten percent (10%) of monthly gross income, or the minimum rent toward the rent plus any rent above the applicable Payment Standard.

1. The minimum rent requirement will be waived under certain circumstances. Financial hardship status is to be granted immediately for ninety (90) days in the event of the following:
 - a. The family has lost eligibility or is awaiting an eligibility determination to receive federal, state or local assistance, including a family having a non-citizen household member lawfully admitted for permanent residence and who would be entitled to public benefits but for Title IV of the Personal Responsibility and Work Opportunity Act of 1996;
 - b. The family income has decreased due to changed circumstances such as separation, divorce, abandonment;
 - c. One or more family members have lost employment;
 - d. The family would be evicted as a result of imposing the minimum rent requirement;
 - e. There has been a death in the family; or
 - f. There are other hardship situations determined by the PHA on a case by case basis, i.e. alimony, child support, etc.

Financial hardship exemption only applies to payment of minimum rent - not to rent based on the formula for determining the Total Tenant Payment (TTP).

2. If tenant initiates a request for a hardship exemption that the PHA determines is temporary in nature:
 - a. If the hardship is determined to be temporary, Rent will be suspended, during the ninety (90) day period beginning on the day the request is made. At the end of the ninety (90) day period, the minimum rent is reinstated retroactively to the date of suspension and the HAP is again adjusted.
 - b. In the case of a temporary hardship, the PHA will allow the family a maximum of six (6) months to make payment of any delinquent minimum rent payments accrued during the suspension period. However, the family must execute a repayment agreement.
 - c. The family will not be evicted for non-payment of rent during this ninety (90)-day period.
 - d. If the hardship is subsequently determined to be long-term, the PHA will retroactively exempt residents from the minimum rent requirement for the ninety (90)-day period.
3. Hardship determinations are subject to the PHA's Informal Hearing Process and families are exempt from any escrow deposit that may be required under regulations governing the hearing process for other determinations.

E. RENT BURDEN

1. Initial Rent Burden

The Rent Burden is the family's payment to the owner/landlord plus utility allowance. This total figure should be equal to or less than forty percent (40%) of the family's monthly adjusted income.

New admissions to the Housing Choice Voucher Program and continuing program participants who move will not be allowed to pay more than forty percent (40%) of adjusted income for rent. If the rent burden of the selected unit is over forty percent (40%), the family will be advised to seek a lower priced unit. The continuing program participant may opt to remain in the current unit or seek a lower priced unit.

2. Family Moves

If a family requests to move out of the current unit to another unit and is eligible for continued assistance, the family will be issued a Housing Choice Voucher and will be subject to the new rent calculation and to the forty percent (40%) rent burden restriction.

F. ZERO INCOME FAMILIES

Families reporting no family income will be asked at application and recertification how the family pays for necessary living expenses. If it is determined that the family is receiving regular monetary or non-monetary contributions and/or gifts from non-household members, the value of these gifts will be annualized to estimate income.

If it is determined that the family receives no income from gifts, contributions, or any other source, the family will be required to complete, sign, and date a statement of non-employment/no income affidavit, no income questionnaire and a thirty (30) day recertification each month thereafter. Such families will be required to maintain all receipts for any expenses (e.g., food and clothing, utility bills) for thirty (30) days. This amount, excluding any food stamps or the PHA Utility Allowance payments, will be annualized to determine annual income. Zero income families will be reevaluated every 30 days to determine if there are any new sources of income. All families may be required to attend a mandatory meeting each month to provide their monthly expenditures and complete the zero income form. If the family misses two or more meetings, it will be grounds for termination. The reevaluation may include an inquiry in to the UIV (Upfront Income Verification) system

1. If a family reports that they do not have an income, the adult members will be required to sign a non-employment/no income affidavit, no income questionnaire and a thirty (30) day recertification each month thereafter.

2. Family members 18-25 years of age that are attending school full or part-time will not be required to report income status every thirty (30) days.
3. The spouse will not be required to report their income status every thirty (30) days, if the head of household decides that they will provide the only income for the family. A notarized statement will be required from the head of household.

G. AVERAGING INCOME

There are two ways to calculate income when the income cannot reasonably be anticipated for a full year:

1. Annualize current income (and subsequently conduct an interim reexamination if income changes); or
2. Average known sources of variable income to estimate an annual income (no interim adjustment is required if income remains as predicted).

Both processes will be used depending on how the income was verified by the source.

Income from the previous year will be analyzed to determine the amount of anticipated income when future income cannot be clearly verified. If, by averaging, a reasonable estimate can be made, that estimate will be used to anticipate annual income over the next twelve (12) months, instead of changing the HAP every month as the income fluctuates.

H. INCOME CHANGES

1. Welfare Program Requirements

The PHA will not reduce a family's income and rent if the family's welfare benefits were reduced due to:

- a. fraud by a family member; or
- b. family's failure to abide by program requirements to work or participate in the Family Self-Sufficiency Program or Welfare-to-Work program, if applicable.

The family will be offered an opportunity for an informal hearing. The PHA will determine through third-party written verification why the benefits were reduced or suspended before adjusting the income and rent. If welfare benefits expired and program requirements were met, the family income will be reduced to determine rent.

2. Total Tenant Payment Exceeds Gross Rent

Families whose Total Tenant Payment exceeds the Gross Rent of the occupied unit may remain on the PHA's Housing Choice Voucher program for six (6) months from the effective date of the zero assistance. This will not be considered a break in continued assistance. The family may remain in the same unit and pay rent for six (6) months before being removed from the program. If the family's income decreases or the unit rent increases within the six (6)-month period, the family will be reinstated into the program without applying to the waiting list.

I. INCOME INCLUSIONS

1. Regular Contributions and Gifts

Regular contributions and gifts received from persons outside the household are counted as income for Tenant Rent calculation purposes. This includes rent and utility payments paid on behalf of the family and other cash or non-cash contributions provided on a regular basis. It does not include casual contributions or sporadic gifts.

Under certain circumstances (i.e., for zero income families), the PHA will interview the tenant and review his or her current bills and receipts to determine the amounts paid for known household expenses and the sources of regular income, including in-kind contributions. The total amount of receipts and bills and the frequency of payments will be used to determine the anticipated income.

Third-party verification of income from regular contributions and gifts will be obtained whenever possible. Third party verification of income from regular contributions and gifts will be mailed to the contributor on the same date of the interview. Ten (10) business days will be allowed for the return of the verification; if not received the file will be documented. Oral verification will be attempted and if no response the tenant will be asked to sign and complete a Declaration of Regular Contributions.

2. Alimony and Child Support

Alimony and child support payments are counted as income for Tenant Rent calculation purposes. Third-party verification of income from these sources is obtained by contacting the former spouse and/or the Child Support Recovery Unit. If the verification is not received within a reasonable amount of time, the PHA will allow the family to submit at least the last three (3) months of child support check stubs and/or complete a self-declaration statement.

3. Lump Sum Payments

Lump-sum payments caused by delays in processing periodic payments (e.g., unemployment, TANF, or child support) except Social Security and Supplemental Security Income benefits whether due to disputes or processing problems are counted as income in the following manner:

- a. If the lump sum amount is reported within thirty (30) days of the date it was received, the lump sum amount will not be taken into account prior to the next recertification. If, at the next annual recertification, the lump sum amount has been converted to an asset (i.e., placed in a savings account or invested), it will be treated like any other asset.
- b. If the lump sum is not reported within thirty (30) days, the increased income will be handled retroactively by adding the income to the annual income that was in effect when the payment was received, as long as the date is not prior to program participation. The Total Tenant Payment will be recalculated and compared to the previous Total Tenant Payment. The family has the choice of paying this "retroactive" rent to the PHA in a lump sum or entering into a repayment agreement with the PHA. The family officially owes this money to the PHA whether or not the family chooses to continue its participation in the Housing Choice Voucher program.

Social Security and Supplemental Security Income benefits that are received in a lump sum or prospective monthly amounts are excluded from annual income. The lump sum payment would be treated as an asset.

4. Assets Valued Under \$5000

Income from assets owned by any family member (including minors) and valued at or under \$5,000 is counted as income. (An example is checking and savings accounts.) In determining income from assets, the PHA will use a six month average (if the six month average cannot be verified, the PHA will use the current balance), of the account and multiply it by the yearly interest rate.

5. Assets Valued Over \$5,000

Income from assets owned by any family member (including minors) and valued over \$5,000 is counted as income. In determining income from assets, the PHA will use the greater of the actual net income from the asset or the imputed income using the HUD passbook rate.

- a. The actual anticipated income is based on the annual interest rate multiplied by the current checking or savings account balance.

6. Assets Disposed of for Less than Fair Market Value

The PHA counts as income all assets disposed of for an amount less than fair market value during the two (2) years preceding initial certification or recertification. The PHA will count the difference between the market value and the actual payment received to calculate assets.

7. Contributions to Retirement Funds

While an individual is employed, only the amount the family can withdraw without retiring or terminating employment is included as an asset. After retirement or termination of employment, any amount the employee elects to receive as a lump sum is counted as an asset.

8. Armed Forces Pay

All regular pay, special pay and allowances of member of the Armed Forces will be included in income (EXCEPTION: Special hazardous duty pay for a family member exposed to hostile fire is excluded.)

J. INCOME EXCLUSIONS

1. Lump Sum Payments

Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and Workers' Compensation), capital gains, and settlement for personal or property losses are not included as income.

2. Grants and Scholarships

Only the amount of student financial assistance, including scholarships, educational entitlements, grants, work-study programs, and financial aid packages used for tuition may be excluded. Student loans are excluded even if part of the loan is being used for general living expenses. Loans are never considered income because they must be repaid.

3. Earned Income of Full-Time Student

Income exceeding \$480 that is earned by a full-time student (other than the head of household or spouse) is excluded from income. The exemption only applies to earnings in excess of \$480 because the family already receives a \$480 dependent allowance.

4. Contributions to Retirement Funds

Contributions to company retirement/pension funds are handled in the following manner:

- a. While an individual is employed, only the amount the family can withdraw without retiring or terminating employment is included as income.
- b. After retirement or termination of employment, any amount the employee elects to receive as a lump sum is included as income.

5. Resident Service Stipends

Resident Service Stipends received for performing a service for the owner of a housing development, and not exceeding \$200 per month, is excluded from annual income. If the owner/landlord pays the resident more than \$200 per month, the entire amount received is included as income.

6. Job Training Programs

Incremental increases in earnings and benefits received from a qualifying state or local training program (including training programs not affiliated with a local government) and training of a family member as resident management staff are included.

To qualify for this exclusion, the employment training program must have clearly defined goals and objectives. The incremental increase in earnings is excluded only during the time the family member participates in the training program.

7. Earned Income Tax Credit Refund

Any earned income tax credit refund will not be counted as income, regardless of whether it is being received as part of the regular pay or in a single sum as part of an income tax refund.

8. Adoption Assistance Payments

Payments exceeding \$480 for the care of adopted children are excluded.

9. Adult Foster Care Payments

Payments received for the care of foster adults (generally individuals with disabilities, unrelated to the tenant family, who are unable to live alone) are excluded.

10. Home Care Payments

Amounts paid by any source to families that have developmentally disabled children or adult family members living at home are excluded.

11. Military Pay

Special hazardous duty-pay for the family member exposed to hostile fire is excluded.

12. Property Tax Refunds and Rebates

State and/or local property tax refunds paid to the family are excluded.

13. Agent Orange Settlement Fund

Payments received after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the Agent Orange product liability litigation will not be counted as income. The requirement will apply only to veterans of the Vietnam War.

14. Maine Indian Claims Settlement Fund

Effective July 23, 1990, payments received under the Maine Indian Claims Settlement Act of 1980 will not be counted as income. This requirement applies to payments received by any member of the household who received payments under this claim.

15. Holocaust Reparation Payments

Any reparation payments paid by foreign governments pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era will not be included in income.

16. Older Americans Act Programs

Payments received from programs funded under Title V of the Older Americans Act of 1965 will not be counted as income. The Community Service Employment Program (CSEP) administered under Title V distributes grants to qualifying organizations to fund part-time employment to persons who are at least fifty-five (55) years of age and have limited income, e.g., Green Thumb and Senior Aide Programs.

17. Disabled Income Exclusions

Disabled families (i.e. the disabled person who has been previously unemployed and goes to work) are identified and determined whether or not they have experienced an increase in employment, or has new employment and have been previously unemployed for 12 months or longer, or have been enrolled in a self-sufficiency program or a job training program, or have received TANF six (6) months prior to receiving new employment, will have an earned income disallowance for the incremental increase in income for a period of twenty-four (24) months. This is how this disallowance works:

- a. 100% of the incremental increase income is disallowed for the first twelve (12) months; does not have to be consecutive months.
- b. 50% of the incremental increase income is disallowed for the next twelve (12) months; does not have to be consecutive months.

Earned income disallowance can be excluded for a maximum of 48 consecutive months.

18. Other Exclusions

- a. Food Stamps;
- b. Payments to volunteers under the Domestic Volunteer Act of 1973 (VISTA);
- c. Temporary, nonrecurring or sporadic income (including gifts).

K. PRORATED ASSISTANCE FOR “MIXED” FAMILIES

1. Applicability

Prorated assistance must be offered to any “mixed” applicant or participant family. A “mixed” family is one that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members.

“Mixed” families that were a participant on June 19, 1995 and do not qualify for continued assistance must be offered prorated assistance. Mixed family applicants are entitled to prorated assistance. Families that become mixed after June 19, 1995 by addition of an ineligible member are entitled to prorated assistance.

2. Prorated Assistance Calculation

Prorated assistance is calculated by determining the amount of assistance payable if all family members were eligible and multiplying by the percent of the family members who actually are eligible. Total Tenant Payment is the gross rent minus the prorated assistance.

L. ABSENCE FROM THE UNIT

In calculating Annual and Adjusted Income, the PHA must estimate the income of every member of the household, including those who are temporarily absent. Income of persons who are permanently absent from the household will not be counted. Families must report in writing to the PHA any absence from the household of more than sixty (60) consecutive days and shall report their absence to the owner/landlord, consistent with the lease provisions. Any absence longer than sixty consecutive days must be approved in writing by the PHA Housing Administrator. Any changes in family composition must be reported in writing to the PHA within 15 business days. Families will be counseled at briefing sessions and recertification on the effect family composition may have in determining Voucher size and Total Tenant Payment as well as the PHA's policies for dealing with such changes. At times, situations may arise that result in the temporary or permanent absence of a family member or members from the household. Such situations will be handled in the following manner:

1. Absence of children for foster care. In instances in which the children have been removed from the home by a social service agency, the agency will be contacted to determine the approximate length of time the children are expected to be away from the home.

- a. If the agency indicates that the children are expected to be returned to the home at some point, the children will remain a part of the family composition and will be counted toward the family's subsidy standard.
- b. If the children are not expected to ever be returned to the home, the children will be removed from the family composition and the family's subsidy standard will be reduced accordingly.
- c. If the agency indicates that it is unknown whether the children will be returned to the home, the children will remain a part of the family composition.

Oral conversations with the social service agency must be thoroughly documented in the family file, including the date of contact, name and title of contact person, name of agency, and telephone number and the details of the conversation.

2. Absence of single parent; use of caretaker adult. When a single parent leaves the household for 60 days or more as a result of imprisonment, hospitalization, military service, etc., and another adult moves into the home to care for the children, the rental assistance will not be terminated. The family composition will be modified to include the name of the caretaker as head of household. The caretaker's income will not be included in the family income. The single parent's name shall be temporarily removed and the file documented to explain the circumstances. When the parent returns to the unit, the caretaker may leave or remain in the household. If the caretaker remains, his/her income will be included in the calculation of family income.
3. Absence of head of household or spouse due to military service or school. If the head of household or spouse is absent from the home to serve in the military or attend school, the income will be included in the calculation of family income. However, income received as a result of special hazardous duty pay when exposed to hostile fire will not be included.
4. Absence of other family member due to military service or school. If a family member other than the head of household or spouse is absent from the home to serve in the military or attend school, the family has the option of considering the person permanently absent (income not counted, not on lease, and not counted for Voucher size) or temporarily absent (income counted, on lease, counted for Voucher size). Income received as a result of imminent danger pay when exposed to hostile fire will not be included.
5. Absence due to hospitalization of sole family member. When the family consists of only one member and that person leaves the home to go into a hospital or nursing home for a period of more than six (6) months, the assistance will be terminated. If a medical source documents that the person is expected to return to the unit in 180 days or less, the person shall continue to receive assistance. If the person is not back in the unit within 180 days, assistance will be terminated.

6. Absence of All Household Members for Medical Reasons. If all members of the household are absent for 180 consecutive days, but have not moved from the unit, assistance will be terminated. In order to determine if the family is absent from the unit, the PHA will write letters to the family at the unit, telephone the family at the unit, interview the owner/landlord and neighbors, and/or verify if utilities are in service. In cases in which the family has moved from the unit, assistance will be terminated in accordance with the procedures.
7. Adult Visitors. An adult may visit a unit for no more than fourteen (14) consecutive days per year. Adults exceeding this limit must be approved by the PHA before being considered a family member and added to the lease.
8. Child Visitors. Children under the age of eighteen (18) may visit a unit for a maximum of ninety (90) consecutive days per year without being considered part of the family, provided the family has the written permission of the owner/landlord.
9. Joint Custody of Children. Children who are subject to a joint custody agreement but live in the unit at least fifty-one percent (51%) of the time will be considered members of the assisted household. "51% of the time" is defined as 186 days of the year, which do not have to run consecutively. If the family includes a child who is temporarily absent from the home due to foster care, the standards in paragraph number 8 above will be used.

M. UTILITY ALLOWANCE AND UTILITY REIMBURSEMENT PAYMENTS

The utility allowance is intended to cover the cost of utilities not included in the rent. The allowance is based on the typical cost of utilities and services paid by energy-conservative households that occupy housing of similar size and type in the same locality. Allowances are not based on the family's actual energy consumption. Changes in the allowance will be effective at a time specified by the housing agency.

The PHA's Utility Allowance Schedule is set up according to bedroom size and building type. The family will be given the HUD Form 52667 with the adopted utility allowances for the area in which the subsidy is issued. The utility allowance schedule will include the allowances for all services for each type unit by bedroom size *or voucher size, whichever is the lesser*. When searching for a suitable unit, the family will be able to select the appropriate allowance and calculate the total utility allowance according to the unit selected and the utilities the family will be responsible for paying.

1. Utility Reimbursement Payments

Where families provide their own range and refrigerator, the PHA will provide an allowance for the range and refrigerator. Allowances for water, sewer and trash services are averaged the same as other utilities. Where the Utility

Allowance exceeds the family's Total Tenant Payment, the PHA will provide a Utility Reimbursement Payment for the family each month. The check will be made out directly to the utility company of the tenant's choice.

In addition, all utilities must be listed in the voucher holder's name or spouse of the voucher holder if they reside in the unit. The family must provide a copy of the utility bill within 30 days of moving into the new unit or changing utility companies. Furthermore, the housing agency will only pay on utilities from the date that the utility receipt/paperwork is provided to the housing agency. This must be a billing statement or letter from the utility company.

Families will be required to provide copies of utility bills at each annual reexamination.

2. Utility Allowance Survey

The PHA will review the utility allowance schedule annually. If the review finds a utility rate has changed by ten percent (10%) or more since the last revision of the utility allowance schedule, the schedule will be revised to reflect the new rate. Revised utility allowances will be applied in a participant family's rent calculation at their next reexamination.

N. VERIFICATION PROCEDURES

1. Computer Matching and Record Keeping

Where allowed by HUD and/or other State or local agencies, computer matching will be done. The PHA will utilize the HUD established computer-based Enterprise Income Verification (EIV) tool for obtaining social security benefits, Supplemental Security Income, benefit history and tenant income discrepancy reports from the Social Security Administration. When computer matching results in a discrepancy with information in the PHA records, the PHA field staff will follow up with the family and use all verification sources to resolve this discrepancy. If the family has unreported or under reported income, the PHA will follow the appropriate procedures as addressed in the Administrative Plan. When the family furnishes the PHA with a letter or notice from HUD concerning the amount or verification of income, the PHA will verify the accuracy of income information contained in the notice and will, as appropriate, change the amount of total tenant payment, family rent to owner and housing assistance payment, or terminate assistance.

During briefing sessions, the PHA will inform applicants and participants of the availability of these records, and remind them that they must report all sources of income and all statements must be true and accurate.

2. Methods of Verification

In the order presented, the PHA will attempt to obtain:

- a. Up-front or Third-party Verification: Up-front or third-party verification is considered to be the most effective means of verifying information provided for the family. Verification request letters will include a signed copy of the Authorization for the Release of Information permitting the source to release the requested information. The request for third-party verifications will be mailed by the PHA directly to the third-party source and will ask that the verification be returned to the PHA by mail. The PHA will retain the return envelope in the family's file.
- The PHA will accept some such computer forms, faxes and e-mails directly from the provider as documentation of third-party written verification. Entities known to use computer-generated forms may include, but not limited to:

- Social Security Administration;
- Veterans Administration;
- Department of Family and Children Services;
- Department of Labor;
- Child Support Recovery Unit.

In the event that third-party written verification is not possible due to the unwillingness by the source to respond or in the event that the information is not returned within a reasonable amount of time, staff will be required to note the tenant's file with the reason why and to proceed with the third-party oral verification as the primary source.

- b. Oral verification will be made through a phone call or meeting with the source. When third-party oral verification is used, staff will be required to fill out an Oral Verification Form and retain it in the tenant's file, noting the name of the agency contacted, the full name and title of the person they spoke to, the date of the conversation, and the complete facts from the conversation including the reason for the contact. The staff member shall sign the form. The staff member should continue to follow-up to obtain written verification.
- c. Applicant Certification/Self-Declaration(s)
When third-party verification, or computer generated forms supplied by the tenant, cannot be obtained, applicants will be required to submit a signed declaration statement, and the family file will be documented giving the reason why third party verification was not used. Signed statements are only to be used as a last resort, when the other forms of verification are impossible to obtain. A family cannot self-certify a disability.

3. Release of Information

At the application and annual recertification stages, families will be asked to sign the Authorization for the Release of Information (HUD Form 9886) and the PHA

Authorization to Release Information form. All family members age eighteen (18) or older will be provided with a copy of the forms for their review and signature. Each form will contain the appropriate family member's signature as proof of:

- a. his or her consent to the "third-party" for release of specified information; and
- b. evidence of his or her understanding of the type and nature of information being sought.

The HUD release form is only to be used to request information from current or previous employers, financial institutions, or the State Department of Labor. All other requests for verification information (including, but not limited to TANF, child support, alimony, pensions, child-care expenses, medical expenses, handicapped assistance expenses, full-time student status, etc.) must be accompanied by a copy of the signed PHA's release form. A family's refusal to cooperate with the HUD prescribed verification system will result in the termination of the household's application or the family's continued assistance and will result in ineligibility status.

4. Social Security and Supplemental Security Income Verification

Initially the PHA will verify the applicant's reported income from Social Security and/or SSI by mailing the written verification to the Social Security Administration. The mailed written verification is used initially due to the HUD's EIV system not being able to match a record for the applicant.

At each participant's recertification, the reported income for Social Security or SSI is verified through HUD's EIV system. If the information is not available in EIV, the PHA may accept written documentation provided by the participant from the Social Security Administration if dated within the last sixty (60) days. Photocopies of social security checks or bank statements are not acceptable forms of verification of SS/SSI benefits because the dollar amount listed may not be the gross benefit amount.

5. Additional Items to be Verified

The following items will be verified:

- a. Decrease in Child Support, Alimony or Regular Contributions and Gifts;
- b. U.S. Citizenship or Eligible Immigrant Status;
- c. All income not specifically excluded by the regulations;
- d. Current Assets, including those assets disposed of for less than Fair Market Value in the preceding two (2) years;
- e. Full-Time Student Status (as defined by the institution for persons carrying the equivalent of what the school considers being full time for "day" students) – includes High School students who are eighteen (18) or over;

- f. Total Anticipated Reoccurring Medical Expenses for families whose head or spouse is sixty-two (62) years of age or older or disabled according to HUD definition;
- g. Child-Care Expenses where it allows an adult family member to be gainfully employed, seek employment or to further his or her education;
- h. Disability Assistance Expenses to include only those costs associated with attendant care or auxiliary apparatus that allows an adult family member to be gainfully employed;
- i. Request for Larger Unit than Applicable under the PHA's subsidy standards (only where family can demonstrate that a larger unit is needed for "medical purposes" or other extenuating circumstances); and
- j. Zero Income Status of a household will be verified initially and every 30 days up to sixty (60) days. The PHA may request a UIV report on these families to determine if there are any monies being received by the families that should be included as income for rent determination purposes.

6. Minimum Income

There is no minimum income requirement, but the staff should use good interviewing skills to determine whether there is income that is not being reported. Families are not required to apply for welfare, but it may be suggested to them.

7. Verification of Income

Specific information must be obtained from up-front or third-party sources to verify the information provided by the family. The following verification information will be considered acceptable by the PHA in the order listed:

a. Employment Income

Any verification form must request the employer to specify the:

- (1) Amount and frequency of pay;
- (2) Dates of employment;
- (3) Effective date of the last pay increase; and
- (4) Probability and effective date of any increase during the next twelve (12) months.

Acceptable forms of verification include:

- Employment verification form completed by the employer and/or tenant supplied three (3) consecutive pay stubs;
- Signed self-declaration statements, affidavits or income tax returns signed by the applicant describing self-employment and amount of income or income from tips and other gratuities;
- Tax form from the previous year earnings.

Applicants and program participants will be requested to sign a release authorizing the PHA to seek information from the Internal Revenue Service for further verification of income, if there is doubt regarding the amount and/or sources of income.

b. Pensions, Disability Income, Unemployment Compensation

- (1) Benefit verification form completed by agency providing the benefits;
 - (2) Award or benefit notification letters prepared and signed by the authorizing agency.
- c. Social Security, Supplementary Security Income (SSI)
 - (1) Benefit information supplied by family;
 - (2) Annual Benefit and Discrepancy Report from Social Security Administration.
- d. Temporary Assistance for Needy Families (TANF)
The Department of Family and Children Services computer generated statements as to type and amount of assistance the family is now receiving, and any changes in assistance expected during the next twelve (12) months.
- e. Alimony or Child Support Payments
 - (1) Third-party verification from the Child Support Recovery Unit. The last three (3) months of child support check stubs will be annualized to determine the anticipated income for the coming year.
 - (2) Signed Verification of Child Support/Alimony/Regular Contributions and Gift Form from the person paying the support.
 - (3) Applicant's Child Support/Alimony/Regular Contributions and Gift Self-Declaration Form.
If payments are irregular:
 - (a) Statement from Child Support Recovery Unit;
 - (b) Applicant's Child Support/Alimony/Regular Contributions and Gift Self-Declaration Form.
- f. Net Income from a Business
The following documents show previous income. The PHA must consult with applicants and use this data to estimate income for the next twelve (12) months.
 - (1) IRS Tax Return, Form 1040, including any:
 - (a) Schedule C (Small Business);
 - (b) Schedule E (Rental Property Income);
 - (c) Schedule F (Farm Income).
 - (2) An accountant's calculation of depreciation expense, computed using straight-line depreciation rules. (Required when accelerated depreciation was used on the tax return or financial statement.)
 - (3) Financial statement(s).
 - (4) Loan Application listing income derived from the business during the previous twelve (12) months.
 - (5) Documents such as manifests, appointment books, cash books, bank statements, and receipts will be used as a guide for the prior six (6) months (or lesser period if not in business for 6 months) to project income for the next twelve (12) months. The family will be advised to maintain these documents in the future if they are not available.
 - (6) Applicant's signed self-declaration statement or affidavit as to net income, including tips, realized from the business during previous years.
- g. Child-Care Business
If an applicant/participant is operating a licensed child-care business, income will be verified as with any other business. However, if the child-

care business is a “cash and carry” operation (which may or may not be licensed) verification of income received may be more difficult. The PHA will require that the applicant/participant complete and sign a self-declaration statement including the names of clients, phone numbers, number of hours child-care is provided, method of payment (check/cash), and the signatures of the clients certifying to amounts paid for child-care. If the family has filed a tax return, the family will be required to provide it.

h. Recurring Gifts

- (1) Verification of Child Support/Alimony/Regular Contributions and Gifts Form signed by the contributor.
- (2) Child Support/Alimony/Regular Contributions and Gifts Self-Declaration Form signed by the applicant/participant.

i. Up-Front Verification

Garland Housing will obtain electronic verification of certain benefits, earned income and unemployment. Verification obtained in this manner is referred to as upfront income verification tools. When this type of verification is available, the PHA will use it first for obtaining income information during and/or after mandatory reexaminations. Examples are:

- Computer matching agreements with federal, state or local government agencies or a private agency (e.g. The Work Number)
- Use of HUD’s EIV (formerly UIV System)
- Child Support (Attorney General online child support information)
- IRS Letter 1722

GHA will use the following EIV tools to verify earned income-wages, salaries, Social Security, Unemployment Benefits and other State Benefits (TANF) if and when it becomes available. EIV Information will be printed from the HUD website on all family members to verify a resident’s eligibility for participation and to determine the anticipated annual income and/ or discrepancies in the family’s reported income.

1. Income discrepancies- The PHA will identify substantial differences in cases where UIV income data differs from tenant-provided and/or other verified income information. HUD defines substantial difference as one that is \$200 or more per month. The family(s) reported income will be matched up with the EIV tools, the written third (3rd) party verification and the tenant self-declaration of reported income the family income/rent calculation will increase and the family will be placed on a repayment agreement and/ or terminated (if the amount owed is \$5000 or more) from the program and turned over to HUD’s Office of Inspector’s General (OIG) for prosecution of the family.
2. If UIV Income is not Substantially Different than Tenant-Provided Income Information. UIV may alleviate the need for 3rd party verifications when there is not substantial difference between UIV and tenant-reported income. In cases where the UIV income data is **not** substantially different than Tenant-reported income, the PHA will follow guidelines below:
 - If UIV income data is less than current tenant-provided documentation, the PHA will use tenant provided documents to calculate anticipated annual income

- If UIV income data is more than current tenant-provided documentation, the PHA will use UIV income data to calculate anticipated annual income unless the tenant provides the PHA with documentation of a change in circumstances (i.e. change in employment with current employer, reduction in hours, etc.) Upon receipt of acceptable tenant-provided documentation of a change in circumstances, the PHA will use tenant provided documents to calculate anticipated annual income.
- If the family agrees to the discrepancy, the family will be placed on a repayment agreement (if less than \$5,000) and/or terminated from the program (if amount owed is \$5,000 or more). If the amount owed is \$5,000 or more the family will be turned over to the OIG's office for investigation and prosecution.

3. If UIV Income Data is Substantially Different than Tenant-Provided Income Information

In cases where UIV income data is substantially different than tenant-reported income and the tenant disagrees with the discrepancy:

- The PHA will request written 3rd party verification from the discrepant income source, in accordance with 24CFR 5.236(3)(i)
- The PHA should review historical income data, when the PHA cannot readily anticipate income, such as in cases of seasonal employment, unstable working hours, and suspected fraud.
- The PHA must analyze all data (UIV data, third party verifications and documents/information provided by the family) and attempt to resolve the income discrepancy.
- The PHA will use the most current verified income data (an historical Income data if appropriate) to calculate anticipated annual income.
- The family will be placed on a repayment agreement (if amount owed is less than \$5000) and/or terminated (if amount owed is \$5000 or more) from the program
- Verified unreported income and/or under reported income, the current rent will be recalculated and the family will be required to pay an increased rent after thirty(30) days reasonable notice and/or placed on a repayment agreement and/or terminated from the program.

4. Monitoring the EIV Deceased Tenants Report

- The deceased tenant list in the EIV system will be viewed on a monthly basis during the Annual Recertification by the FSS Representative to obtain any participant and/or family member that has been reported deceased. The staff will take the appropriate action in removing the deceased person from the family composition which could cause a reduction in the bedroom size, payment standard, and the Agency housing cost or ending the participation of the family.

- The GHA will also rely on landlords, no responses from letters sent to participants during the annual recertification for reporting deceased tenants or between the recertification periods. The FSS representative will view the deceased tenant list in the EIV and document the file that the necessary changes to the family composition has been completed.
- The FSS Supervisor will monitor the list monthly to ensure that the staff is removing deceased household members from the Housing Choice Voucher Program and making the appropriate action in order to reduce the housing cost.

8. Verification of Asset Income

a. Family Assets Now Held

To determine the current cash value (i.e., the net amount that would be received if the asset were converted to cash) of non-liquid assets, the PHA will use the following types of information:

- (1) Verification forms, letters, or documents from financial institutions, brokers, etc.
- (2) Passbooks, checking account statements, certificates of deposit, bonds, or financial statements from a financial institution or broker.
- (3) Market appraisals prepared by stockbrokers (for securities) or real estate agents (for real estate) received directly from the agent.
- (4) Real estate tax statements, if tax authority uses approximate market value.
- (5) Copies of closing documents from the closing attorney or real estate agent indicating the sales price, distribution of the sale proceeds and the net amount to the Housing Choice Voucher applicant/participant.
- (6) Appraisals of personal property held as an investment.
- (7) Applicant's signed self-declaration statements or signed affidavits describing assets or cash held at the applicant's home or in safe deposit boxes.
- (8) Net income from a business.

b. Assets disposed of for less than Fair Market Value (FMV) during Two Years Preceding Effective Date of Certification or Recertification

- (1) For all certifications and recertifications, the PHA will obtain the family's certification as to whether any member has disposed of assets for less than fair market value during the two (2) years preceding the effective date of the certification or recertification.
- (2) If the family certifies that they did dispose of assets for less than fair market value, the family will provide certification of: (a) all assets disposed of for less than FMV; (b) the date(s) on which the assets were disposed of; (c) the amount the family received; and (d) the market value at the time of disposition.

c. Savings Account Interest Income and Dividends

- (1) Account statements, passbooks, certificates of deposit, etc., if they provide sufficient information and are prepared or signed by the financial institution.

- (2) Broker's quarterly statements showing the value of stocks or bonds and the earnings credited the applicant.
- (3) IRS Form 1099 from the financial institution, adjusted by the PHA to project earnings for the next twelve (12) months.
- d. Interest Income from Sale of Real Property Pursuant to a Purchase Money Mortgage, Installment Sales Contract, or Similar Arrangement
 - (1) A letter from the accountant, attorney, real estate broker, buyer, or a financial institution stating interest due for next twelve (12) months. (A copy of the check paid by the buyer to the applicant is not sufficient since appropriate breakdown of interest and principal is not included.)
 - (2) Amortization schedule showing interest for the twelve (12) months following the effective date of the certification or recertification.
- e. Rental Income from Property Owned by Applicant
 These amounts must be adjusted by the PHA to indicate anticipated income for the next twelve (12) months.
 - (1) IRS Form 1040 with Schedule E (Rental Income);
 - (2) Copies of latest rent checks, leases, or utility bills;
 - (3) Documentation of applicant's income and expenses in renting the property (tax statements, insurance premiums, receipts for reasonable maintenance and utilities, bank statements or amortization schedules showing monthly interest expense).
 - (4) Lessee's written statement identifying monthly payments due the applicant and applicant's affidavit as to net income realized.

9. Verification of Allowable Deductions from Income

- a. Full-Time Student Status
 - (1) Written verification from the registrar's office or appropriate school official.
 - (2) School records indicating enrollment for a sufficient number of credits to be classified as a full-time student by the school.
- b. Child-Care Expenses
 - (1) Written verification from the child-care provider specifying the child-care provider's name, address, and phone number, the names of the children cared for, the frequency (number of times the child-care occurs), the rate of pay, and the typical yearly amount paid, including school and vacation periods.
 - (2) Applicant's certification as to whether any of those payments have been or will be paid or reimbursed by outside sources.
- c. Medical Expenses
 The term "incurred" shall mean expenses "actually paid for."
 - (1) Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.
 - (2) Written verification by a doctor, hospital or clinic personnel, dentist, pharmacist, etc., of:

- the estimated medical costs to be incurred by the applicant and/or regular payments due on medical bills; and
 - the extent to which those expenses will be reimbursed by insurance or a government agency.
- (3) The insurance company's or employer's written confirmation of health insurance premiums to be paid by the applicant.
- (4) Social Security Administration's written confirmation of Medicare premiums to be paid by the applicant over the next twelve (12) months.
- (5) For attendant care:
- Doctor's certification that the assistance of an attendant is medically necessary as well as the hours that care is required.
 - Attendant's written confirmation of hours of care provided; amounts and frequency of payments received from the family or agency (or copies of canceled checks showing payment).
 - Applicant's certification as to whether any of those payments have been or will be reimbursed by outside sources.

Supporting Documents

The following items may be used to support certified statements or third-party verifications only. Documents received directly from the family are not acceptable forms of verification. These documents will be placed on the Correspondence side of the family file.

- Receipts, canceled checks, or pay stubs that indicate health insurance premium costs, etc., that verify medical costs and insurance expenses also likely to be incurred in the next twelve (12) months.
- Copies of payment agreements with medical facilities or canceled checks verifying payments made on outstanding medical bills that will continue over all or part of the next twelve (12) months.
- Receipts or other records of medical expenses incurred during the past twelve (12) months that can be used to anticipate future medical expenses. This approach will be used to estimate "general medical expenses" such as non-prescription drugs and regular visits to doctors or dentists, but not for one-time, non-recurring expenses from the previous year.
- Medical insurance deductible amounts will be used as a medical expense if the total medical expenses exceed this deductible amount.

d. Medical Need for Larger Unit

A reliable medical source (such as doctor, nurse, or other health care provider) must certify that such arrangements are medically necessary.

e. Assistance to Disabled Attendant Care:

- Attendant's written certification as to: amount received from the applicant/participant or agency; frequency of receipt of amounts paid; hours of care provided; and/or copies of canceled checks applicant/participant used to make those payments;
- Certifications required in paragraph 3(b) below and/or copies of canceled checks applicant/participant used to make those payments.

Auxiliary Apparatus:

- Receipts for purchase of, or evidence of monthly payments for, auxiliary apparatus;
- In cases where the disabled person is employed, a statement from the employer that the auxiliary apparatus is necessary for employment.

In All Cases:

- (1) Written certification from a doctor or a rehabilitation agency that the disabled person requires the services of an attendant or the use of auxiliary apparatus to permit the disabled person to be employed or to function sufficiently independently to enable another family member to be employed;
- (2) Family's written certification as to whether they receive reimbursement for any of the expenses in paragraphs 1 and 2 above and the amount of any reimbursement received.

10. Verifying Non-Financial Factors

In order to prevent program abuse and determine eligibility for allowances and deductions, the PHA will require applicants and participants to furnish acceptable verification of legal identity, marital status, familial relationships, change in family composition, disability status, and citizen status.

a. Legal Identity

The documents listed below will be considered acceptable verification of legal identity for adults. If a document submitted by a family is illegible or otherwise questionable, more than one of these documents may be required:

- (1) Certificate of Birth;
- (2) Naturalization Papers;
- (3) Valid Driver's License;
- (4) U.S. Passport;
- (5) State Identification Card;
- (6) Baptismal Records;
- (7) U. S. Military Papers;
- (8) Life Insurance Policy;
- (9) School Records;

Acceptable verification of legal identity for children includes one or more of the following:

- Certificate of Birth;

- Adoption Papers;
- Custody Agreement;
- Health and Human Services Identification Card;
- School Records;
- Court Order.

b. Marital Status

A marriage certificate is the only acceptable verification of marital status. To verify divorce status, a copy of all parts of the final divorce decree is required. Verification of a legal separation is a copy of court-ordered maintenance or other court records.

Applicants and/or participants who claim to be related by marriage will be required to furnish proof in the form of legal certificate of marriage. When there are multiple marriages, the last current marriage license must be provided.

c. Familial Relationships

Certification will normally be considered sufficient verification of family composition. In cases where reasonable doubt exists regarding specific family members, the family will be required to provide copies of the documents listed in this section. Applicants and/or participants who claim to be related by blood should be required to submit proof in the form of a personal identification which is acceptable to the PHA, such as marriage License, Driver's License, work ID, etc.

d. Stable Family Relationship (timeframe: at least 1 full year)

- (1) Joint bank accounts, purchases or loans;
- (2) Prior or current lease or rental agreements showing cohabitation;
- (3) Credit report showing residence and joint financial activity;
- (4) Life insurance policy.

e. Guardianship

- (1) Court-ordered assignment;
- (2) Verification from social services agency;
- (3) School records.

It is possible to have what appear to be two families in the same household (such as mother and father and daughter with her own children). However, because they have applied as one family, they are considered to be one family.

f. Permanent Absence of Adult Member

If the family reports permanently absent an adult member who was formerly a member of the household, the PHA will consider any of the following as verification:

- (1) Husband or wife institutes divorce action or requests legal separation;
- (2) Order of protection/restraining order obtained by one family member against another;

- (3) Proof of another home address, such as utility bills, lease, or rent receipts;
- (4) Statement from the landlord or manager that the family member is no longer living at that location; or
- (5) If the family member is incarcerated, a document from the court or prison providing information on the term of incarceration.

g. Disability

Verification form signed by a physician indicating that the person meets HUD's criteria, letters regarding qualification for SSI payments, or proof of residence in an institution or documentation showing hospitalization for a disability.

h. Citizen/Eligible Immigration Status

To be eligible for assistance, individuals must be U.S. Citizens or eligible immigrants. Individuals who are neither may elect not to contend their status. Eligible immigrants must fall into one of the categories specified by the regulations and must have their status verified by U.S. Citizenship and Immigration Services (CIS). Each family member must declare his or her status only once.

Assistance cannot be delayed, denied, or terminated while verification of status is pending except that assistance to applicants will be delayed while the PHA hearing is pending.

- (1) Citizens or Nationals of the United States are required to sign a declaration under penalty of perjury.
- (2) Eligible Immigrants, who were Participants and sixty-two (62) or over on June 19, 1995, are required to sign a declaration of eligible immigration status and provide proof of age.
- (3) Non-citizens with eligible immigration status must sign a declaration of status and verification consent form and provide their original immigration documents which are copied front and back and returned to the family. The PHA verifies that status through the CIS SAVE system. If this primary verification fails to verify status, the PHA must request secondary verification through the CIS within ten (10) days.
- (4) Ineligible family members who do not claim to be citizens or eligible immigrants must be listed on a statement of ineligible family members signed by the family member or, if the family member is a minor, the person who is responsible for the minor.

i. Failure to Provide

Applicant or participant family members who fail to sign required declarations and consent forms or provide documents, as required, will be listed as ineligible members. If the entire family fails to provide and sign as required, the family will be denied or terminated for failure to provide required information.

j. Time of Verification

For applicants, verification of U.S. citizenship/eligible immigrant status occurs at the same time as verification of other factors of eligibility for final eligibility determination. For participants, verification will be completed at the first regular recertification after June 19, 1995. For family members added after other members have been verified, the verification occurs at the first recertification after the new members move in. Once verification has been completed for any covered program, it need not be repeated except that, in the case of port-in families, if the initial PHA does not supply the documents, the PHA must conduct the determination.

k. Extension of Time to Provide Documents

Extensions must be given for persons who declare their eligible immigration status but need time to obtain the required documents. The length of the extension shall be based on individual circumstances. The PHA will generally allow thirty (30) days to provide the document or receipt issued by the CIS for issuance of replacement documents.

l. Acceptable Documents of Eligible Immigration Status

The regulations stipulate that only the following documents are acceptable unless changes are published in the Federal Register:

- (1) Resident Alien Card (I-551);
- (2) Alien Registration Receipt Card (I-551);
- (3) Arrival-Departure Record (I-94);
- (4) Temporary Resident Card (I-688B);
- (5) Employment Authorization Card (I-688B);
- (6) Receipt issued by the CIS for issuance of replacement of any of the above documents that shows the individual's entitlement has been verified.

A birth certificate is not acceptable verification of status. All documents in connection with U.S. citizenship/eligible immigrant status must be kept a minimum of five (5) years.

V. BRIEFING OF FAMILIES AND ISSUANCE OF HOUSING CHOICE VOUCHERS

A. BRIEFING NOTICES

Notices of the briefing session are sent to eligible candidates at least fourteen (14) days in advance of the briefing session. If the applicant fails to appear, he/she will be rescheduled for the next briefing session. If the applicant fails to appear a second time, the application will be withdrawn. The applicant family can reapply when the PHA is accepting applications.

B. CONTENTS OF THE BRIEFING

1. The briefing must include information on the following subjects:

- a. A description of how the program works;
 - b. Family and owner/landlord responsibilities;
 - c. Where the family may lease a unit, including renting a dwelling unit inside or outside the PHA's jurisdiction;
 - d. An explanation of how portability works:
The PHA will not discourage the family from choosing to live anywhere in the PHA's jurisdiction, or outside the PHA's jurisdiction under portability procedures.
 - e. An explanation of the advantages of moving to areas outside of poverty or minority concentration.
2. In briefing a family that includes any disabled person, the PHA must take appropriate steps to ensure effective communication in accordance with 24 CFR 8.6.

C. CONTENTS OF BRIEFING PACKET

When a family is selected to participate in the program, the PHA must give the family a packet that includes information on the following subjects:

1. The initial time to locate a unit and PHA policy on any extensions or suspensions of the term. If the PHA allows extensions, the packet must explain how the family can request an extension;
2. How the PHA determines the housing assistance payment for a family including prorated assistance for mixed families who have one or more ineligible family members according to the restrictions on assistance to non-citizen rule;
3. For the voucher program, information on the payment standard and the PHA utility allowance schedule;
4. How the PHA determines the maximum rent for an assisted unit;
5. What the family should consider in deciding whether to lease a unit including
 - The condition of a unit
 - Whether the rent is reasonable
 - The cost of any resident-paid utilities and whether the unit is energy-efficient and
 - The location of the unit, including proximity to public transportation, centers of employment, schools and shopping.
6. Where the family may lease a unit. For a family that qualifies to lease a unit outside the PHA's jurisdiction under portability procedures, the information packet must include:
 - an explanation of how portability works

7. The HUD-required “lease addendum”. The lease addendum is the language that must be included in the lease;
8. The Request for Tenancy Approval form and an explanation of how to request PHA approval to lease a unit;
9. A statement of the PHA policy on providing information about a family to prospective owners/landlords;
10. PHA subsidy standards, including when the PHA will consider granting exceptions to the standards;
11. The HUD brochure on how to select a unit;
12. The HUD lead-based paint (LBP) brochure;
13. Information on Federal, state and local equal opportunity laws, and a copy of the housing discrimination complaint form;
14. A list of owners/landlords or other parties known to the PHA who may be willing to lease a unit to the family, information on www.gosection8.com, or help the family find a unit;
15. Notice that if the family includes a disabled person, the family may request a current listing of accessible units known to the PHA that will be available;
16. Family obligations under the program;
17. The grounds on which the PHA will terminate assistance for a participant family because of family action or failure to act;
18. PHA informal hearing procedures. This information must describe when the PHA is required to give a participant family the opportunity for an informal hearing, and how to request a hearing;
19. HQS Checklist;
20. Procedures for notifying the PHA and/or HUD of program abuses such as side payments, extra charges, violations of tenant rights, and owner failure to repair;
21. Requirements for reporting changes between certifications.

D. EXTENSIONS AND SUSPENSIONS

1. The initial period to locate a unit expires at the end of sixty (60) days from the date of issuance, unless the family has submitted a Request for Tenancy Approval. In order to have the time extended for a period not to exceed an

additional sixty (60) days, the family must request the extension in writing. The Housing Administrator will review requests for extensions. The family must provide documentation regarding circumstances which prohibited them from searching for a unit. The FSS Coordinator will notify the family in writing of the approval of the extension or that the voucher has expired.

2. The PHA staff will review with the family the efforts it has made to find a suitable dwelling unit and the problems it has encountered. The staff shall offer advice or assistance which may be helpful in assisting the family locate appropriate and affordable housing. If the PHA determines there is a reasonable possibility that the family cannot locate suitable housing, the PHA will grant an extension for an additional amount of time. In no event shall the time be extended beyond the maximum time limit allowed by Federal regulations.
3. The PHA will grant a family a suspension of the term if the family has submitted a Request for Tenancy Approval during the term of the voucher. The RTA must be returned to the office in person by no later than 5:00 p.m. of the voucher expiration date. If the voucher expires on a weekend or holiday observed by the PHA, the voucher will expire at 5:00 pm on the next business day.

E. OCCUPANCY STANDARDS (pursuant to Federal Register, December 22, 1998)

The PHA's occupancy standards are listed below:

Housing Choice Voucher Size	Min. No. of Persons in Household	Max. No. of Persons in Household	Unit Size	Maximum Occupancy Assuming a Living Room is used as a Living/Sleeping Area
0-BR	1	1	0-BR	1
1-BR	1	2	1-BR	4
2-BR	2	4	2-BR	6
3-BR	4	6	3-BR	8
4-BR	6	8	4-BR	10
5-BR	8	10	5-BR	12
6-BR	10	12	6-BR	14

1. Eligible families will be issued vouchers based on the PHA's subsidy standards. Units shall be occupied by families of the appropriate size (revised 2/10/2010)
2. Generally, two people are expected to share each bedroom, except that vouchers will be assigned based on the smallest size voucher. The following principals govern the size of the voucher that a family will be issued:

- (a) Two (2) people to a room will be required to share a room regardless of the sex or age. The PHA may approve an exception to the rule for a person with disabilities that requires a live in attendant by allowing an additional bedroom to provide for reasonable accommodations. The need for an additional bedroom must be verified by a medical professional, the family composition and circumstances must justify the exception and the PHA must approve an additional bedroom.
 - (b) Although an unborn child will be counted as a family member in determining voucher size the family will receive the smaller size bedroom. A single expectant mother with no other family members will be assigned to a 1-bedroom.
 - (c) In determining unit size, GHA will count a child who is temporarily away from the home because the child has been placed in foster care, kinship care, or is away at school.
- 3. Two persons per bedroom will be used as the standard for the smallest vouchers a family will be assigned. The PHA must make the case that such occupancy levels will not have the effect of discriminating on the basis of familial status.
 - 4. If a person with disability requires a live-in-aide and the live-in-aide has a family of two or more the bedroom size will be determined by using the smallest size bedroom. Overcrowded conditions will also be taken into consideration when determining the smallest size unit for a family.

The PHA may approve an additional bedroom for medical equipment to provide for reasonable accommodations. The PHA will only approve one (1) additional bedroom to be utilized for medical equipment. The medical equipment must be verified by a medical professional and warrants an additional bedroom.

- 5. Under the voucher program, the family may select a smaller unit, provided the unit has at least one living/sleeping room for every two people. Their payment standard will be based on the smallest voucher size. The family may also choose to select a larger unit, although their payment standard will be based on the unit size described above.

VI. HOUSING QUALITY STANDARDS AND INSPECTIONS

A. APPLICABLE QUALITY STANDARDS

Any housing unit contracted with the PHA will meet the minimum Housing Quality Standards (HQS) as set forth in 24 CFR 982.401. Local housing codes adopted by PHA must meet or exceed HQS requirements.

B. INITIAL HQS INSPECTION

- 1. The Initial Inspection will be conducted to:
 - a. Determine if the unit and property meet the HQS defined in this Plan.

- b. Document the current condition of the unit to assist in future evaluations whether the condition of the unit exceeds normal wear and tear.
 - c. Document the information to be used for determination of rent-reasonableness.
- 2. If the unit fails the initial Housing Quality Standards inspection, the family and owner/landlord will be advised to notify the PHA once repairs are completed.
- 3. The owner/landlord will be given up to fourteen (14) days to correct the items noted as Fail, at the Inspector's discretion, depending on the amount and complexity of work to be done.
- 4. The owner/landlord will be allowed up to two (2) re-inspections for repair work to be completed, within the allotted time frame.
- 5. If the time period given by the Inspector to correct the repairs has elapsed, or the maximum number of failed re-inspections has occurred, the family may select another unit.
- 6. For PHA's with more than 1250 budgeted units, and inspection must be conducted within a reasonable time after the family submits a request for lease approval. If possible, the inspection should be made within fifteen (15) days from the date the unit is available for inspection.
- 7. The owner and/or landlord will be responsible for ensuring the utilities are on at the time of inspection.

C. ANNUAL/BIENNIAL HQS INSPECTIONS

- 1. Annual inspections shall be conducted *at least biennially*. Biennial inspections may be applied to units that have consistently passed in years prior. Units eligible for biennial inspections are determined after the annual inspection is completed at the discretion of the inspector with approval from the Housing Administrator.
- 2. HQS deficiencies which cause a unit to fail must be corrected by the owner/landlord unless it fails for which the resident is responsible.
- 3. The landlord and/or family must allow the PHA to inspect the unit at reasonable times with reasonable notice.
- 4. Reasonable hours to conduct an inspection are between 7:00 a.m. and 6:00 p.m.
- 5. The landlord and/or family shall be notified in writing at least 10 calendar days prior to the inspection for annual inspections.

6. If the landlord and/or family miss two (2) inspection appointments, the PHA will consider the family to have violated a Family Obligation and their assistance will be terminated in accordance with the termination procedures in this Plan.
7. Time Standards for Repairs
 - a. Life-threatening HQS fail items must be corrected by the owner/landlord or resident, if responsible, within twenty-four (24) hours of received written or verbal notification.
 - b. For non-emergency items, repairs must be made within thirty (30) calendar days. However, the inspector will have the discretion of requiring certain non-life threatening repairs to be made sooner. Such discretion will be applied to all cases.
 - c. Extensions will be granted in lieu of abatement in the following cases:
 - There is an unavoidable delay in completing repairs due to difficulties in obtaining parts or contracting for services;
 - The repairs must be delayed due to climate conditions;
 - The extension will be made for a period of time not to exceed thirty (30) days. At the end of that time, if the work is not completed, the HAP will be abated or the contract terminated.
 - e. On all non-life threatening repair items, the HQS inspector, at their discretion, can accept verification of the repair through means other than on-site visits. Proof of repairs must be through verifiable means (i.e. picture of repair or completed repair invoice). Arrangements must be made with the inspector by the landlord or tenant prior to the due date of the repairs. Failed items remotely approved may need to be verified on the next inspection.

D. SPECIAL/COMPLAINT INSPECTIONS

1. If at any time the family or owner/landlord notifies the PHA that the unit does not meet Housing Quality Standards, an inspection will be conducted. For non-emergency items, the family is required to provide written notice to the owner/landlord and allow them a reasonable timeframe for the repairs to be complete.
2. The PHA may also conduct a special inspection based on information from third-parties such as neighbors or public officials.
3. The PHA may inspect only the items which were reported, but if the Inspector notices additional deficiencies that would cause the unit to fail HQS, the responsible party will be required to make the necessary repairs.
4. The inspector will provide the owner/landlord a notice with a copy of the inspection report identifying the HQS violations.

5. If the anniversary date is within 90 days of a special inspection, the special inspection may be categorized as “Annual” and all annual procedures will be followed.

E. QUALITY CONTROL INSPECTIONS

1. Quality Control inspections will be performed by a supervisor or other qualified staff member using the same minimum sample size as is now required for other supervisory quality control reviews pursuant to the SEMAP regulations. The purpose of Quality Control inspections is to ascertain that each Inspector is conducting accurate and complete inspections, and to ensure that there is consistency among Inspectors in application of the HQS.
2. The results of the inspection are reviewed with the Inspector.
3. Housing Quality Standards Control Inspections Reports are compared with Annual Inspection Reports recently completed by inspection staff. Discrepancies between the two (2) inspection reports are evaluated. Discrepancies categorized as Inspector error are catalogued and reviewed with the Inspector. The review is to be instructional and informational, not punitive.

F. LIFE-THREATENING HQS DEFICIENCIES

1. Items of an emergency nature must be corrected by the owner/landlord or resident, whoever is responsible, within twenty-four (24) hours of written or verbal notice by the Inspector. Life-threatening deficiencies are at the discretion of the inspector, but include any items that can cause harm or possible harm to the occupants. Examples include, but are not limited to, loss of environmental controls necessary for heating or cooling during extreme temperatures.
2. If the emergency repair item(s) are not corrected in the time period required by the PHA and the owner/landlord is responsible, the housing assistance payment will be abated and the HAP contract will be terminated.
3. If the emergency repair item(s) are not corrected in the period required and it is an HQS breach which is a family obligation, assistance to the family will be terminated.

G. CONSEQUENCES IF OWNER/LANDLORD IS RESPONSIBLE (NON-EMERGENCY ITEMS)

1. When it has been determined that a unit on the program fails to meet Housing Quality Standards, and the owner/landlord is responsible for completing the necessary repair(s) in the time period specified by the PHA, the assistance payment to the owner/landlord will be abated.

- a. A Notice of Abatement will be sent to the owner/landlord, and the abatement will be effective from the day after the date of the failed inspection. The notice is generally for sixty (60), depending on the nature of the repair(s) needed. Abatement withholdings will be based on the daily HAP amount at the time when the abatement period began.
- b. The PHA will make every effort to inspect abated units within five (5) to seven (7) days of the owner's/ landlord's notification that the work has been completed.
- c. If the owner/landlord makes repairs during the abatement period, payment will resume on the day the unit passes inspection.
- d. The PHA will advise owners/landlords and resident of when the re-inspection will take place and request owner/landlord/resident to be present.
- f. No retroactive payments will be made to the owner/landlord for the period of time the rent was abated and the unit did not comply with HQS.

2. Termination of Contract

- a. If the owner/landlord is responsible for repairs, and fails to correct all the deficiencies cited prior to the repair deadline or extension, the contract will be terminated.

H. DETERMINATION OF RESPONSIBILITY

- 1. Certain HQS deficiencies are considered the responsibility of the family:
 - a. Resident-paid utilities not in service;
 - b. Damaged or tampered utility meters;
 - c. Failure to provide or maintain family-supplied appliances;
 - d. Damage to the unit or premises caused by a household member or guest beyond "normal wear and tear" is defined as items which would be charged against the resident's security deposit under state law or court practice.
 - e. Smoke detector maintenance after initial move-in, unless specified in the lease.
 - f. Failure to allow entry into the unit for inspection. This includes tenant No-Shows.
- 2. The owner/landlord is responsible for all other HQS violations.
- 3. The owner/landlord is responsible for vermin infestation unless it can be determined that such infestation is caused by the family's living habits. If such infestation is serious and repeated, it will be considered a lease violation and the owner/landlord may evict for serious or repeated violation of the lease. The PHA will terminate the family's assistance on that basis.
- 4. The Inspector will make a determination of owner/landlord or family responsibility during the inspection.

5. If the family is responsible but the owner/landlord carries out repairs, the owner/landlord will be encouraged to bill the family for the cost of the repairs and the family's file will be noted.

I. CONSEQUENCES IF FAMILY IS RESPONSIBLE

1. If non-emergency violations of HQS are determined to be the responsibility of the family, the family shall make any repair(s) or corrections within thirty (30) days. If the repair(s) or correction(s) are not made in this time period, the PHA will terminate assistance to the family. Extensions in these cases must be approved by the Housing Administrator. The owner's/landlord's rent will not be abated for items that are the family's responsibility.
2. If the resident is responsible and corrections are not made, the HAP Contract will terminate when assistance is terminated.

J. ZERO TOLERANCE POLICY

The PHA has a Zero Tolerance Policy.

1. For participants whose original contracts were signed prior to October 1, 1995: If after a move-out inspection is performed, damage to the unit which exceeds the dollar value of one month's contract rent is found, the tenant will have six (6) months to pay the damage claim. During that time the tenant will not be issued another Voucher until the damages are paid in full. If, the damage claim is not repaid in six (6) months, the tenant's assistance will be terminated.
2. For participants whose contracts were signed after October 1, 1995 (not covered by damage claims): If after a move-out inspection is performed, damage to the unit is found which exceeds the dollar value of one month's contract rent, the tenant will no longer be eligible for continued housing assistance. The owner/landlord must provide the GHA with a written invoice of the damages and estimated cost within fourteen (14) days of the failed move out notice. If the tenant and landlord have agreed to make restitution on the damages that is approved by the PHA the tenant may move with continued assistance.

Tenants, who lose their assistance because of damage to an assisted unit, will be able to reapply for housing assistance after being off the program for 1 full year. This means that they will receive no rental assistance from the Garland Housing Agency until such time as they are able to submit an application, verify all information and be found eligible again. The Voucher that was removed through this policy will be promptly reissued to the next family on the waiting list.

VII. REQUEST FOR TENANCY APPROVAL, RENT REASONABLENESS, DISAPPROVAL OF OWNERS/LANDLORDS, EXECUTION OF LEASE AND HAP CONTRACT, AND RENT INCREASE

A. REQUEST FOR TENANCY APPROVAL

1. The original Request for Tenancy Approval (RTA) must be submitted by the family during the term of the assistance/period of Housing Choice Voucher.
2. The Request for Tenancy Approval must be signed by both the owner/landlord and the family holder before it can be accepted by the PHA.
3. The family is not permitted to submit more than one Request for Tenancy Approval at a time.
4. The Request for Tenancy Approval will be reviewed to determine whether or not it is approvable.
5. Proof of ownership and/or receipt of payment will be required at the initial RTA submission and at any changes of ownership.

B. RENT REASONABLENESS DETERMINATION AND DOCUMENTATION

1. The PHA will not approve a lease until it is determined that the initial rent to the owner/landlord is a reasonable rent. The PHA must also determine the reasonable rent before any increase in the rent to the owner is approved, and at the HAP contract anniversary if there is a five percent (5%) decrease in the published FMR in effect sixty (60) days before the contract anniversary (for the unit size rented by the family) as compared with the FMR in effect one year before the contract anniversary.
2. The PHA will also determine rent reasonableness when the owner/landlord requests an increase in the rent for a voucher unit.
3. The following items will be used for rent reasonableness documentation:
 - Size (number of bedrooms/square footage);
 - Location;
 - Quality;
 - Amenities (bathrooms, dishwasher, air conditioning, etc.);
 - Housing Services;
 - Age of unit;
 - Unit Type;
 - Utilities;
 - Maintenance.

5. The following basic methodology will be used to certify that the requested rent is reasonable in relation to rents being charged for unassisted units:
 - a. PHA collects the required data concerning the unit to be assisted from the Request for Tenancy Approval and during the inspection.
 - b. Data from comparable units may be collected from the following sources:
 - Multiple Listing Service;
 - Newspapers and owner/landlord interviews;
 - Other methods as needed;
 - Owner/agent questionnaires;
 - On-site visits.
 - c. Data concerning at least three (3) comparables and the assisted unit will be recorded on a Rent Reasonableness Determination (RRD) form. This form will be attached to the inspection records.
 - d. The data on the RRD form is analyzed and an approvable rent is determined and recorded on the RRD with the date and name of the staff person.
 - e. The analysis will utilize the standard deviation method using rents adjusted for all of the comparable items.
 - f. Rent rolls may be requested from owner/agents if needed to determine that rents charged for unassisted units in a complex are favorably comparable to the assisted unit.
6. The PHA may also utilize computer based resources to determine rent reasonableness (i.e. www.gosection8.com).
7. The PHA must re-determine rent reasonableness if directed by HUD. The PHA may elect to re-determine rent reasonableness at any other time. At all times during the assisted tenancy, the rent to owner/landlord will not exceed the reasonable rent as most recently determined or re-determined by the PHA.
8. The owner/landlord will be advised that by accepting each monthly housing assistance payment he/she will be certifying that:
 - a. the rent to owner/landlord is not more than rent charged by the owner/landlord for comparable unassisted units in the premises;
 - b. the assisted family is currently occupying the unit; and
 - c. the assisted family is not in violation of lease obligations; and
 - d. the owner/landlord is in compliance with the terms of the Housing Choice Voucher HAP contract.

C. DISAPPROVAL OF OWNERS/LANDLORDS

The PHA will disapprove an owner/landlord for one or more of the following reasons:

1. The PHA must not approve a unit if it has been informed (by HUD or otherwise) that the owner/landlord is debarred, suspended, or subject to a limited denial of participation under 24 CFR part 24;

2. The owner/landlord has violated obligations under a Housing Assistance Payments contract under Housing Choice Voucher of the 1937 Act (42 U.S.C. 1437f);
3. The owner/landlord has committed fraud, bribery or any other corrupt, criminal or violent criminal activity in connection with any Federal housing program;
4. The owner/landlord has engaged in drug-trafficking;
5. The owner/landlord has a history or practice of non-compliance with the HQS for units leased under the resident-based programs, or with applicable housing standards for units leased with project-based Housing Choice Voucher assistance or leased under any other Federal housing program. This is defined as an owner's/landlord's inability or refusal to comply with HQS resulting in three (3) or more abatements on any property owned by the owner/landlord, within a five (5) year period. Furthermore, Garland Housing Agency will not contract for any new move-ins with this owner/landlord for twenty-four (24) months from the date of the last abatement.
6. The owner/landlord refused, or has a history of refusing, to take action against residents (including household members or guests) who constitute:
 - a. a threat to the health or safety of, or right to peaceful enjoyment of the premises by other residents or employees of the PHA, an owner/landlord, or other manager of the housing;
 - b. threat to the health or safety of, or right to peaceful enjoyment of the residences by persons residing in the immediate vicinity of the premises;
 - c. a threat by being involved in drug-related or violent criminal activity.
7. When directed by HUD, the PHA must not approve a unit if:
 - a. The Federal government has instituted an administrative or judicial action against the owner/landlord for violation of the Fair Housing Act or other Federal equal opportunity requirements, and such actions are pending; or
 - b. A court or administrative agency has determined that the owner/landlord violated the Fair Housing Act or other Federal equal opportunity requirements; or
 - c. If the owner/landlord is the parent, child, grandparent, grandchild, sister or brother of the family, unless the PHA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities. Stepchildren are eligible as they are not included in section 982.306 (d).
 - d. This restriction does not apply to continued tenant based assistance in the same unit.

The provision governing PHA disapproval of the owner/landlord does not apply when a family enters into a new tenancy in the same assisted unit. (See 24 CFR Sec. 982.306)

D. EXECUTION OF THE LEASE AND CONTRACT

1. The PHA will recommend the use of a standard lease.
2. If the owner/landlord does not use the standard lease, the owner/landlord and resident must execute the HUD mandated Lease Addendum after the owner's/landlord's lease is approved by PHA.
3. The effective date of the lease and HAP Contract shall be on the same date or after the unit passes the HQS inspection.
4. The lease and contract should be executed within thirty (30) days of the effective date.
5. The lease must be consistent with state and local laws.
6. The lease must be generally applied to all residents.
7. Defines "resident's legal capacity" as having legal capacity under state and local law and that "the resident is bound by the terms of the lease and will enforce the lease against the owner".
8. At a minimum, the lease must include:
 - a. the residents' and owner's/landlord's name;
 - b. the term of the lease (and any conditions of renewal);
 - c. the monthly rent to owner/landlord;
 - d. specifications regarding which utilities and appliances are furnished by the owner/landlord and which by the resident;
 - e. clarifies conditions under which execution of a new HAP contract and PHA approval of the lease would be required:
 - change in owner/landlord or resident provided utilities or appliances;
 - changes in the term of the lease;
 - family move to a new unit in the same building or complex.
9. Change in rent does not necessitate a new contract.

E. RENT INCREASES

1. The owner/landlord must request a rent increase in writing at least sixty (60) days in advance of anniversary date of the contract. The PHA will review each increase to determine whether or not the request is justified.
2. The adjustment in the rent will be:
 - the rent reasonableness determination.

3. Owners/landlords may request and HUD may approve a special rent increase pursuant to the HAP Contract.

F. MANUFACTURED HOMEOWNERS LEASING PAD

The subsidy amount for expenses associated with pad leasing for mobile homeowners have been increased from thirty percent (30%) of the two-bedroom FMR to forty percent (40%).

G. LATE CHARGES

The Garland Housing Agency Housing Administrator will determine whether or not late charges will be paid. If a decision is made to pay a late charge it must be paid according to state and local law. Any other request will be given consideration but will not be paid if determined unreasonable, by the PHA.

VIII. PAYMENT STANDARDS

- A. Each year, the PHA will establish Payment Standards between 90-110% of the current Fair Market Rent. HUD approval will be obtained if subsidy amount is below or above established FMR. If below FMR, HUD will not approve if more than forty percent (40%) of the PHA's participants are paying a family share above thirty percent (30%) of adjusted monthly income.
- B. When the Payment Standard is adjusted, staff will make the appropriate changes during the family's annual reexamination.
- C. Factors that the PHA will review on an annual basis, within sixty (60) days of the publication of the Fair Market Rents schedule, include the following:
 1. participant rent burdens (percent of Tenant Rent to adjusted household income);
 2. participant rent burden relative to the quality of units selected by participant families;
 3. participant rent burden relative to availability by bedroom size;
 4. actual contract rents for specific bedroom sizes;
 5. actual rent increases for participating households;
 6. the applicable annual adjustment factor(s) which may be an indication of the prospective average percent of rent increases;
 7. the average time period for finding eligible housing;

8. rent reasonableness data;
 9. the local vacancy rate; and
 10. prior approved rent exceptions will apply.
- D. If the payment standard is decreased, affected families are protected from having their family share increased as a result of the first twenty-four (24) months of the HAP contract. The regulations stipulate that during the time, the family's payment standard is:
1. The initial payment standard used for the family while under the contract (minus any amount by which the initial rent to owner exceeds current rent to owner); or
 2. The payment standard determined at the family's most recent regular reexamination.
- E. MAXIMUM INITIAL RENT BURDEN
1. Families receiving initial assistance or moving after October 1, 1999; will not pay more than forty percent (40%) of Annual Income;
 2. This does not apply if family stays in unit; and
 3. Is applicable with each move.
- F. PROCEDURES FOR EVALUATION

During the annual evaluation process, the PHA will use the above data to determine what impact an increase in the payment standard will have on the number of families who can be assisted.

IX. OWNER/LANDLORD RESPONSIBILITY FOR SCREENING RESIDENTS

A. OWNER/LANDLORD SCREENING

1. Listing a family on the PHA waiting list, or selecting a family for participation in the program, is not a representation by the PHA to the owner/landlord about the family's expected behavior, or the family's suitability for tenancy. At or before PHA approval to lease a unit, the PHA must inform the owner/landlord that the PHA has not screened the family's behavior or suitability for tenancy and that such screening is the owner's/landlord's own responsibility.
2. Owners/landlords are permitted and encouraged to screen families on the basis of their tenancy histories. An owner/landlord may consider a family's background with respect to such factors as:

- a. payment of rent and utility bills;
- b. caring for a unit and premises;
- c. respecting the rights of others to the peaceful enjoyment of their housing;
- d. drug-related criminal activity or other criminal activity that is a threat to the life, safety or property of others; and
- e. compliance with other essential conditions of tenancy.

B. PHA INFORMATION ABOUT RESIDENT

1. If requested in writing, the PHA must give the owner/landlord:
 - a. The family's current address (as shown in the PHA records); and
 - b. The name and address (if known to the PHA) of the owner/landlord at the family's current and prior address.
 - c. Information in the PHA possession about the family, including information about the tenancy history of family members, or about drug-trafficking by family members
2. When a family wants to lease a dwelling unit, the PHA will offer the owner/landlord other information in the PHA possession, about the family, including information about the tenancy history of family member, or about drug-trafficking by family members. If the PHA provides additional information to item 1. above, it will have clear, written procedures describing what information will be released and how it will be provided. Only information that is either public record or first-hand knowledge by the PHA will be provided. The PHA's legal counsel will approve the written procedures.
3. The PHA must give the family a statement of the PHA's policy on providing information to owners/landlords. The statement must be included in the information packet that is given to a family selected to participate in the program.
4. The PHA will limit use and disclosure of family information obtained through release and consent procedures solely for program administration purposes.

X. PAYMENTS TO OWNERS/LANDLORDS

A. CONTROLS AND ACCOUNTABILITY

1. All payments are computed according to HUD approved formulas and schedules.
2. New contracts are dated on or after the unit have been approved.
3. Computations are reviewed before being submitted to the Finance department for payment.
4. A payment register is maintained to monitor timeliness and accuracy.

5. The owner/landlord will not charge extra for items customarily included in rents in the locality or provided at no additional cost to the unsubsidized residents on the premises.
6. The GHA will not pay HAP for units not under contract. Tenants that move in early prior to the contract being signed by the landlord and GHA will be responsible for paying the rent until the contract has been approved. The housing administrator can waive these under certain circumstances.
7. GHA will pay HAP payments for the month in which a person dies and no further months will be paid. In addition, if a family has given notice to move and they vacate the unit prior to the end of the month, the monthly HAP will be prorated and if a family moves into a unit after the 1st of the month, the HAP payment will be prorated for the month.

B. BASIC PROCEDURES

1. Annual rent increases are effective the first of the month.
2. Request for payments are submitted by no later than the 3rd week of each month to insure that payments can be reviewed for accuracy and so that payments are made in a timely manner to the owners/landlords.
3. All Housing Assistant Payment (HAP) will be made by direct deposits to the landlord.

C. HAP LATE PAYMENTS TO OWNERS/LANDLORDS (24 CFR Sec. 982.451)

HAP contract provides for penalties against the PHA. To assess such fees, the policy and practice must meet the following criteria:

1. The penalties follow the generally accepted practice and law in the local housing market;
2. The owner/landlord charges both assisted and non-assisted residents;
3. The owner/landlord charges the resident for late rent payments;
4. PHA will not be penalized for circumstances that are beyond their control; this may include but is not limited to: owner/landlord change in address, owner/landlord change in bank information, availability of housing funds, delay due to mail or postal inefficiency and if notified by the City of Garland that tax information for payment purposes is not consistent with IRS records.
5. The HAP payment is considered received once it has been mailed by the PHA;
6. The first HAP payment of a contract is not considered for a late payment.

XI. ANNUAL AND INTERIM PARTICIPANT RE-CERTIFICATION

A. ANNUAL PARTICIPANT RE-CERTIFICATION

1. Reexamination of family income and composition will be conducted at least annually for families in the Housing Choice Voucher Program. The family will be requested to provide information on income, assets, allowances and deductions, and family composition at least annually.
2. Families will be obligated to supply any information that the PHA or HUD determines is necessary for use in regularly scheduled reexaminations or an interim reexamination.
3. The PHA will conduct a criminal background check for each member of the household who is eighteen years of age or older. The PHA will end assistance for any family with a history of violent crime within the last 10 years or drug activity within the last five except when protected under the Violence Against Women Act.
4. Families must submit consent forms for obtaining wage and claim information from Federal, State, or local agency to furnish or release to the PHA such information determined necessary.
5. The PHA will obtain and document in the family's file the third-party verification received or document why it is not available.
6. The annual re-certification date shall be the first of the month in which the lease was executed.
7. When families move to another dwelling unit, an annual re-certification will be scheduled.
8. Income limits will not be used as a test for continued eligibility at re-certification except when the Head of Household or Co-head has been previously determined to be a non-independent student.
9. Reexamination Notice to the Family
 - a. The PHA will maintain a re-examination tracking system and at least ninety (90) days in advance of the scheduled annual reexamination effective date, the head of household will be notified by mail that she/he is required to attend an reexamination interview on a specified date (or rescheduled in advance if the scheduled date is unacceptable).
 - b. The notice will inform the family about what documents the family must bring to the re-certification interview.

- c. If requested as an accommodation by a person with a disability, the PHA will provide the notice in an accessible format.
- d. A home-visit or telephone interview may be conducted for elderly or disabled clients.
- e. If requested by an elderly or disabled client, a family representative or social service representative may assist with the process.
- f. All family members eighteen (18) years of age or older must attend the annual reexamination appointment.

10. Verification of Information Provided

- a. The PHA will use the highest level of verification methods for wages and salaries. Starting with the Upfront Income Verification (UIV), computer matching a state wage information collection agency (SWICA) to obtain wage information electronically, by mail or fax or in person. Also agreements with private vendor agencies, such as “The Work Number” or “Choice Point: and HUD systems will be used to obtain wage and salary information. When the highest level of verification methods cannot be obtained, the PHA will document the file and use the written third-party verifications whenever possible. If third-party verifications are not returned by the given deadline, oral verification method will be used by contacting the independent source by telephone. Other documents provided by the resident may be used for verification.
- b. The PHA will follow the verification procedures and guidelines described in this Plan. Verifications for reexaminations must be less than one hundred twenty (120) days old.
- c. For families with zero income reexamination is scheduled no less than every thirty (30) days. The family is required to provide proof of assistance by methods of contribution letter, receipts or completing an expense form at the agency’s request.

B. CHANGES TO TENANT RENT

- 1. When the family income information is analyzed, and all other annual recertification requirements have been met, the Tenant Rent will be recalculated.
- 2. The PHA will notify both the owner/landlord and resident in writing of the new rent shares.
- 3. If there is a tenant rent increase from employment to another employment, Social Security, or VA Benefit increase, the family will be required to report changes at the annual recertification period. The new rent change will go into effect following a full thirty (30) day notice prior to the first of the month. (If there has been misrepresentation by the tenant, or if the tenant caused a delay in the reexamination processing, an increase in rent will be made retroactively).

4. If less than thirty (30) days are remaining before the anniversary date, the tenant rent increase will be effective on the first of the month following the thirty (30)-days' notice.
5. If there is a rent increase from contributions, TANF, and unemployment, self-employment, child support, zero income to employment, or Social Security, VA benefits, pension or any other substantial income the new change will be effective on the first of the next following month prior to the reported change.
6. If there has been a misrepresentation or a material omission by the family, or if the family causes a delay in the reexamination processing, there will be a retroactive increase in rent to the anniversary date or at the discretion of the PHA, the tenant may be placed on a repayment agreement, terminated from the program if the amount exceeds \$5000 and/or face possible prosecution by the Office of the Inspector General of HUD.
7. If there is a rent decrease, it will be effective on the scheduled effective re-examination date (unless the family has caused a delay in re-examination processing).
8. Retroactive rent is charged when the participant has failed to provide information within the required time period.
9. Rent will be prorated when a mixed family is not eligible for continued assistance or deferral of termination; chooses not to defer termination; or is at the end of the deferral period. The total housing subsidy is calculated in the usual manner for either assistance program, using income for all family members. Proration is calculated by multiplying the total subsidy by a fraction which shows the number of eligible family members as the top number and is divided by the number of total family members as the bottom number.

C. FAILURE TO RESPOND TO ANNUAL RE-CERTIFICATION NOTICE

1. The written notification must state which family members are required to attend the interview. The family may call to request another appointment date up to one (1) day prior to the interview.
2. If the family fails to appear for the re-certification interview, and has not rescheduled or made prior arrangements with the PHA, the PHA will reschedule a second appointment.
3. If the family fails to appear for the second appointment, and has not rescheduled or made prior arrangements, the PHA will send the family notice of termination and offer them an informal hearing.
4. Exceptions to these policies may be made if the family is able to document an emergency situation that prevented them from canceling or attending the

appointment or if requested as a reasonable accommodation for a person with a disability.

5. Participants will be mailed notices of a maximum of two (2) scheduled reexamination appointments. Extenuating circumstances may be considered at the discretion of the PHA. The second appointment notice must be mailed within 10 days, allowing the participant ten (10) business days for the next scheduled appointment.

D. INTERIM REEXAMINATIONS

Garland Housing Agency (GHA) will conduct interim reexamination of the family income, family composition and other eligibility factors to adjust the Total Tenant Payment for the following reasons:

Increases

1. Families are required to report all increases and assets within fifteen (15) business days of the date the change takes effect. In order for the change to be processed, program participants must provide all of the necessary/information or documentation necessary to verify the change.
2. GHA will only conduct interim reexaminations when families have an increase in income of \$200 or more per month. When the increase in gross income is less than \$2400 for the year, GHA will wait till the next annual reexamination to verify and re-determine any change in rent.
3. Families participating in the Family Self-Sufficiency (FSS) Program will have an interim reexamination for any increase in earned income. When the increase in unearned income for an FSS family is less than \$2,400 for the year, GHA will wait until the next annual reexamination to verify and re-determine any change in rent.

Decreases

1. GHA will review all changes which should be considered when determining the rent adjustment. GHA will not lower the rent for payments due to a temporary loss of income of less than one month (30 days) or less duration. In circumstances in which the family reports multiple changes to income reported within a short period of time, before verifications can be obtained; the interim change shall reflect the last job reported. (For example, 3 different jobs report for the same member, within a 4 week period, the interim change will reflect the last job reported to GHA.

Temporary or Sporadic Employment

1. For a Family member who worked temporary or sporadic employment for the past 12 months, GHA will anticipate the next 12 months of earnings using the past income to reflect the future income.

Optional Reporting

The family may request an interim reexamination any time the family has experienced a change in circumstances since the last determination **[24 CFR 982,516(b)(21)]**. The PHA must process the request if the family reports a change that will result in a reduced family income **[HCV GB p.12-9]**

If the family reports a decrease in income from the loss of welfare benefits due to fraud or non-compliance with a welfare agency requirement to participate in an economic self-sufficiency program, the family's share of the rent will not be reduced **[24 CFR 5.6151]**.

If the family reports a change that was not required to report and that would result in an increase in the family share of rent, the PHA will note the information in the tenant file, but will not conduct an interim reexamination.

If the family reports a change that was not required and that would result in a decrease the Garland Housing Agency will conduct an interim reexamination.

Families that report (0) zero income will be required to complete a no income affidavit and zero income questionnaire. GHA will monitor the family's zero income status every 30 days. The family is required to report income by the end of 60 days or sooner. If the family does not have income by the end of 60 days, GHA will require the family to fill out an expense worksheet and estimate monthly expenses on bills paid, cost of food, gasoline expenses, car payments, contributions from other family members or friends etc. The estimated expenses will be used as income for the family until which time they report other income they are currently receiving.

The family must notify GHA of changes in writing by filling out the Change of Income/Family Composition Form and the attached forms. Changes and verifications of the change must be reported within fifteen (15) business days of the date the change takes effect. Generally the family will not be required to attend an interview for an interim reexamination. However, the family may be required to attend an office appointment, if GHA determines that an interview is warranted.

Effective Dates

If the family share of the rent is to increase:

The increase will be effective on the first (1st) day of the month, 30 days after the change was reported.

If the family fails to report a change within the required timeframe, or fails to provide all required information within the required time frames, the family will be placed on

a 30 day repayment plan and will required to repay the overpaid subsidy in full. If, the repayment of the overpaid subsidy is not paid in full the family will be terminated.

If the family share of rent is to decrease:

The decreases will be effective on the first day of the month following the date the change was reported and all required documentation was submitted. In cases where the change cannot be verified until after the date the change would have been become effective, the change will be made retroactively.

E. PUBLIC ASSISTANCE BENEFIT CHANGES

1. If the welfare or public assistance benefits of a covered family are reduced because of an act of non-compliance with program requirements or fraud by a member of the family under the law or program, the amount required to be paid by the covered family as a monthly contribution toward the rent will not be decreased as a result of that benefit reduction during the period of reduction, as a result of any decrease in the income of the family (to the extent that the decrease in income is a result of the benefits reduction). The reduction of benefits due to non-compliance with program requirements or fraud must be verified by written notification from the welfare agency.
2. A family's loss of welfare benefits due to the expiration of the lifetime limit will not be considered as failure to comply and the rent will be lowered.

F. REQUIREMENTS TO ADD TO FAMILY COMPOSITION

The PHA is required to amend the lease when there are additions or deletions to the family composition. The following requirements pertain to family additions:

1. Minors
 - a. The PHA will require birth verification, social security numbers and/or proof of guardianship (if applicable) for minors. Failure to provide social security number will result in termination of assistance for failure to comply with program requirements.
 - b. Legal guardianship will be required when the participant is caring for minor children of a relative or friend. Documentation may include verification from the Department of Public Health and Social Services that the participant is the guardian of said minor child.
2. Persons eighteen (18) years of age or older:
 - a. When the participant requests an adult person (defined as someone 18 years of age or older) be added to the family composition, the following will be required:

- (1) Photo identification, social security number, verification of income and other eligibility related requirements. The individual will be required to sign HUD form 9886 (Release of Information);
 - (2) Background screening will be conducted for criminal activity prior to authorizing approval to add an adult person to family composition and the PHA will determine, after receipt, of the report the acceptability of this adult member in the same manner other applicants are screened for appropriate behavior.
 - (3) If the individual is found to have no criminal history background check record, the PHA will add the adult member to the family composition.
 - (4) If the individual is found to have a criminal history background record, the PHA may deny the admission and addition to the lease.
 - (5) The PHA will consider any violent criminal or drug-related criminal activity as grounds to deny admission, unless the individual can prove rehabilitation.
 - (6) Because the adult member who wished to be added has no formal relationship with the PHA, she/he will not be afforded a review of the reasons for denial.
- b. The participant may request an informal hearing as outlined in the Administrative Plan.

XII. TERMINATION OF ASSISTANCE

A. BASIC POLICY

The PHA will terminate assistance for a family because of the family's action or failure to act. The PHA will provide families with a written description of the family obligations under the program, grounds under which the PHA can terminate assistance, and the informal hearing procedures.

B. REASONS FOR TERMINATIONS

1. A family must not engage in drug-related criminal activity, violent criminal activity, or other criminal activity, including criminal activity by any family member.
2. A family must not engage in the abuse of alcohol to the extent that the abuse interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents.

Drug-Related Criminal Activity means: the illegal use or possession for personal use, manufacture, sale or distribution or the possession with intent to manufacture, sell or distribute a controlled substance (as defined in the Controlled Substance Act.).

3. The PHA will not terminate assistance for such use or possession by a family member, if the family member can demonstrate that he/she:
 - a. has an addiction to a controlled substance, has a record of such impairment, or is regarded as having such an impairment; and
 - b. is recovering or has recovered from such an addiction and does not currently use or possess controlled substances. In this instance, the PHA shall require the family to submit evidence of participation in, or successful completion of a treatment program as a condition of continued assistance for the family or to allow the affected family member to reside in the assisted units.
4. Violent criminal activity includes any criminal activity that has as one of its elements the use, attempted use or threatened use of physical force against the person or property of another.
5. Abuse of alcohol includes behavior or a pattern of behavior of any Housing Choice Voucher program participant and any family member and/or guest that as a result of the abuse of alcohol interferes with the health, safety, or right of peaceful enjoyment of the premises by other residents.
6. As a measure to determine whether the person has violated this family obligation, one of the following situations must be present:
 - a. There has been less than a five (5) year criminal offense, arrest, or conviction for engaging in drug-related criminal activity and less than a ten (10) year history for violent criminal activity, including criminal activity by any family member,
 - b. There must have been an arrest within the prior twelve (12) months for engaging in drug-related criminal activity or violent criminal activity (as defined above) including criminal activity by any family member, which did or did not result in a conviction,
 - c. The family has been evicted from federally-assisted housing in the last five (5) years (see 24 CFR Sec. 982.552) for engaging in drug-related criminal activity or violent criminal activity (as defined above) including criminal activity by any family member;
 - d. Drug-related or criminal activity in, on or near the premises by any tenant, household member, or guest, and any such activity engaged in on the premises by any other person in the tenant's control.
 - e. The PHA has acquired/been presented with the preponderance of evidence that the family, including any family member, is engaging in drug-related criminal activity or violent criminal activity or other criminal activity or alcohol abuse, regardless of whether the family member has been arrested or convicted for such activity.
 - f. If the PHA poses to terminate assistance for criminal activity as shown by a criminal record, the PHA must provide the subject of the record and the participant with a copy of the criminal record. The PHA must give the family an opportunity to dispute the accuracy and relevance of that record, in accordance with Sec. 982.554.

The Garland Housing Agency will not add a family member to the lease, if

the family members has less than a ten (10) year history of violent criminal activity or less than a 5 year history of drug –related criminal activity.

7. Families who are guilty of program abuse or fraud in any Federal Housing Assistance program. (This presupposes that the program abuse or fraud is substantiated and that a Repayment Agreement was not entered into.)
8. Families who have violated one of their family obligations.

The family (including family members) must not:

- a. Commit any serious or repeated violations of the lease. Unpaid rent is a serious violation of the lease and if the head of the household is evicted or moves for non-payment of rent, the family will be terminated from the program.
 - b. Allow an unauthorized occupant without acquiring written approval from the landlord and PHA.
 - c. Any unapproved person(s) visiting with the tenant longer than specified in rental agreement or ten (10) days (whichever comes first) must contact the PHA to add said person(s) to the lease. Any family with unapproved person(s) visiting must have written approval from the Landlord and a copy of that approval must be provided to the PHA if visitor(s) are allowed an extension to visit longer than the time period indicated in the lease. Refusal to adhere to this policy is grounds for immediate housing termination.
9. Families whose Total Tenant Payment is sufficient to pay the full gross rent and where 180 days has elapsed since the PHA's last HAP payment was made.
 10. Families whose appropriate household members do not provide their Social Security information and documentation within the time required and specified by the PHA.
 11. Families who fail to comply with HUD requirements for assistance to non-citizens.
 12. Income limits are solely used to determine eligibility for initial applicants. Income limits are not a consideration for termination of assistance once the family is under lease and contract and already "on the program."

However, the following examples will be reasons for termination of assistance:

- if the family did not report an interim change in family composition or income, etc., which they were required to report, the PHA would determine how much the family owed the PHA, due to the unreported or untimely reported information.

- if the PHA entered into a Repayment Agreement with the family, • if the family stops paying on their Repayment Agreement, the family will be under the termination of assistance procedures above.
14. If a participant signs an agreement with an owner/landlord to pay for the owner/landlord to repair resident-caused HQS fail items, and the participant fails to repay the owner/landlord pursuant to said agreement, assistance will be terminated.
 15. If a household member is fleeing to avoid prosecution, or custody or confinement after prosecution for a crime that is a felony under the law of the place from which the individual flees, (in the case of the State of New Jersey is a high misdemeanor).
 16. If a family member has violated or is violating a condition of probation or parole imposed under Federal or State law.
 17. If any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.
 18. Families that are terminated for violation of Family Obligation will be required to remain off the program for one (1) year before reapplying.

C. INSUFFICIENT FUNDING

The PHA may terminate HAP contracts if the PHA determines, in accordance with HUD requirements, that funding under the consolidated ACC is insufficient to support continued assistance for families in the program. The PHA will determine whether there is sufficient funding to pay for currently assisted families. If the PHA determines there is a shortage of funding, prior to terminating any HAP contracts, the PHA will determine if any other actions can be taken to reduce program costs. If after implementing all reasonable cost cutting measures there is not enough funding available to provide continued assistance for current participants, the PHA will terminate HAP contracts as the last resort. The local HUD Field office will be informed and the PHA will terminate the minimum number needed in order to reduce HAP costs to a level within the PHA's annual budget authority. The order of termination will be evaluated at the time of termination to affect the least number of families.

D. VIOLENCE AGAINST WOMEN ACT and Justice Department Reauthorization Act 2005 (VAWA)

1. Criminal activity directly relating to domestic violence, dating violence, or stalking, engaged in by a member of a tenant's household or any guest or other person under the tenant's control, shall not be cause for termination of assistance if the tenant or an immediate member of the tenant's family is the victim or

threatened victim of abuse. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as serious or repeated violations of the lease by the victim or threatened victim of that violence and will not be “good cause” for termination of the assistance of a victim of such violence.

2. The PHA responding to an incident or incidents of actual or threatened domestic violence, dating violence, or stalking that may affect a tenant’s participation in the housing program to request in writing that an individual complete, sign and submit, within 14 business days of the request, a HUD-approved certification form. On the form, the individual certifies that he/she is a victim of domestic violence, dating violence, or stalking, and that the incident or incidences in question are bona fide incidences of such actual or threatened abuse. On the certification form, the individual shall provide the name of the perpetrator.
3. In addition to the certification form, a tenant may be required to provide the PHA: a Federal, State, tribal, territorial, or local police record or court record; documentation signed and attested to by an employee, agent, or volunteer of a victim service provider, an attorney or a medical professional, from whom the victim has sought assistance in addressing domestic violence, dating violence or stalking, or the effects of abuse, in which the professional attests under the penalty of perjury (28 U. S. C. 1746) to the professional’s beliefs that the incident or incidents in question are bona fide incidents of abuse.
4. The PHA will require the participant to come into the office to pick up the certification form and will work to make sure that the delivery of the form to the PHA will not put the participant at risk.
5. If the individual does not provide the form HUD-50066 by the 14th business day or any extension of that date provided by the PHA, protections afforded to the victim of domestic violence, dating violence, or stalking by sections 606 or 607 will apply. The PHA will therefore be free to terminate assistance, in the circumstances authorized by otherwise applicable law and lease provisions, without regard to the amendments made by Sections 606 and 607.
6. PHA’s must notify participants of their rights under VAWA, which includes the existence of the HUD form to declare they are victim or domestic violence. All information provided to the PHA relating to the incident(s) of domestic violence, including that an individual is a victim of domestic violence, dating violence, or stalking, must be retained in confidence by the PHA or owner, and will not be entered into any shared database nor provided to a related entity, except to the extent that the disclosure is (i) requested or consented by the individual in writing; (ii) required for use in an eviction proceeding or termination of assistance, or (ii) otherwise required by applicable law.

E. ZERO HOUSING ASSISTANCE

1. If the Total Tenant Payment is equal to the Contract Rent or the Payment Standard, then the owner/landlord will no longer receive an assistance check from the PHA. The family will be notified that the zero housing assistance is available for six (6) months. At that time, if there have been no changes which reflect the ability for the PHA to provide monetary assistance on the contract, the contract and the family's assistance will be terminated.
2. This determination does not preclude the family from asking to terminate assistance immediately, nor does it impact any rights under the lease.
3. Families whose assistance is terminated under this instance will have to reapply for assistance when PHA is accepting applications.

F. COMPUTER MATCHING (24 CFR 5.211)

The PHA along with the Department of Housing and Urban Development will conduct a computer matching initiative in order to provide an independent source for verifying resident income. The matched information regarding income, earnings, wages, or unemployment compensation will be disclosed to the assisted family. The family must take appropriate action. Appropriate action may include, but not necessarily be limited to review of information with the client and changing the family's rent as needed. If a documented case of fraud is verified, the PHA will take action to recover excess housing assistance received by the resident due to unreported income.

XIII. UTILITY ALLOWANCES

- A. The Utility Allowance Schedule is used to determine how much credit the assisted family will be given for estimated utility cost. If the family pays for some or all utilities, the Housing Choice Voucher office will provide the family with a utility allowance. The allowances are based on actual rates and average consumption.
- B. The utility allowance is given as a reduction in the resident's portion of rent to be paid to the owner/landlord. The Total Tenant Payment is reduced by the utility rate since the last revision.
- C. The PHA's Housing Choice Voucher office will review the Utility Allowance annually and adjust if there is a ten percent (10%) or more change in the utility rate since the last revision.
- D. Approved utility allowance schedule(s) are provided to families at the briefing sessions when the family receives initial or continued assistance.
- E. The PHA will use the utility allowance for the actual *voucher or unit size whichever is smaller* ~~rented~~ and will consider a special higher utility allowance as reasonable for a disabled person.
- F. Allowances will be established for families who supply the range and refrigerator.

- G. A single utility allowance will be used by the Garland Housing Agency. This utility allowance will be based on rates provided by Garland Power & Light, and will be the lesser of the rate for a single family unit vs. a multi-family unit.

XIV. PORTABILITY

A. OUTGOING HOUSING CHOICE VOUCHERS

1. Housing Choice Voucher Waiting List Applicants who are or were residents of the PHA's jurisdiction at the time of their original application may elect to exercise their option to use the portability features of their housing assistance. The area of operation of the PHA is geographically defined as the Garland, Texas city limits and units found within Dallas County, Collin County, Rockwall County, areas in Denton County south and east of Lake Lewisville and Kaufman County west of Terrell and north of Highway 175.
2. Housing Choice Voucher waiting list applicants, who reside in areas outside of its jurisdiction (defined above) at the time of their original application, must utilize their assistance within the jurisdiction for at least twelve (12) months before being able to relocate to another jurisdiction.
3. Family Self-Sufficiency (FSS) program participant(s) must reside in the jurisdiction for at least twelve (12) months.
4. Participants will not port-out if they are in violation of family obligations or if they owe a balance due to the PHA relative to the Housing Choice Voucher or Public Housing programs.
5. A portable family transferring between programs must be income-eligible for the area where the family leases an assisted unit. This requirement applies if the family is transferring from the initial PHA program to the receiving PHA Housing Choice Voucher Program.
6. If a portable family was already a participant in the initial PHA Voucher program, income eligibility is not re-determined unless the family transfers between the programs.
7. The PHA follows the portability requirements of 24 CFR 982.553-555 and any subsequent regulations, notices, memos or directives from HUD regarding the administration of portability under Housing Choice Voucher.

B. RECEIVING PHA (see 24 CFR 982.355)

1. The receiving PHA is required to provide assistance to porting families unless the family has breached its obligations.

2. The receiving PHA will conduct a criminal background check per policy for all income portable families. Ineligible families will be referred back to their initial housing authority.
3. The PHA will require that that family is in good standings with the initial PHA and that all screening processes has taken place before allowing the family to lease up in the receiving PHA's jurisdiction.
4. Portability admissions are counted against the initial PHA's income targeting requirement (75% of extremely low-income admissions) - unless the receiving PHA absorbs the family (24 CFR 982.201).

XV. MOVES WITH CONTINUED TENANT-BASED ASSISTANCE

A. ELIGIBILITY TO MOVE

1. The assisted lease for the old unit has terminated. This includes a termination because:
 - a. The PHA has terminated the HAP contract for the owner's/landlord's breach; or
 - b. The lease has terminated by mutual agreement of the owner/landlord and the resident; or
 - c. The lease expired and either the owner/landlord or resident decided not to renew.
 - d. If the family has damages that exceed the first month's rent, the family will not be allowed to move to another unit unless the damages are paid in full.
 - e. The family will be allowed to move if they are not being evicted or terminated for violation of Family Obligation, or the owner/landlord has given the resident a notice to vacate, or has commenced an action to evict the resident, or has obtained a court judgment or other process allowing the owner/landlord to evict the resident.
 - f. The family has a source of household income.
2. The resident has given proper notice of lease termination after the first year.
3. Families with no income will not be allowed to relocate unless the unit does not meet HQS and/or the landlord has agreed to release the family from their lease and they have not violated any family obligations.

B. HOW MANY MOVES

1. A participant family can move one time with continued assistance under the program, either inside the jurisdiction or under the portability procedures during any one-year period. (See 24 CFR Sec. 982.314)

2. The family will not move during the initial term of the lease. (See 24 CFR Sec. 982.314)
The family may or may not be required to move if the family is over housed or under housed and the unit cost is not within the Payment Standard of the certified voucher size for the family.
3. The PHA will deny a request to move for the following reasons:
 - a. the participant intentionally causes the unit to fail housing quality standards;
 - b. the participant owes an amount to the PHA or another PHA in connection with Housing Choice Voucher a balance due;
 - c. the participant has violated any family obligation;
 - d. the PHA may, at its discretion, suspend moves if such suspension is as a result of budgetary cuts;
 - e. the participant is currently reporting zero income.
4. Failure to provide at least thirty (30) days written notice of intent to move may result in termination of assistance.
5. Agreement to Remain in Occupancy
 - a. If the family does not locate a new dwelling they will be required to submit an “Agreement to Remain in Occupancy”.
 - b. The assisted tenancy will be extended for any period of time mutually agreed upon by the owner/landlord and resident.
 - c. In an absence of the Agreement to Remain in Occupancy HAP payments and the HAP contract will terminate at the end of the thirty (30)-day Notice to Move issued by the resident.

C. NOTICE OF FAMILY MOVE

1. The Owner is permitted to require the family to give at least a thirty (30) day termination notice. (See 24 CFR Sec. 982.309)
2. The family must give proper notice and the notice must be signed and dated by the owner/landlord and a copy provided to Garland Housing Agency.
3. If the family wants to move to a new unit that is located outside the initial PHA jurisdiction, the notice to the PHA must specify the area where the family wants to move.

XVI. FAMILY BREAK-UP

A. PHA DISCRETION

1. The PHA has discretion to determine which members of an assisted family continue to receive assistance in the program if the family breaks up.

2. The decision to determine who continues to receive the assistance will be made by the Housing Administrator.

B. CRITERIA

The factors to be considered in making this decision will include:

1. whether the assistance should remain with family members remaining in the original assisted unit;
2. the interest of minor children or of ill, elderly or disabled family members;
3. whether family members are forced to leave the unit as a result of actual or threatened physical violence against family members by a spouse or other member of the household; or
4. other factors specified by the PHA.

C. COURT ORDERS

If a court determines the disposition of property between members of the assisted family in a divorce or separation under a settlement or judicial decree, the PHA is bound by the court's determination of which family members continue to receive assistance in the program.

D. REMAINING MEMBER OF TENANT FAMILY

1. The Housing Choice Voucher office will assist an individual left in an assisted housing unit who may or may not otherwise qualify for assistance under their own circumstances.
2. A single adult (whether elderly or non-elderly, displaced or non-disabled, children in residence/household or no children present) will become the head of household.
3. A live-in aide will not be considered a remaining member of the resident family by definition.
4. A minor child(ren) will not be allowed to retain status of remaining family member(s) unless:
 - The court has awarded emancipated minor status to the minor; or
 - An income eligible court appointed or legal guardian moves into the unit with the minor child(ren).
5. If both parents must leave the household and the Department of Social Services and/or the Juvenile Court has determined that another adult is to be brought into

the assisted unit to care for the children for an indefinite period, the Housing Choice Voucher office will treat that adult as a visitor for sixty (60) days.

- a. After that period, the Housing Choice Voucher office will determine whether court awarded custody or legal guardianship has been granted to the caretaker.
- b. If so, the assistance will be transferred to the caretaker.

XVII. ABSENCE FROM UNIT

A. TIME LIMITS

1. The family may be absent from the unit for brief periods. Generally, the family may not be absent from the unit for a period of more than sixty (60) consecutive calendar days.
2. Generally, the housing assistance payments terminate if the family is absent for longer than sixty (60) days. The term of the HAP contract and assisted lease also terminate.
3. The Housing Administrator will approve an absence of up to 180 consecutive calendar days for extraordinary reasons (e.g. military call to duty/Reserves, medical, etc.).
4. Absence means that no member of the family is residing in the unit.
5. The owner/landlord must reimburse the PHA for any housing assistance payments for the period after termination.

B. VERIFICATIONS

1. The family must supply any information or certification requested to verify that the family is residing in the unit.
2. The family must promptly notify the PHA of absence from the unit, including any information requested on the purpose of family absences.
3. The PHA will adopt appropriate techniques to verify family occupancy or absence, including letters to the family at the unit, phone calls, visits or questions to the landlord or neighbors.

XVIII. ADMISSION OF LIVE-IN AIDE OR FOSTER CHILDREN

A. LIVE-IN AIDE

1. The PHA will permit the live-in aide to reside with a disabled family as long as the live-in aide meets the criteria for the definition of Live-In Aide (see the Definitions section of this Plan).
2. In the case where a live-in aide is arrested at or near the premises of the Housing Choice Voucher participant for drug-related or violent criminal activity, the PHA shall advise the Housing Choice Voucher participant that the live-in aide cannot be housed with the participant.
3. The PHA will not be required to wait until conviction of the live-in aide, but will use the criteria of preponderance of the evidence.
4. None of the above mentioned procedures precludes the Housing Choice Voucher owner/landlord from taking action to initiate an eviction for good cause.

B. FOSTER CHILDREN

1. Foster children will be allowed as additions to the household if the anticipated length of stay is at least six (6) months.
2. Documentation from the Department of Public Health and Social Services agency responsible for placement must be provided prior to the placement of the child(ren), except in cases of emergency.
3. If the participating family requires a larger size unit, it will be issued as soon as possible.

XIX. PROGRAM INTEGRITY

A. INVESTIGATION OF SUSPECTED ABUSE AND FRAUD

The PHA will initiate an investigation of a participating family in the event of one or more of the following circumstances:

1. Referrals, Complaints or Tips. The PHA will follow up on referrals from other agencies, companies or persons which are received by mail, by telephone or in person, which allege that a family is in non-compliance with, or otherwise, violating the lease or any other program rules. Such follow-up will be made providing that the referral contains at least one item of information that is independently verifiable. A copy of the allegation will be retained in the participant's file. Anonymous complaints will be retained in files, and may be used to initiate investigations.
2. Internal File Review. A follow-up will be made if PHA staff discovers (as a function of a certification or re-certification, an interim re-determination, or a quality control review), information or facts which conflict with previous file

data, the PHA's knowledge of the family, or is discrepant with statements made by the family.

3. Verification or Documentation. A follow-up will be made if the PHA receives independent verification or documentation which conflicts with representations in the family's file (such as public record information, or credit bureau report, or reports from other agencies).

B. STEPS TO DETECT PROGRAM ABUSE AND FRAUD

1. Quality Control File Reviews. On a random basis an appropriate number of participant files will be reviewed for accuracy and completeness. Such reviews will be completed by a knowledgeable staff member who was not directly involved in the processing of that applicant/participant file. Such reviews shall include, but are not limited to:
 - a. assurance that verification of all income and deductions is present;
 - b. changes in reported Social Security Numbers or dates of birth are noted;
 - c. file documents are authentic;
 - d. ratio between reported income and expenditures is accurately computed;
 - e. review of signatures is consistent with previously signed file documents.
2. The PHA staff (to include inspection personnel) will maintain high awareness of circumstances which may indicate program abuse or fraud, such as unauthorized persons residing in the household and indications of unreported income. The observations will be documented in the family's file.
3. Credit Bureau inquiries may be made (with proper authorization by the participant) in the following circumstances:
 - a. If at the time of the final eligibility determination the information provided by the applicant conflicts with information obtained through outside sources or third-party verifications.
 - b. When an allegation is received by the PHA wherein unreported income sources are disclosed.
 - c. When participant's expenditures exceed his/her reported income, and no plausible explanation is given.

C. HANDLING OF ALLEGATIONS OF POSSIBLE ABUSE AND FRAUD

The PHA will review allegations which contain one or more independently verifiable facts.

1. An internal file review will be conducted to determine:

- a. If the subject of the allegation is a Housing Choice Voucher participant and, if so, to determine whether or not the information reported has been previously disclosed by the family.
 - b. It will then be determined if the PHA is the most appropriate authority to do a follow-up (more so than police or social service). Any file documentation of past behavior, as well as corroborating complaints, will be evaluated.
2. If at the conclusion of the preliminary file review, there is/are fact(s) contained in the allegation which conflict with file data, and the fact(s) are independently verifiable, the staff will initiate an investigation to determine if the allegation is true or false.

D. INVESTIGATIONS OF ALLEGATIONS OF ABUSE AND FRAUD

If the PHA determines that an allegation or referral warrants follow-up, the staff person who is responsible for the file will conduct the investigation. The steps taken will depend upon the nature of the allegation and may include the items listed below. In all cases, the PHA will secure the written authorization from the resident for the release of information.

1. Credit Bureau Inquiries (CBI). In cases involving previously unreported income sources, a CBI may be made to determine if there is financial activity that conflicts with the reported income of the family.
2. Verification of Credit. In cases where the financial activity conflicts with file data, a Verification of Credit form may be mailed to the creditor in order to determine the unreported income source.
3. Employers and Ex-Employers. Employers or ex-employers may be contacted to verify wages which may have been previously undisclosed or misreported.
4. Neighbors/Witnesses. Neighbors and/or other witnesses may be interviewed if it is believed that they have direct or indirect knowledge of facts pertaining to the PHA(s) review.
5. Other Agencies. Investigators, case workers or representatives of other benefit agencies may be contacted.
6. Public Records. If relevant, the PHA will review public records kept in any jurisdictional courthouse. Examples of public records which may be checked are: real estate, marriage, and divorce, uniform commercial code financing statements, voter registration, judgments, court or police records, state wage records, utility records and postal records.

7. Interviews with Head of Household or Other Family Members. The PHA will discuss the allegation (or details thereof) with the head of household or family member by scheduling an appointment at the PHA office.

A high standard of courtesy and professionalism will be maintained by the PHA staff person who conducts such interviews. Under no circumstances will inflammatory language, accusations, or any unprofessional conduct or language be tolerated by the management. If possible, an additional staff person will attend such interviews.

E. EVIDENCE AND STATEMENTS OBTAINED BY THE PHA

Documents and other evidence obtained by the PHA during the course of an investigation will be kept in the participant's file, or in a separate "work file."

F. EVALUATION OF THE FINDINGS

If it is determined that a program violation has occurred, the PHA will review the facts to determine:

1. the type of violation (procedural, non-compliance, fraud);
2. whether the violation was intentional or unintentional;
3. what amount of money (if any) is owed by the participant;
4. if the family is eligible for continued participation.

G. ACTION PROCEDURES FOR VIOLATIONS WHICH HAVE BEEN DOCUMENTED

Once a program violation has been documented, the PHA will propose the most appropriate remedy based upon the type and severity of the violation.

1. Procedural Non-Compliance. This category applies when the participant "fails to" observe a procedure or requirement of the PHA, but does not misrepresent a material fact, and there is no retroactive payments owed by the family.
 - a. Examples of Non-Compliance Violations are:
 - failure to appear at a pre-scheduled appointment
 - failure to return verification in the time period specified by the PHA.
 - b. Warning Notice to the Family. In such cases, a notice will be sent to the family which contains the following:
 - a description of the non-compliance and the procedure, policy or obligation which was violated;
 - the date by which the violation must be corrected, or the procedure complied with;

- the action which will be taken by the PHA if the procedure or obligation is not complied with by the date specified by the PHA;
 - the consequences of repeated (similar) violations.
2. Procedural Non-Compliance - Retroactive Payments. When the family owes money to the PHA for failure to report changes in income or assets, the PHA will issue a Notification of Overpayment. This notice will contain the following:
- a. a description of the violation and the date(s);
 - b. any amounts owed to the PHA;
 - c. a ten (10) business day's response period;
 - d. the right to disagree and to request an informal hearing with instructions for the request of such hearing.
 - Participant Fails to Comply with PHA's Notice. If the participant fails to comply with PHA's notice, and a material provision of the lease has been violated, the PHA will initiate termination of tenancy.
 - Participant Complies with PHA's Notice. When a participant complies with the PHA's notice, the staff person responsible will meet with him/ her to discuss and explain the program provision which was violated. The staff person will complete a participant counseling report, give one copy to the family and retain a copy in the participant's file.

H. FALSIFICATION, MISSTATEMENTS, OMISSIONS, MISREPRESENTATION

When a participant falsifies, misstates, omits, or otherwise, misrepresents a material fact which results (or would have resulted) in an underpayment of participant's share, the PHA will evaluate whether or not the participant had knowledge that his/her actions were wrong, and the participant willfully violated the lease or the law.

1. Knowledge that the action or inaction was wrong. This will be evaluated by determining if the participant was made aware of program requirements and prohibitions. The participant's signature on various certifications, briefing certificate, Personal Declaration and Things You Should Know are adequate to establish knowledge of wrong-doing.
2. The participant willfully violated the law. Any of the following circumstances will be considered adequate to demonstrate willful intent:
 - an admission by the participant of the misrepresentation;
 - the act was done repeatedly;
 - if a false name or Social Security Number was used;
 - if there were admissions to others of the illegal action or omission;
 - the participant omitted material facts which were known to him/her (e.g., employment of self or other household members);
 - the participant falsified, forged or altered documents;

- the participant uttered and certified to statements at a rent (re)determination, which were later independently verified to be false.

I. THE PARTICIPANT CONFERENCE FOR SERIOUS VIOLATIONS AND MISREPRESENTATIONS

When the PHA has established that material misrepresentation(s) has occurred, a Participant Conference will be scheduled with the family representative and the PHA staff person who is most knowledgeable about the circumstances of the case.

This conference will take place prior to any proposed action by the PHA. The purpose of such conference is to review the information and evidence obtained by the PHA with the participant, and to provide the participant an opportunity to explain any documented findings which conflict with representations in the participant's file. Any documents or mitigating circumstances presented by the participant will be taken into consideration by the PHA. The participant will be given five (5) business days to furnish any mitigating evidence.

A secondary purpose of the Participant Conference is to assist the PHA in determining the course of action most appropriate for the case. Prior to the final determination of the proposed actions, the PHA will consider:

- the duration of the violation and number of false statements;
- the participant's ability to understand the rules;
- the participant's willingness to cooperate and to accept responsibility for his/her actions regarding the amount of money involved;
- the participant(s) past history;
- whether or not criminal intent has been established.

J. DISPOSITION OF CASES INVOLVING MISREPRESENTATION

In all cases of misrepresentation involving efforts to recover monies owed, the PHA will pursue, depending upon its evaluation of the criteria stated above, one or more of the following actions:

1. Criminal Prosecution: If the PHA has established criminal intent, and the case meets the criteria for prosecution, the PHA will refer the case to the local State or District Attorney, notify HUD's Regional Inspector General for Investigations (RIGI), and terminate rental assistance.
2. Administrative Remedies: The PHA will terminate assistance and demand payment of restitution in-full.
3. Continue Assistance: Contingent upon full lump-sum restitution or minimal term repayment plan and warning that repeat offenses will result in immediate eviction.

K. NOTIFICATION TO PARTICIPANT OF PROPOSED ACTION

1. The PHA will notify the resident, by certified mail, of the proposed action no later than three (3) business days after the Participant Conference.
2. All notices will advise the family of their right to an informal hearing.

XX. INFORMAL HEARINGS AND REVIEWS

A. DEFINITIONS

1. “INFORMAL REVIEW”. A review of the PHA’s decision on an applicant’s application for participation in the Housing Choice Voucher Housing Choice Voucher Program in accordance with the procedures outlined below.
2. “INFORMAL HEARING”. A hearing regarding a decision affecting a participating family in the Housing Choice Voucher Housing Choice Voucher Program in accordance with the procedures outlined below.
3. “INFORMAL REVIEW OFFICER”. A person designated to informally review a decision concerning an application for participation and give his/her decision.
4. “INFORMAL HEARING OFFICER”. A person designated to conduct an informal hearing concerning a participant and gives his/her decision.

B. PROCEDURES FOR INFORMAL REVIEW

1. The PHA shall give an applicant written notice of a decision denying assistance or a decision denying listing on the waiting list within ten (10) business days from the date of the decision.
2. The notice shall contain a brief statement of the reason(s) for the decision, that the applicant may submit a signed written request for an informal review of the decision if he/she disagrees with the decision, and that the request must be made within ten (10) business days from the date of the notice, and that the applicant should keep proof of making the request.
3. The PHA may or may not conduct an informal review if the applicant fails to submit his/her request within the time stipulated. If the request is not submitted timely, it shall mean that the applicant waived his/her right to request an informal review.
4. Reasonable accommodations shall be made for applicants who are disabled.
5. The PHA shall conduct an informal review, provided the applicant submits a proper request for an informal review within the time allowed.
6. Informal Review Officer

- a. The PHA shall designate any person or persons as the review officer(s). The power to designate any person or persons as review officer or review officers shall rest with the PHA.
- b. The person or persons designated as the review officers shall not be the person who made or approved the decision under review or a subordinate of such person.

7. The Informal Review

- a. The proceedings of the review shall be informal and confined to factors relating to program eligibility and a determination of whether the decision denying assistance to the applicant is justified or not.
- b. The PHA shall notify the applicant of the date, time and place of conducting the informal review at least a week prior to the date of the review. *Informal reviews may be done over the telephone at the discretion of the PHA.*
- c. The applicant shall have the right to present his objections either orally or in writing.
- d. A representative of the Housing Choice Voucher Department may be present.

8. The Decision

- a. The review officer or officers shall decide whether the decision denying assistance to the applicant was justified and according to the Federal regulations and rules of the PHA. This final decision shall be given within seven (7) business days from the date of the review.
- b. The PHA shall promptly notify the applicant in writing of the final decision, and a brief statement of the reasons for the final decision.

9. Informal Reviews are not required for established policies and procedures and determinations such as:

- a. Discretionary administrative determinations;
- b. General policy issues or class grievances;
- c. A determination of the family unit size under the subsidy standards;
- d. Refusal to extend or suspend a Voucher;
- e. Disapproval of a lease;
- f. Determination that a unit is not in compliance with HQS;
- g. Determination that a unit is not in accordance with HQS due to family size or composition.

C. PROCEDURES FOR INFORMAL HEARING

- 1. The PHA must provide participants with the opportunity for an Informal Hearing for decisions related to any of the following determinations:

- a. Termination of assistance;
 - b. Determination of the family's annual or adjusted income and the calculation of the housing assistance payment;
 - c. Family unit size determination under the subsidy standards;
 - d. Determination to terminate assistance for any reason;
 - e. Notice of Determination to pay an owner/landlord claim for damages, unpaid rent or vacancy loss.
2. Informal Hearings are not required for established policies and procedures such as:
 - a. Discretionary administrative determinations;
 - b. General policy issues or class grievances;
 - c. Establishment of the schedule of utility allowances;
 - d. Determination not to approve an extension or suspension of a voucher term;
 - e. Determination not to approve a unit or lease;
 - f. Determination that an assisted unit is not in compliance with HQS (the PHA must provide a hearing for family breach of HQS because that is a family obligation determination);
 - g. Determination that the unit is not in accordance with HQS because of the family size;
 - h. Determination to exercise or not exercise any right or remedy against the owner/landlord under a HAP contract.
3. Notice to Participant
 - a. When decisions are made, the PHA shall give the participant prompt written notice of the decision made.
 - b. The written notice shall contain a brief statement of the reasons for the decision, and a statement that if the participant does not agree with the decision, she/he may request an informal hearing on the decision within ten (10) business days from receipt of the notice.
 - c. The PHA may or may not conduct an informal hearing if the participant does not request an informal hearing within the time fixed herein to do so. If the request is not submitted timely, it shall mean that the participant waived his/her right to request an informal hearing.
4. The Hearing Officer
 - a. The PHA will designate any person or persons as hearing officer or hearing officers to conduct the informal hearing. The power to designate a hearing officer shall rest solely with the PHA.
 - b. The hearing officer can be any person other than a person who made or approved the decision under review, or a subordinate of such person.
5. Rights of the Participant

- a. The participant can either appear in person at the hearing, or can be represented by a lawyer or other representative at his/her own expense.
- b. The participant shall have the right to present evidence, both oral and documentary, without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- c. The client shall have the right to arrange for an interpreter to attend the hearing, at the client's expense.

6. Rights of the PHA

- a. The PHA can be represented by a lawyer, or any other representative in the informal hearing.
- b. The PHA can introduce evidence, both oral and documentary, without regard to admissibility under the rules of evidence applicable to judicial proceedings.
- c. The PHA shall have the right to question any witness examined in the informal hearing and to make final submissions.

7. The Informal Hearing

- a. The hearing officer will regulate the conduct of the hearing in accordance with hearing procedures commonly accepted and followed.
- b. If the participant who requested the informal hearing fails to appear at the hearing on the date fixed for hearing without any request for an adjournment on strong grounds, the matter will be decided, or dismissed forthwith with no right for its restoration. The hearing officer may or may not allow an application for adjournment.
- c. The participant will begin his/her case by introducing documents it relies on and by taking oral testimony of witnesses in support of his/her contention.
- d. The PHA will then begin its defense by introducing documents it relies on and by taking oral statements from witnesses, if necessary, in justification of its decision.
- e. The participant and the PHA will then close their cases and make final submissions, if they choose to, prior to the decision.

8. The Decision

- a. The hearing officer will consider the evidence introduced by the parties and give such evidence due weight.
- b. Factual determinations relating to the individual circumstances of the participant shall be based on the evidence presented at the hearing.
- c. The decision shall be in writing and based on the facts established, HUD regulations, PHA policy, and the applicable law.
- d. The decision shall clearly state the reason on which the decision is arrived.
- e. A copy of the decision shall be furnished promptly to the participant.

D. HEARING AND APPEAL PROVISIONS FOR “RESTRICTIONS ON ASSISTANCE TO NON-CITIZENS”

1. Assistance to the family will not be delayed, denied or terminated on the basis of immigration status at any time prior to the receipt of the decisions on the BCIS appeal.
2. Assistance to a family will not be terminated or denied while the PHA hearing is pending but assistance to an applicant will be delayed pending the PHA hearing.
3. CIS Determination
 - a. If a family member claims to be an eligible immigrant and the CIS SAVE system and manual search do not verify the claim, the PHA notifies the applicant or participant within ten (10) days of their right to appeal to the CIS within thirty (30) days or to request an informal hearing with the PHA either in lieu of or subsequent to the CIS appeal.
 - b. If the family appeals to the CIS, they must give the PHA a copy of the appeal and proof of mailing or the PHA will proceed to deny or terminate. The time period to request an appeal will be extended by the PHA for good cause.
 - c. The request for a PHA hearing must be made within fourteen (14) days of receipt of the notice offering the hearing or, if an appeal was made to the CIS, within fourteen (14) days of receipt of that notice.
4. After receipt of a request for an informal review/hearing, the review/hearing is conducted as described in section D. of this chapter for both applicants and participants. If the hearing officer decides that the individual is not eligible, and there are no other eligible family member(s) the PHA will:
 - a. Deny the applicant family;
 - b. Defer termination if the family is a participant and qualifies for deferral;
 - c. Terminate the participant if the family does not qualify for deferral.
5. If there are eligible members in the family, the PHA will offer to prorate assistance or give the family the option to remove the ineligible member(s).
6. All other complaints related to eligible citizen/immigrant status:
 - a. If any family member fails to provide documentation of certification as required by the regulation, that member is treated as ineligible. If all family members fail to provide, the family will be denied or terminated for failure to provide.
 - b. Participants whose termination is carried out after temporary deferral may not request a hearing since they had an opportunity for a hearing prior to the termination.
 - c. Participants whose assistance is pro-rated (either based on their statement that some members are ineligible or due to failure to verify eligible

immigration status for some members after exercising their appeal and hearing rights described above) are entitled to a hearing based on the right to a hearing regarding determinations of tenant rent and Total Tenant Payment.

- d. Families denied or terminated for fraud in connection with the non-citizen rule are entitled to a review or hearing in the same way as terminations for any other type of fraud.

E. MITIGATING CIRCUMSTANCES FOR APPLICANTS/PARTICIPANTS WITH DISABILITIES

1. When applicants are denied placement on the waiting list, or the PHA is terminating assistance, the family will be informed that presence of a disability will be considered as a mitigating circumstance during the informal review process.
2. Examples of mitigating circumstances are:
 - a. A person with a cognitive disorder may not have understood the requirement to report increases in income;
 - b. A person may not understand the need to make regular repayments on a repayment agreement;
 - c. Minor criminal records for public drunkenness may be due to medication; prior incarcerations for being disorderly may be emotional disorder.

XXI. OPERATING RESERVE EXPENDITURES STATEMENT

Operating Reserves: This amount is credited with earned income administrative fees that exceed expenditures for program administration.

A. REQUIRED USE FOR PROGRAM ADMINISTRATION

1. The operating reserve must first be used to pay Housing Choice Voucher administrative costs that exceed earned administrative fees or a fiscal year.
2. Projected administrative fees and the Operating Reserve must cover all projected costs of program administration through the remaining ACC terms.

B. PERMITTED USE FOR OTHER HOUSING PURPOSES

Operating reserve funds may be expended for other housing purposes consistent with the State and local law. If the PHA anticipates that ongoing fees will not be sufficient for ongoing administrative cost through its ACC terms, an appropriate amount must be retained in the Operating Reserve for projected administrative cost.

C. BOARD OF COMMISSIONERS APPROVAL FOR OPERATING RESERVE EXPENDITURES

1. The Board of Commissioners has established a limit of \$5,000 of the total administrative reserve that may be charged to the account for ~~non~~-Housing Choice Voucher expenditures without board approval.
2. For Operating Reserve expenditures that exceed the Board threshold, the PHA Board, as part of its approval, must make an affirmative determination that the expenditures are necessary and reasonable for the other purposes consistent with state and local law.

XXII. REPAYMENT AGREEMENTS

A. ESTABLISHING THE AGREEMENT

1. The Garland Housing Agency will enter into a repayment agreement for any amount owed. Tenants that are found to owe funds to the Garland Housing Agency will have thirty (30) days from the date of the acknowledgment to pay the balance in full otherwise they will be terminated from the program. This policy applies to anyone that owes money after March 10, 2010.

B. ENFORCING REPAYMENT AGREEMENTS

1. The Housing Choice Voucher office will set up monthly payments on the Repayment Agreements. **(This only applies to families that signed repayment agreements prior to March 10, 2010.)**
2. If the participant is two (2) or more months behind the agreed upon monthly payments (consecutive or non-consecutive), the participant's assistance may be terminated unless other arrangements have been agreed upon.
3. If the resident enters into a Repayment Agreement after the execution of the HAP Contract and does not pay, the Housing Choice Voucher office will require the family to bring their Repayment Agreement current prior to issuance of a Voucher to move to another unit.
4. If the resident refuses to enter into a Repayment Agreement because of a claim paid for unpaid rent, damages, or vacancy loss, the Housing Choice Voucher office will continue paying HAP in their current unit, but the Housing Choice Voucher office will refuse to issue a Voucher to move until the family repays the amount owed in-full.
5. The Housing Choice Voucher office must notify the family of the amount of its liability and inform them of the consequences if they do not pay.

C. INELIGIBILITY FOR REPAYMENT AGREEMENTS

1. If the Housing Choice Voucher office determines that the family committed willful and intentional fraud, the Housing Choice Voucher office may require the family to repay the entire amount in-full or have their assistance terminated.
2. The Housing Choice Voucher office may allow no more than two (2) Repayment Agreements with an aggregate total of \$5,000 in Repayment Agreements

D. PROSECUTION OF NON-PAYMENT, UNREPORTED INCOME GREATER THAN \$5000

1. If the family owes more than \$5,000 in repayment agreements, the family will be terminated from the program and referred for prosecution. Families that fail to comply with their repayment agreements may also be referred for prosecution.

E. OWNER/LANDLORD FRAUD AND PROGRAM ABUSE

1. When the Housing Choice Voucher office determines that the owner/landlord has retained Housing Assistance Payments the owner/landlord was not entitled to, the Housing Choice Voucher office may reclaim the Housing Assistance Payment amount from future Housing Assistance Payments owed the owner/landlord, no matter what Housing Choice Voucher Program is involved.
2. If the future Housing Assistance Payments owed is insufficient to reclaim the amount owed, the addition amount(s) may be referred to collection.
3. The Housing Choice Voucher office will use Chapter 8 of Housing Choice Voucher Program Guidebook as a guide in dealing with owner/landlord fraud and program abuse, which may include barring the owner/landlord from participating in the Housing Choice Voucher Rental Assistance Program.
4. If an owner/landlord refuses to reimburse or repay the Garland Housing Agency for overpayments of housing assistance payments, they may be referred to the Office of the Inspector General with HUD for possible prosecution.

XXIII. MINOR CHANGES TO THE ADMINISTRATION PLAN

The Garland Housing Agency may make minor changes to this administrative plan that will not directly impact families without the immediate approval of the City Council. These changes may be implemented due to changes in federal, state or local regulations, budget constraints, lease-up improvements, audit recommendations and/or cost savings measures.

XXIV. HOMEOWNERSHIP VOUCHER PROGRAM

The Garland Housing Agency shall administer the homeownership voucher program in accordance to HUD regulations, as listed in 24 CFR sections 982.625 through 982.643. Local requirements and policies are further explained in the Garland Housing Agency's Housing Choice Voucher Homeownership Voucher Program procedures manual.

(See attached Exhibit A entitled "Garland Housing Agency Housing Choice Voucher Home Ownership Program" procedural manual for further detail.)

XXV. FAMILY SELF-SUFFICIENCY ACTION PLAN

The Garland Housing Agency shall administer the Family Self-Sufficiency Program (FSS) in accordance with HUD regulations as listed in 24 CFR Part 984. Local requirements and guidance are further explained in Exhibit B entitled "Family Self-Sufficiency Action Plan."

GLOSSARY

Acronyms Used in Subsidized Housing

AAF	Annual Adjustment Factor. A factor published by HUD in the Federal Register which is used to compute annual rent adjustments.
ACC	Annual Contributions Contract.
BR	Bedroom
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations. Commonly referred to as “the regulations”. The CFR is the compilation of Federal rules which are first published in the Federal Register and define and implement statute.
CPI	Consumer Price Index. CPI is published monthly by the Department of Labor as an inflation indicator.
CR	Contract Rent
EBL	Elevated Blood-Lead Level
EIV	Enterprise Income Verification
FDIC	Federal Deposit Insurance Corporation
FHA	Federal Housing Administration
FICA	Federal Insurance Contributions Act - Social Security taxes
FMR	Fair Market Rent
FSS	Family Self-Sufficiency
FY	Fiscal Year
FYE	Fiscal Year End
GAO	Government Accounting Office
GR	Gross Rent
HA	Housing Agency
HAP	Housing Assistance Payment

HAP Plan	Housing Assistance Plan
HCDA	Housing and Community Development Act
HCVP	Housing Choice Voucher Program
HQS	Housing Quality Standards
HUD	The Department of Housing And Urban Development
HURRA	Housing and Urban/Rural Recovery Act of 1983
HV	Housing Voucher
IG	Inspector General
IPA	Independent Public Accountant
IRA	Individual Retirement Accountant
MSA	Metropolitan Statistical Area established by the U.S. Census Bureau
PHA	Public Housing Authority
PMSA.	A Primary Metropolitan Statistical Area established by the U.S. Census Bureau
PS	Payment Standard
QHWRA	Quality Housing and Work Responsibility Act
QC	Quality Control
RTA	Request for Tenancy Approval
RFP	Request for Proposal
RRP	Rental Rehabilitation Program
SEMAP	Housing Choice Voucher Management Assessment Program
SRO	Single Room Occupancy
SSMA	Standard Statistical Metropolitan Area. Has been replaced by MSA, Metropolitan Statistical Area
TR	Tenant Rent

TTP	Total Tenant Payment
UA	Utility Allowance
UARP	Utility Allowance Reimbursement Payment
URP	Utility Reimbursement Payment
VAWA	Violence Against Women Act and Justice Department Reauthorization Act 2005

DEFINITIONS

Housing Choice Voucher Program

Absorption

In portability, the point at which the receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PHA uses funds available under the receiving PHA consolidated ACC.

Accessible

1. When used with respect to the design, construction, or alteration of a facility or a portion of a facility other than an individual dwelling unit, means that the facility or portion of the facility when designed, constructed or altered, can be approached, entered, and used by individuals with physical disabilities. The phrase "accessible to and usable by" is synonymous with accessible.
2. When used with respect to the design, construction, or alteration of an individual dwelling unit, means that the unit is located on an accessible route, and when designed, constructed, altered or adapted, can be approached, entered, and used by individuals with physical disabilities.

A unit that is on an accessible route and is adaptable and otherwise in compliance with the standards set forth in 24 CFR, Part 8, Housing Choice Voucher.32, is "accessible" within the meaning of this paragraph 2.

When a unit in an existing facility which is being made accessible as a result of alterations is intended for use by a specific qualified individual with disabilities (e.g., a current occupant of such unit or of another unit under the control of the same recipient, or an applicant on a waiting list), the unit will be deemed accessible if it meets the requirements of applicable standards that address the particular disability or impairment of such person.

Accessible Route

A continuous unobstructed path connecting accessible elements and spaces in a building or facility that complies with the space and reach requirements of applicable standards prescribed by 24 CFR, Part 8, and Housing Choice Voucher.32.

An accessible route that serves only accessible units occupied by persons with hearing or vision impairments need not comply with those requirements intended to effect accessibility for persons with mobility impairments.

Adaptability

The ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars, to be added to, raised, lowered, or otherwise altered, to accommodate the needs of persons with or without disabilities, or to accommodate the needs of persons with different types or degrees of disability.

For example, in a unit adaptable for a hearing-impaired person, the wiring for visible emergency alarms may be installed, but the alarms need not be installed until such time as the unit is made ready for occupancy by a hearing-impaired person.

Adjusted Income means Annual Income less the following allowances, determined in accordance with HUD instructions:

1. \$480 for each Dependent;
2. \$400 for any Elderly Family;
3. For any family that is not an Elderly Family or disabled family, but has a member other than the head of household or spouse, Disabled Assistance Expenses in excess of three percent (3%) of Annual Income, but this allowance will not exceed the employment income received by Family members who are 18 years of age or older, as a result of the assistance to the Disabled Person;
4. For any Elderly or Disabled Family;
 - a. That has no disability assistance expenses, an allowance for Medical Expenses, equal to the amount by which the Medical Expenses exceed three percent (3%) of Annual Income;
 - b. That has Disability Assistance Expenses greater than or equal to three percent (3%) of Annual Income, an allowance for Disability Assistance expenses computed in accordance with paragraph 3, above, plus an allowance for medical expenses, that is equal to the Family's Medical Expenses;
 - c. That has Disability Assistance Expenses that are less than three percent (3%) of Annual Income, an allowance for combined Disability Assistance Expenses and Medical Expenses, that is equal to the amount by which the sum of these expenses exceeds three percent (3%) of Annual Income, and
5. Child Care Expenses.

Admission

The effective date of the first HAP contract for a family (first day of initial lease term) in a resident-based program. This is the point when the family becomes a participant in the program.

Annual Contributions Contract (ACC)

A contract under the Housing Act of 1937, as amended, between HUD and the PHA, containing the terms and conditions under which the Department assists the PHA in providing decent, safe, and sanitary housing for low-income families.

The ACC must be in a form prescribed by HUD, under which HUD agrees to provide assistance in the development, modernization, and/or operation of a low-income housing development under the Act, and the PHA agrees to develop, modernize, and operate the development in compliance with all provisions of the ACC and the Act, and all HUD regulations and implementing requirements and procedures.

A written agreement between HUD and a PHA to provide annual contributions to the PHA to cover housing assistance payments and other expenses pursuant to the Act.

Annual Income

1. Annual Income means all amounts, monetary or not, which:
 - a. Go to, or on behalf of, the family head or spouse (even if temporarily absent) or to any other family member; or
 - b. Are anticipated to be received from a source outside the family during the 12-month period following admission or annual reexamination effective date; and
 - c. Which are not specifically excluded in this section.

- d. Annual income also means amounts derived (during the 12-month period) from assets to which any member of the family has access.
2. Annual Income includes, but is not limited to:
- a. The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips and bonuses, and other compensation for personal services;
 - b. The net income from the operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession will be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
 - c. Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization of capital indebtedness and an allowance for depreciation of capital assets shall not be used as deductions in determining the net income. An allowance for depreciation is permitted only as authorized in the paragraph immediately above this paragraph. Any withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the Family. Where the Family has Net Family Assets in excess of \$5,000, Annual Income shall include the greater of the actual income derived from all Net Family Assets, or a percentage of the value of such Assets, based on the current passbook savings rate, as determined by HUD;
 - d. The full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits, and other similar types of periodic receipts, including a lump-sum amount or prospective monthly amounts for the delayed start of a periodic amount (except as provided under Annual Income exclusions);
 - e. Payments in lieu of earnings, such as unemployment and disability compensation, worker's compensation and severance pay (but see the paragraph on lump sum additions to family assets, below).
 - f. Welfare Assistance. If the Welfare Assistance payment includes an amount specifically designated for shelter and utilities, and such amount is subject to adjustment by the Welfare Assistance agency in accordance with the actual cost of shelter and utilities, the amount of Welfare Assistance income to be included as income shall consist of:
 - (1) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
 - (2) The maximum amount that the Welfare Assistance Agency could in fact allow the family for shelter and utilities. If the family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
 - g. Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the dwelling.

- h. All regular pay, special pay and allowances of a member of the Armed Forces (but see paragraph below, on special pay to an Armed Forces person exposed to hostile fire).
3. Annual Income does not include the following (**Exclusions**):
- a. Income from the employment of children (including foster children) under the age of 18 years;
 - b. Payment received for the care of foster children or foster adults (usually individuals with disabilities, unrelated to the resident family, who are unable to live alone);
 - c. Lump-sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and Workers' Compensation), capital gains and settlement for personal or property losses (but see the paragraph on payments in lieu of earnings, above).
 - d. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member;
 - e. Income of a Live-In Aide, as defined in the regulations, who is a person who resides with an Elderly, Disabled Person or Persons and who:
 - (1) Is determined to be essential to the care and well-being of the Person(s);
 - (2) Is not obligated for the support of the Person(s); and
 - (3) Would not be living in the unit except to provide the necessary supportive services.
 - f. The full amount of student financial assistance paid directly to the student or to the educational institution;
 - g. The special pay to a Family member serving in the Armed Forces who is exposed to hostile fire;
 - h. Amounts received under training programs funded by HUD;
 - i. Amounts received by a person with a disability, that are disregarded for a limited time, for purposes of Supplemental Security Income eligibility and benefits, because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS); or
 - j. Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.), and which are made solely to allow participation in a specific program;
 - k. *A resident service stipend.* A resident service stipend is a modest amount (not to exceed \$200 per month) received by a public housing resident for performing a service for the PHA, on a part-time basis, that enhances the quality of life in public housing. Such services may include, but are not limited to, fire patrol, hall monitoring, lawn maintenance, and resident initiatives coordination. No Resident will receive more than one such stipend during the same period of time;
 - l. Incremental earnings and benefits resulting to any family member from participation in qualifying State or local employment training programs (including training programs not affiliated with a local government) and training of a family member as resident management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for the period during which the family member participates in the employment training program;
 - m. Temporary, nonrecurring or sporadic income (including gifts);

- n. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era;
- o. Earnings in excess of \$480 for each full-time student 18 years old or older (excluding the head of household and spouse);
- p. Adoption assistance payments in excess of \$480 per adopted child;
- q. Deferred periodic payments of supplemental security income and social security benefits that are received in a lump sum payment, or in prospective monthly amounts;
- r. Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the dwelling unit;
- s. Amounts paid by a State agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home;
- t. Amounts specifically excluded by any other Federal statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937, including the following:
 - (1) The value of the allotment provided to an eligible household for coupons under the Food Stamp Act of 1977. [7 United States Code (USC) § 2017 (b)];
 - (2) Payment to volunteers under the Domestic Volunteer Service Act of 1973. [42 USC § 5044(g), § 5058];
 - (3) Payments received under the Alaska Native Claims Settlement Act. [43 USC § 1626(c)];
 - (4) Income derived from certain sub-marginal land of the United States, which is held in trust for certain Indian tribes. [25 USC § 459(e)];
 - (5) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program. [42 USC § 8624(f)];
 - (6) Payments received under programs funded in whole or in part under the Job Training Partnerships Act. [29 USC § 1552(b)];
 - (7) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians. [Public Law (P.L.) 94-540, 90 Stat. 2503-2504];
 - (8) The first \$2,000 of per capita shares received from judgment funds awarded by the Indian Claims Commission or the Court of Claims [25 USC § 1407-1408], or from funds held in trust for an Indian tribe by the Secretary of the Interior. [25 USC § 117b, 1407];
 - (9) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs [20 USC § 1087uu]. Since Pell Grants are funded under Title IV, PHA's should exclude the FULL value of any Pell Grant. These changes are effective 10-1-92;
 - (10) Payments received from programs funded under Title V of the Older Americans Act of 1965. [42 USC § 3056(f)];
 - (11) Payments received on and after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the "In Re Agent Orange product" liability litigation. [M.D.L. No. 381 (E.D.N.Y.)];
 - (12) Payments received under the Maine Indian Claims Settlement Act of 1980. [P.L. 96-420, 94 Stat. 1785];
 - (13) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the

Child Care and Development Block Grant Act of 1990 [42 USC § 9858q]. This change was effective November 4, 1992;

- (14) Earned Income Tax Credit (EITC) refund payments received after January 1, 1991. [USC § 32(j)];
 - (15) Deferred Periodic Payments of Social Security and Supplemental Security Income (SSI) received after October 28, 1992. This lump sum payment may represent the accumulation of periodic payments from a preceding period. Collections activity on deferred periodic payments regardless of when they were received. See Notice PIH 93-11 issued March 16, 1993;
 - (16) Holocaust reparations received after April 23, 1993. [42 USC § 1437a, § 1437d, § 1437n and § 3535(d)].
4. If it is not feasible to anticipate a level of income over a 12-month period, the income anticipated for a shorter period will be annualized, subject to a redetermination at the end of the shorter period.

Applicable Surface

All intact and non-intact interior and exterior painted surfaces of a residential structure (with reference to lead-based paint poisoning prevention).

Applicant

Applicant (or applicant family). A family that has applied for admission to a program, but is not yet a participant in the program.

Assisted Lease

A written agreement between an owner/landlord and a Family for the leasing of a dwelling unit by the owner/landlord to the Family under a Housing Assistance Contract between the owner/landlord and the PHA.

In the case of cooperative of mutual housing, "lease" means the occupancy agreement or other written agreement establishing the conditions for occupancy of the unit.

Auxiliary Aids

Services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities receiving Federal financial assistance.

For example, auxiliary aids for persons with impaired vision may include readers, Braille materials, audio recordings, and other similar services and devices.

Auxiliary aids for persons with impaired hearing may include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, note takers, written materials, and other similar services and devices.

Bureau of Citizenship and Immigration Services (BCIS)

Formerly the U.S. Immigration and Naturalization Service (INS).

Child

A member of the family, other than the family head or spouse, who is under 18 years of age.

For continued assistance under Restrictions on Assistance to Non-citizen only: Biological or adopted children only. Stepchildren (not related to either the head of the household or the spouse) and guardianship of minors (either formal or informal) are excluded.

Child Care Expenses

Amounts anticipated being paid by the Family for the care of children under thirteen (13) years of age during the period for which Annual Income is computed, but only where such care is necessary to enable a Family member to be gainfully employed, or to further his or her education, and only to the extent such amounts are not reimbursed.

The amount deducted shall reflect reasonable charges for child care, and in the case of child care necessary to permit employment, the amount deducted shall not exceed the amount of income.

Reasonable child care expenses, as defined by the PHA, shall not exceed the actual costs incurred.

Citizen

A citizen (by birth or naturalization) or national of the United States.

Codes

Includes building codes, housing codes, health and safety codes, sanitation codes and any law, ordinance or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy or use of a dwelling unit.

Common Space

Space available for use by assisted families and other occupants of the unit.

Consolidated ACC

Consolidated annual contributions contract. See § 982.151.

Contiguous MSA

In portability, an MSA that shares a common boundary with the MSA in which the jurisdiction of the initial PHA is located.

Continued Assistance Family

This is a mixed family who meets all the following requirements:

1. The family was receiving assistance under a Section 214 covered program on June 19, 1995; and
2. whose head of the household or spouse has eligible immigration status according to the requirements of the restrictions on assistance to non-citizen; and
3. the family does not include any person (who does not have eligible immigration status) other than:
 - The head of the household;
 - Any spouse of the head of the household;
 - Any parents of the head of the household;
 - Any parents of the spouse;
 - Any children of the head of the household or spouse.

This does not define “family” for purposes of eligibility at the PHA (see “Family” in this Definition section.)

A family entitled to continued assistance before November 29, 1996 is entitled to continued assistance as described in the above paragraph. A family entitled to continued assistance after November 29, 1996 shall receive prorated assistance as described in section 5.520.

Continuously Assisted

An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance under any 1937 Housing Act program when the family is admitted to the voucher program.

Contract Rent

The total amount of rent specified in the Housing Assistance Payments (HAP) Contract as payable to the owner/landlord by the Family, and by HUD or the PHA on the Family's behalf.

The monthly rent which an owner/landlord is entitled to receive for the leasing of a Manufactured Home Space to an Assisted Family, including any separate fees or charges. This rent includes the maintenance and management services described in the definition of Manufactured Home Space, but excludes ongoing utility charges. Separate fees or charges for services or facilities not included in the definition of Manufactured Home Space shall be included in the Contract Rent only if their payment is required as a condition of the leasing of the Manufactured Home Space. In the case of a cooperative Manufactured Home park, "Contract Rent" means the charges under the occupancy agreements between the members and the cooperative.

Contract of Participation

A contract in a form approved by HUD, entered into between a participating family and a PHA operating an FSS program that sets forth the terms and conditions governing participation in the FSS program. The contract of participation includes all individual training and services plans entered into between the PHA and all members of the family who elect to participate in the FSS program, and which plans are attached to the contract of participation as exhibits.

Controlled Substance

Any drug or other substance, or immediate precursor included in the definition in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

Dating Violence:

Violence committed by a person:

- (A) who is has been in a social relationship of a romantic or intimate nature with the victim; and
- (B) where the existence of such relationship shall be determined on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship

Decent, Safe and Sanitary Housing

Housing is decent, safe and sanitary if the requirements of 982.401 are met (Housing Quality Standards).

Defective Paint Surface

Paint on applicable surfaces that are cracking, scaling, chipping, peeling or loose (with reference to lead-based paint poisoning prevention).

Dependent

A member of the Family household (except foster children and foster adults) other than the Family head or spouse, who is under 18 years of age or is a person with a disability, or is a full-time student.

Deposit

Means an amount of currency, or an instrument delivered to the owner/landlord by the resident as a pledge to abide by terms or conditions of the rental agreement.

Dilapidated Housing

See the definitions of Substandard Housing.

Disability Assistance Expenses

Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a disabled family member and that are necessary to enable a family member (including the disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

Disabled Person or Family

A person or family whose head, spouse, or sole member is a person with disabilities; or two (2) or more persons with disabilities living together; or one or more persons with disabilities living with one or more live-in aides. A person who is under a disability, as defined in Section 233 of the Social Security Act (42 U.S.C. 423), or who has a developmental disability as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 (7)).

Section 223 of the Social Security Act defines disability as:

1. Inability to engage in any substantial, gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death, or which has lasted or can be expected to last for a continuous period of not less than 12 months; or
2. In the case of an individual who has attained the age of 55 and is blind (within the meaning of "blindness" as defined in the Social Security Act), inability by reason of such blindness to engage in substantial gainful activity in which he/she has previously engaged with some regularity and over a period of time.

People who have been diagnosed with alcoholism or drug abuse are not part of the definition of "disabled".

Discriminatory Housing Practice

An act that is unlawful under Housing Choice Voucher04, 805, 806, or 818 of the Fair Housing Act.

Displaced Person or Family

A person or family in which each member, or whose sole member, is a person displaced by governmental action, or a person whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal disaster relief laws.

(See also the definition of Involuntary Displacement. See 24 CFR, Part Subpart A, Section 5.420.)

Domestic Violence:

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim share a child in common, by a person who is cohabitated with or has cohabited with the victim as spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Domicile

The legal residence of the household head or spouse as determined in accordance with State and local law.

Drug Abuse and Other Criminal Activity Definitions

- Adult (Drug-Related and criminal Activity) - a person who is 18 years of age or older, or has been convicted of a crime as an adult under any federal, state or tribal law.
- Covered Person - a tenant, any member of the tenant's household, a guest or another person under the tenant's control.
- Currently Engaging in Illegal Use of a Drug - with respect to behavior such as illegal use of a drug, other drug-related criminal activity, or other criminal activity, currently engaging in, means that the individual has engaged in the behavior recently enough to justify a reasonable belief that the individual's behavior is current.
- Drug - a controlled substance as defined in Section 102 of the Controlled Substance Act.
- Drug Abuse Treatment Facility - An entity: (a) that holds itself out as providing, and provides, diagnosis, treatment, or referral for treatment with respect to illegal drug use; and (b) that is either an identified unit within a general care facility, or an entity other than a general medical care facility.

Drug-Trafficking

The illegal manufacture, sale or distribution, or the possession with intent to manufacture, sell, or distribute, of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

Dwelling

Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

Dwelling Unit

A single unit of residence for a family of one or more persons. Examples of dwelling units include: a single family home; an apartment unit within an apartment building; and in other types of dwellings in which sleeping accommodations are provided, but toileting or cooking facilities are shared by occupants of more than one room or portion of the dwelling, rooms in which people sleep. Examples of the latter include dormitory rooms and sleeping accommodations in shelters intended for occupancy as a residence for homeless persons.

Earned Income

Earned income means income or earnings included in annual income from wages; tips, salaries, other employee compensation, and self-employment (see 24 CFR 5.609). Earned income does not include any pension or annuity, transfer payments, any cash or in-kind benefits, or funds deposited

in or accrued interest on the FSS escrow account established by a PHA on behalf of a participating family.

Effective Date of Contract

Effective date of contract of participation means the first day of the month following the month in which the FSS family and the PHA entered into the contract of participation.

Elderly Person

A person who is at least 62 years of age. Allowance for medical expenses will be allowed for persons who are elderly but not disabled.

Elderly Household

A household whose head and/or spouse is considered elderly by definition. Allowance for medical expenses will be allowed for all persons who reside in the household.

Elevated Blood Lead Level

Excessive absorption of lead, that is, a confirmed concentration of lead in whole blood of 25 ug/dl (micrograms of lead per deciliter of whole blood) or greater.

Employer Identification Number

The taxpayer identifying number of an individual, trust, estate, partnership, association, company, or corporation that is assigned pursuant to Section 6011(b) of the Internal Revenue Code of 1986, or corresponding provisions of prior law, or pursuant to Section 6109 of the Code. The Employer Identification Number has nine digits separated by a hyphen, as follows: 00-0000000.

Enrollment

Enrollment means the date that the FSS family entered into the contract of participation with the PHA.

Entrance

Any access point to a building or portion of a building used by residents for the purpose of entering.

Eviction

Means any action initiated by the owner/landlord to regain possession of a dwelling unit and use of the premises.

Evidence of Citizenship of Eligible Immigration Status

The documents which must be submitted to evidence citizenship or eligible immigration status.

Exterior

All areas of the premises outside of an individual dwelling unit.

Extremely Low-Income Families

Families with incomes below thirty percent (30%) of the area median and households of various races and ethnic groups--within the Quality Housing Work Responsibility Act (QHWRA).

Facility

All or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other real or personal property or interest in the property.

Fair Housing Act

Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3600-3620).

Fair Market Rent

The rent, including utilities (except telephone), and all maintenance, management, and other services, which would be required to be paid in order to obtain privately owned, existing, decent, safe, and affordable rental housing of modest (non luxury) nature with suitable amenities in the market area.

Fair Market Rents are used by PHA's in the Housing Voucher Program to develop the payment standard used to determine the appropriate amounts of housing assistance to be paid on behalf of participating families.

The rent which would be required to be paid in order to obtain a privately owned, decent, safe and affordable Manufactured Home Space of a modest nature. This rent includes maintenance and management services described in the definition of Manufactured Home Space for single-wide and double-wide Manufactured Home Spaces. Rents for double-wide spaces will be permitted for Assisted Families of five (5) or more persons so long as the Manufactured Home meets the minimum occupancy standards for families. Fair Market Rents will be established by HUD and will be published in the Federal Register.

Familial Status

One or more individuals (who have not attained the age of 18 years) being domiciled with:

1. A parent or another person having legal custody of such individual or individuals; or
2. The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status apply to any person who is pregnant, or is in the process of securing legal custody of any individual who has not attained the age of the eighteen (18) years.

“Family” includes, but is not limited to, the following, regardless of actual or perceived sexual orientation, gender identity, or marital status:

1. A single person, who may be an elderly person, disabled person, displaced person, near-elderly person, or any other single person; or
2. A group of persons residing together, and such group includes but is not limited to:
 - (i). A family with or without children (a child who is temporarily away from the home because of the placement in foster care is considered a member of the family);
 - (ii). An elderly family;
 - (iii). A near-elderly family;
 - (iv). A disabled family;
 - (v). A displaced family; and
 - (vi). The remaining member of a tenant family.

Family Income

Means Monthly Income as defined in HUD regulations, i.e., using Annual Income divided by 12.

Family Self-Sufficiency

Family Self-Sufficiency program or FSS program means the program established by a PHA within its jurisdiction to promote self-sufficiency among participating families, including the provision of supportive services to these families, as authorized by Section 23 of the U.S. Housing Act of 1937.

Family Share

In the voucher program, the portion of the rent to owner paid by the family. It is calculated by subtracting the amount of the housing assistance payment to the owner from the rent to owner. Same as Tenant Rent.

Family Unit Size

The appropriate number of bedrooms for a family. Family unit size is determined by the PHA under the PHA subsidy standards.

Former Federal Preferences (24 CFR Sec. 982.207)

The PHA may implement the following former federal preferences as Local Preferences:

1. working families (head or spouse);
2. families for person with a disability;
3. victims of domestic violence;
4. single persons who are elderly, displaced, homeless or a person with disabilities; and
5. provide the same benefit to families whose head **and** spouse, is either 62 or older or a person with disabilities (if the PHA adopts local preference for working families).

FSS Account

FSS account means the FSS escrow account authorized by Section 23 of the U.S. Housing Act of 1937, and as provided by § 984.305 of this part.

FSS Credit

FSS credit means the amount credited by the PHA to the participating family's FSS account.

FSS Family

FSS family or participating family means a family that receives assistance under the rental voucher programs, and that elects to participate in the FSS program, and whose designated head of the family has signed the contract of participation.

FSS Related Service Program

Means any program, publicly or privately sponsored, that offers the kinds of supportive services described in the definition of "supportive services" set forth in 24 CFR § 984.

FSS Slots

FSS slots refer to the total number of rental vouchers that comprise the minimum size of a PHA's Housing Choice Voucher FSS program.

First Occupancy

A building that has never before been used for any purpose.

FMR

Fair Market Rent. Defined in 24 CFR 982.4.

Full-Time Student

A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree.

Good Faith

Means honesty in fact, in the conduct of the transaction concerned, as evidenced by all surrounding circumstances.

Gross Rent

The total monthly cost of housing an eligible Family, which is the sum of the Contract Rent and any Utility Allowance. In the case of rental of only a manufactured home space, Gross Rent also includes the Family's monthly payment to amortize the purchase price of the manufactured home.

Ground Floor

A floor of a building with a building entrance on an accessible route. A building may have more than one ground floor.

Guest

A person temporarily staying in the unit with the consent of a tenant or other member of the household who has express or implied authority to so consent on behalf of the tenant.

HA

A housing authority--both a public housing agency and an Indian housing authority.

Handicap/Disability

With respect to a person, a physical or mental impairment which substantially limits one or more of such person's major life activities; a record of having such an impairment, or being regarded as having such an impairment.

This term does not include current, illegal use of or addiction to a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

For the purpose of 24 CFR Part 100, Discriminatory Conduct under the Fair Housing Act, an individual shall not be considered to have a disability solely because that individual is a transvestite (a person, especially a male, who dresses in the clothing of the opposite sex for psychological reasons).

Handicapped/Disabled Assistance Expenses

Reasonable expenses that are anticipated, during the period for which Annual Income is computed, for attendant care and auxiliary apparatus for a Disabled Family member, and that are necessary to enable a Family member (including the Disabled member) to be employed, provided that the expenses are neither paid to a member of the Family nor reimbursed by an outside source.

Handicapped/Disabled Person (included under “Disabled”)

A person having a physical or mental impairment that:

1. Is expected to be of long-continued and indefinite duration;
2. Substantially impedes the person's ability to live independently; and
3. Is of such a nature that such ability could be improved by more suitable housing conditions.

Has a Record of Such an Impairment

As used in the definition of Disability, means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

Head of Household

The adult member of the family who is the head of the household for purposes of determining income eligibility and rent.

Home-visit (telephone interview)

When applicants/participants are unable to physically come into the PHA's office due age or medical condition, a home-visit (telephone interview) can be done to gather the needed to either complete an application for housing or for annual re-certification. Verifications needing signatures can be either mailed to the individual or other arrangements can be made at PHA's discretion.

Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in, or to assist in the development or operation of low-income housing. For the purposes of 24 CFR, Part 942, Resident Participation and Management in Public Housing, the term Public Housing Agency does not include Indian Housing Authorities. As used in 24 CFR, Part 965, Subpart E, Resident Allowance for Utilities, PHA includes an Indian Housing Authority.

Housing Assistance Payment

The monthly assistance payment by a PHA. The total assistance payment consists of:

1. A payment to the owner/landlord for rent to owner/landlord under the family's lease.
2. An additional payment to the family if the total assistance payment exceeds the rent to owner/landlord. In the certificate program, the additional payment is called a “utility reimbursement”.

Housing Assistance Payments Contract

A written contract between the PHA and an owner/landlord in the form prescribed by HUD headquarters, for the purpose of providing housing assistance payments to the owner/landlord on behalf of an Eligible Family.

Housing Quality Standards

The HUD minimum quality standards for housing assisted under the resident-based programs.

Housing Choice Voucher Program

The statutory merger of the Housing Choice Voucher tenant-based certificate and voucher programs into the new Housing Choice Voucher program and makes other amendments to other provisions of the interim rule published on May 14, 1999.

Housing Voucher Contract

A written contract between a PHA and an owner/landlord, in the form prescribed by HUD for the Housing Voucher Program, in which the PHA agrees to make housing assistance payments to the owner/landlord on behalf of an Eligible Family.

Housing Voucher Holder

A family that has an unexpired housing voucher.

HUD

The Department of Housing and Urban Development or its designated officer or employee.

HUD Local Office

Any HUD Office that has been delegated authority under the U.S. Housing Act of 1937 to perform functions pertaining to the area in which the PHA is located.

Income Limits

HUD establishes Very Low-Income and Low-Income limits that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB), and the Bureau of the Census definition of family) with specific statutorily permissible adjustments. If the income limits based on this approach would be less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non-metropolitan family income level.

Immediate Family Member:

A spouse, parent, brother or sister, or child of the person, or an individual to whom that person stands in loco parentis (in place of a parent); or any other person living in the household of that person and related to that person by blood or marriage.

Independent Group Residence

1. A dwelling unit for the exclusive residential use of two to twelve elderly or disabled individuals (excluding live-in Resident Assistant(s) if any), who are not capable of living independently, and who require a planned program of continual supportive services.
2. Individuals residing in an Independent Group Residence and receiving Housing Choice Voucher assistance shall not require continual medical or nursing care, and shall be ambulatory or not require continual medical or nursing care, and shall be ambulatory or not confined to a bed continuously, and must be capable of taking appropriate actions for their own safety under emergency conditions.

Independent Student

A full time or part time student at an Institute of Higher Education who is one or more of the following: over the age of 24, a veteran, married, has a dependent child, is an orphan or ward of the court or was a ward of the court until the individual reached the age of 18, is a graduate of professional student, or is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances

Individual Lease Shared Housing

The type of Shared Housing in which the PHA enters into a separate HAP Contract for each assisted family residing in a Shared Housing unit.

Individual Training Services Plan

Means a written plan that is prepared for the head of the FSS family, and each adult member of the FSS family who elects to participate in the FSS program, by the PHA in consultation with the family member, and which sets forth:

1. The supportive services to be provided to the family member;
2. The activities to be completed by that family member; and
3. The agreed upon completion dates for the services and activities. Each individual training and services plan must be signed by the PHA and the participating family member, and is attached to, and incorporated as part of the contract of participation. An individual training and services plan must be prepared for the head of the FSS family.

Individual With Disability

A person having a physical or mental impairment that (a) is expected to be of long-continued and indefinite duration, (b) substantially impedes the person's ability to live independently, and (c) is of such a nature that such ability could be improved by more suitable housing conditions.

Institute of Higher Education

An institution of higher education is defined under Section 102 of the Higher Education Act of 1965 as an educational institution in any state that: Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, Legally authorized within such State to provide a program a program of education beyond secondary education; Provides and educational program for which the institution awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward such degree; Is a public or other nonprofit institution; is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted pre-accreditation status and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time. Additional institutions include: Any school that provides not less than a 1 year program of training to prepare students for gainful employment in a recognized occupation or public or nonprofit private educational institution in any state that admits as regular students' persons who are beyond the age of compulsory school attendance in the State in which the institution is located.

Initial Contract Rent

The contract rent at the beginning of the initial lease term.

Initial PHA

In portability, the term refers to both:

1. A PHA that originally selected a family that subsequently decides to move out of the jurisdiction of the selecting PHA.
2. A PHA that absorbed a family that subsequently decides to move out of the jurisdiction of the absorbing PHA.

Initial Lease Term

The initial term of the assisted lease. The initial lease term is at least one year. At the PHA's discretion, lease term may be shorter than 1 year.

INS

The U.S. Immigration and Naturalization Service. Now renamed U.S. Citizenship and Immigration Services (CIS).

Interior

The spaces, parts, components or elements of an individual dwelling unit.

Interim Reexaminations

Some Housing Authorities also call these "special" reexaminations. The family must comply with regulations requiring them to report changes in income and family composition. The PHA requires the reporting of the changes within 10 days of the effective change (or other date as established by the PHA). The Housing Authority must determine if there is to be an adjustment to the Total Tenant Payment, Tenant Rent, and/or Housing Assistance Payment.

Is Regarded as Having an Impairment

As used in the definition of Disability, means:

1. Has a physical or mental impairment that does not substantially limit one or more major life activities, but that is treated by another person as constituting such a limitation;
2. Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
3. Has none of the impairments defined under the definition of "physical or mental impairment," below, but is treated by another person as having such an impairment.

Jurisdiction

The area in which the PHA has authority under State and local law to administer the program.

Lead-Based Paint

A paint surface, whether or not defective, identified as having a lead content greater than or equal to one microgram of lead per square centimeter (one centimeter is slightly more than three-eighths of an inch).

Lease

1. A written agreement between an owner/landlord and a resident for the leasing of a dwelling unit to the resident. The lease established the conditions for occupancy of the dwelling unit by a family with housing assistance payments under a HAP Contract between the owner/landlord and the PHA.
2. In cooperative housing, a written agreement between a cooperative and a member of the cooperative. The agreement established the conditions for occupancy of the member's cooperative dwelling unit by the member's family with housing assistance payments to the cooperative under a HAP contract between the cooperative and the PHA.

Lease Addendum

In the lease between the resident and the owner/landlord, the lease language required by HUD.

Live-In Aide

A person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

1. Is determined by the PHA to be essential to the care and well-being of the person or persons;
2. Is not obligated for support of the person or persons; and
3. Would not be living in the unit except to provide necessary supportive services. (See the definition of Annual Income for treatment of a Live-In Aid's income.)

Local Preference

1. A preference used by the PHA to select among applicant families.
2. PHA cannot deny or otherwise penalize a family solely because the family resides in public housing.

Low-Income Family

A family who's Annual Income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80 percent of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low-income family.

Major Life Activities

As used in the definition of Disability, means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Manufactured Home

A structure, with or without a permanent foundation, which is built on a permanent chassis, is designed for use as a principle place of residence, and meets the HUD Housing Quality Standards set forth in 24 CFR, Part 8, Sections 882.109 and 887.473.

Manufactured Home Space

The space, leased by an owner/landlord to an Assisted Family, on which the Manufactured Home owned and occupied by the family, is located. The space shall include all maintenance and management services necessary for decent, safe and sanitary housing, such as maintenance of utility lines, garbage and trash collection, and maintenance of roads, walkways and other common areas and facilities.

Marriage

Marriage certified by a formal marriage license, or an informal marriage, as may be specified in State or local laws or regulations.

Medical Expenses

Those medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. (Medical expenses are allowable only for Elderly or Disabled Families.)

Minor

A person who is under the age of legal competence, unless otherwise determined by State Law.

Mixed Family

A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

Monthly Adjusted Income

One-twelfth of Adjusted Income.

Monthly Income

One-twelfth of Annual Income.

National

A person who owes permanent allegiance to the United States, for example, as a result of birth in a United States territory or possession, including Puerto Rico, the U.S. Virgin Islands, Guam, Canal Zone, etc.

Net Family Assets

1. Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of capital investment, excluding interests in Indian trust land and excluding equity accounts in HUD home-ownership programs.
2. The value of necessary items of personal property, such as furniture and automobiles, shall be excluded.
3. In cases where a trust fund has been established and the trust is not revocable by, or under the control of any member of the Family or household, the value of the trust fund will not be considered an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.
4. In determining Net Family Assets, the Authority shall include the value of any assets disposed of by an applicant or resident for less than fair market value, including a disposition in trust, but not in a foreclosure or bankruptcy sale, during the two (2) years preceding the date of application for the program, or reexamination, as applicable, in excess of the consideration received therefore. In the case of a disposition as part of a separation or divorce settlement, the disposition will not be considered to be for less than fair market value if the applicant or resident received important consideration not measurable in dollar terms.

Non-citizen

A person who is neither a citizen nor a national of the United States.

Normal Wear and Tear

Means deterioration which occurs, based upon the use for which the rental unit is intended, without negligence, carelessness, accident, abuse or intentional damage of the premises, equipment or chattels of the owner/landlord by the resident, members of the resident's household, or by his/her invitees or guests. However, uncleanliness does not constitute normal wear and tear.

Owner/Landlord

Any person or entity, including a cooperative, having the legal right to lease or sublease a unit to a participant.

Participant

A family that has been admitted to the PHA program, and is currently assisted in the program. The family becomes a participant on the effective date of the first HAP contract executed by the PHA for the family (first day of initial lease term).

Payment Standard

In the voucher program, an amount used by the PHA to calculate the housing assistance payment for a family. Each payment standard amount is based on the fair market rent. The PHA adopts a payment standard for each bedroom size and for each fair market rent area in the PHA jurisdiction. The payment standard for a family is maximum monthly subsidy payment.

Person

Includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, and unincorporated organizations, and trustees, trustees in cases under Title 11 of the United States Code, receivers, and fiduciaries.

PHA Jurisdiction

The area in which the PHA is not legally barred from entering into Housing Assistance Contracts.

Physical or Mental Impairment

As used in the definition of Disability, includes:

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; muscular-skeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; Genitourinary; hemic and lymphatic; skin; and endocrine; or
2. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

Portability

Renting a dwelling unit with Housing Choice Voucher resident-based assistance outside the jurisdiction of the initial PHA.

Preference Over Single Persons

An applicant that is a one- or two-persons elderly, disabled or displaced family must be given a preference over an applicant that is a single person who is not an elderly, displaced person, or a person with disabilities.

Premises

The building or complex in which the dwelling units is located, including common areas and grounds.

Public Housing Agency (PHA)

Any State, county, municipality, or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in, or to assist in the development or operation of low-income housing.

Public Use Areas

Interior or exterior rooms or spaces of a building that are made available to the general public. Public use may be provided at a building that is privately or publicly owned.

Qualified Individual With Disabilities

1. With respect to employment, an individual with disabilities who, with reasonable accommodation, can perform the essential functions of the job in question; and
 2. With respect to any non-employment program or activity which requires a person to perform services or to achieve a level of accomplishment, an Individual With Disabilities who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the recipient can demonstrate would result in a fundamental alteration in its nature; or
 3. With respect to any other non-employment program or activity, an Individual With Disabilities who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity.
- Essential eligibility requirements include stated eligibility requirements, such as income, as well as other explicit or implicit requirements inherent in the nature of the program or activity, such as requirements that an occupant of multifamily housing be capable of meeting the recipient's selection criteria, and be capable of complying with all obligations of occupancy with or without supportive services provided by persons other than the recipient.

Reasonable Accommodation

Means making alterations or adaptation to provide access to otherwise qualified individuals with disabilities, in the use of the program and facilities, without causing undue hardship or substantially altering the program or activity.

Reasonable Rent

A rent to owner/landlord that is not more than either:

1. Rent charged for comparable units in the private unassisted market; or
2. Rent charged by the owner/landlord for a comparable assisted or unassisted unit in the building or premises.

Residency Preference 24 CFR Sec. 982.207

Eliminates the explicit requirement that PHA's seek HUD approval before establishing a residency preference (although the Housing Choice Voucher Administrative plan is a supporting document to the annual PHA Plan). PHA's may adopt a residency preference if the preference does not delay or deny admission to the program based on race, color ethnic origin, gender, religion, disability or age. Residency area must not be smaller than a county or municipality.

Receiving PHA

In portability, a PHA that receives a family selected for participation in the tenant-based program of another PHA. The receiving PHA issues a voucher, and provides program assistance to the family.

Regular Reexaminations

The PHA must reexamine the income and composition of all families at least once every twelve (12) months. The family is required to submit any certification, release, information or documentation that the Housing Authority or HUD has determined necessary.

The PHA will adjust the Total Tenant Payment and Housing Assistance Payment to reflect the changes in income and family composition.

Related Lease Shared Housing

The type of Shared Housing in which the PHA enters into a single HAP Contract for two assisted Families residing in a Shared Housing unit.

Rent to Owner/landlord

The monthly rent payable to the owner/landlord under the lease. Rent to owner/landlord includes payment for any services, maintenance and utilities to be provided by the owner/landlord in accordance with the lease.

Rental Voucher

A document issued by a PHA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Resident

Means a person entitled, under a rental agreement, to occupy a dwelling unit in peaceful possession, to the exclusion of others, and includes the owner/landlord of a mobile home renting premises, other than a lot or parcel in a mobile home park, for use as a site for the location of the mobile home.

Responsible Entity

The person or entity responsible for administering the restrictions on providing assistance to Non-citizens with ineligible immigration status:

1. For the Housing Choice Voucher Rental Housing Voucher and the Housing Choice Voucher Moderate Rehabilitation programs, the housing authority (PHA) administering the program under an ACC with HUD;
2. For all other Housing Choice Voucher programs, the owner/landlord.

Section 214

Section 214 of the Housing and Community Development Act of 1980, as amended (42 U.S.C. 1436a). Section 214 restricts HUD from making financial assistance available for non-citizen unless they meet one of the categories of eligible immigration status specified in Section 214. See also paragraph 1-2, Authority.

Section 214 Covered Programs

Programs to which the restrictions imposed by Section 214 apply are programs that make available financial assistance pursuant to the United States Housing Act of 1937 (42 U.S.C. 1437-1440), Section 235 or Section 236 of the National Housing Act (12 U.S.C. 1715z-1) and Section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s).

Section 504

Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, as it applies to programs or activities receiving Federal financial assistance.

Setup Charges

Charges payable by an Assisted Family for assembling, skirting and anchoring the mobile home unit.

Sex-Offender

HUD determines a sex-offender to be someone who is required to be registered in a “State life-time sexual offender” registry.

Single Family Residence

Means a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it is a single family residence if it has direct access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit.

Single Person

A person who lives alone, or intends to live alone, and who does not qualify as an Elderly Family, a Displaced Person, or the Remaining Member of a Resident Family.

Single Room Occupancy Housing

A unit which contains no sanitary facilities or food preparation facilities, or which contains one but not both types of facilities (as those facilities are defined in 24 CFR 882.109(a) and (b) and which is suitable for occupancy by a single eligible individual capable of independent living. The unit is located within a multifamily structure consisting of more than 12 units.

Social Security Number

The number that is assigned to a person by the Social Security Administration of the Department of Health and Human Services, and that identifies the record of the person's earnings that are reported to the Administration.

The Social Security Number has nine digits separated by hyphens, as follows: 000-00-0000. It does not include a number with a letter as a suffix that is used to identify an auxiliary beneficiary under the Social Security System.

Special Admission

Admission of an applicant that is not on the PHA waiting list or without considering the applicant's waiting list position.

Special Reexaminations

See Interim Reexaminations.

Spouse

Means the husband or wife of the head of the household.

Spouse refers to the marriage partner, either a husband or wife, who is someone you need to divorce in order to dissolve the relationship. It includes the partner in a common law marriage. It

does not cover boyfriends, girlfriends, significant others, or “co-head.” “Co-head” is a term recognized by some HUD programs, but not by public and Indian housing programs. This definition applies to Restrictions on Assistance to Non-citizen.

Stalking

To follow, pursue, or repeatedly commit acts with the intent to kill, injure, harass, or intimidate; or to place under surveillance with the intent to kill, injure, harass, or intimidate another person; and in the course of, or as a result of, such following, pursuit, surveillance, or repeatedly committed acts, to place a person in reasonable fear of death of, or serious bodily injury to, or to cause substantial emotional harm to (i) that person; (ii) a member of the immediate family of that person; or (iii) the spouse or intimate partner of that person.

State

Any of the several States of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes.

Statement of Family Responsibility

An agreement, in the form prescribed by HUD, between the PHA and a Family to be assisted under the Program, stating the obligations and responsibilities of the two parties.

Subsidy Standards

Standards established by a PHA to determine the appropriate number of bedrooms and amount of subsidy for families of different sizes and compositions (see definition of “family unit size”).

Suspension

Stopping the clock on the term of a family’s voucher for such period as determined by the PHA, from the time when the family submits a request for PHA approval to lease a unit, until the time when the PHA approves or denies the request.

Temporary Deferral

Temporary deferral of termination of assistance is granted, the deferral period shall be for an initial period not to exceed six (6) months. The initial period may be renewed for additional periods of six (6) months, but the aggregate deferral period for deferrals provided after November 29, 1996 shall not exceed a period of eighteen (18) months. The aggregate deferral period for deferrals granted prior to November 29, 1996 shall not exceed three (3) years. These time periods do not apply to a family that includes a refugee under section 207 of the Immigration and Nationality Act or an individual seeking asylum under section 208 of that Act.

Tenant

The person or persons (other than a live-in aide) who executed the lease as lessee of the dwelling unit.

Tenant-Based

Rental assistance that is not attached to the structure.

Tenant Rent

In the voucher program, the portion of the rent to the owner paid by the family. It is calculated by subtracting the amount of the housing assistance payment to the owner from the rent to owner.

Term

Means the period of occupancy specified in the rental agreement.

Total Tenant Payment

Total Tenant Payment for families whose initial lease is effective on or after August 1, 1982.

Total tenant payment is the amount calculated under section 3(a) (1) of the 1937 Act (42 U.S.C. 1437a (a) (1)). Total Tenant Payment shall be the highest of the following, rounded to the nearest dollar:

1. 30 percent of Monthly Adjusted Income;
2. 10 percent of Monthly Income; or
3. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under paragraph (C) of section 3(a)(1) of the 1937 Act (42 U.S.C. 1437a(a)(1)(C)) shall be the amount resulting from one application of the percentage.
4. A minimum amount of twenty-five dollars (\$25.00).

Utility Allowance

If the cost of utilities (except telephone) and other housing services for an assisted unit is not included in the Contract Rent, but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by the PHA or HUD under applicable sections of HUD regulations of the monthly costs of a reasonable consumption of such utilities and other services for the unit by an energy-conservative household of modest circumstances, consistent with the requirements of a safe, sanitary, and healthful living environment.

Utility Allowance Reimbursement Payment

See Utility Reimbursement

Utility Hook Up Charges

Costs payable by an Assisted Family for connecting its Manufactured Home to utilities such as water, gas, electrical and sewer lines.

Utility Reimbursement Payment

In the voucher program, the portion of the housing assistance payment that exceeds the amount of rent to the owner. May also be referred to as Utility Allowance Reimbursement Payment.

Very Low-Income Family

1. A low-income family whose annual income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.
2. HUD may establish income limits higher or lower than 50 percent of the median income for the area, on the basis of its finding that such variations are necessary because of unusually high or low family incomes.

Veteran

1. Means any person honorably discharged from the Armed Forces of the United States, who serviced in World War I, between April 6, 1917, and November 11, 1918, both dates

inclusive; or in World War II, on or after December 7, 1941, until final cessation of all hostilities; or in the Korean Conflict; Lebanon Crisis; Berlin Crisis; the Congo; the Dominican Republic, and Vietnam.

2. "Veteran" does not include a person enlisted and accepted for active training only for a period of six (6) months or less.

Violent Criminal Activity

Any illegal criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force against the person or property of another.

Voucher (rental voucher)

A document issued by a PHA to a family selected for admission to the voucher program. The voucher describes the program, and the procedures for PHA approval of a unit selected by the family. The voucher also states the obligations of the family under the program.

Waiting List Admission

An admission from the PHA waiting list.

Welfare Assistance

Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State or local governments.

Welfare-to-Work

Families assisted by a PHA with Voucher funding awarded to the PHA under the HUD welfare-to-work voucher program.

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GARLAND

HOUSING AGENCY

Housing Choice Voucher Home Ownership Program

administered by:
Garland Housing Agency
210 Carver; Suite 201
Garland, TX 75040
(972) 205-3393

Steven Fitch, Director of Housing

Exhibit A

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The City of Garland Housing Agency

Mission Statement

The Garland Housing Agency objectives include providing, safe, decent and sanitary living conditions and to provide improved living conditions for very low income families. The Garland Housing Agency promotes its objectives through helping tenants maintain rent payments at an affordable level and by providing qualified tenants with an option for home ownership. In addition, the Garland Housing Agency aims to promote personal, economic and social upward mobility to assist residents to make the transition from subsidized to non-subsidized housing and to provide an incentive to private property owners/landlords to rent to low income families by offering timely assistance payments and excellent service.

Homeownership Voucher Program

The Garland Housing Agency (GHA) will administer the Homeownership Program to help low income families to purchase decent, safe and sanitary housing. The program provides homeownership opportunities to first time home buyers through a Homeownership Housing Choice Voucher program. The Homeownership Voucher program shall be funded through the Housing Choice Voucher Program funding allocations from the U.S. Department of Housing and Urban Development (HUD) and other applicable federal, state and local grants.

Policy clarifications or general questions should be addressed to the Garland Housing Agency at the following address or telephone number:

Garland Housing Agency
210 Carver, Suite 201
Garland, TX 75040
Phone Number: (972) 205-3393

Initial Requirements

Before commencing homeownership assistance for a family, the Garland Housing Agency must determine that all of the following initial requirements are satisfactorily met:

1. The family has received Housing Choice Voucher Rental Voucher assistance for a time period of one (1) year and is currently in “good standing” with the GHA (no repeated lease violations, debt repayment agreements, etc.).
2. The family is income eligible under the Housing Choice Voucher Assistance Program (HCV) and qualified to receive homeownership assistance. The family’s income may not exceed the income limits established and amended by HUD.
3. The dwelling/unit must be inspected and meet/pass the Housing Quality Standards (HQS) inspection protocol.
4. The family has satisfactorily completed the GHA program of required pre-assistance homeownership counseling.
5. The GHA will require homeowner compliance with all environmental requirements of local and regional authorities regarding flood and other hazard insurances.
6. The family will be deemed ineligible to participate in the Homeownership program in the event the family owes any debt or portion of a debt to the GHA or any other housing agency/authority.
7. *Additional GHA requirements.* Unless otherwise provided in this part, the GHA may limit homeownership assistance to families for purposes defined by the GHA and may require additional requirements for commencement of homeownership assistance for a family.

Eligibility Requirements for Families

The Garland Housing Agency may not provide assistance for a family unless it determines that the family satisfies all of the following initial requirements at commencement of the homeownership assistance for the family:

1. The family has been admitted to the Housing Choice Voucher Homeownership Program. Participation in the Homeownership Program is voluntary.
2. The family must be a first time home buyer or no member of the family has owned a home or interest in a home for at least five (5) years.
 - a. The restriction on prior ownership does not apply to a single parent or displaced homemaker who owned a home with a spouse while married.
 - b. Families who already own shares in a cooperative.
 - c. Family with a member with disabilities for whom the homeownership option is a reasonable accommodation.
3. One or more adult members of the family who will own the home, must meet the Garland Housing Agency's minimum income requirements of at least \$20,000 per year of gross annual income. However, if a participant does satisfy the minimum initial requirement for gross annual income, as described by HUD of not less than the federal minimum hourly wage multiplied by 2000 hours, they will be allowed eligible to participate if they can show proof that they have been approved for a qualified mortgage.
 - a. Except in the case of an elderly or disabled family, the GHA shall not count any welfare assistance received by the family in determining annual income under this section.
 - b. The disregard of the welfare assistance income only affects the determination of minimum annual income used to determine if a family initially qualifies for commencement of homeownership assistance in accordance with this section, but does not affect the following:
 - i. Determination of income eligibility for admission to the voucher program.

- ii. Calculation of the amount of the family's total tenant payment (TTP)
 - iii. Calculation of the amount of homeownership assistance payments on behalf of the family. (in the case of an elderly or disabled family, the GHA will count welfare assistance in determining annual income.)
- 4. One or more adult members of the family must satisfy the employment requirements of continuous employment of two (2) years prior to the commencement of the homeownership assistance. This employment must be full time employment of at least 30 hours per week. There is an exception to this employment requirement for the elderly and the disabled. The GHA shall grant an exemption from the employment requirement if the GHA determines that an exemption is needed as a reasonable accommodation so that the program is readily accessible to and usable by persons with disabilities.
- 5. The Housing Administrator of the GHA may also consider whether and to what extent an employment disruption is considered permissible in satisfying the employment requirement. The Housing Administrator may also consider successive employment during the three year period and self-employment in a business.
- 6. The family has not defaulted on a previous mortgage securing debt to purchase a home under the homeownership program.
- 7. No family member has a present interest in a residence for the purchase of any home.
- 8. The family also satisfies all the initial requirements established by the GHA.

In addition to assisting low-income families to achieve the "American Dream" of Owning their own home, the secondary purpose and intent of the program is to assist families in becoming self-sufficient and economically independent. Accordingly, it is expected that families will maintain a continuous employment cycle throughout the entire period of subsidy. Forbearance, during a brief period of hardship (i.e. sixty days or less during loss of employment or a major illness) will be considered, however, multiple occurrences within short timeframes (one year or less) could be considered cause for denial of forbearance. If forbearance is denied, the homeowner will have rights of appeal under this policy. If denial is supported, the homeowner options would be to sell the home or convert the assistance to rental.

Determination of Eligible Units

The Garland Housing Agency will determine that the unit is eligible to be occupied by meeting and satisfying all of the following requirements:

1. The unit was either under construction, already existing, or eligible for construction at the time the GHA determined that the family was eligible for homeownership assistance to purchase the unit.
2. The unit is either a one unit property, or a single dwelling unit in a cooperative or condominium.
3. The unit has been inspected by a GHA inspector (and by an independent inspector designated by the family if required by the lending institution)
 - a. The family must pay for an inspection by an independent inspector they have selected.
 - b. The independent inspection must cover major building systems and components and the inspector must send a report to the GHA and the family. The inspection must be in compliance with the applicable city's code of ordinances and the Garland Housing Agency's inspection protocol.
 - c. The GHA must review the inspection report and decide with family whether to require any pre-purchase repairs. The GHA can disapprove a unit based upon the information in the independent inspection report
4. The unit satisfies/meets the requirements of the Housing Quality Standards inspection.
5. The GHA may not approve the unit and commence with homeownership assistance if the GHA has been informed by HUD or otherwise that the seller of the home is debarred, suspended or subject to a limited denial of participation under HUD programs.
6. The family must allow the GHA to inspect the unit at a reasonable time and after reasonable notice.

- a. The unit will be subject to an annual HQS inspection conducted by the GHA inspection department.
- b. The family must maintain the property in a decent, safe and sanitary manner.
- c. The family must correct any deficiencies cited by the GHA within the time limit specified in the notice.

Requirements for Family Search and Purchase

The Garland Housing Agency establishes a maximum time of *120* days, from the issuance of the homeownership voucher, for a family to meet all requirements of the Homeownership Program and purchase the home.

1. The family is required to find their own unit and may contract with a real estate agent or realtor (who must communicate with the GHA on potential purchases and progress of the family). The real estate agent or realtor must be licensed with the state's real estate commission.
2. The GHA may require periodic family reports to be submitted on the family's progress in finding and purchasing a home.
3. During the search time, the family's Housing Choice Voucher Rental Housing Assistance Payment (HAP) shall continue pursuant to the GHA's Housing Choice Voucher Housing Choice Voucher Administration Plan.
4. If the family's time expires, the GHA may exercise the option to extend the timeframe if substantial progress has been made and sales closing can be accomplished within thirty days.
5. If the family is unable to purchase a home for any reason within the maximum time limit established, the family will continue to receive rental based assistance as pursuant to the GHA Section Housing Choice Voucher rental program. A family may reapply for the Homeownership Voucher one year after the family's voucher expired.
6. Before commencement of homeownership assistance, a member or members

of the family must provide the following:

- a. The family must give the GHA a copy of the contract of sale
 - b. Contents of the contract of sale are specified
 - c. The contract of sale contains a certification from the seller that the seller has not been debarred, suspended, or subject to limited denial of participation under HUD programs.
7. Families must secure their own financing and the terms of the financing must be approved prior to closing by the GHA.
- a. The GHA shall determine the affordability of the family's proposed financing utilizing generally accepted underwriting guidelines.
 - b. If a mortgage is not FHA insured, GHA will require the lender to comply with generally accepted mortgage underwriting standards consistent with those of HUD/FHA, Ginnie Mae, Fannie Mae, USDA Rural Housing Services, The Federal Home Loan Bank, or other private lending institution.
 - c. The GHA may disapprove assistance based on any financing or debts to secure the home that may have an adverse effect on the family's homeownership rights in the future.
 - d. The family must escrow insurance and taxes. Mortgages with balloon payments, interest only, or variable interest rates will not be approved under GHA's program. The buyer may not enter into a seller financing or lease-purchase agreement under this program. GHA will not approve cosigners.

Homeownership Counseling

Pre-Assistance Counseling - All families participating in the homeownership program must attend and satisfactorily complete the mandatory pre-assistance homeownership and counseling program required by the GHA. The GHA will provide the family with a check off sheet listing all requirements and provide necessary referrals. Families will be required to complete a GHA minimum of eight hours of pre-counseling assistance and complete any additional counseling requirements requested by the lender. The pre-counseling assistance program will cover the following topics:

1. Home maintenance (includes the care of the grounds).
2. Budgeting and money management.
3. Credit Counseling.
4. Negotiating the purchase price of a home.
5. How to obtain homeownership financing and loan pre-approvals, including a description of types of financing that may be available and the pros and cons of different types of financing.
6. How to find a home, including information about homeownership opportunities, schools, and transportation in the GHA jurisdiction.
7. An advantage of purchasing a home in an area that does not have a high concentration of low income families and how to locate home in such areas.
8. Information of fair housing.
9. Pre-assistance Counseling must be completed within 6 months before receiving a voucher and must be through a HUD certified counseling agency

Post-Assistance Counseling - One or more adult's members of the family who have an ownership interest in the home, may be required to attend/participate in on-going post purchasing homeownership counseling as part of the family obligations requirements of the GHA. All post-closing classes and educational strategies approved for this program will be tailored to participants' needs and disabilities.

If the family is not using a HUD approved counseling agency to provide the counseling for the families participating in the homeownership program, the GHA will ensure that the counseling program is consistent with the homeownership counseling provided under HUD's Housing Counseling program.

Contract of Sale

Before commencement of homeownership assistance, a member or members of the family must enter into a contract of sale with the seller of the unit to be acquired by the family. The family must provide the Garland Housing Agency with a contract of sale. The contract of sale must contain the following information:

- a. Specify the price and other terms of sale by the seller.
 - b. Provide that the purchaser will arrange for pre-purchase inspection of the dwelling unit by an independent inspector selected by the purchaser.
 - c. Provide that the purchaser is not obligated to purchase the unit unless the inspection is satisfactory to the purchaser.
 - d. Provide that the purchaser is not obligated to pay for any necessary repairs.
 - e. Provide that the purchaser is not obligated to purchase should voucher assistance fail to be approved.
 - f. Contain a certification that the seller has not been debarred, suspended or subject to limited participation under part 24 of the Code of Federal Regulations.
-
1. The Garland Housing Agency will provide the lender with notice of the amount of the housing assistance payment prior to the close of escrow and will pay GHA's contribution to the family's homeowner expense directly to the family. The family will submit the entire mortgage payment to the lender unless the lender requires direct payment of the GHA's contribution. The lending institution will maintain an escrow balance for all costs outside of principal and interest.
 2. The HAP (housing assistance payment) cannot be used to cover the homeownership premium (the portion of the payment used to accumulate a down payment or reduce the purchase price).
 3. The Garland Housing Agency will not participate in any programs that are

“Lease to Own” or similar in nature. All home sale programs must be reviewed and approved by Garland Housing Agency staff before the participant will be allowed to purchase the home.

Continued Assistance Requirements & Family Obligations

Home Ownership assistance may only be provided while the family is residing in the home. If the family moves out of the home, the GHA will not continue homeownership assistance after the month when the family moves out. The family or lender is not required to refund to the GHA the homeownership assistance for the month when the family moves out.

The family must comply with the following obligations:

1. Pre assistance counseling during the search and purchasing process.
2. Annual ongoing counseling during annual income status review. During the annual income status review, if the GHA determines that the family requires additional counseling, the GHA may require the family to attend and complete ongoing homeownership and housing counseling.
3. Compliance with mortgage. The family must comply with the terms of any mortgage securing debt incurred to purchase the home (or any refinancing of said debt).
4. The family is prohibited against selling the home receiving assistance without notifying and receiving prior written approval from the GHA.
5. Prohibition against conveyance or transfer of home: So long as the family is receiving homeownership assistance, use and occupancy of the home is subject to part 24 Code of Federal Regulations, Sec. 982.551(h) and (i).
6. Family must immediately report any change in family composition or income of family due to death, loss of job, or any other circumstance that will affect the family's ability to maintain the home.
7. Upon death of a family member who holds, in part or in whole, title to the home or ownership of the cooperative membership shares for the home, homeownership assistance may continue pending settlement of the decedent's estate, notwithstanding transfer of title by operation of law of the decedent's executor or legal representative, so long as the home is solely occupied by the remaining family members in accordance with part 24 Code of Federal Regulations, Sec. 982.551(h).
8. The family must supply required information to the GHA in accordance with the Housing Choice Voucher program requirements stipulated in part 24 Code

of Federal Regulations, Sec. 982.551(b).

9. In addition to other required information, the family must supply any information as required by the GHA or HUD concerning:
 - a. Any mortgage or other debt incurred to purchase the home, and any refinancing of such debt (including information needed to determine whether the family has defaulted on the debt, and the nature of any such default), and information on any satisfaction or payment of the mortgage debt.
 - b. Any sale or other transfer of any interest in the home.
 - c. The family's homeownership expenses.
 - d. Notice of move out. The family must notify the GHA before the family moves out of the home.
 - e. Notice of mortgage defaults. The family must notify the GHA if the family defaults on a mortgage securing any debt incurred to purchase the home.
 - f. Prohibition on ownership interest on second residence. During the time the family receives homeownership assistance under this subpart, no family member may have any ownership interest in any other residential property.
 - g. The family must certify that they will comply and abide with obligations of a participant family receiving assistance under the Housing Choice Voucher and Homeownership programs requirements.
10. The family must allow GHA to inspect at reasonable time and after reasonable notice. The family must continue to pass minimum HUD HQS standards and make necessary repairs within the time frame designated by GHA.
11. The family must at annual reexamination, document that the family is current on mortgage, insurance, escrow accounts, and utility payments.
12. The family must maintain a minimum reserve equal to one year of the maintenance and major repair allowance. Families will need to provide documentation of repairs if account balance is less than the GHA required minimum.
13. The head of household or spouse must remain continuously employed (no less than 30 hours per week) while participating in the homeownership program. Part-time employment by both parties, totaling over 30 hours per week, does not constitute full-time employment by either party. GHA will consider mitigating circumstances where certain lapses in employment prohibit the family from meeting its continuous employment obligation. These include receipt of Unemployment Insurance Benefits due to layoff, absences defined under the Family Medical Leave Act; receipt of

Workman's Compensation benefits. GHA will allow a week a week for week substitution whenever any of these benefits are received.

A participant who is employed but is on leave from work due to maternity leave, FMLA, or is receiving Workman's Compensation, is exempt from the full-time employment requirement during the period of approved leave from work. A participant must return to full-time employment within 30 days after the exhaustion of applicable benefits. Willful failure to return to full-time employment (30 hours per week), after 30 days, will generate a warning for family obligations. Failure to correct within 60 days will result in a Notice of Termination.

The participant who willfully leaves employment must return to full-time employment within 60 days. Failure to return to full time employment (30 hours per week) within 30 days will generate a warning for family obligations. Failure to correct within 60 days will result in a Notice of Termination. GHA will consider mitigating circumstances and proof of job search before sending Notice of Termination.

Move with Continued Tenant-Based Assistance

1. A family may move with continued tenant based assistance or homeownership assistance as long as they have fulfilled all of their homebuyer obligations, including prior notification to the GHA.
2. If the Family defaults on an FHA insured mortgage, the GHA may permit the family to move with continued Housing Choice Voucher rental assistance if the family designates that it has:
 - a. Conveyed the title to the home to HUD or its designee, as required by HUD; and
 - b. Moved from the home within the time period established or approved by HUD.
3. If the Family defaults on a non - FHA insured mortgage, the GHA may permit the family to move with continued Housing Choice Voucher rental assistance if the family designates that it has:
 - a. Conveyed the title to the home to the lender, to GHA or to its designee, as may be permitted or required by the lender; and

- b. Moved from the home within the time period established and approved by the lender and/or the GHA.
4. The GHA will not begin tenant based assistance for occupancy of a new unit as long as any member of the family has any title or interest in the prior home.
5. The GHA prohibits more than one move by the family during any one year period. If the family receives down payment assistance through a grant program by the City of Garland, they may not be allowed to move for a period specified by the grant program. Otherwise, the family must comply by any additional requirements imposed by the lender.
6. The GHA may deny permission for the family to move based on unfulfilled obligations, affordability, and any other issues that violate the homeownership program requirements.
7. The Family may move with continued homeownership assistance and must again meet eligibility requirements but is not required to take homeowner counseling again unless the GHA determines additional counseling is needed.
8. The GHA may also deny permission to move to a new unit with continued voucher assistance as follows:
 - a. Lack of funding to provide continued assistance. The GHA may deny permission to move with continued rental or homeownership assistance if the GHA determines it does not have sufficient funding to provide continued assistance.
 - b. Termination or denial of assistance under part 24 of the Code of Federal Regulations, Sec 982.638. At any time, the GHA may deny permission to move with continued rental or homeownership assistance with Sec 982.638
9. If a family requests to return to rental assistance, GHA may provide the family with a rental voucher, provided there is no mortgage loan default and the family has met all obligations under the HCV Program. The family must sell the home before GHA provides rental assistance. GHA will not provide rental vouchers to families that have met their maximum term of homeownership assistance.

Payment of the HAP to the Family and the Total Family Contribution

1. Since Housing Choice Voucher funding is subject to annual appropriations, the Garland Housing Agency cannot guarantee that assistance will be available for the term of the loan. GHA pays the monthly homeownership assistance payment on behalf of the family that is equal to the lower of :
 - a. the payment standard minus the total tenant payment; or
 - b. the family's monthly homeownership expenses minus the total tenant payment.
2. The GHA will make the assistance payment to the family. The family will be required to ensure that payment for the full mortgage (consisting on the HAP payment and the TFC) is forwarded to the lending institution.
3. Homeownership expenses are considered to be the amount paid by the family for the principle, interest, taxes and insurance (PITI) and if needed the mortgage insurance premium. Homeownership allowances are considered to be the GHA's utility allowance standard. In addition, a repair/reserve amount and any homeowner association dues will be considered the homeowner's responsibility to maintain. The repair/reserve amount schedule will be as follows:
 - Maintenance Allowance \$25.00/month
 - Major Repair Allowance- \$25.00/month
4. Payment standard for family.
 - (1) The payment standard for a family upon closing is the lower of:
 - (i) The payment standard for the family unit size; or
 - (ii) The payment standard for the size of the home.
 - (2) The payment standard for a family at the time of annual recertification is the greater of:
 - (i) The payment standard (as determined in accordance with paragraphs (4)(1) and (4)(2) of this section) at the commencement of homeownership assistance for occupancy of the home; or
 - (ii) The payment standard (as determined in accordance with paragraphs (4)(1) and (4)(2) of this section) at the most recent regular reexamination of family income and composition since the

commencement of homeownership assistance for occupancy of the home.

5. Except in the case of elderly or disabled families, family members shall not receive homeownership assistance for more than fifteen (15) years, if the initial term of the mortgage loan is 20 years or longer or ten (10) years in all other cases. These limitations do not apply to families that qualify as elderly or disabled.
6. The total family contribution is the portion of homeownership expense that the family must pay. It is generally 30% of the family's adjusted income, plus any gap between the payment standard and the actual housing cost. All family income (including public assistance) will be counted to determine the family's adjusted monthly income for purposes of determining the amount of assistance.

The Garland Housing Agency will use the same payment standard schedule, payment standard amounts and subsidy standards pursuant to part 24 of the Code of Federal Regulations for the homeownership program as for the rental voucher program.

Portability

1. A family may qualify to move outside the GHA jurisdiction with continued assistance under the voucher program if the receiving Housing Authority is administering a Homeownership program and accepting new families.
2. A family shall be eligible for portability after 12 continuous months under the tenant based program.
3. The family must attend the briefing and counseling sessions required by the receiving PHA and the receiving PHA will determine whether the unit condition and financing is acceptable.
4. The family will port before the commencement of any home ownership activities.
5. The receiving PHA must promptly notify the initial PHA if the family purchases a home or is unable to purchase within the maximum time established by the PHA.

Denial and/or Termination of Assistance

The Garland Housing Agency shall terminate homeownership assistance for the family and shall deny voucher rental assistance for the family in accordance with the following:

1. Denial or termination of assistance under the basic voucher program as described in the Tenant Based Voucher Administration plan.
2. Failure to comply with family obligations.
3. Mortgage default: The GHA shall terminate voucher assistance for any member of the family receiving homeownership assistance that is dispossessed from the home pursuant to a judgment or order of foreclosure on any mortgage securing debt incurred to purchase the home, or any refinancing of the debt.
4. The family conveys or transfers the home to any entity or person other than an adult member of the assisted family while receiving homeownership assistance.
5. Homeownership assistance will be terminated the month following the move out of the family.
6. A family may receive homeownership assistance for no longer than ten (10) years from the close of escrow unless the initial mortgage incurred to finance purchase of the home is twenty (20) years or longer, in which case the assistance time period will be fifteen (15) years.
 - a. Families that qualify as elderly at the commencement of the homeownership assistance are not subject to a maximum term limitation.
 - b. Families that are disabled or become disabled are not subject to the maximum term limitation.
 - c. If, during the course of homeownership assistance, the family ceases to qualify as a disabled or elderly family, the family will continue to be eligible for the homeownership assistance, subject to eligibility requirements of the Housing Choice Voucher program. The term of assistance will change to a maximum of 15-years for mortgages with a

20 year or longer term and a maximum ten year term in all other cases. This term will be calculated from the date of issuance of the first housing assistance payment on the initial mortgage loan. If the family ceases to qualify as a disabled or elderly family and the 15 or 10 year term has expired then the family will receive 6 months of monthly HAP payments and then the homeownership assistance will terminate.

- d. The time limit applies to any member of the household who has an ownership interest in the unit during any time that homeownership payments are made, or is a spouse of any member of the household who has an ownership interest.

A participant in the Housing Choice Voucher Homeownership program shall be entitled to the same termination notice and informal hearing procedures as set forth in the Administrative Plan for the Garland Housing Agency Housing Choice Voucher Housing Choice Voucher program.

Recapture Provisions

The GHA will not recapture voucher homeownership assistance on the sale or refinancing of a home purchased under its Housing Choice Voucher Homeownership program. However, program participants may be subject to IRS recapture provisions, and those of any other lenders the GHA may partner with. It is required that the owner notifies the GHA of any sale or refinancing plans.

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GARLAND

HOUSING AGENCY

Family Self-Sufficiency Action Plan

administered by:
Garland Housing Agency
210 Carver; Suite. 201
Garland, TX 75040
(972) 205-3393

Steven Fitch, Director of Housing

Exhibit B

The Garland Housing Agency Family Self-Sufficiency (FSS) Program assists qualifying families enrolled in the Housing Choice Voucher Program with attaining economic independence and reducing the dependency of low income families on welfare assistance on HCV Housing Choice Voucher.

The FSS Program empowers families to become self-sufficient through the removal of barriers and by increased access to education, employment opportunities, and referrals to supportive services for barrier removal and home ownership preparation by:

- Partnering with social service providers, workforce programs and other private/non-profit organizations to ensure that contracted families have better access to available services.
- Through unique partnerships with the private sector, the FSS Program also incorporates wealth building curriculums and individualized homeownership counseling to prepare families for independence through homeownership.

Demographics

The Garland Housing Agency administers approximately 1500 vouchers. The FSS program originally began with 75 mandatory slots. GHA expects to replace participants as slots become available and will service no more than 100 families at a time.

The following demographics were based on active participants in the Housing Choice Voucher program:

White	23%
Black/ African American	68%
Asian	8%
American Indian/Alaska Native	1%
Hispanic	7%
Non-Hispanic	93%
Female Head of Households	87%
Male Head of Households	13%

The following demographics were based on active participants in the FSS Program:

White	4 %
Black/ African American	96 %
Asian	0 %
American Indian/Alaska Native	0 %
Hispanic	1 %
Non-Hispanic	99 %
Female Head of Households	99 %
Male Head of Households	1 %

GHA does not work with any outside Family Self-Sufficiency programs providing case management.

Family Selection Procedures

GHA will employ motivational screening as the selection method for filling the FSS program slots. Participation in the FSS program is voluntary and volunteers will be accepted without regard to race, color, religion, sex, age, handicap, familial status or national origin. The assisted family must be interested in homeownership or becoming self-sufficient in order to enroll in the FSS program. Reasonable accommodations will be made for individuals with mobility, manual, sensory, speech impairments and/or mental or developmental disabilities.

Selection Process

At the time of application to the FSS Program, participants will be required to meet the following criteria prior to signing the FSS Contract of Participation. Failure to meet one or more of these criteria will eliminate applicant from program enrollment.

1. An applicant must be a current participant in the GHA HCV Program, receiving a housing subsidy and in good standing (not delinquent in housing debt repayment agreement or owes money to another PHA). This includes families that utilized portability from other agencies.
2. If a family wishes to join the FSS Program and is a current port, the Initial PHA must agree to establish the FSS Escrow account or send the monthly Escrow payment with HAP payments.
3. Attend an FSS Program Orientation.
4. FSS participants will be selected on a first-come, first-served basis in accordance with the date the family expresses an interest in the program, submits and completes the application process.

5. The head of household must develop and agree to follow an Individual Training and Services Plan with the goal of obtaining full time regular employment. Other adult family members eligible for housing assistance (eighteen years of age or older) may also choose to complete an Individual Training and Services Plan.
6. If the family is participating in supportive service plans of other agencies, the family must agree to submit a copy of the plan(s) to the FSS Coordinator for review and inclusion in the FSS Individual Training and Services Plan.
7. The family must agree to abide by all requirements of the HCV program, the Individual Training and Service Plan, the terms of their lease, HQS, all policies and regulations established by HUD, GHA, and if the participant is receiving public assistance (i.e., TANF, etc.), the participant must be in compliance with and abide by state welfare requirements.
8. Previous FSS participants may reapply for the program if they did not successfully complete their Individual Training Plan after a one year waiting period.

Incentives to Participants

GHA will reward participant success in achieving program objectives and goals by providing incentives and achievement rewards when available and the FSS Escrow Account.

FSS Escrow Account

The National Affordable Housing Act of 1990 provided the financial incentive for families to free themselves of government assistance. Under this authorization, GHA will maintain a single depository account for all FSS families. These funds will be invested in one or more of the HUD approved investments.

The Tenant Total Payment (TTP) amount at the contract execution date will be used as the basis for determining the escrow amount once the family's earned income increases.

Re-calculations of the escrow amount are based on any changes in the family's earned income. If the FSS family fails to report or is untimely in reporting changes to income, GHA will not credit the family's escrow account and the housing subsidy will be placed in jeopardy.

GHA will provide an annual report/Escrow Account Statement to the family showing the amount in the FSS Escrow Account including any interest amounts earned during the prior 12 month period.

Disbursement of the Escrow Funds

GHA has elected not to participate in early disbursement of FSS Escrow

funds.

The amount in the FSS Escrow Account, in excess of any amount owed to GHA by the FSS Family, shall be paid to the head of the FSS Family when the Contract of Participation has been completed.

In order to receive escrow funds upon completion of the FSS program a certification must be submitted by the head of the family that no member of the FSS Family household is a recipient of welfare assistance.

Forfeiting Escrow Funds

Should it become necessary, the FSS Escrow Account Funds will be forfeited by the family if one or more of the following occurs:

- The Contract of Participation is terminated for reasons that are not consistent with the Contract of Participation.
- The Contract of Participation including any extension thereof is completed by the family but the FSS family is still receiving welfare assistance.
- Voluntary withdrawal from the program by the FSS family.

Outreach Efforts

GHA will inform HCV participant of the FSS Program by the following means:

The FSS Program will primarily target the following populations for FSS participation:

- the hardest-to-serve housing participants (those reporting zero income);
- families interested in becoming self-sufficient
- assisted families interested in homeownership

Assurance of Inclusion of Minority and Non-minority

GHA will take actions to assure that both minority and non-minority groups are informed about the FSS Program as described below.

Outreach and Recruitment Strategies

GHA FSS Program utilizes a variety of outreach strategies as outlined below in informing HCV participants of the benefits and services available through the FSS Program.

1. FSS recruitment presentations are made routinely at the scheduled New HCV Admissions Orientations.
2. Mail outs to families for FSS Orientations to occur at least annually.

Activities and Supportive Services

FSS participants will be assisted in identifying and accessing community services and resources designed to help them remove barriers to achieve self-sufficiency as noted below:

- basic education providers
- post-secondary education providers
- job search activities
- homebuyers program coordination
- other workshop activities
- supportive services activities

Job Search Activities

The FSS participant with guidance from the FSS Coordinator will establish long-term employability goals that will lead to economic self-sufficiency. FSS participants who are unemployed or under employed, must actively seek and maintain full-time unsubsidized employment throughout their enrollment in the FSS program.

GHA will assist in job search activities by:

- Conducting workshops relating to job search activities
- Maintaining a list of job openings and career fairs

Unemployed or under employed participants may be assisted and/or referred to:

- The Texas Workforce Commission to officially register their employment status, apply for Unemployment Insurance benefits and apply for job search assistance.
- Local workforce development programs which provide intensive jobs search assistance, job search workshops and further referral to workforce development programs such as training, work experience and on-the-job training activities.

Participation in such activities must be reported to the FSS Program Coordinator.

Other Workshop Activities Provided By GHA

Workshops designed to increase participant's job search and employability skills will be provided by GHA. FSS participants will be referred to specific workshops based upon their needs as identified in the assessment process.

Additional Workshops may include the following topics:

- Career Preparation

- Financial Aid -- Show Me the Money
- Helpful Housekeeping
- Job Search: Where Do I Begin
- Parenting and Life Skills
- Job Hunting Tips
- How to Manage Stress
- Manage Your Stress Better with a Budget

Participants unable to attend the GHA workshops due to work schedules or other scheduling conflicts; may attend other service provider trainings. Documentation for completion of workshop activities must be submitted to the FSS Coordinator.

Supportive Services

GHA will refer FSS participants to area service providers for assistance with supportive service needs. Referrals will be based upon an individual needs assessment, the Individual Training and Services Plan, and/or at the request of the FSS participants.

Referrals may include but not limited the following resources:

- Texas 211
- YWCA
- Urban League of Greater Dallas
- Texas Workforce Commission
- Child Care Management System
- Texas Department of Assistive and Rehabilitative Services
- Friendship House
- Our Ladies of Charity
- Dress for Success

Method for Identification of Family Support Needs

GHA will use a variety of methods for Case Management Services

1. Upon signing of an FSS Contract of Participation, the Head of Household will complete a needs assessment questionnaire.
2. The Individual Training and Services Plan is used to establish and document long-term employment and interim goals, support services needs and appropriate referrals needed to assist the family to achieve self-sufficiency.
3. The FSS Coordinator will conduct periodic progress reports through the mail, email or phone interviews.
4. The Individual Training and Services Plan will be updated, at a minimum on an annual basis. At that time the participant's progress

will be reviewed and the plan will be modified as needed.

Program Coordinating Committee (PCC)

The primary function of the PCC is to assist GHA in securing commitments of public and private resources for the participants in the FSS Program and may include advice and guidance with complex situations or circumstances and further development of the program.

There is no minimum or maximum number of individuals needed to complete the PCC. The committee shall always contain at least one member of GHA and one HCV participant. Other members of the PCC board will be of public and private sectors that assist in planning activities for FSS participants to assist in meeting their goals. Example of members may include but is not limited to representatives of the following agencies:

- Area nonprofits
- Parkland Hospital System
- City Government Employees
- Texas Workforce Commission
- Banks
- Community College Representatives
- Employers

Participants of the PCC Board will be asked to make at least a one year commitment. An agency may elect whom they wish to send as a representative and does not have to be the same individual for each meeting.

The PCC Board will meet at least quarterly.

Program Termination

The Contract of Participation may be terminated before the expiration of the contract term, and any extension thereof by:

1. Termination of HCV (Housing Choice Voucher) assistance.
2. Failure to comply with Housing Choice Voucher Program contract requirements because the family moved outside the jurisdiction of GHA.
3. Mutual Consent of the Parties.
4. Failure of the family to meet its obligations under the Contract of Participation without Good Cause.
5. The family's voluntary withdrawal from the FSS Program.
6. An act occurs which an FSS participants becomes unable to work or otherwise unable to fulfill the terms of the contact due to illness
7. Failure to comply with any other HUD or GHA rules and regulations.

8. Failure to comply with established FSS guidelines.
9. If the participant dies, and the remaining adult family member on the lease chooses not to continue participating in the program and the contract obligations have not been met.
10. Such other act as is deemed inconsistent with the purpose of the FSS Program or operation of law.

Families will be notified in writing of their termination in the FSS program.

Families' contracts that are terminated due to failure complete their ITSP, find and maintain full time employment, or become free of welfare assistance for one year as defined in the Contract of Participation may request up to a two year extension if good cause exist. Examples of good cause include:

- Loss of job due to no fault of the individual
- Death of family member
- Illness interfering with ability to work

Extensions must be asked for in writing.

ASSURANCE OF NON-INTERFERENCE

Housing Choice Voucher families will be informed that the Family Self-Sufficiency program is a voluntary program. A decision not to participate in FSS will not affect the family's admission or right to occupancy with its lease. Families may complete their FSS contract and receive escrow while continuing to receive housing assistance under the voucher program.

Attachment: tx435a01
City of Garland Housing Agency
Resident Advisory Board Consultation Process and Recommendations –FYB 2017

1. Resident notification of appointment to the Advisory Board

Please provide the date: No letters mailed. Met with our program participants as our Resident Advisory Board that were scheduled for Annual Recertification Briefing on **April 24, 2017**.

2. Resident Advisory Board Selection:

Selection made from the program participants on the Housing Choice Voucher Program.

3. Meeting Organization:

Housing Representative Supervisor, Barbara Johnson conducted the meeting and opened the meeting with information about our Garland Housing Agency Operations and Accomplishments.

Scheduled date to meet with Resident Advisory Board for input to PHA Plan

Please provide date: 4/24/2017

Notify Resident Advisory Board Meeting: Program participants were notified for Annual Recertifications on April 11, 2017 and the same program participants were used for the Resident Advisory Board

Hold Resident Advisory Board Meeting: The meeting was held at the City of Garland Training Center on 4/24/2017.

4. 2nd Notification for Resident Advisory Board Meeting: No other notifications was mailed.

5. Documentation of resident recommendations/comments and the PHA's response to recommendations: See on next page.

City of Garland Housing Agency

Residents Advisory Board recommendations (s) and the description of manner in which the PHA addressed the Resident Advisory Board (s) recommendation (s) for the Annual Plan is follows:

1. Resident Advisory Board recommended that the Occupancy Standards should be changed based on the number of family members in the household, the age and gender should also be considered when approving a bedroom size for the family. A boy and girl seven (7) years are older should not have to share a room.

PHA's Response: The occupancy standards was changed to two (2) to a room regardless of age and gender due to the Budget Cuts in 2010-2014 in order to save money and maintain a number of families on the Housing Choice Voucher Program without having to terminate them from the Housing Choice Program. The Budget cost is very important to ensure the operations of the Agency is fully funded.

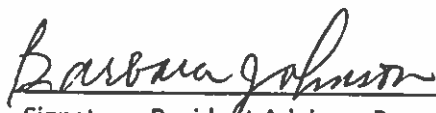
The Garland Agency should provide the family with a list of housing vacancies when out searching for housing. They mentioned that most vacancies online are no longer vacant or the Landlord is no longer accepting Section 8 or Housing Choice Vouchers.

PHA's response: Garland Housing Agency have reached out to our old and new Landlords at our Landlord Forum and have explain the operations of Garland Housing Agencies and have encourage them to continue to accept the Housing Choice Voucher Program and list their properties on Go Section 8.com website.

2. Resident Advisory Board recommended that the families should be given 90 day vouchers instead of 60 day vouchers when it takes them longer to search for housing since there are not many Landlords taking Housing Choice Vouchers. Sixty (60) days run out quickly when it takes them longer to find housing.

PHA's response: Families are given sixty (60) days to search for housing instead of ninety (90) days in order to ensure that the utilization of vouchers are maintained at a certain lease up rate in a more timely matter.

The resident meeting was adjourned by the Meeting Officer after residents had fully discussed issues and concerns. The Housing Authority made effort to incorporate resident concerns into the Annual Plan.



Signature, Resident Advisory Board Chairperson

Date 4-27-17

City of Garland Housing Agency

Resident Advisory Board Meeting Report

Date: April 24, 2017
Time: 9:00 AM
Location: City of Garland Bldg.
232 Garner St.
Garland, Texas 75040

Meeting Data:

Number of persons attending: _____

Names of Housing Communities represented: None

Resident Advisory Board Minutes Summary:

The Resident Advisory Board meeting to review and to make recommendations for the PHA Annual Plan was called to order on time at the above mentioned location. A brief explanation of the meeting rules or order and conduct was presented by the hearing officer. An explanation of the Annual Plan and the HUD requirement for resident participation was presented. Special Guests were introduced. Attendees wishing to testify were asked to complete and submit a testimony card. The meeting was conducted and presentations made by the following:

1. PHA Staff Person conducting meeting: Barbara Johnson, Housing Supervisor Garland Housing
Name, title and organization/Agency
2. First Presenter: _____
Name, Public Housing or Section 8 resident
3. Second Presenter: _____
Name, Public Housing or Section 8 resident
4. Third Presenter: _____
Name, Public Housing or Section 8 resident
5. Fourth Presenter: _____
Name, Public Housing or Section 8 resident

GARLAND HOUSING AGENCY- ANNUAL RE-EXAMINATION CHECK IN

WARNING: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to willfully provide false information or misrepresentation to any Department or agency for the United States. By writing my name below, I declare under penalty of perjury, that I am the person whose name I print on this sheet and that all information I give is true and correct, with full knowledge that all information is subject to investigation and that any false or dishonest information may result in prosecution and termination

Date: _____		Time _____		Page _____	
No	PLEASE PRINT NAME HEAD OF HOUSEHOLD ONLY	Arrival Time	INTERVIEWER		
4-24-17	Brittany Goldsmith	8:27	Paula Wesley		
4-24-17	Leticia Lewis	8:27	Olivia Ruedt		
4-24-17	Precious Alex	8:28	Rory		
4-24-17	Keith Knight	8:30	Juanita Reed		
4-24-17	N. SUE ASHMORE	8:29	Flora Sanchez		
4-24-17	MARY PINAS	8:34	Paula Wesley		
4-24-17	Gabonella Martin	8:36	Olivia Ruedt		
4-24-17	Kalva Perkins	8:37	Juanita Reed		
4-24-17	Keosha Wright		Olivia Ruedt		
4-24-17	Breanna Patterson	8:42	Flora Sanchez		
4-24-17	Lutawan Clark	8:47	Robyn Armstrong		
4-24-17	Jamika Kilgus	8:49	Paula Wesley		
4-24-17	Yulanda Fulk	8:50	Juanita Reed		

City of Garland Housing Agency

Resident Advisory Board Sign-in Sheet

Type of Meeting: _____

Date: _____

Time: _____

Event/Session title: FY 2017 Plan Review

Please sign in: Resident/Staff/other

(Please write clearly)

(Total number people attending): _____

1.	19.
2.	20.
3.	21.
4.	22.
5.	23.
6.	24.
7.	25.
8.	26.
9.	27.
10.	28.
11.	29.
12.	30.
13.	31.
14.	32.
15.	33.
16.	34.
17.	35.
18.	36.

(Use additional sheets, if necessary)



GARLAND POLICY REPORT

City Council Work Session Agenda

2.d.

Meeting Date: May 15, 2017

Item Title: Guthrie Road Bike Lane and Parking Restrictions

Submitted By: Paul Luedtke, Transportation Director

Council Goal: Safe, Family-Friendly Neighborhoods

ISSUE

Parking will need to be restricted as part of the restriping of Guthrie Road in order to provide a two-way left turn lane and bike lanes.

RECOMMENDATION

Prohibit parking on Guthrie Lane from Cedar Elm Lane to Green Valley Drive

BACKGROUND

Background

- The Transportation, Planning and Parks Departments have been working together to implement bike lanes and bike routes throughout the city. Guthrie Road was recently resurfaced from Broadway to Dumas Trail. This provided the opportunity to add bike lanes to this section as part of the striping plan for this roadway.
- Due to the proximity of parking along Guthrie Road to some of the units of the Valley Creek Apartments, there are some residents that park along the roadway instead of within the complex. After completion of the bike lane, parked cars would block the bike lane. Therefore parking in this section would need to be prohibited.
- Guthrie Road is 44 feet wide and carries approximately 2300 motor vehicles per day. It has traditionally been striped with only a double yellow centerline forming two 22 feet wide lanes.
- Complaints have been received at the Transportation Department over the past several years regarding the ambiguity presented by these wide lanes. Cars will occasionally travel in the middle of this wide lane as impatient drivers try to get around them either on the right or the left.
- A neighborhood meeting was held on April 12, 2017 to receive input regarding adding a bike lane to this roadway. Unfortunately only 3 people attended. All three were in favor of adding bike lanes.
- A survey was placed on social media to solicit further input and 24 responses were received with 18 in favor of adding bike lanes. The remaining 6 were supportive of other types of bike facilities (shared lanes or a combination)
- Only one person has expressed a preference for something other than bike lanes;

however, they did consider the new striping a significant improvement.

- Parking along Guthrie Road between Broadway and Dumas Trail has only been witnessed in the proximity of the Valley Creek Apartment complex on the south side of Guthrie Road.
- There is sufficient parking available in the apartment complex for the residents of the apartments.

CONSIDERATION

- The residents in the neighborhoods along Guthrie Road have expressed support for the addition of a bike lane along Guthrie Road.
- A two-way left turn lane would provide a means for left turning vehicles to move out of the through lane prior to slowing and turning.
- One resident has expressed a preference for something other than a bike lane.
- The positive definition of the more standard lane width will provide better direction to all motorists improving traffic operations along Guthrie Road.
- A bike facility along Guthrie Road was included in the long range bike plan presented to the City Council during the Thoroughfare process in 2014.
- Residents of Valley Creek Apartments will have to park within the apartment complex.

Attachments

Map





City Council Work Session Agenda

2.e.

Meeting Date: May 15, 2017

Item Title: Atmos Settlement Agreement

Submitted By: Matt Watson, Finance Director

Council Goal: Defends Rightful Powers of Municipalities

ISSUE

Council is requested to consider approval of the Settlement Agreement with Atmos Energy Mid-Tex Division ("Atmos Mid-Tex") and the resulting rate change under the Rate Review Mechanism (RRM) tariff.

OPTIONS

1. Approve the Settlement Agreement
2. Do not approve the Settlement Agreement

RECOMMENDATION

Unless otherwise directed by Council, this item will be scheduled for formal consideration at the June 6, 2017 Regular Meeting.

BACKGROUND

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), the statutory provision that allows Atmos to bypass the City's rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2017 RRM filing is the fifth RRM filing under the renewed RRM Tariff. On March 1, 2017, Atmos made a filing requesting \$57.4 million additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$46.4 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission's exclusive original jurisdiction and have their rates set through the GRIP process. If the Company had used the GRIP process rather than the RRM process it would receive a \$52.4 million increase, or about \$4.4 million more than will be approved by the Ordinance.

ACSC and the Company have reached an agreement, reflected in the Ordinance, to reduce the Company's request by \$9.4 million, such that the Ordinance approving new rates reflects an increase of \$48 million on a system-wide basis, or \$38.8 million for Mid-Tex Cities, exclusive of the City of Dallas.

The tariffs attached to the Ordinance approve rates that will increase the Company's revenues by \$38.8 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2017. The monthly residential customer charge will be \$19.60. The consumption charge will be \$0.14 per Ccf. The monthly bill impact for the typical residential customer consuming 46.8 Ccf will be an increase of \$2.04, or about 3.87%. The typical commercial customer will see an increase of \$6.27, or 2.37%. Attached is a summary of the impact of new rates on the average bills of all customer classes.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2017 RRM filing, and implementing the rate change.

CONSIDERATION

The RRM tariff was originally approved by ACSC Cities as part of the settlement agreement to resolve the Atmos Mid-Tex 2007 system-wide rate filing at the Railroad Commission. In early 2013, the City adopted a renewed RRM tariff for an additional five years. This is the fifth RRM filing under the renewed tariff. The RRM tariff and the process implementing that tariff were created collaboratively by ACSC and Atmos Mid-Tex as an alternative to the GRIP surcharge process. ACSC has opposed GRIP because it constitutes piecemeal ratemaking, does not allow any review of the reasonableness of Atmos' expenditures, and does not allow participation by cities or recovery of cities' rate case expenses. In contrast, the RRM process has allowed for a more comprehensive rate review and annual adjustment as a substitute for GRIP filings. ACSC's consultants have calculated that had Atmos filed its 2017 case under the GRIP provisions, it would have received additional revenues from ratepayers of approximately \$4.4 million.

Attachments

Atmos Settlement Ordinance

Atmos Settlement Ordinance Attachments

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2017 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING RECONCILIATION AND RATE ADJUSTMENTS IF FEDERAL INCOME TAX RATES CHANGE; TERMINATING THE RRM PROCESS FOR 2018 PENDING RENEGOTIATION OF RRM TERMS AND CONDITIONS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

WHEREAS, the City of Garland, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, on March 1, 2017, Atmos Mid-Tex filed its 2017 RRM rate request with ACSC Cities; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2017 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$48 million on a system-wide basis; and

WHEREAS, the attached tariffs implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications; and

WHEREAS, the Company and ACSC have agreed that rates should be adjusted if any change in federal income tax rates is implemented during the period that rates approved herein remain in place; and

WHEREAS, because ACSC believes that certain provisions of the current terms and conditions of the RRM tariff are inconsistent with market conditions, the City expects renegotiation of the current RRM tariff in the Summer of 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

Section 1.

That the findings set forth in this Ordinance are hereby in all things approved.

Section 2.

That the City Council finds that the settled amount of an increase in revenues of \$48 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2017 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3.

That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$48 million in revenue over the amount allowed under currently approved rates, as shown in the Proof of Revenues attached hereto and incorporated herein as Attachment B; such tariffs are hereby adopted.

Section 4.

That the ratemaking treatment for pensions and other post-employment benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment C, attached hereto and incorporated herein.

Section 5.

Consistent with Texas Utilities Code Section 104.055(c), Atmos Energy's recovery of federal income tax expense through the Rider RRM has been computed using the statutory income tax rate. In the event that a change in the statutory income tax rate is implemented during the Rider RRM Rate Effective Date, Atmos Energy shall reconcile the difference between the amount of federal income tax expense included in the Rider RRM calculation for the Rate Effective Date with the amount of federal income tax expense authorized under the new statutory income tax rate. The reconciliation period shall be from the date on which any new statutory income tax rate is implemented through the Rate Effective Date. An interest component calculated at the customer deposit interest rate then in effect as approved by the Railroad Commission of Texas shall be applied to the federal income tax expense reconciliation. Further, any required reconciliation of federal income tax expense shall be included as part of Atmos Mid-Tex's next annual RRM filing and shall be returned to or recovered from customers as a one-time credit or surcharge to the customer's bill.

Section 6.

The City requires renegotiation of RRM tariff terms and conditions during the Summer of 2017. If an agreed renegotiated RRM tariff cannot be achieved, the City will terminate the RRM process and consider initiation of a traditional rate case to reduce the Company's authorized return on equity.

Section 7.

That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2017 RRM filing.

Section 8.

That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Section 9.

That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 10.

That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 11.

That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2017.

Section 12.

That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this _____ day of _____,
2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

RATE SCHEDULE:	R – RESIDENTIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 19.60 per month
Rider CEE Surcharge	\$ 0.02 per month ¹
Total Customer Charge	\$ 19.62 per month
Commodity Charge – All <u>Ccf</u>	\$0.14427 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2016.

RATE SCHEDULE:	C – COMMERCIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Bill	\$ 44.70 per month
Rider CEE Surcharge	\$ 0.08 per month ¹
Total Customer Charge	\$ 44.78 per month
Commodity Charge – All Ccf	\$ 0.09279 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

¹ Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2016.

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 799.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3374 per MMBtu
Next 3,500 MMBtu	\$ 0.2470 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0530 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

**Attachment A
RRC Tariff No:**

RATE SCHEDULE:	I – INDUSTRIAL SALES	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Agreement

An Agreement for Gas Service may be required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

Attachment A
RRC Tariff No:

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Application

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

Type of Service

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

Monthly Rate

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 799.75 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3374 per MMBtu
Next 3,500 MMBtu	\$ 0.2470 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0530 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

Imbalance Fees

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

Monthly Imbalance Fees

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

RATE SCHEDULE:	T – TRANSPORTATION	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 06/01/2017	PAGE:

Curtailment Overpull Fee

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

Replacement Index

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

Agreement

A transportation agreement is required.

Notice

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

Special Conditions

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2017	PAGE:

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

- Where
- i = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
 - $WNAF_i$ = Weather Normalization Adjustment Factor for the i^{th} rate schedule or classification expressed in cents per Ccf
 - R_i = Commodity Charge rate of temperature sensitive sales for the i^{th} schedule or classification.
 - HSF_i = heat sensitive factor for the i^{th} schedule or classification divided by the average bill count in that class
 - NDD = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
 - ADD = billing cycle actual heating degree days.
 - BL_i = base load sales for the i^{th} schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the j th customer in i th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where q_{ij} is the relevant sales quantity for the j th customer in i th rate schedule.

**MID-TEX DIVISION
ATMOS ENERGY CORPORATION**

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2017	PAGE:

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	<u>Base use Ccf</u>	<u>Heat use Ccf/HDD</u>	<u>Base use Ccf</u>	<u>Heat use Ccf/HDD</u>
Abilene	9.79	0.1347	93.16	0.6060
Austin	10.37	0.1483	190.68	0.9069
Dallas	13.36	0.2089	180.35	1.0191
Waco	9.64	0.1348	124.37	0.5791
Wichita Falls	11.20	0.1412	107.96	0.5571

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the Company posts on its website at atmosenergy.com/mtx-wna, in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the Company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the Company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

File Date: March 1, 2017

ATMOS ENERGY CORP., MID-TEX DIVISION
 PROPOSED TARIFF STRUCTURE (BEFORE RATE CASE EXPENSE RECOVERY)
 TEST YEAR ENDING DECEMBER 31, 2016

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1	Proposed Change In Rates:		\$ 48,000,000		Schedule A						
2	Proposed Change In Rates without Revenue Related Taxes:		\$ 44,800,457		Ln 1 divided by factor on WP_F-5.1						
3											
4											
5											
6		Revenue Requirements		Allocations							
7	Residential	\$ 338,431,486		77.95%	Per GUD 10170 Final Order						
8	Commercial	84,223,622		19.40%	Per GUD 10170 Final Order						
9	Industrial and Transportation	11,490,316		2.65%	Per GUD 10170 Final Order						
10	Net Revenue Requirements GUD No. 10170	<u>\$ 434,145,424</u>									
11											
12											
13											
14											
15											
16	With Proportional Increase all classes but Residential and a 40% residential base charge increase:										
17											
18		Current	Prospective	Revenues			Proposed Change	Proposed Change In Revenues	Proposed Rates	Proposed Revenues	
19											
20	Residential Base Charge	\$ 19.08	\$ 0.77	\$ 13,969,407			\$ 0.52	\$ 9,385,859	\$ 19.60	\$ 353,851,897	
21	Residential Consumption Charge	\$ 0.11378	\$ 0.02502	20,954,111			\$ 0.03049	25,534,444	\$ 0.14427	120,821,718	
22	Commercial Base Charge	\$ 41.70	\$ 2.96	4,345,614			\$ 3.00	4,409,676	\$ 44.70	65,707,365	
23	Commercial Consumption Charge	\$ 0.08494	\$ 0.00797	4,345,614			\$ 0.00785	4,280,326	\$ 0.09279	50,595,093	
24	I&T Base Charge	\$ 737.00	\$ 62.70	592,856			\$ 62.75	593,364	\$ 789.75	7,562,427	
25	I&T Consumption Charge Tier 1 MMBTU	\$ 0.3096	\$ 0.0278	279,522			\$ 0.0278	279,726	\$ 0.3374	3,394,949	
26	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2267	\$ 0.0203	225,635			\$ 0.0203	225,178	\$ 0.2470	2,739,848	
27	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0486	\$ 0.0044	87,699			\$ 0.0044	88,488	\$ 0.0530	1,065,879	
28				<u>\$ 44,800,457</u>				<u>\$ 44,797,060</u>		<u>\$ 605,739,177</u>	
29											

**ATMOS ENERGY CORP., MID-TEX DIVISION
PENSIONS AND RETIREE MEDICAL BENEFITS FOR CITIES APPROVAL
TEST YEAR ENDING DECEMBER 31, 2016**

Line No.	Description	Shared Services		Mid-Tex Direct			Adjustment Total
		Pension Account Plan ("PAP")	Post-Retirement Medical Plan ("FAS 106")	Pension Account Plan ("PAP")	Supplemental Executive Benefit Plan ("SERP")	Post-Retirement Medical Plan ("FAS 106")	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)
1	Fiscal Year 2017 Willis Towers Watson Report as adjusted (1), (3)	\$ 5,004,862	\$ 2,864,121	\$ 8,234,627	\$ 194,941	\$ 4,375,142	
2	Allocation to Mid-Tex	45.03%	45.03%	71.23%	100.00%	71.23%	
3	Fiscal Year 2017 Actuarially Determined O&M Benefits (Ln 1 x Ln 2)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	
4	O&M and Capital Allocation Factor	100.00%	100.00%	100.00%	100.00%	100.00%	
5	Fiscal Year 17 Willis Towers Watson Benefit Costs To Approve (excluding Removed Cost Centers) (Ln 3 x Ln 4)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968
6							
7							
8	Summary of Costs to Approve:						
9							
10	Total Pension Account Plan ("PAP")	\$ 2,253,477		\$ 5,865,537			\$ 8,119,015
11	Total Post-Retirement Medical Plan ("FAS 106")		\$ 1,289,592			\$ 3,116,420	4,406,012
12	Total Supplemental Executive Retirement Plan ("SERP")				\$ 194,941		194,941
13	Total (Ln 10 + Ln 11 + Ln 12)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968
14							
15							
16	O&M Expense Factor	74.05%	74.05%	37.75%	20.00%	37.75%	
17							
18	Expense Portion (Ln 13 x Ln 16)	\$ 1,668,700	\$ 954,943	\$ 2,214,432	\$ 38,988	\$ 1,176,551	\$ 6,053,614
19							
20	Capital Factor	25.95%	25.95%	62.25%	80.00%	62.25%	
21							
22	Capital Portion (Ln 13 x Ln 20)	\$ 584,777	\$ 334,649	\$ 3,651,105	\$ 155,953	\$ 1,939,870	\$ 6,666,354
23							
24	Total (Ln 18 + Ln 22)	\$ 2,253,477	\$ 1,289,592	\$ 5,865,537	\$ 194,941	\$ 3,116,420	\$ 12,719,968



GARLAND POLICY REPORT

City Council Work Session Agenda

2.f.

Meeting Date: May 15, 2017

Item Title: First Amendment to Electric Utility Loan Agreement

Submitted By: Jeff Janke, Administration

Council Goal: Financially Stable Government with Tax Base that Supports Community Needs

ISSUE

The City Council is requested to consider certain amendments to terms of the Electric Utility System Notes, Series 2016 Loan Agreement.

OPTIONS

1. Approve the ordinance
2. Do not approve the ordinance

RECOMMENDATION

It is recommended that the City Council approve the First Amendment to the Electric Utility System Notes, Series 2016 Loan Agreement. Unless otherwise directed by City Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

BACKGROUND

In May 2016, the City established an electric utility drawdown note program with Wells Fargo for the funding of its portion of the Houston Import Project (the Limestone to Gibbons Creek transmission line). During its rating review, Standard & Poor's Global Ratings identified an area for alignment with its preferred criteria as it relates to meeting contingent claims. City Staff worked with Wells Fargo and Standard & Poor's to develop the First Amendment to modify the terms of the program to align with Standard & Poor's preferred criteria.

CONSIDERATION

Staff seeks the Council's approval of the ordinance for the First Amendment to the Electric Utility System Notes, Series 2016 Loan Agreement.

Attachments

Electric Utility Loan Amendment Ordinance

Electric Utility Loan Amendment

ORDINANCE NO. _____

AN ORDINANCE approving a First Amendment to Loan Agreement between the City of Garland, Texas and Wells Fargo Bank, National Association; and resolving other matters incident and related thereto.

WHEREAS, the City Council of the City of Garland, Texas (the "City"), previously authorized the "City of Garland, Texas, Electric Utility System Notes, Series 2016," dated May 31, 2016, in the principal amount of not to exceed \$139,245,000 (collectively, the "Notes") and in connection therewith executed a Loan Agreement dated as of May 31, 2016 (the "Loan Agreement") by and between the City and Wells Fargo Bank, National Association (the "Bank");

WHEREAS, the Bank and the City have agreed to amend the Loan Agreement by entering into that certain First Amendment to Loan Agreement dated as of May 1, 2017, a substantial copy of which is attached hereto as **Exhibit A** (the "First Amendment") by and between the City and the Bank to reflect changes in furtherance of preferred criteria of S&P Global Ratings on agreements similar to the Loan Agreement; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

SECTION 1: The City hereby approves the First Amendment in substantially the form attached hereto as **Exhibit A**, with such changes or additions thereto as may be approved by the Mayor, City Manager, Finance Director of the City or the Chief Financial Officer of Garland Power and Light (upon advice of bond counsel to the City), as evidenced by their execution and delivery thereof, and the City Manager, the Finance Director of the City or the Chief Financial Officer of Garland Power and Light are each hereby authorized and directed, for and on behalf of the City, to execute the First Amendment, and such officers are hereby authorized to deliver the First Amendment to the Bank. Upon execution by the parties thereto and delivery thereof, the First Amendment shall be binding upon the City in accordance with the terms and provisions thereof.

SECTION 2: It is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Texas Government Code, Chapter 551, as amended.

[Remainder of page intentionally left blank]

SECTION 3: This Ordinance shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED, this _____, 2017.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary

(City Seal)

EXHIBIT A

FIRST AMENDMENT TO LOAN AGREEMENT

**FIRST AMENDMENT TO
LOAN AGREEMENT**

THIS **FIRST AMENDMENT TO LOAN AGREEMENT** (this "*First Amendment*") is made and entered as of May 1, 2017 (the "*Amendment Effective Date*"), among the CITY OF GARLAND, TEXAS (the "*City*"), a political subdivision and home rule municipal corporation of the State of Texas (the "*State*"), **WELLS FARGO BANK, NATIONAL ASSOCIATION** (the "*Bank*").

RECITALS

WHEREAS, the Bank agreed to extend credit to the City up to a maximum principal amount of \$139,245,000, pursuant to the terms of a Loan Agreement, dated as of May 31, 2016, among the City and the Bank (the "*Original Agreement*");

WHEREAS, pursuant to Section 7.01 of the Original Agreement, the Bank and the City desire to make certain amendments to the Original Agreement as provided herein.

NOW, THEREFORE, in consideration of the mutual agreements of the Bank and the City and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound hereby, the City and the Bank hereby agree as follows:

Section 1. Amendments.

(a) Clauses (b), (j) and (q) of Section 6.01 of the Original Agreement are hereby amended and restated in their entirety to read as follows:

"(b) The City shall fail to pay or fail to remit or deposit funds in respect of principal and interest or "purchase price" as required by the Note, the Note Ordinance, the Senior Lien Ordinance, any Prior Lien Obligations, any New Series Bonds or this Agreement and such failure shall continue for five (5) Business Days; or"

"(j) (i) Any provision of this Agreement or any other City Document related to (A) payment of principal of or interest on any Loans or Prior Lien Obligations, or (B) the validity or enforceability of the obligation to pay the Loans or Prior Lien Obligations from Net Revenues for any reason ceases to be valid and binding on the Borrower as a result of any legislative or administrative action by a Governmental Authority with competent jurisdiction, or shall be declared, in a final non-appealable judgment by any court of competent jurisdiction, to be null and void, invalid or unenforceable; or

(ii) the validity or enforceability of any material provision of this Agreement or any other City Document related to (A) payment of principal of or interest on the Loans or Prior Lien Obligations, or (B) the validity or enforceability of the obligation to pay the Loans or Prior Lien Obligations from Net Revenues of the Borrower shall be publicly contested by the Borrower; or

(iii) any other material provision of this Agreement or any other City Documents, other than a provision described in clause (i) or (ii) above, (A) shall at any time for any reason cease to be valid and binding on the City, or (B) the validity of enforceability thereof shall be contested by the City, or (C) the City shall deny that it has any or further liability or obligation under the Agreement or any other City Document; or"

"(q) (i) The long term unenhanced rating by S&P of the Senior Bonds or any other indebtedness of the City senior to or on a parity with the Senior Bonds and secured by and payable from the Net Revenues shall be withdrawn or suspended for credit related reasons or is reduced below "BBB-"; or (ii) the long term unenhanced

rating by any of the Rating Agencies then rating the Senior Bonds or any other indebtedness of the City senior to or on a parity with the Senior Bonds and secured by and payable from the Net Revenues shall be withdrawn or suspended for credit related reasons or is reduced below "BBB+" (or its equivalent) by S&P or "BBB+" (or its equivalent) by Fitch; or"

(b) Section 6.02 of the Original Agreement is hereby amended to be Section 6.02A and immediately following such Section 6.02A and before Section 6.03, the following Section 6.02B shall be added to read in its entirety to read as follows:

"Section 6.02B. Special Acceleration Terms for Certain Events of Default.. Notwithstanding the provisions of Section 6.02A(b),

(a) solely in the case of an Event of Default under Sections 6.01(b), (j)(i), (j)(ii), (k), (l), (n), (p) or (q)(i) an acceleration pursuant to Section 6.02A(b) shall not be declared or directed by the Bank until the earlier of (i) seven (7) days after the occurrence of such Event of Default, or (ii) the occurrence of an acceleration of Debt by any other holder, credit enhancer, liquidity provider or insurer of Debt or any counterparty to any hedge agreement related thereto; and

(b) solely in the case of an Event of Default under any other subsection of Section 6.01 other than those specifically enumerated in Section 6.02(B)(a) above, an acceleration pursuant to Section 6.02(A)(b) shall not be declared or directed until the earlier of (i) one hundred eighty (180) days after prior written notice from the Bank to the Borrower has been given, or (ii) the occurrence of an acceleration of Debt by any other holder, credit enhancer, liquidity provider or insurer of Debt or any counterparty to any hedge agreement related thereto.

Notwithstanding the foregoing, (i) if any other holder of Prior Lien Obligations, any other New Series Bonds or any other Debt payable by the City from Net Revenues has the right to cause the obligations of the City under such Prior Lien Obligations, New Series Bonds, or Debt to be immediately due and payable (whether by repurchase, mandatory tender, mandatory redemption, acceleration or otherwise) on a date earlier than or pursuant to a notice period which is shorter than the applicable date or notice period set forth in Section 6.02B(a) or (b), as applicable, in connection with a similar type of default, then the period set forth in Section 6.02(B)(a) or (b), as applicable, shall automatically be changed to reflect such shorter period or earlier date, or (ii) if any other holder, credit enhancer, liquidity provider or insurer of Prior Lien Obligations, any other New Series Bonds or any other Debt payable by the City from Net Revenues causes any such Prior Lien Obligations, New Series Bonds, or Debt of the City to be immediately due and payable or an Event of Default under Section 6.01(f) or (g) occurs, then the Bank may immediately without notice or delay, avail itself of the remedies in Section 6.02A(b) and accelerate all obligations of the Borrower under this Agreement, the Notes and the other Loan Documents.

Section 2. Amendment Fee. Simultaneously with the full execution of this First Amendment, the Borrower shall pay to the Bank (i) a "Loan Fee" in the amount of \$2,500.00, and (ii) the fees and expenses of counsel to the Bank in connection with this First Amendment.

Section 3. Full Force and Effect. The Original Agreement is hereby amended to the extent provided in this First Amendment and, except as specifically provided herein, the Original Agreement shall remain in full force and effect in accordance with its terms.

Section 4. Governing Law. THE RIGHTS AND OBLIGATIONS OF THE PARTIES UNDER THIS FIRST AMENDMENT SHALL BE GOVERNED AS PROVIDED IN SECTION 7.09 OF THE AGREEMENT.

Section 5. Headings. Section headings in this First Amendment are included herein for convenience of reference only and shall not have any effect for purposes of interpretation or construction of the terms of this First Amendment.

Section 6. Counterparts. This First Amendment may be signed in any number of counterpart copies, but all such copies shall constitute one and the same instrument.

Section 7. Representations and Warranties. Each party hereto represents and warrants to the other that this First Amendment has been duly authorized and validly executed by it and that the Original Agreement as hereby amended constitutes its valid obligation, enforceable in accordance with its terms, except to the extent that the enforceability thereof may be limited by bankruptcy, insolvency or other laws affecting creditors' rights generally and subject to the application of general principles of equity including but not limited to the right of specific performance.

Section 8. Severability. In case any one or more of the provisions contained herein should be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired hereby.

Section 9. Definitions. All capitalized terms used herein and not defined shall have the meaning assigned to such terms in the Original Agreement.

Section 10. Electronic Signature; Electronically Signed Document. The parties agree that the electronic signature of a party to this First Amendment (or any amendment or supplement of this First Amendment) shall be as valid as an original signature of such party and shall be effective to bind such party to this First Amendment. The parties agree that any electronically signed document (including this First Amendment) shall be deemed (i) to be "written" or "in writing," (ii) to have been signed, and (iii) to constitute a record established and maintained in the ordinary course of business and an original written record when printed from electronic files. For purposes hereof, "electronic signature" means a manually-signed original signature that is then transmitted by electronic means; "transmitted by electronic means" means sent in the form of a facsimile or sent via the Internet as a pdf (portable document format) or other replicating image attached to an e-mail message; and, "electronically signed document" means a document transmitted by electronic means and containing, or to which there is affixed, an electronic signature. Paper copies or "printouts", if introduced as evidence in any judicial, arbitral, mediation or administrative proceeding, will be admissible as between the parties to the same extent and under the same conditions as other original business records created and maintained in documentary form. Neither party shall contest the admissibility of true and accurate copies of electronically signed documents on the basis of the best evidence rule or as not satisfying the business records exception to the hearsay rule.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be duly executed and delivered as of the date first above written.

CITY OF GARLAND, TEXAS

By: _____
Name:
Title:

**WELLS FARGO BANK, NATIONAL
ASSOCIATION**

By: _____
Name:
Title:



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3.a.

Meeting Date: May 15, 2017

Item Title: Garland Youth Council Presentation

Submitted By: Beth Dattomo, Program Manager

Summary of Request/Problem

The Garland Youth Council will provide a presentation and summary of the 2016-17 year to the City Council.

Recommendation/Action Requested and Justification

Information only.



**GARLAND
CITY COUNCIL ITEM SUMMARY SHEET**

City Council Work Session Agenda

3.b.

Meeting Date: May 15, 2017

Item Title: Transportation Update May 2017

Submitted By: Paul Luedtke, Transportation Director

Summary of Request/Problem

Monthly Transportation Update on Major Transportation Initiatives

Recommendation/Action Requested and Justification

N/A

Attachments

Transportation Update May 2017

Transportation Update

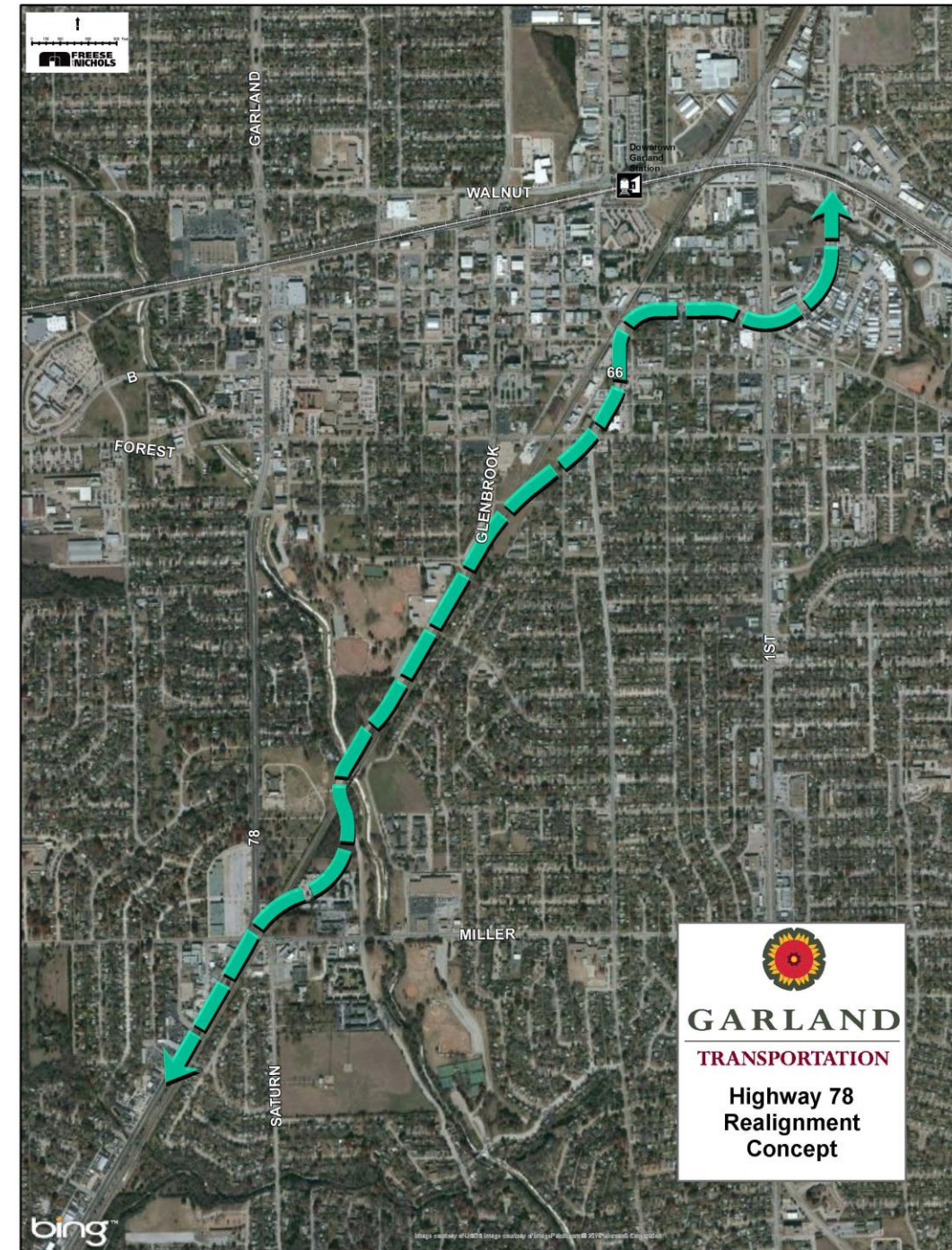
May 15, 2017

Transportation Update

- ◇ SH 78
- ◇ IH 30
- ◇ IH 635 East
- ◇ Texas 85th Legislative Session

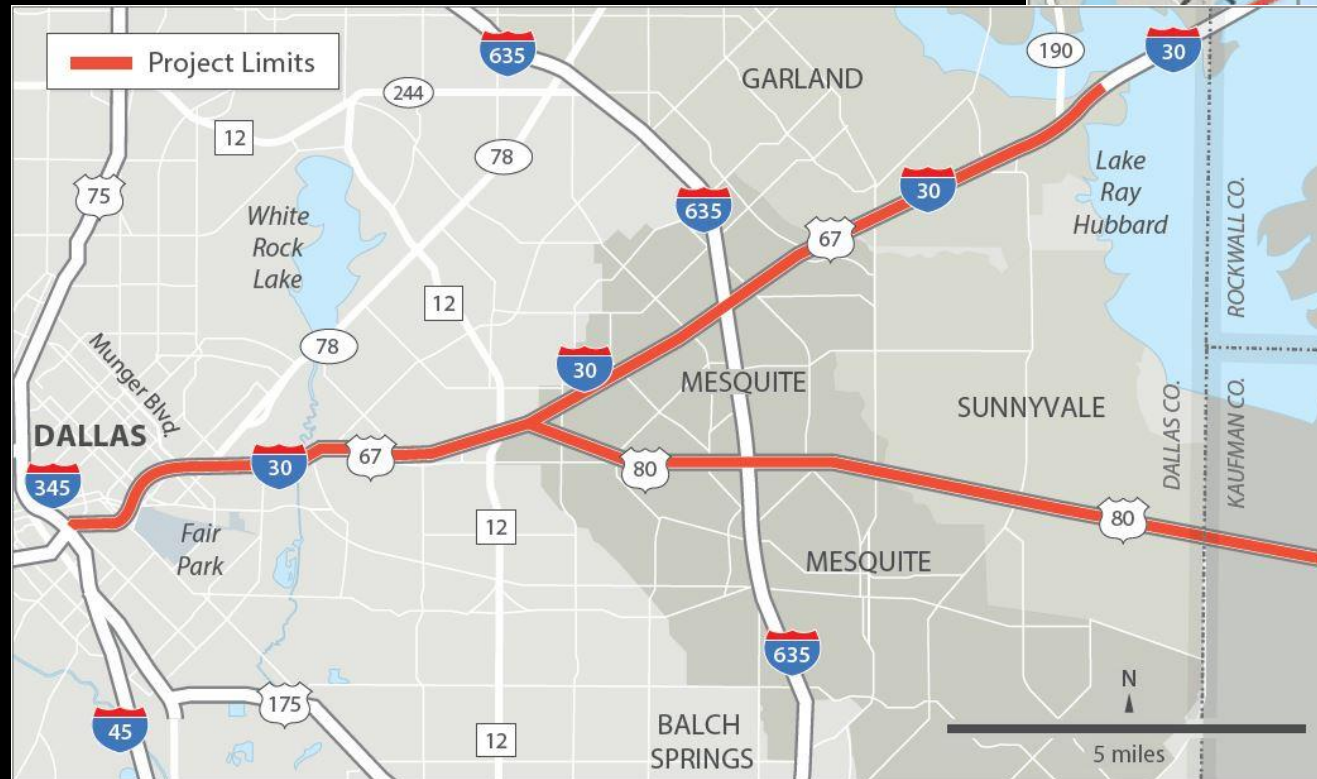
SH 78

- ◇ Realignment Study Initiated by TxDOT
- ◇ Narrowed to Four Alternatives
- ◇ Preparing for Public Input



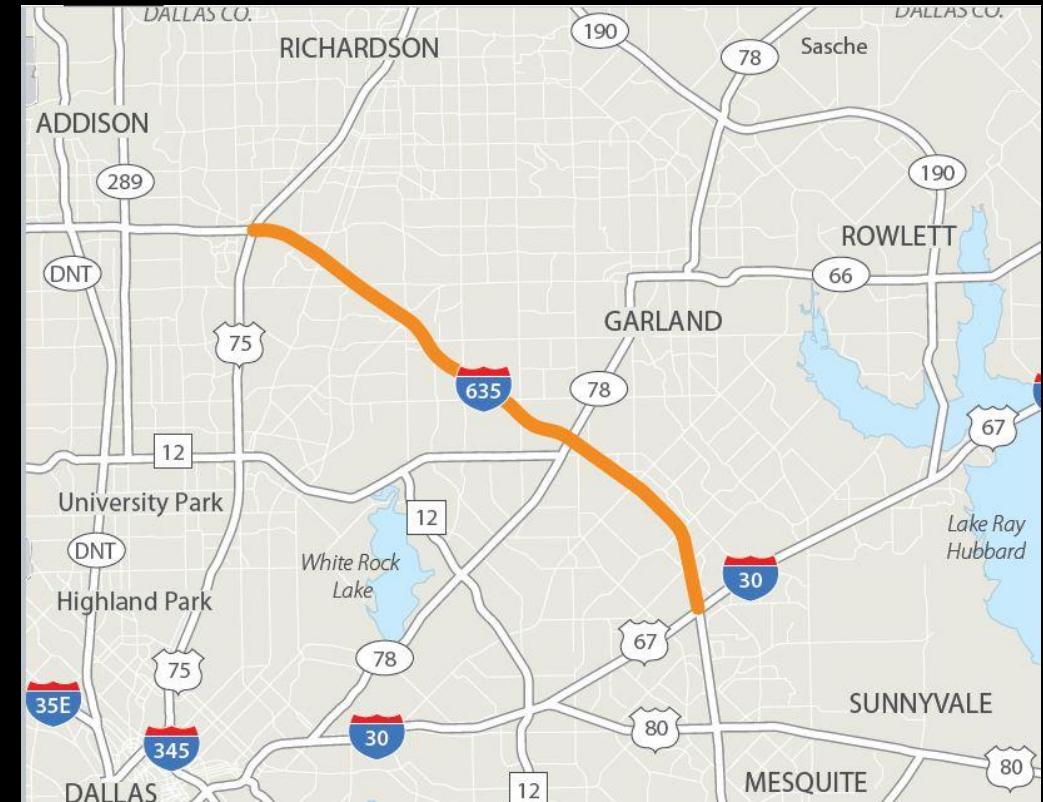
IH 30

- ◆ Public Meetings on April 27, 2017 and May 4, 2017
- ◆ Stakeholder Group for Bass Pro Area on May 8, 2017



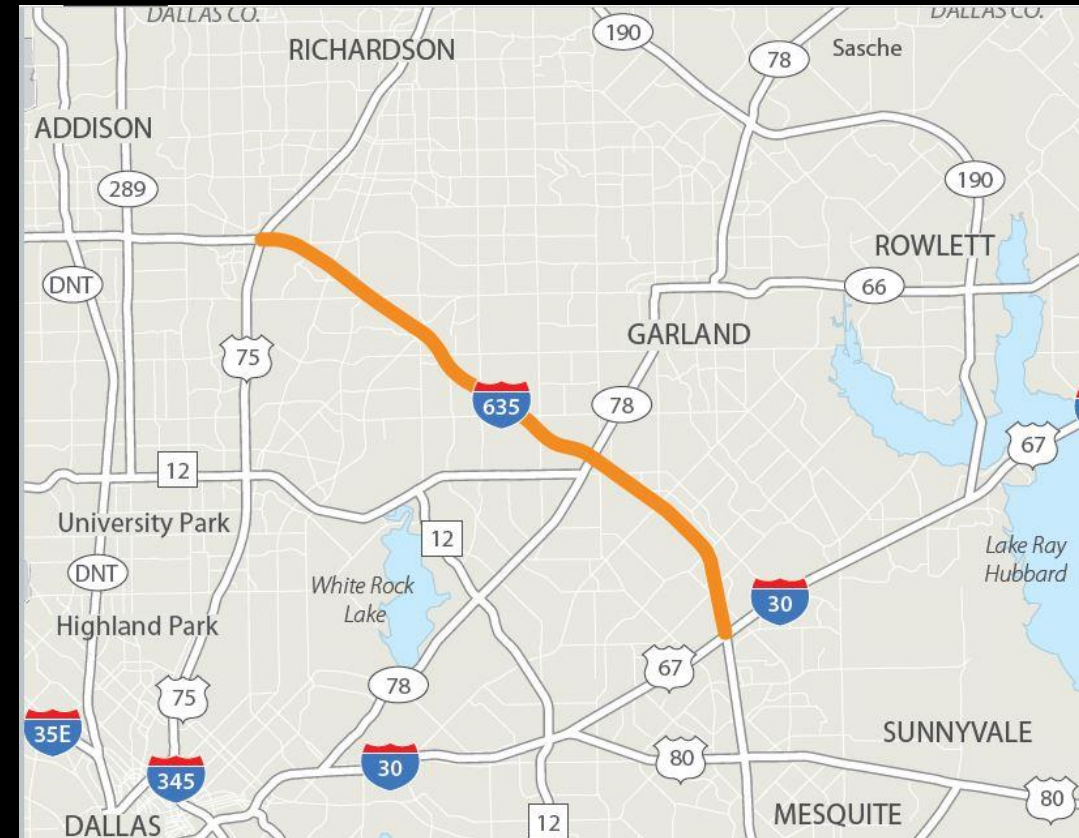
IH 635 East – Engineering

- ◆ Ultimate Project
 - ◆ Still Number 1
 - ◆ TxDOT Activity
 - ◆ Construction Plans - Summer
 - ◆ Traffic and Revenue study - Complete
 - ◆ Public Hearing - Complete
 - ◆ Environmental
 - ◆ Construction 2018



IH 635 East – Funding

◆ Legislative Efforts





GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

3.c.

Meeting Date: May 15, 2017

Item Title: Introduction of Assessment of Fair Housing (AFH) and request to hold a public meeting on July 11, 2017 at 7 PM, to gather community input

Submitted By: Jose Alvarado, Fair Housing Administrator

Summary of Request/Problem

Fair Housing Services, Housing Agency, and Housing and Community Services will provide an introduction on the Assessment of Fair Housing (AFH) process required by HUD to fulfill requirements of the Affirmatively Furthering Fair Housing Rule (AFFH). Community assessments are required for recipients of Federal funds, including CDBG, HOME, ESG, and the Housing Choice Voucher program. Staff will present a tentative outline of activities and events in the development of the AFH. The City's participation in a regional consortium to develop a regional plan will also be discussed.

Recommendation/Action Requested and Justification

Council discussion.

Attachments

Assessment of Fair Housing Summary

Draft - Notice of Public Meeting

Tentative Public Meetings Schedule - UTA

Summary of Garland's Participation in the Regional Assessment of Fair Housing (RAFH) in Compliance with HUD's New Affirmatively Furthering Fair Housing (AFFH Rule)

BACKGROUND

On July 16, 2015, the U.S. Department of Housing and Urban Development (HUD) published a final rule on Affirmatively Furthering Fair Housing (AFFH Rule). The new rule replaces the Analysis of Impediments to Fair Housing (AI) with a more stringent, standardized process for fair housing planning, referred to as an Assessment of Fair Housing (AFH).

For purposes of the rule, affirmatively furthering fair housing “means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant’s activities and programs relating to Housing and Urban Development.”

For purposes of the rule, meaningful actions means “significant actions that are designed and can be reasonably expected to achieve a material positive change that affirmatively furthers fair housing by, for example, increasing fair housing choice or decreasing disparities in access to opportunity.”

HUD funded program participants that are covered by the AFFH rule include public housing agencies (PHAs) and jurisdictions (e.g. Cities) that are required to submit a Consolidated Plan in connection with the receipt of Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Housing Opportunities for Persons with AIDS (HOPWA), or Emergency Solutions Grant (ESG) funding. The new process requires each program participant to, among other things:

- Analyze local and HUD-provided data and engage the community in fair housing planning;
- Identify and prioritize significant factors that contribute to the creation or perpetuation of each fair housing issue;
- Set fair housing goals and strategies for overcoming the effects of the prioritized contributing factors, and related fair housing issues;
- Submit to HUD an AFH that identifies, at a minimum, certain types of fair housing issues in the jurisdiction and region;
- Integrate the goals and priorities established in the AFH into subsequent plans for the use of HUD funds (Consolidated Plans, annual action plans, and PHA Plans) consistent with the statutory requirements and goals governing such programs; and
- Implement meaningful actions to further the goals identified in its AFH and take no action that is materially inconsistent with its obligation to affirmatively further fair housing.

SUMMARY AND ACTION PLAN

In January 2017, the City of Garland joined a regional consortium consisting of the City of Dallas and 21 other jurisdictions to conduct a regional assessment of fair housing over the next year. The consortium is working diligently with the project consultant—the University of Texas at Arlington (UTA)—to analyze data and gather public input. Researchers from UTA have begun working closely with City of Garland staff to identify community needs and develop strategies that more fully integrate and address community concerns for improving housing opportunities for all.

The assessment of fair housing is being conducted by The University of Texas at Arlington (UTA) at a cost of \$734,430, with the City of Garland responsible for \$43,015 (\$32,171 – Garland Housing Agency; and \$10,844 CDBG Administration). The City of Dallas is serving as the lead agency for this regional assessment and procured the consultant (UTA). The cost was proportionately divided based on HUD administrative funds provided to each jurisdiction. Each respective entity will set local fair housing goals and strategies to address the factors identified during the AFH data gathering and community participation process. The consultant will be responsible for the following:

- Phase 1: Data Collection and Fair Housing Analysis for the Region and Individual Jurisdictions (Cities, Counties, and Public Housing Agencies);
- Phase 2: Community Participation (minimum of 2 public meetings in Garland) by the consultant with input from the public, elected and appointed officials of cities, counties and housing agencies, housing providers, advocates and agencies that serve people of low income and any other interested parties; and
- Phase 3: Development of Goals and Priorities - Plan Preparation of priorities and strategies for each participating jurisdiction that will guide in meeting fair housing obligations, expanding access to opportunities, etc.

In summary, the AFFH rule seeks to reduce disparities in access to important community assets such as schools, job centers and transit; and narrow gaps that leave families with children, people with disabilities, and people of different colors and origins with more severe housing problems, so that everyone is given an equal opportunity to access safe and affordable housing near quality schools, transportation and jobs.

The final AFH draft will go through a final round of public comment. Following public input, the consultant will complete the final AFH, and the work product of this task will meet all the requirements of the HUD regulations. After submittal to HUD before January 1, 2018, HUD will review and approve, and the plan will go into effect October 1, 2018 (FY18-19), and will be effective for five years.

AFFH Timeline

- Affirmatively Furthering Fair Housing (AFFH) Rule published, Federal Register July 16, 2015
- Execution of collaboration agreement and Memorandum of Understanding between City of Garland and City of Dallas – January 2017
- Data collection and analysis - January – July 2017 (Phase 1) – UTA and City
- Update to Council re: AFH process and public meeting requirement – May 15, 2017
- Community Participation – Public Meeting scheduled for July 11, 2017 (Phase 2), to include elected officials, stakeholders, housing industry/business and the public.
- Development of affirmatively furthering fair housing goals and priorities – July thru October 2017 (Phase 3)
- Work Session - Update Council re: Assessment of Fair Housing (AFH) draft strategies and objectives, September 2017
- 45-day public notice regarding upcoming public hearing – September 2017
- City Council Public Hearing – October/November 2017
- City Council Meeting - Council Approval of AFH November 2017
- Submittal of FY 2018-2023 Regional Assessment of Fair Housing (RAFH) plan to HUD – January 1, 2018
- HUD Review and Approval Period of RAFH – January/February 2018 (60 days)
- Integrate goals and priorities established in AFH into subsequent plans for the use of HUD funds (Consolidated Plan, Annual Action Plan, and PHA Plan) – May/June 2018
- Approval of Substantial Amendment to the Consolidated Plan to include AFH Goals and Strategies – May/June 2018
- Approved FY 2018- 2023 RAFH effective October 1, 2018
- Annual submission of progress achieved in meeting the goals and associated metrics and milestones of the AFH and identification of any barriers that impede affirmatively furthering fair housing.



City of Garland
Notice of Public Meeting
Assessment of Fair Housing

The City of Garland will hold a Public Meeting on July 11, 2017 at 7 p.m. in the City Council Chambers, 200 North Fifth Street, Garland, Texas. This meeting is intended to inform residents about the Assessment of Fair Housing (AFH) and provide an opportunity for all to participate in the AFH planning process.

The Assessment of Fair Housing (AFH) is a legal requirement that the City must complete in order to continue receiving federal housing and community development funding from the United States Department of Housing & Urban Development (HUD). Specifically, the AFH is an analysis undertaken pursuant to 24 CFR Part 5.152 that includes the analysis of fair housing data, an assessment of housing issues and contributing factors, and identification of fair housing priorities and goals specific to Garland. The AFH will consider regional demographics; housing patterns; segregation; racially and ethnically concentrated areas of poverty; access to opportunity, such as jobs, schools, and transportation; publicly supported housing; access to persons with disabilities; and fair housing enforcement and outreach.

The public is encouraged to attend and provide input. Anyone unable to attend this meeting, but wish to make their views known may do so by submitting written comments to Denish Wilson-Owens at City of Garland Fair Housing Services, 210 Carver Street, Suite 102A, Garland, Texas 75040 or by email to dwilson@garlandtx.gov

Anyone who requires an auxiliary aid or service to fully participate in or attend any meeting should notify Garland Fair Housing Services at 927-205-3300 or TTY 1-800-735-2988, at least four working days in advance of the public meeting.

Tentative Public Hearing Schedule -- Round # 1

<u>Name of City/PHousing Authority</u>	<u>County</u>	<u>Date</u>	<u>Time</u>
City of Garland & Garland Housing Authority	Dallas	July 11 (Tues)	7:00 PM
City of McKinney & McKinney Housing Authority	Collin	July 25 (Tues)	7:00 PM
City of Denton & Denton Housing Authority #1	Denton	June 19 (Mon)	7:00 PM
City of Denton & Denton Housing Authority #2	Denton	July 27 (Thur)	7:00 PM
City of Denton & Denton Housing Authority #3	Denton	June 24 (Sat)	10:00 AM
City of Frisco & Frisco Housing Authority	Denton/Collin	June 21 (Wed)	7:00 PM
City of Plano & Plano Housing Authority	Collin	June 22 (Thur)	7:00 PM
Fort Worth Housing Authority	Tarrant	June 26 (Mon)	7:00 PM
Greenville Housing Authority	Hunt	June 28 (Wed)	7:00 PM
Waxahachie Housing Authority	Ellis	July 19 (Wed)	7:00 PM
Cleburne Housing Authority	Johnson	July 8 (Sat)	10:00 AM
Ferris Housing Authority	Ellis/Dallas	July 11 (Tues)	7:00 PM
Grandview Housing Authority	Johnson	July 13 (Thur)	7:00 PM
Ennis Housing Authority	Ellis	July 17 (Mon)	7:00 PM
Royce City Housing Authority	Rockwall	July 19 (Wed)	7:00 PM
City of Irving	Dallas	July 22 (Sat)	10:00 AM
Dallas City Council District #1	Dallas	June 17 (Sat)	10:00 AM
Dallas City Council District #2	Dallas	June 20 (Tues)	7:00 PM
Dallas City Council District #3	Dallas	June 21 (Wed)	7:00 PM
Dallas City Council District #4	Dallas	June 24 (Sat)	10:00 AM
Dallas City Council District #5	Dallas	June 27 (Tues)	7:00 PM
Dallas City Council District #6	Dallas	June 29 (Thur)	7:00 PM
Dallas City Council District #7	Dallas	July 6 (Thur)	7:00 PM
Dallas City Council District #8	Dallas	July 10 (Mon)	7:00 PM
Dallas City Council District #9	Dallas	July 12 (Wed)	7:00 PM
Dallas City Council District #10	Dallas	July 15 (Sat)	10:00 AM
Dallas City Council District #11	Dallas	July 18 (Tues)	7:00 PM
Dallas City Council District #12	Dallas	July 20 (Thurs)	7:00 PM
Dallas City Council District #13	Dallas	July 24 (Mon)	7:00 PM
Dallas City Council District #14	Dallas	July 26 (Wed)	7:00 PM



GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

4.a.

Meeting Date: May 15, 2017

Item Title: North Texas Municipal Water District Applicant Interviews

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

Council will conduct interviews with applicants and discuss the appointment / reappointment process for the City of Garland's representation on the North Texas Municipal Water District (NTMWD). Mr. Gordon's term of office as a NTMWD Board Member expires May 31, 2017.

Information was posted on the City's website for 21 days regarding the qualifications of the NTMWD Board Member in order to provide an opportunity for citizens to apply for the position. Qualified applicants were requested to submit a letter of interest and resume by May 2, 2017.

Recommendation/Action Requested and Justification

Council will interview the applicant(s).

Attachments

Don Gordon Ltr of Interest

Melanie Roberts Resume

Christopher O Hollis Resume

Jim Witt Ltr of Interest

Jim Witt Resume

April 26, 2017

City Secretary's Office
200 North Fifth Street
Garland, TX 75040

Via Email: rdowl@GarlandTx.gov

Re: Reappointment to the North Texas Municipal Water District Board of Directors

Dear Ms. Dowl:

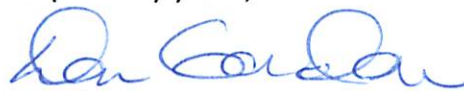
Please consider this letter my request to be reappointed to the North Texas Municipal Water District Board of Directors as one of the two representatives for the City of Garland.

I am currently the Chair of the NTMWD Insurance Committee. In addition, during my seven-plus years' tenure at NTMWD, I have served on the following committees:

- Finance/Audit Committee
- Legislative Committee
- Water Committee
- Policy Committee
- Waste Water Committee

As a life-long resident of the City of Garland, I have been proud to serve on many boards and commissions, including the DART Board, and I am honored to serve the City of Garland as one of the two NTMWD board members representing the City of Garland. I continue to meet the requirements for serving on boards and commissions for the City of Garland.

Respectfully yours,



Don Gordon



Melanie W. Roberts

214-649-4663

QUALIFICATIONS

Progressive professional experience in Real Estate and the Legal and Financial Field including: Licensed Real Estate Broker (Texas and Alabama), Senior Real Estate/Transaction Paralegal and Trainer, File Administration Manager, Residential Mortgage Closer/Funder/Shipper, Loan Closer, Lead Paid Out Specialist, Lead Collateral Specialist, Special Projects Coordinator, Licensed PEP and Path4U Trainer.

Real Estate Coach, LLC, Plano, Texas (Independent Broker Services/ Contract Paralegal Services)

Broker of Record: Specializing in the delivery of home buying seminars, listing and sales of and real estate in the Dallas-Fort Worth Metro area, acquisition of and renovation of single family residences, and the acquisition and disposition of notes backed by real estate. (03/10 - Present)

Contract Paralegal: Specializing in the support of attorneys serving clients in the purchasing, selling, ground leasing, commercial leasing and constructing of commercial real estate projects and lenders that fund the acquisition of land and construction of the real property. Responsibilities included drafting of complicated contracts and agreement, title survey reviews and due diligence relating to commercial real estate projects, contract and lease calendar tracking, and drafting of loan documentation, and various documents relating to these type of transactions. (08/09 - Present)

Century 21- Alicia Trevino Realtors, Inc., Mesquite, Texas (Realtor Office)

Executive Agent (Independent): responsible for the listing of, and assistance for buyers acquiring residential real property. (10/08 – 03/10)

Kane, Russell, Coleman & Logan, PC (KRCL), Dallas, Texas (Law Firm)

Real Estate/Transaction Paralegal and Trainer (Kane Group): responsible for the coordination and administration of workloads, accounts and the support of attorneys pertaining to: (a) leases for a national chain of sporting goods stores, office supply stores, and coffee houses, (b) purchase and sale transactions for a regional mall redeveloper, life style center developer and office/warehouse developer and (c) various other types of legal transaction as needed. (2/05 – 5/08)

- Develop processes for the handling of new clients and administrate the accounts for a national sporting goods store and national coffee house chain.
- Training of personnel for managed accounts and contributed to training and mentoring of junior paralegals
- Prepare initial lease drafts and contracts from LOI's and incorporate modifications in accordance clients guidelines relating to comments received from opposing Counsel and preparation of redlines reflecting revisions.
- Research and resolve due diligence matters in connection with acquisition, dispositions and leasing of real property.
- Track lease and contract contingencies for expiration, extension and/or termination of transaction.
- Prepare leases, lease abstracts, contracts, title survey objection letters, closing documents, instruction letters, statements, and facilitate real estate closings.
- Heavy contact with clients, sellers, landlords counsel, title agency, surveyors, and engineers and whoever else I needed to speak with to get the job done.
- Transaction oversight of multiple parcel assemblages and the drafting of all contracts and closing documents relating thereto as well as facilitation and support of Closings for the same,
- Coordination and management of the documentation for initial land acquisitions for the development of large life style centers and the loans relating thereto Management of the construction and leasing documentation of the same.
- Transaction oversight, including the delivery of estoppels and tracking of the same for compliance with Contract percentage requirements, and due diligence delivery and review, of acquisitions and disposition transactions for regional malls.
- Preparation of spreadsheets for client use in the tracking of costs of transactions, input of time in Carpe Diem and Timelips for billing purposes, tracking of outstanding transaction issues and/or completion of transactions and the subsequent document distribution, as well as other status details as required.

FelCor Lodging Trust, Inc., Irving, Texas (Hotel REIT)

Real Estate Paralegal/Administrative Assistant: responsible for the development of forms for the documentation of acquisitions and dispositions of upscale hotels, facilitation of closings relating to the same. (Temp 2/03 - 8/03; Perm 9/03 - 2/05)

- Assist in facilitation of transaction closings related to the purchase and sale of hotels.
- Assisted in the production of due diligence packages required for the refinancing of the Hotel portfolio for CMBS.

Melanie Roberts Resume

Page 2

- Provided assistance to the General Counsel for the maintenance of annual state corporate filings for over two hundred entities.
- Maintenance and upgrade of counsels contacts containing 600+ contacts.

Kane, Russell, Coleman & Logan, PC, Dallas, Texas (Law Firm)

Real Estate/Transaction Paralegal (Russell Group): responsible for the support of attorneys pertaining to Asset Purchases of tanning salons, Real Estate Purchase Contracts and Leases for a national restaurant chain and various other types of legal transactions as needed. (7/99 - 9/02)

- Draft initial Asset Purchase Agreements, Real Estate Purchase Contracts, Build to Suit Leases and Ground Leases for negotiation.
- Review analyze and resolve title, survey and third party issues.
- Research and resolve due diligence matters in connection with real property and asset purchases.
- Track contract and lease contingencies for expiration and extension.
- Prepare title survey objection letters, closing documents, instruction letters, statements, and facilitate real estate closings.
- Heavy contact with clients, sellers, sellers counsel, title agents, surveyors, and engineers.
- Review and analyze real property and equipment leases in connection with Asset Purchase transactions.
- Draft closing documents including corporate resolutions and secretary certificates and facilitate closing of Asset Purchase transactions
- Support Partners and Director of the firm for complicated transactions involving multi party Agency Agreement, sale of an international equipment manufacturing company, purchase of an equestrian center and multiple office buildings.
- Manage UCC filing project for multiple companies with filings in all 50 states, Puerto Rico, St. Thomas and Canada.

Andrews & Kurth, L.L.P., Dallas, Texas (Law Firm)

Real Estate Paralegal: responsible for review and analysis of title, survey and zoning as it pertains to Fee and Leasehold lending (8/98 - 5/99)

- Review and analyze title exceptions as it pertains to CC&R's, easements, legal descriptions, ongoing monetary and future obligations and endorsement requirements.
- Review and resolve survey issues in accordance with clients requirements.
- Prepare closing documents find instruction letters.
- Interface heavily with lenders closer, title company, borrowers counsel, surveyor, title agent and in house attorney to resolve title, survey, zoning and license issues.
- Research zoning non conformance issues and propose resolutions.
- Tracked and followed up post closing documents, undelivered items and title policies.
- Reviewed post closing documents and title policies for compliance with closing instructions.
- Organized and coordinated title and survey review of loan transaction containing over 50 properties utilizing in-house paralegal staff, that closed in less than 45 days.

NationsBank of Texas, Dallas, Texas (Bank)

Loan Closer: responsible for the review of documentation and authorization of advances as they pertain to Corporate and International Lending. (11-93 - 12/94)

- Review of documentation for international commodity trading under Commercial Credit corporate guidelines.
- Review and analysis of FX trading exception report.
- Review and approval of changes in LIBOR transactions,
- Review and approval of Bankers Acceptances and Letter of Credit extensions and amendments.

J E Robert Companies, Dallas, Texas (RTC Contractor for Asset Management)

File Administration Manager: responsible for the documentation management related to the asset management of four SAMDA and four REMIC contracts and supervision of department staff. (9/92 - 9/93)

- Coordinated transition of File Administration Department from Houston to Dallas.
- Interfaced with OCOS and RTC auditors regarding status of asset documentation, resulting in minimal audit exceptions.
- Designed and implemented streamlined work flow systems for the department resulting in increased office efficiency and improved working relations with all departments.
- Designed bar coding system and interfaced with programmers as program was written,
- Designed master plan for File Administration role in SAMDA shutdown, leading to the development of master plans for all departments of Operations.

Melanie Roberts Resume

Page 3

- Redesigned record retention procedures and policies, increasing availability of records.
- Motivated File Administration staff to operate as a team, providing a service friendly environment for all department using our services.
- Coordinated with Note Sale Administrator to prep files for RTC driven not sales, and track shipment of files.
- Schedule and coordinated due diligence, receivership termination audits, PCR and ECR audits as well as special projects to lend support to asset management staff.
- Oversight of daily operations of document review, tickler updating, exception citing/reporting, negotiable collateral, collateral release, research file; tracking and filing.
- Coordinated company picnic.

Countrywide Funding Corporation, Dallas, Texas (Mortgage Lender)

Mortgage Loan Closer/Funder/Shipper; solely provided support of wholesale division, closing fifteen million in single family residence mortgages monthly. (6/92 – 8/92)

Comerica Bank - Texas, Dallas, Texas (Bank)

Loan Disburser/Closer; responsible for knowledge of documentation and regulation as they pertain to the closing and funding of secured loans, data entry for tickler system, and preparation of accounting entries. (6/91 - 6/92)

First Interstate Bank of Texas, Dallas, Texas (Bank)

Lead Paid Specialist / Special Project Coordinator; responsible for the oversight of the Paid Loan Department, special project coordination and supervision. (3/90 - 6/91)

Lead Collateral Specialist; responsible for the review of collateral documentation for compliance with bank regulations and documentation exceptions, update tickler system and interacted with lending staff to clear exceptions. (8/87 - 3/90)

EDUCATION

Licensed REALTOR® (Independent Broker), Licensed September 2010 (Texas) and July 2015 (Alabama).

Licensed Texas Real Estate Commission ("TREC") Instructor, Licensed November 2010.

Texas Licensed Insurance Adjuster, Licensed 2014

Licensed Path Element Profile (PEP) Trainer (Independent), LBJ Enterprises, Inc. Material is based upon the book "The Four Elements of Success" by Laurie Beth Jones. Licensed June 2006.

Path4U Trainer (Independent), LBJ Enterprises, Inc. Material is based upon the book Path4U by Laurie Beth Jones. Licensed October 2006.

Management Supervision Technologies Program, Jefferson State Junior College, Birmingham, Alabama – Attended 1982 - 1984

High School Diploma, Minor High School, Birmingham Alabama - Graduated 1981

PERSONAL

Computer literate with working knowledge of Word, WordPerfect, Excel, Publisher, PowerPoint, Pro Docs, GroupWise, Outlook, Elite, Timeslips, Carpe Diem, Elite, Imanage, NTREIS Matrix, ABOR Matrix, Microsoft One Drive, NTREIS Innovia, RPR, Co-Star, and multiple in-house systems and databases.

Enthusiastic outgoing personality with a spirit for teaching and coaching, with leadership qualities and a persevering attitude and action plan to do what it takes to get the job across the finish line.

References Upon Request

Christopher O. Hollis II

1522 Toyah Creek Ln. Garland TX 75040

Cell Phone: 469-371-9391

cohollis2@gmail.com

Summary:

- High achieving and dedicated A&M University graduate with an exceptional record of presentation strategies and client satisfaction.
- Adept at facilitating clear and transparent communication between all levels of personnel. Able to work well independently or cooperatively with a professional communications team.

Education:

- 2015 Texas A&M University
- Bachelor's Degree in Communications with a Minor in Military Studies

Experience:

- **Economy Signs (June-August 2010)**
-Assembled billboard sign posts as warehouse associate
- **Barnes and Noble (January-October 2015)**
-Maintained retail sales goals while balancing registers and interacting with clients
- **MobileX USA (June-August 2015)**
-Liaison between medical staff and supply companies to ensure efficient delivery
- **Texas A&M Association of Former Students (October-December 2015)**
-Promoting university brand while actively seeking charitable support from A&M alumni

Achievements:

- Texas A&M University graduate
- 4 years of the Corps of Cadets at Texas A&M
 - Fire Team Leader
 - PR Officer
 - Marine Recon Company member (special unit)
- Graduated Marine Corps Officer Candidate School (Juniors)
- Eagle Scout
 - Senior Patrol Leader of Troop 777
 - Order of the Arrow member
 - Aggie-Eagle recipient at Texas A&M
- High School Football Captain
- JROTC Battalion Sergeant Major

May 2, 2017

To Whom It May Concern,

I am writing to express my interest in representing Garland on the North Texas Municipal Water District Board for the two year term beginning June 1. I have lived in Garland at 3105 Medina Drive for 18 years and water issues are of great interest to me. I serve on one non-profit board, Hope Clinic, and also on the Long Term Recovery Committee, which exists to assist Garland residents who suffered damage from the December 2015 tornado.

As a resident of Garland for nearly 2 decades, it would be a pleasure to serve my community in this manner. Attached is my resume. Feel free to contact me at jimw@fbcgarland.org or 214/669/3193.

Sincerely

Jim

Jim Witt

James (Jim) Bradley Witt

3105 Medina Drive
Garland, Texas 75041
jimw@fbcgarland.org
214/669/3193

EDUCATION

M. A.	Midwestern State University Clinical Psychology <i>Thesis: Involuntary Relocation of the Aged: A Literature Review and Implications for Social Practice</i> <i>Practicum: 6 semester hours at North Texas State Hospital, Wichita Falls campus & Wichita Falls MHMR (now Helen Farabee Regional MHMR)</i>	August 1980
M.Div	Southwestern Baptist Theological Seminary Theology	July 1984
B.A.	Baylor University Psychology	May 1976
C.P.E.	Shannon Hospital, San Angelo, Texas <i>Clinical training in a medical/surgical hospital./</i>	May 1986-1987

TEACHING EXPERIENCE

Adjunct Lecturer	Introduction to Psychology Tarrant County College-Northwest Campus <i>Taught 2 sections each semester</i>	1985-1986
Teaching Assistant	Introduction to Psychology Midwestern State University <i>Taught 2 sections each semester</i>	1977-78

Guest Lecturer	Introduction to Christian Education Dallas Baptist University <i>Lecture on "Mobilizing Local Church for Mission"</i>	2013-2015
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WORK EXPERIENCE

Consulting School Psychologist	Region IX ESC Wichita Falls, Texas <i>Provided psychological services to 6 school</i>	1979-1980
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districts served by Region IX

Associate Pastor	First Baptist Church Alexandria, Virginia <i>Had teaching, education and counseling</i>	1987-1998
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responsibilities

Associate Pastor	First Baptist Church Garland, Texas <i>Responsibilities include teaching, overseeing adult education, and counseling contractors. Also provide counseling for members and non-members</i>	1999-
------------------	---	-------

Community Volunteer Experience

Board of Directors	Hope Clinic, Garland	2005-present
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Hope Clinic is a Garland non-profit providing medical and spiritual care for the medically uninsured in Garland

Long Term Disaster Recovery Committee	Garland	2016-present
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Hear presentations from property owners damaged in December 2015 and provided funds as necessary



GARLAND POLICY REPORT

City Council Work Session Agenda

4.b.

Meeting Date: May 15, 2017

Item Title: 2017-2018 CDBG, HOME and ESG Budget Allocation

Submitted By: Mona Woodard, Neighborhood Services Administrator

Council Goal: Sustainable Quality Development and Redevelopment
Safe, Family-Friendly Neighborhoods

ISSUE

Information regarding applications, funding history, and available funds for the Community Development Block Grant, HOME Infill Partnership Grant and Emergency Solutions Grant budgets were provided to City Council on May 1, 2017. Background information was provided to City Council to prepare for the 2017-2018 grant funding project selection and grant award process.

RECOMMENDATION

City Council was provided 2017-2018 Community Development Block Grant Program (CDBG), HOME Partnership Grant and Emergency Solution Grant (ESG) program information by Housing and Community Services staff at the City Council's May 1, 2017 work session. The City Council conducted a public hearing on May 2, 2017 to allow interested parties seeking federal grant funds to present proposed programs and services. During City Council's May 15th meeting, the City Council is scheduled to begin developing a budget for the CDBG, HOME and the ESG programs by selecting applications from non-profit organizations wishing to provide eligible services and implement eligible projects. The City Council will also review and select City sponsored projects and City programs eligible for implementation with the federal funding. The City Council will adopt a final budget for the CDBG, HOME and the ESG programs during the Regular Meeting scheduled for May 16, 2017.

BACKGROUND

The City expects to receive the following funding from the Department of Housing and Urban Development (HUD) for 2017-2018:

CDBG: \$1,874,725

HOME: \$515,152

ESG: \$165,656

The proposed 2017-2018 fiscal year budget must be submitted to HUD by August 15, 2017 for the Community Development Block Grant, HOME Infill Partnership Grant and Emergency

Solutions Grant. Two neighborhood meetings and one public hearing were held to receive input on the proposed use of funds, as required by the HUD.

CONSIDERATION

1. Staff received CDBG grant fund applications in the following amounts:

Public Services	\$476,980
City Sponsored Projects	\$4,597,300
Administrative	\$374,945

\$799,205 of CDBG funding is available to reprogram from past year CDBG funding cycles.

2. HUD limits CDBG funds that may be used for grant planning and administration to 20% of the entitlement funds received by the City. CDBG Grant Administration funding is limited to \$374,945. HUD Public Service funding is limited to 15% of annual entitlement funds (\$281,208). CDBG funds in the amount of \$2,017,777 available for City sponsored projects.

3. HOME Infill funds available total \$515,152 and requests total \$515,152. HUD regulations allow 10% of the HOME grant for administration and requires that 15% of the grant be set aside for use by Community Housing Development Organizations (CHDOs). A HOME carryover balance of \$1,124,395 is available for HOME eligible projects.

4. Total Emergency Solutions Grant funds are \$165,656. HUD will allow \$12,424 of the ESG grant for administrative expenses. The ESG Grant includes a data collection mandate that will cost \$8,000 to complete. \$53,010 is available for Shelter Operations, \$50,252 available for Homeless Prevention activities and \$41,970 is available for Rapid Re-housing activities. Applications submitted for funding in the Rapid Re-housing category exceeded funding by \$55,310.



GARLAND POLICY REPORT

City Council Work Session Agenda

4.c.

Meeting Date: May 15, 2017

Item Title: IH-30 Corridor Catalyst Area Revitalization Plan Update

Submitted By: Nathaniel Barnett, Sr. Planner

Council Goal: Sustainable Quality Development and Redevelopment

ISSUE

Update and briefing on IH-30 Corridor Catalyst Area Revitalization Plan

OPTIONS

Informational only

BACKGROUND

The Envision Garland Plan, adopted in 2012, identifies seven catalyst areas for strategic reinvestment. Catalyst areas are intended to highlight key opportunities to revitalize and modernize the City's development pattern. Each area's unique character highlights the importance of area-specific redevelopment strategies. A high visibility corridor, IH-30 has the potential for reinvestment and image enhancement to attract residents, visitors, businesses, and passersby to the area. The Council approved a contract with Freese & Nichols, Inc. in the amount of \$137,500 during the regular City Council meeting on August 15, 2016 for the development of the IH-30 Corridor Catalyst Area Revitalization Plan.

There are three Targeted Investment Areas (TIA) per the Envision Garland Plan associated with this study. They are located at the intersections of Broadway Boulevard and IH-30, Rosehill Road and IH-30, and the Harbor Point area.

An official kick-off meeting between the consultant, a staff technical committee and a Planning Advisory Committee (PAC) consisting of area stakeholders, as well as a tour of the area occurred on October 13, 2016. A written briefing was provided for the City Council on November 14, 2016. On December 5, 2016, the Consultant met with the Infrastructure Coordination Team (ICT), staff technical committee, and PAC to present their initial findings which included an assessment of the existing conditions and preliminary market analysis. Staff gave an update to the Plan Commission on February 13, 2017, focusing on the progress made by the Consultant and the process for the study moving forward. On February 20, 2017, the Consultant met with the staff technical committee and PAC to provide an update regarding the Corridor Assessment and Base Economic and Real Estate Market Outlook. At this meeting, concept plans for each TIA was presented to gather feedback and input for the initial

recommendations. An update was provided to the City Council during the work session that evening as well.

Staff has sent letters to the business and property owners along IH-30 notifying them of the study, and placed information regarding the study in various newsletters and publications. As part of the community engagement process for the study, a brief survey has been placed on mySidewalk.

The draft was submitted by the Consultant on April 7, 2017 for review by Staff, the committees and City Council, and is included as an attachment. Staff will also brief the property and business owners in the study area for additional input. The final comments from all parties will be given to the Consultant for incorporation into the plan. The next steps will be to bring forward the plan to the Plan Commission and City Council for adoption during the summer of 2017.

CONSIDERATION

1. The Envision Garland Plan's Economic Development Goal 5 recommends an aggressive approach to encourage new development and redevelopment in select catalyst areas and to make strategic public investments to leverage private investment and reinvestment in residential, commercial, and mixed-use development.
2. The IH-30 Corridor has many assets, including greenfield sites along a high volume interstate highway, with the potential to draw additional visitors into Garland. The IH-30 Corridor provides prime potential for reinvestment and image enhancement for Garland. Completing a plan for the area offers an opportunity to better position the City to address the impacts of development in adjacent communities.
3. The scope of work for the IH-30 Corridor plan formalizes the Envision Garland Plan Catalyst Area program to create a sustainable physical and economic development program for the future. Project deliverables will provide a market assessment providing a base of information for the identification of market-driven opportunities along the corridor. Detailed assessments will identify both short-term and long-term strategies for implementation. Area stakeholders have been identified and engaged. A technical committee of City staff has also been formed and engaged through the process thus far.

Attachments

I-30 Catalyst Area Plan Draft

CITY OF GARLAND
**I-30 CORRIDOR
CATALYST AREA PLAN**

DRAFT APRIL 7, 2017

ACKNOWLEDGMENTS

City Council

Mayor Douglas Athas

David Gibbons, Council District 1

Anita Goebel, Council District 2

Stephen Stanley, Council District 3

B.J. Williams, Council District 4

Rich Aubin, Council District 5

Lori Barnett Dodson, Council District 6

Scott LeMay, Council District 7

Jim Cahill, Council District 8

Planning Advisory Committee

Jim Bookhout

Robert Canaday

Wayne Dalton

Bill Foose

John O'Hara

Kent Stainback

Craig Turner

Technical Committee

John Baker, Assistant City Manager

Rick Vasquez, Managing Director of Planning & Comm. Dev.

Will Guerin, Director of Planning & Comm. Dev.

Nathaniel Barnett, Senior Planner/Project Manager

Angela Self, Comprehensive Planning Administrator

Lucia Arrant, Convention & Visitor's Bureau Administrator

Jeff Janke, Electric General Manager

Paul Luedtke, Director of Transportation

Ann McGinnes, Senior Park Planner

Jim Olk, Building Official

Ross Owen, Systems Operations Director

Michael Polocek, Director of Engineering

Ayako Shuster, Business Development Manager

Consultant Team

FREESE AND NICHOLS, INC

Wendy Shabay, AICP, Principal-in-Charge

Cody Richardson, RLA, Project Manager

Alexis Garcia, Project Planner

RCLCO

Todd LaRue

Cameron Pawelek

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PART ONE | OVERVIEW

Purpose

The purpose of this catalyst area plan is to create a cohesive vision for the Interstate Highway 30 (I-30) Corridor Catalyst Area and devise appropriate strategies to implement and ultimately revitalize the corridor as a whole. Inspiration for the revitalization of the corridor is based on the goals established in the Envision Garland 2030 Comprehensive Plan. There are opportunities in the I-30 corridor for new development as well as revitalization that can only be explored by conducting a formal analysis of the existing needs and economic opportunities. The intent of this plan is to establish distinct development strategies for three identified Targeted Investment Areas (TIAs) to spur redevelopment of the corridor and surrounding areas. This plan will provide guidance for the future new development and redevelopment, identify effective strategies for economic growth, and outline actionable items to achieve the goals of Envision Garland.

Overview

The concept to redevelop aging and under performing commercial centers stems from the goals identified in the Envision Garland 2030 Comprehensive Plan. Adopted in March of 2012, the plan sought to enable redevelopment and implement aggressive economic growth strategies through targeted strategic investment. As a result of City Council's desire to see action and not let plans simply sit on the shelf, creation of the I-30 Corridor Catalyst Area Plan was initiated to help spur economic activity within the catalyst area through the use of economic strategies and development goals.

This plan takes a three part approach to developing a catalyst area plan: information gathering, area assessment, and plan development. Information and input gathered from site visits, the Planning Advisory Committee, and the Technical Committee painted a comprehensive picture of the existing conditions in the corridor. A detailed assessment of the corridor analyzed the market and economic conditions, population and demographics, and physical conditions and existing land uses. This information was then used to create a generalized land use plan for the entire catalyst area and TIA plans for each of the three TIAs located at I-30 and Broadway Street, I-30 and Rosehill Road, and Harbor Point. These plans outline development strategies and design features to encourage economic development within the TIA.

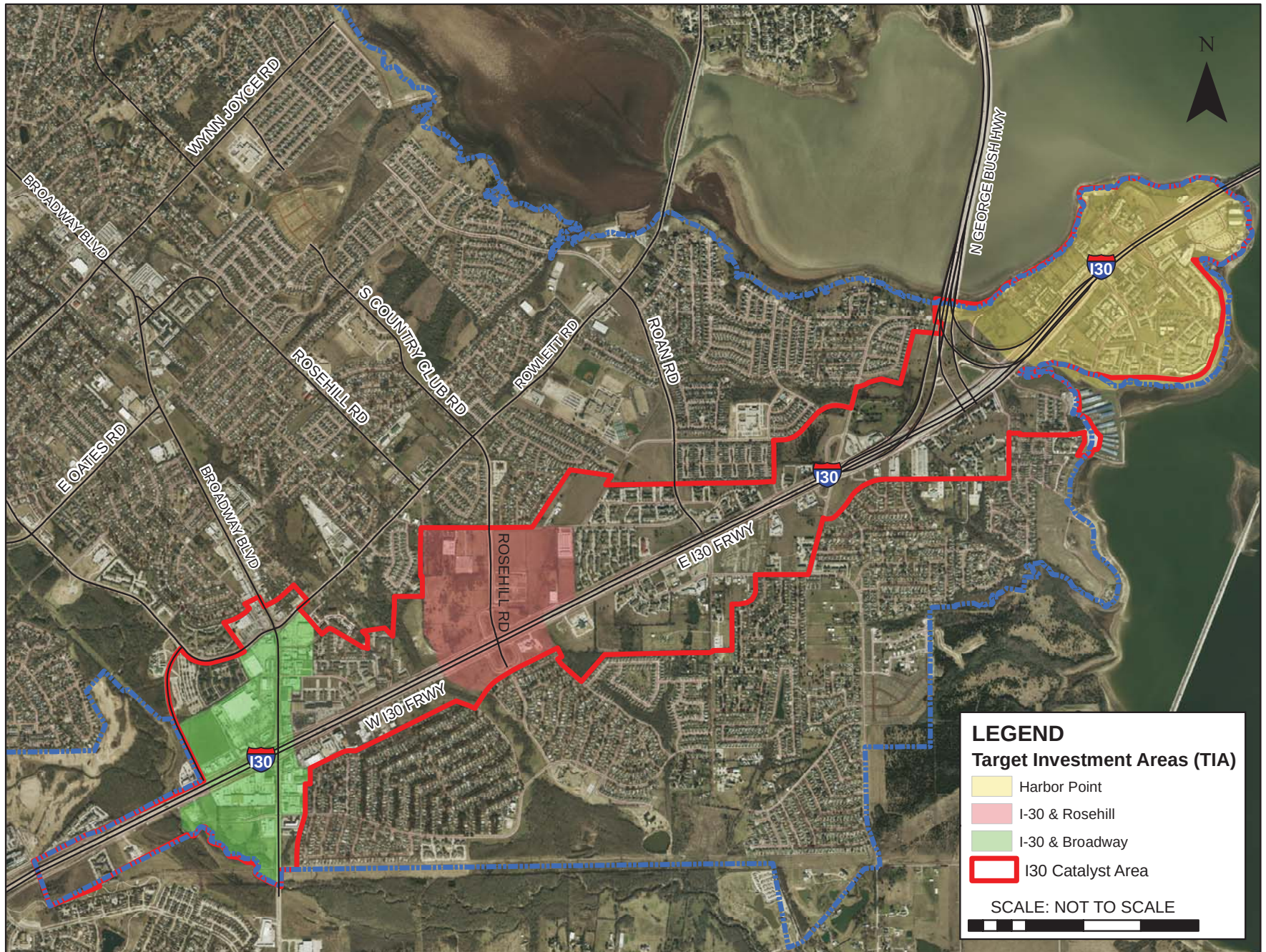
This plan takes into account that one size does not fit all situations and therefore, while each TIA may have similar conditions, the same strategy is not used in every case. While this plan creates a vision for the corridor, it also outlines realistic actionable strategies to assist the city in decision making to bring ideas and goals into reality with the explicit purpose of revitalizing the I-30 corridor and improving the overall quality of life.

Study Area

Located in the southern most portion of the City of Garland, the I-30 corridor study area consists of 2.18 square miles of land along the north and south side of I-30. The study area is directly bounded by the City of Mesquite to the west and Lake Ray Hubbard to the east. Both access points serve as gateways to the city. Land uses in the area include pockets of commercial development along the highway frontage, retail development concentrated at the intersection of I-30 and Broadway Street, and multi family residential located along the highway, most heavily concentrated between the President George Bush Turnpike (PGBT) and Lake Ray Hubbard.

South Garland is characterized as an established community with aging housing and commercial real estate. New commercial and residential development is occurring to the south, east, and west of the study area. Within the corridor, new commercial has been constructed, however limited. As a result, the area has developed a perception reflecting the aged housing, abundance of multi family residential, and lack of entertainment options. The community is especially sensitive to high density development due to the negative connotation associated with the existing garden-style apartment housing options. This sensitivity to land uses has been taken into consideration in the development of this plan.

The corridor has excellent regional connectivity with connection to PGBT, and the future extension of PGBT to Interstate Highway-20 (I-20) will have significant impact on the future development within the corridor and the surrounding cities. Future Texas Department of Transportation (TxDOT) improvements are scheduled for this portion of I-30. These improvements will increase accessibility through better ramp configurations, intersection enhancements (removing "jug handles") and potential roadway aesthetics.



DRAFT Engagement

The primary advocates in the development of this plan are the Planning Advisory Committee (PAC), the Technical Committee (TC), and the consultant team from Freese and Nichols, Inc. (FNI) and RCLCO. The PAC served as the advisory task force made up of members of the community selected by the City Council. These members include Planning and Zoning Commission members and stakeholders who are familiar with the needs and opportunities of the study area. The TC consists of members of city staff, who are involved with city development.

In developing the plan, the consulting team from FNI and RCLCO met with both committees three times starting in the fall of 2016. The first meeting in October of 2016 was an information gathering session to learn about impediments, opportunities, and other information pertinent to the development of a successful plan. The PAC and consultant team took a tour of the study area to conduct a visual assessment and visit the three TIAs.

The consultant team met with both committees again in December 2016 and February 2017. At the meeting in December, the consultant team presented initial plans for a sustainable catalyst area program and the economic analysis of the corridor. At the February meeting, the consultant team presented concept plans and development strategies for each of the TIAs based on the information gathered at the initial meeting. After receiving feedback from both committees, the consultant team returned to the committees again with a final draft of the Catalyst Area Plan.

The following are major themes gathered from the initial meetings with both committees:

OPPORTUNITIES

- The corridor is a great location with access to PGBT, Highway 635, and Lake Ray Hubbard.
- Lake front property at Harbor Point can be capitalized on as an amenity.
- I-30 has high traffic counts and high visibility to passing traffic.
- The PGBT extension will provide additional access to the corridor.
- Future TxDOT improvements will improve accessibility.
- Lake Ray Hubbard contributes ecotourism opportunities.
- Large, contiguous, vacant parcels at I-30 & Rosehill provide opportunity for new development.

CHALLENGES

- There is an existing negative perception along this corridor.
- Existing highway layout has poor traffic accessibility.
- There is a poor configuration of land uses and many planned development districts intermixed.
- Competing retail centers in the City of Mesquite and City of Rockwall draw potential consumers away from South Garland.
- Existing commercial properties are performing sufficiently and provide little incentive for property owners to make improvements.
- A large amount of garden-style apartments are located in poor locations where commercial development could be located.
- South Garland is faced with challenges associated with aging housing and older commercial real estate.



One Thing

- 1) Upscale entertainment district
- 2) entertainment that attracts young families
- 3) mixed use - residential, office, retail
- 4) Anchor restaurant
- 5) Mixed use



Opportunities & Assets

- Great access & location
- Different types of multi-family (mixed use)
- Demand from younger generation for "something different"
- Education of community on new types of residential
- Opportunity to bring in younger folks
- need upscale to change mindsets
- Dove Creek - should be extended to 3D. Garland did this right but should come further.
- Land for parks is there just needs to be built
- Signage or naming of corridor an opportunity
- programs in neighborhoods to bridge unity is an opportunity

DRAFT

Challenges

- Planning for extension of roadway
- Current residential/businesses at Harbor Point
- Multi-family that is part Garland/part Mesquite
- Land use & extensive use of P.D.s - some PDs are very limited to limited amount of uses
- Some overlays have been deleted w/ new UDC but city open to them.
- Perception of high crime.
- High traffic counts, but NOT stopping. Most keep going through.
- Traffic accessibility & ease of access
- Struggle w/ off ramp between Rockwell & Garland (Dalrock)

PART TWO | AREA ASSESSMENT

Site Analyses

BROADWAY

The site at I-30 and Broadway Street, also referred to as the Broadway site, has excellent visibility from I-30, while the intersection of a major North/South thoroughfare allows for easy access from Garland to major regional employment cores. Broadway's existing retail concentrations support the perception of the site as a commercial center; however, because the site's existing retail buildings continue to age and the immediately surrounding neighborhoods provide limited new household growth, Broadway is unlikely to attract major new tenants or investment without some public intervention. Acquiring land for development would also be a challenge, as the site has multiple land owners and high occupancy. However, there may be an opportunity for investment to create an attractive park and trail system in the expansive greenspace and creek to the west and south of the site, helping re-energize parts of the planning area in addition to revitalization strategies.

ROSEHILL

The site at I-30 and Rosehill Road, also referred to as the Rosehill site, is made up of large, empty parcels which allow for easier land acquisition and development. Rosehill Road connects to several residential neighborhoods to the north and south, allowing for local access in addition to regional access via I-30. Like Broadway, the site has excellent visibility from the interstate; however, ease of access is limited by circuitous exit ramps. Plans to redesign the Rosehill Road and I-30 intersection have been discussed, which would improve the opportunity for development at the site. In addition, the site has expansive greenspace to the west and south, which could connect with a trail system. Rosehill's size and proximity to existing residential neighborhoods, along with attractive site characteristics, make it the most feasible for near-term development.

HARBOR POINT

Harbor Point is a large site with waterfront access and impressive lake views. Of the three sites, Harbor Point is most proximate to large areas of household growth east of Lake Ray Hubbard. Although Harbor Point offers some of the newest and highest quality retail on the corridor, the development has

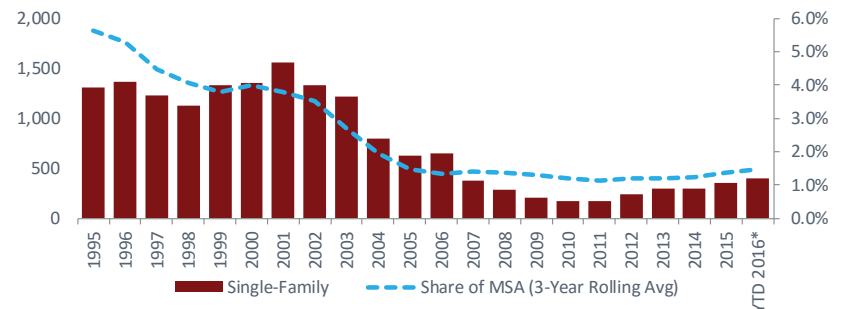
shortcomings. The positioning of the buildings on-site results in limited visibility from I-30, and the parking lot design makes it difficult for visitors to move between businesses on foot. The site design also restricts views of the lake except from private restaurant space. Public access to the waterfront is minimal, and patrons have been unable to access Harbor Point's dock since February 2016. Nonetheless, the site's waterfront holds significant potential, and targeted investments to increase public access will help enhance the value and appeal of the planning area.

Market Assessment by Land Use

FOR-SALE HOUSING

The Garland-Rowlett area has enjoyed strong growth post-recession, with single-family permits increasing approximately 130 percent from 2010 to 2016 as shown in Figure 1.1. Activity remains far below the late 1990s and early 2000s, as developable acreage has diminished. New residential activity is concentrated in the Rowlett area and is priced at a premium to the I-30 corridor, buoyed by quality schools, strong regional access, and newer retail and services. Actively selling communities near the study area are experiencing healthy absorptions, with a sales pace of 2-3 homes a month.

Figure 1.1 Historical Single-Family Permits Garland and Rowlett, TX; 1995-2016



*2016 figures account for permits through September Source: U.S. Census

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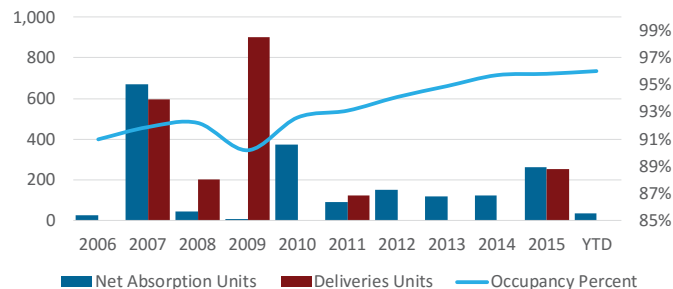
Low cost of living and easy access to central Dallas are key demand drivers for the area. The opening of the George Bush Turnpike will also drive demand as it improves access to the north, making the area an attractive residential location for employees of both the Telecom Corridor and Downtown. There is an opportunity for higher density infill residential developments that can appeal to young professionals, young families, and empty-nesters, attracted by relative affordability and employment proximity.

RENTAL HOUSING

The Garland-Rockwall area rental housing market, especially near the TIA sites, is dominated by aging communities from the 1980s. Newer communities have been concentrated in the City of Rockwall and northern Garland, most delivering between 2007 and 2009 as shown in Figure 1.2. Occupancy has remained high in recent years, after dipping due to slow absorption of the late-2000s deliveries.

The demand-drivers for rental housing are the same as for-sale housing: low cost of living and easy access to Dallas and employment cores. There is an opportunity for new urban-lite multi-family and single-family rental options in the study area, functioning as a step up from current area options while still serving as a discount to Bayside and pricier neighborhoods of Central Dallas.

Figure 1.2 Historical Multi-Family Absorption, Deliveries and Occupancy Garland-Rockwall Submarket; 2006-2016

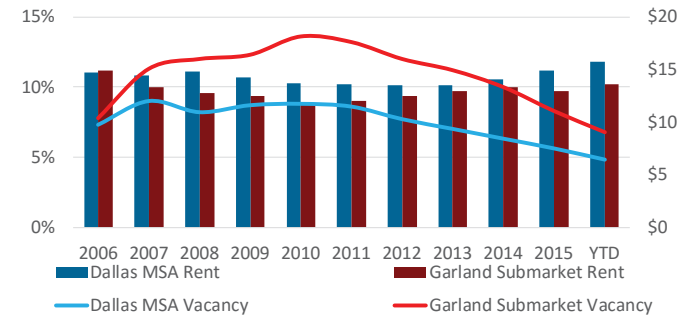


Source: CoStar; Axiometrics; RCLCO

RETAIL

Retail along I-30 in Garland is primarily neighborhood and community-serving, concentrated at the I-30 and Broadway intersection. Though the I-30 corridor is typified by aging retail space, Figure 1.3 shows vacancies have declined over the past five years in the Garland sub-market as well as the MSA overall. Rents have grown at an average annual rate of 2.6 percent around Garland and 2.9 percent in the MSA.

Figure 1.3 Rent and Vacancy for All Retail, 2006-2016



Source: CoStar; Esri; RCLCO

Retail demand is driven by household growth, not only in the immediate area, but also in nearby communities as the corridor can capture demand from commuters traveling between Dallas, Rowlett, Garland, and eastern suburbs along I-30 and the turnpike. There is support for additional neighborhood-serving retail, restaurants, and smaller-scale entertainment options. The opportunity for new regional and power center developments are likely limited.

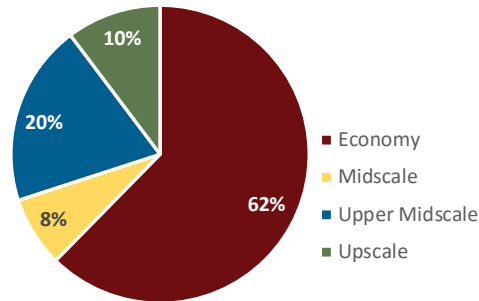
OFFICE

The majority of office and flex space in the area was built before 1990 and is concentrated between Downtown Garland and Interstate Highway 635 (I-635). Recent office development is mostly neighborhood-serving and is proximate to the higher growth areas of the City of Rockwall and Firewheel. Though flex space continues to maintain less than 5 percent vacancy, the relocation of Raytheon has significantly increased office vacancies. Garland sub-market has achieved slower rent growth than the MSA due to the area's slower population growth and older built environment.

Office demand is driven by proximity to a large and growing base of office-using employees, which the Garland area currently lacks. Regional accessibility, which is improving with the opening and planned extension of the PGBT, is also a key office demand driver. Office space is likely a secondary or tertiary driver of development along the I-30 corridor, with additional household growth needed to drive opportunity in the area. New development opportunity is likely limited to small-scale neighborhood and medical office, with traditional office lacking support unless household growth accelerates significantly and the corridor develops a high-quality integrated, mixed-use environment that employers are increasingly seeking.

Approximately 70 percent of hotel rooms in Garland are Economy or Midscale hotels (Motel 6 tier to La Quinta tier) with low average daily rates as shown in Figure 1.4. Since 2010, revenues per available room in Garland have increased by over 70 percent, compared to just 47 percent for the Metroplex as a whole, largely due to the addition of several Upper Midscale and Upscale hotels. New hotel development in the area is largely occurring in Garland along the PGBT and in the City of Rockwall.

Figure 1.4 Distribution of Hotel Rooms by Classification Garland-Rowlett Area



Source: STR; Texas Office of the Governor; Source Strategies Inc.; RCLCO

Garland's hospitality market largely serves the existing household base, with secondary support from lake tourism and employment. The development of higher-quality parkland along the waterfront will improve the area's appeal to hotel operators and lake tourism, while improved access to higher-income household growth along the PGBT will increase the study area's attractiveness. There will likely be support for new development in the mid- to long-term, as additional affluent household growth enters the study area, with the opportunity strongest for upper midscale and or upscale hotels that are not currently represented along the I-30 corridor.

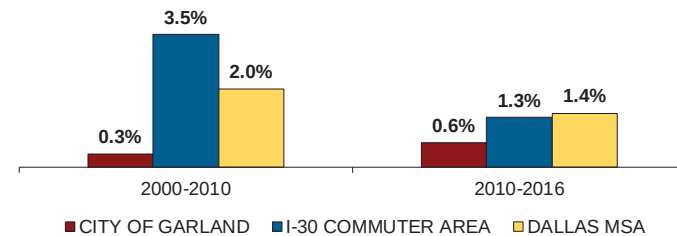
Economics and Demographics

The Dallas-Fort Worth-Arlington metropolitan area grew at a pace of 1.4 percent from 2010 to 2016, according to Esri household growth estimates. (See Figure 1.5). Although Garland grew at a slower pace in that period (0.6 percent), the I-30 commuter area, which includes households in the cities of Rowlett, Rockwall, and Wylie who commute through the study area, nearly kept pace with the MSA at 1.3 percent. In the previous 10-year period, the I-30 commuter area outpaced MSA growth (3.0 percent compared to 2.0 percent in the MSA).

The median household income in the MSA was \$60,850 in 2016. Garland's median income was below the MSA at \$52,800, while the median income in the I-30 commuter area was 126 percent of the MSA, at \$76,700.

The study area has easy access to two of the City of Dallas MSA's five largest employment cores: Central Dallas, with over 270,000 employees, and the Telecom Corridor with over 150,000 employees in 2014. Employment growth in the City of Dallas MSA has outpaced the nation each year since 2004. Metro area employment has grown at an average annual rate of 2.7 percent since 2010, while the national average was 1.4 percent during the same period.

Figure 1.5 Average Household Growth Rates, 2000-2016



Source: Esri Business Analyst; RCLCO

DRAFT Physical Assessment

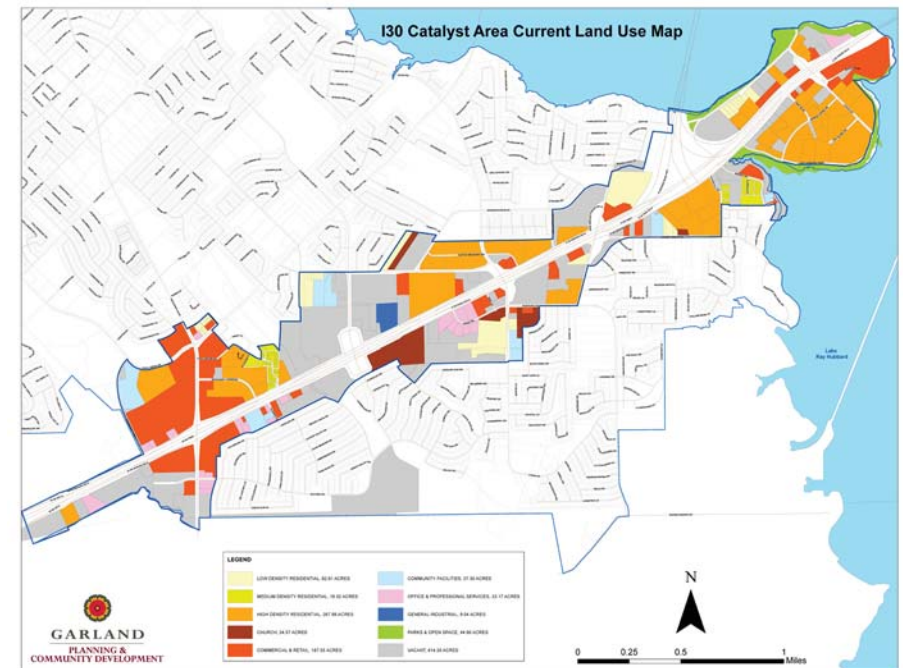
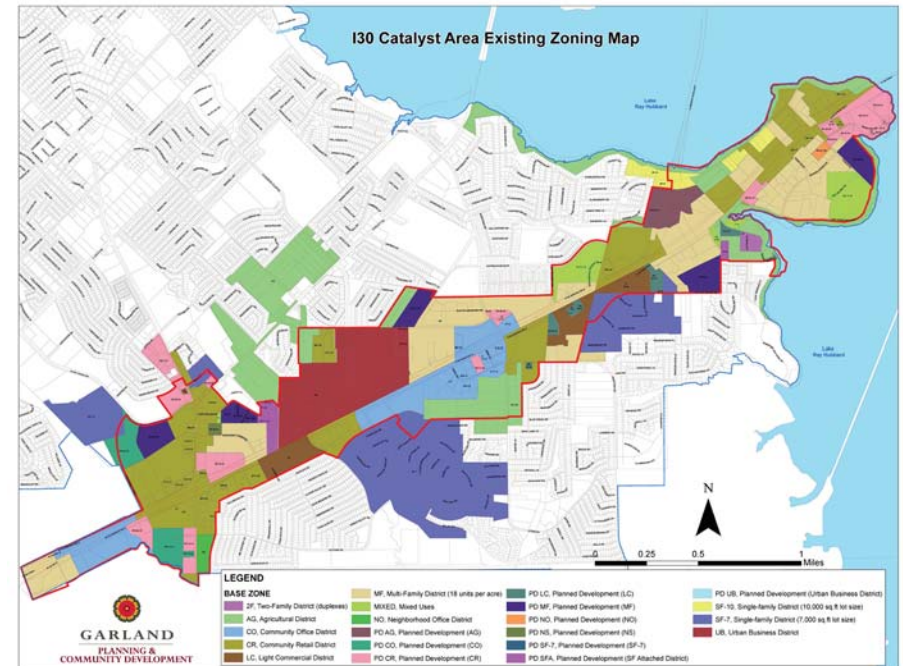
There are many opportunities in the study area. With limited areas of land available for new development, it is critical to have an overall view of the existing conditions in the corridor to understand the opportunities available. An assessment of the physical features within the corridor will help to craft a plan that describes locations for new development and identify where redevelopment is most beneficial.

EXISTING ZONING

The Existing Zoning map illustrates the current zoning designations within the study area. The map shows a wide variety of zoning districts along the highway with a majority of them being commercially based. Zoning Districts including Community Retail (CR), Light Commercial (LC), Urban Business District (UB), Multi-Family (MF) and a variety of Planned Developments (PD) are located directly along the frontage of I-30. PDs traditionally allow for more flexibility in development typologies. The significance of this finding is the need to maintain consistency and compatibility of zoning in all future development plans.

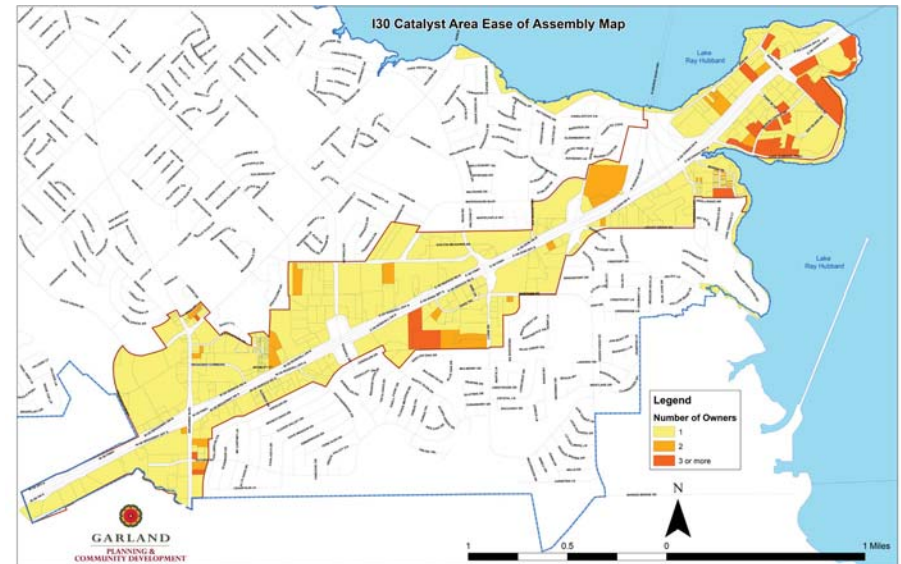
EXISTING LAND USE

There are concentrated pockets of Commercial & Retail and High Density Residential along the corridor. The Existing Land Use map reveals that 414.35 acres of the study area are vacant making up the largest land use in the corridor. Other prominent land uses within the corridor include High Density Residential with 267.88 acres and Commercial & Retail with 187.55 acres. Primary retail nodes are located at the Broadway and Harbor Point while Rosehill is primarily vacant.



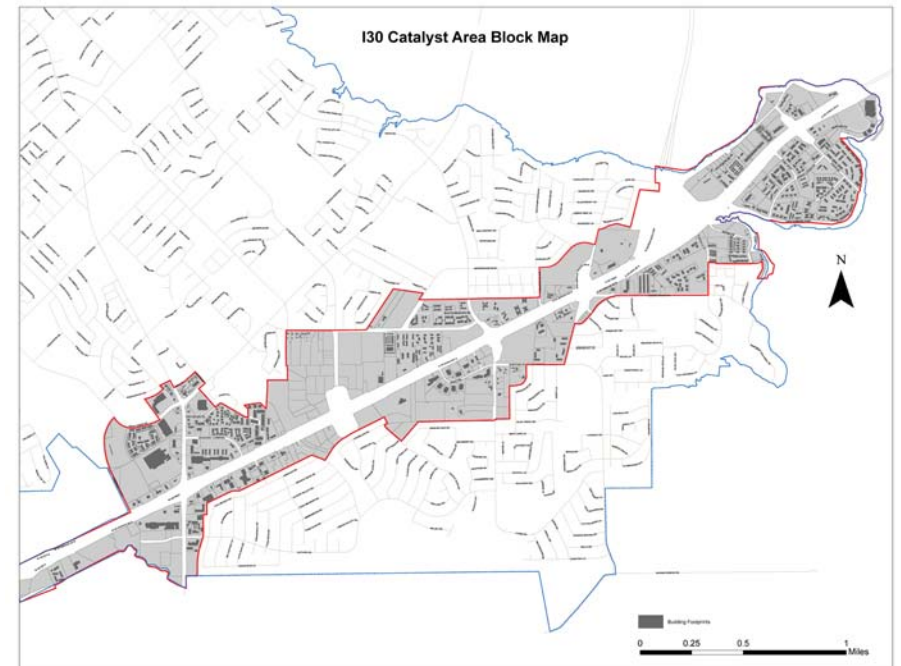
DRAFT BASE ASSEMBLY

Most of the properties within the study area are only owned by one person or entity. A small amount of properties have more than one ownership; however, many of these properties are concentrated in the area of Harbor Point. Multiple ownership can present a significant barrier to redevelopment.



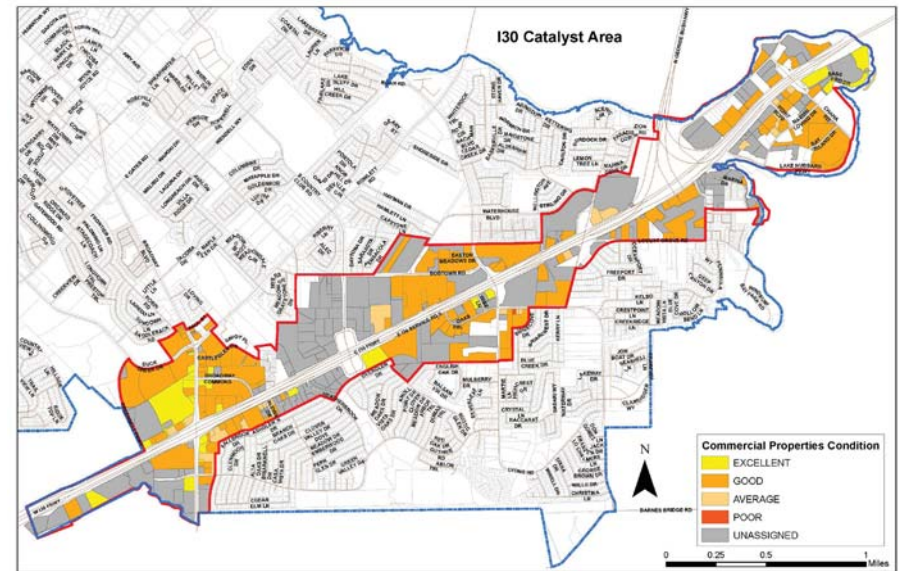
BLOCK MAP

Analyzing existing building blocks within the study area helps to understand current building patterns. The building forms shown in the Block Map suggest auto-oriented development patterns. Most of the properties have open space in front or large parking lots which is indicative of auto-oriented retail. Clusters of multi-family apartments indicate lower-density garden-style apartments, popular in the 1950s-1990s.



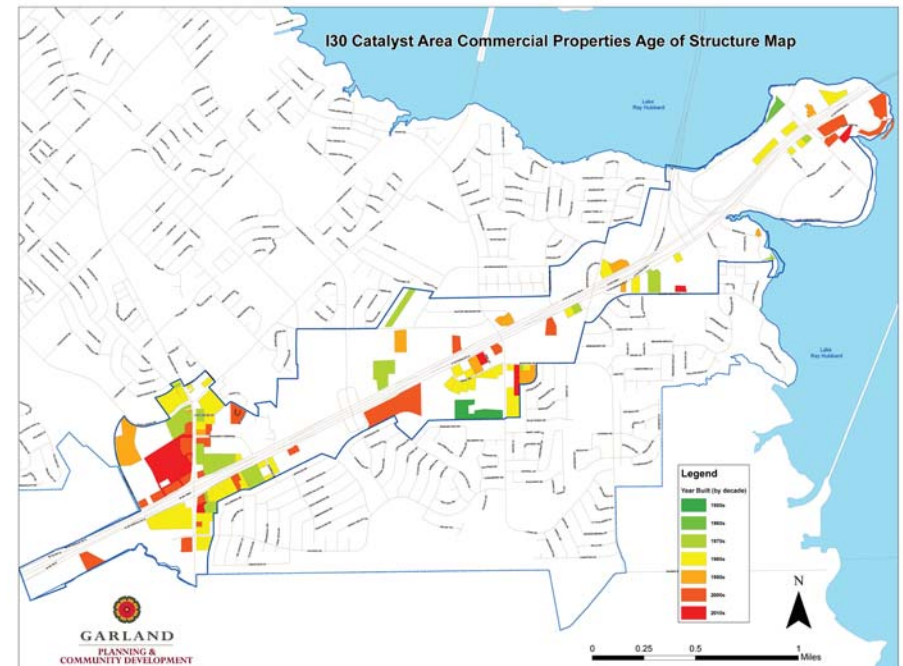
DRAFT
COMMERCIAL PROPERTIES CONDITIONS

While some structures may be showing signs of aging or reflect an older building style, most of the commercial properties in the study area are in good condition. The map shows that a majority of the commercial properties are considered to be in "good" condition while a handful of the commercial properties are considered to be in "excellent" condition. Very few of the properties are considered to be in an "average" or "poor" condition. Additionally, there is a direct correlation between the properties in "excellent" condition and the age of the structures.



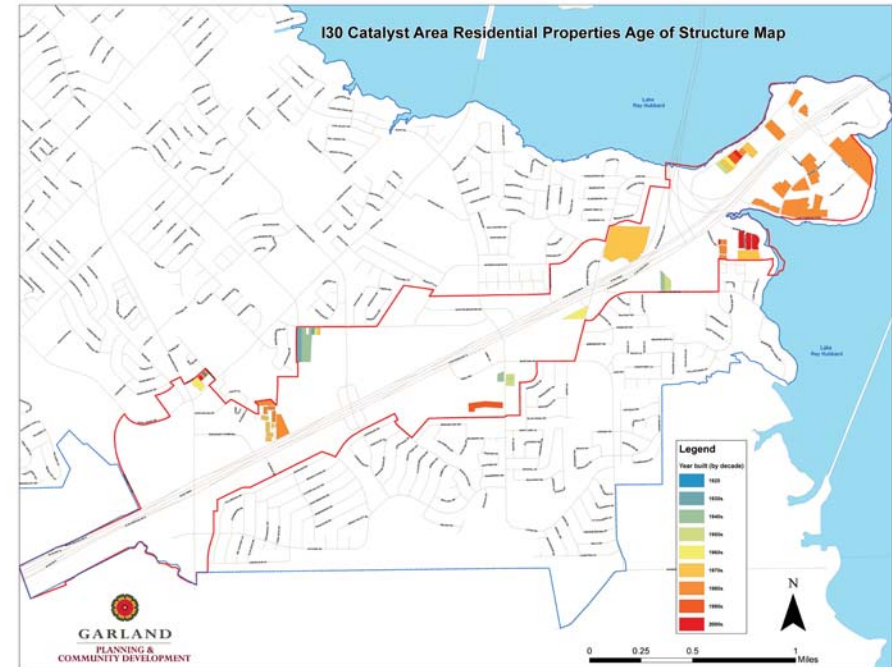
COMMERCIAL PROPERTIES AGE OF STRUCTURE

Most of the structures were built within the last 30 years with a majority being built in the 1970s and 80s. The newest development was constructed at Harbor Point and Broadway. The oldest commercial property in the study area was built in the 1950s. Over time, structures may start showing signs of aging.



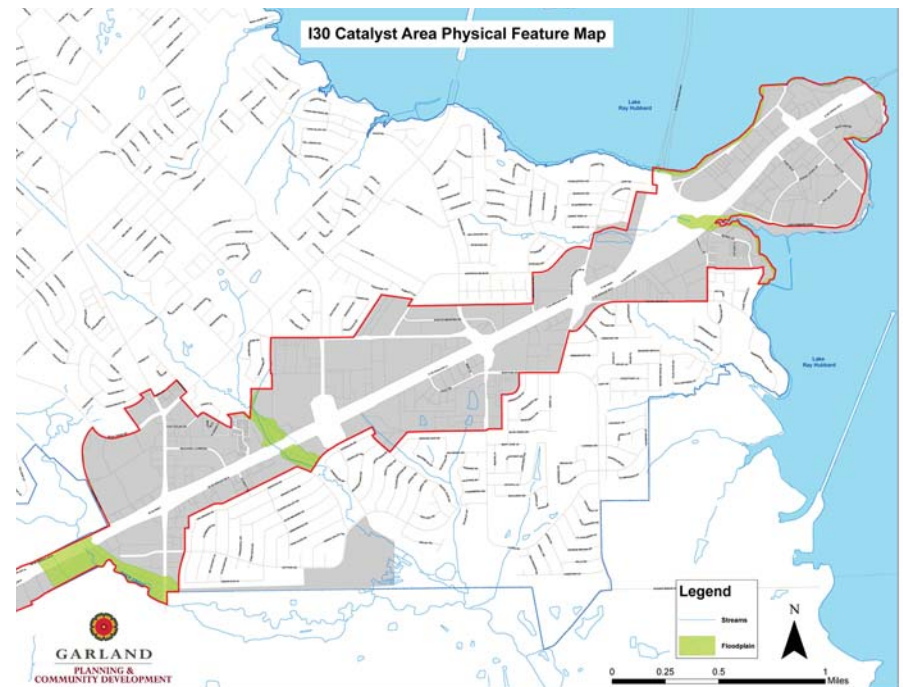
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RESIDENTIAL PROPERTIES AGE OF STRUCTURE

Most of the existing residential was constructed in the 1980s and 1990s. Only a few properties were built between the 1930s to the 1970s as well as the 2000s. A very small amount of properties were constructed in the 2000s.



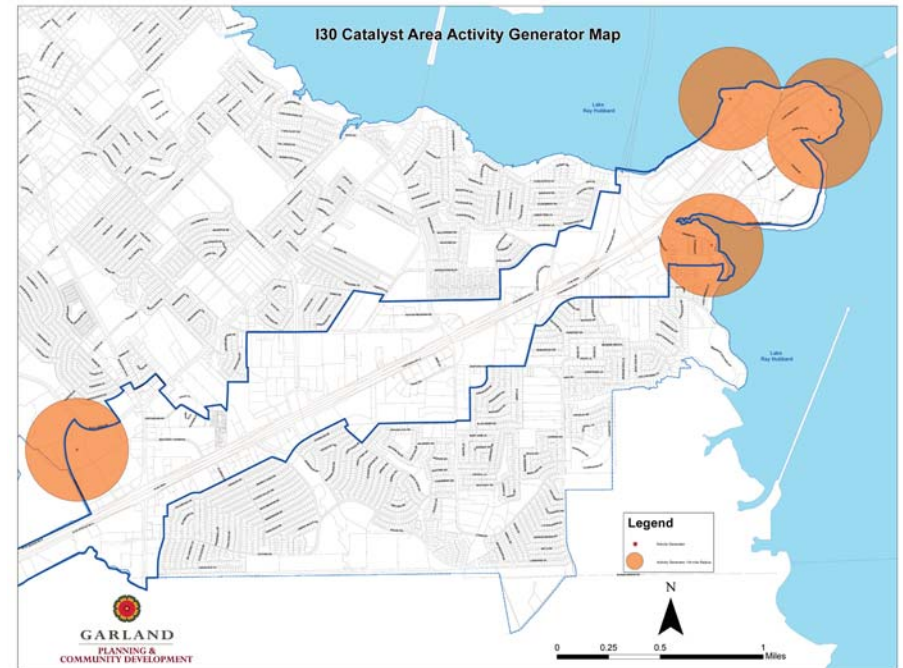
PHYSICAL FEATURES

The primary physical feature within the study area that could cause impediments to development is the floodplain. There are three points where the floodplain intersects the study area and crosses I-30. The largest of the three points is located at Duck Creek on the southwest end.



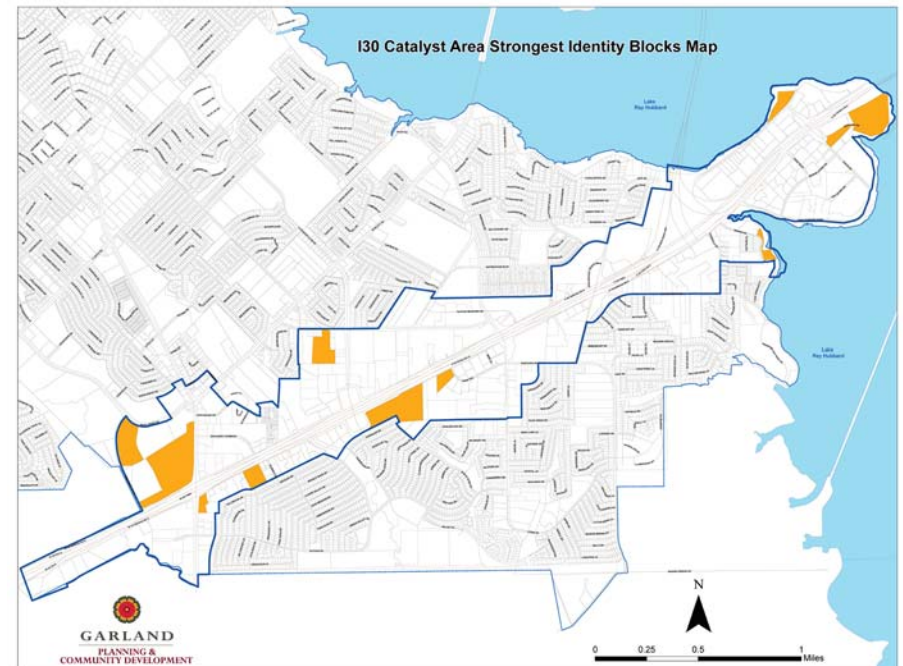
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ACTIVITY GENERATORS

Activity generators in the area are primarily located along Lake Ray Hubbard. The lake is a large physical feature with potential to drive activity. Activity generators along the water are located at the marina, John Paul Jones Park, and the Bass Pro retailer. In addition, the bus transfer station at the other end of the study area has a significant amount of ridership and can serve as a catalyst for more activity in the area.



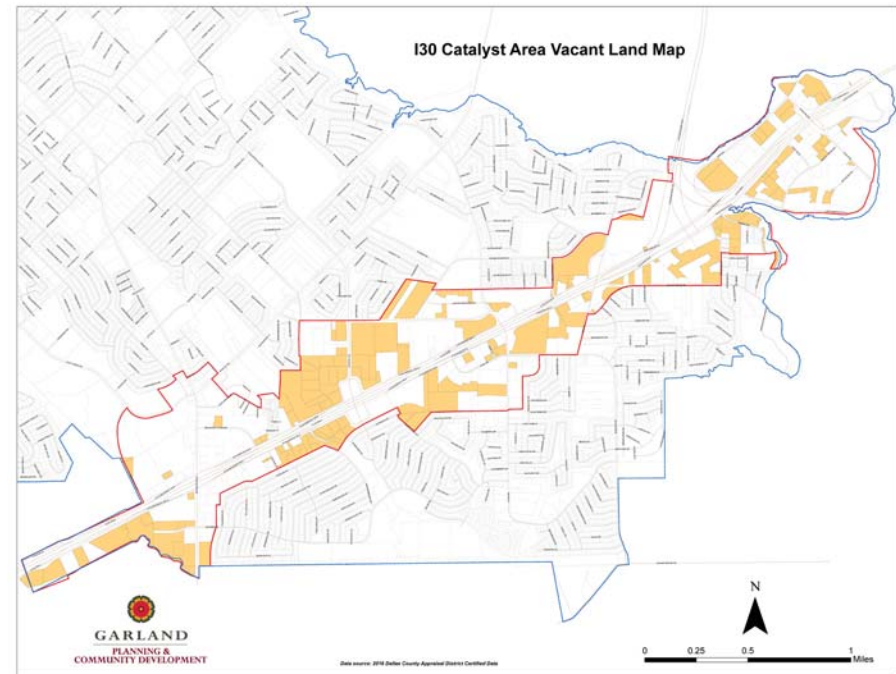
STRONGEST IDENTITY BLOCKS

The locations with the strongest identity blocks are located at places with significant existing investment, distinct character, or image. These qualities could be both positive and negative for visitor perceptions. Harbor Point, John Paul Jones Park, existing office, and the retail at Broadway are the most identifiable identity blocks.



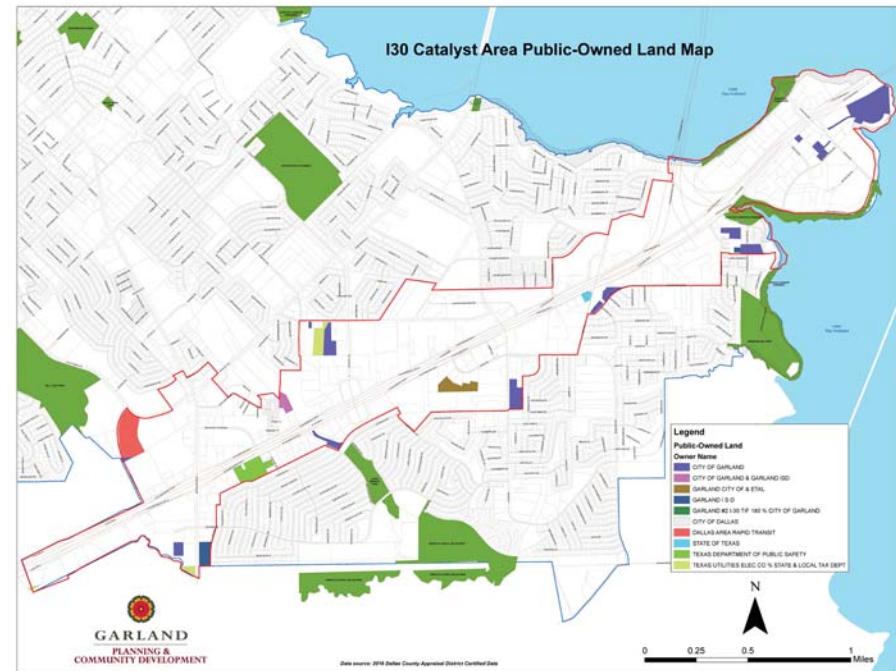
DRAFT VACANT LAND

Identifying areas for future development begins with an assessment to identify potential locations to accommodate future projects. Vacant land is often the easiest to develop and therefore, it is essential to identify where such opportunities are located. The Vacant Land Map, shows that a concentration of the largest percentage of vacant land is located at the intersection of Rosehill and I-30 in the middle of the study area. These sites have the greatest potential to be utilized as future catalyst sites.



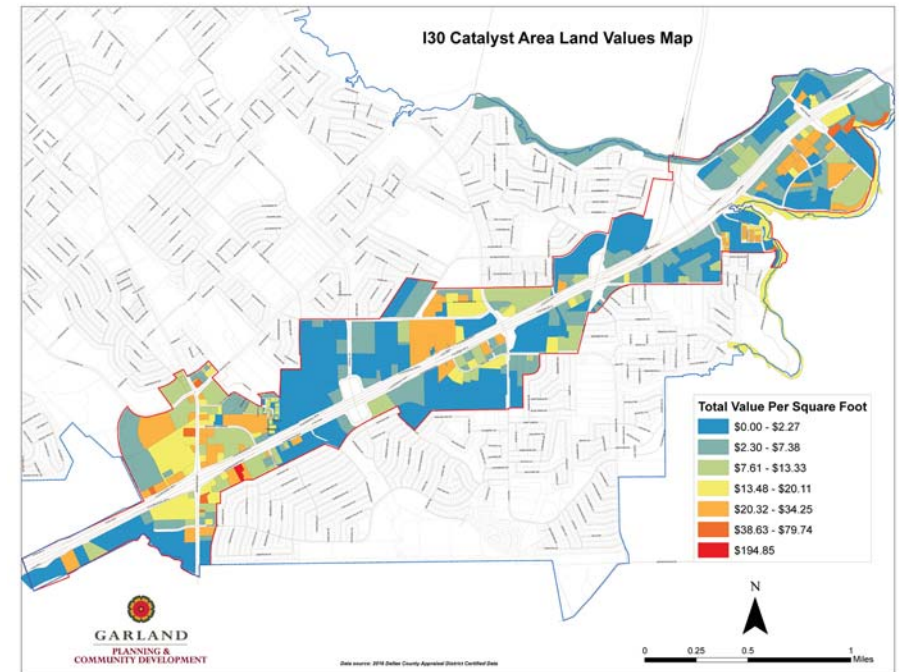
PUBLICLY OWNER LAND

Publicly owned land provides a great opportunity to explore public private partnerships. As a public land owner, the city has the ability to leverage its existing investment in land within the study area to facilitate future development. The development of the TIAs will require creative solutions and innovative approaches to attract and secure the most beneficial development opportunities for the area. The adjacent map identifies land within the study area that is currently under public ownership.



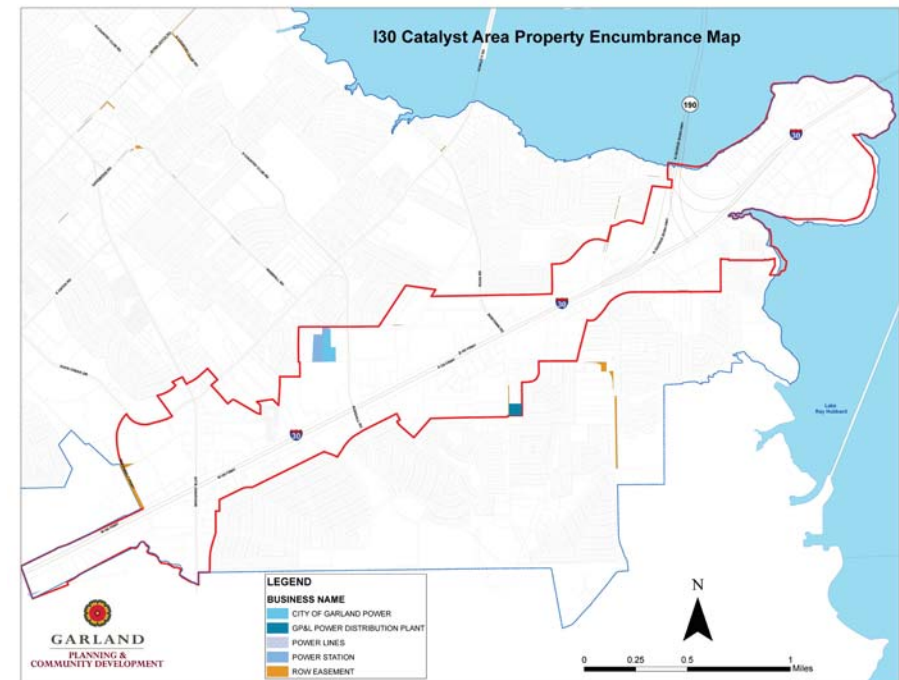
DRAFT LAND VALUES

The most valuable land within the study area is concentrated at Broadway and Harbor Point. These locations are where the most recent development within the corridor has taken place. There is a correlation between the age of the structure and the land value. A majority of the land within the study area is worth less than \$7.38 per square foot. This presents an opportunity by reducing the cost of obtaining property for development.



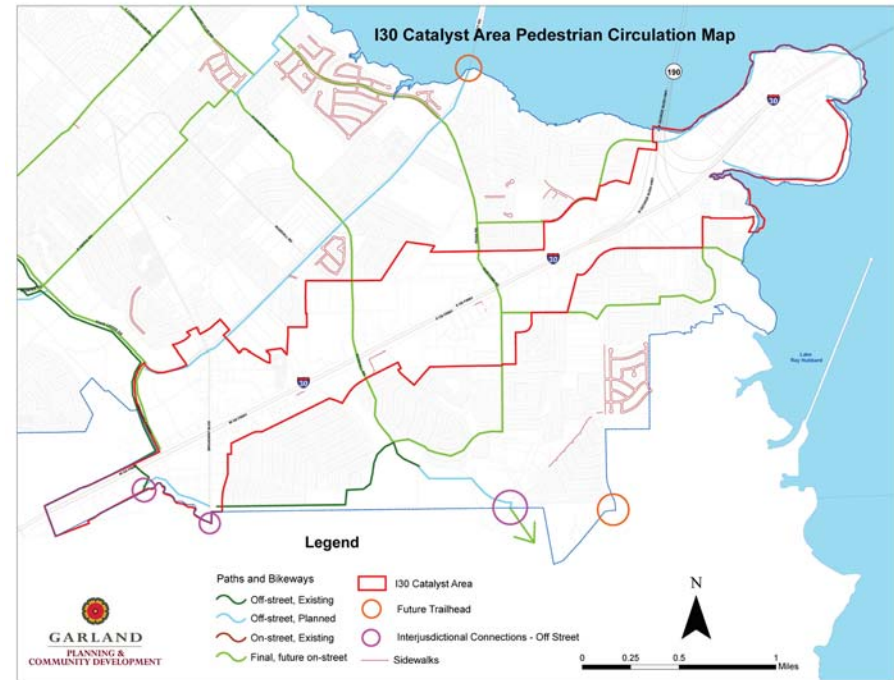
PROPERTY ENCUMBRANCES

The Property Encumbrances Map identifies the location of property encumbrances within the study area. Items such as historical sites, cemeteries, gas wells, rights of way and utility easements all impact development. TIAs with one or more of these encumbrances may make it more difficult to assemble large parcels of land and therefore require more strategic planning efforts. The map illustrates only minimal encumbrances directly adjacent to or within the study area.



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PEDESTRIAN CIRCULATION

The Pedestrian Circulation Map identifies the existing and planned bicycle and pedestrian facilities such as on and off-street paths and bikeways, sidewalks, and planned or existing trailheads. As future development or redevelopment occurs, a commitment to providing accessibility and connectivity via these networks will be crucial. As evidenced by the map, existing pedestrian and bike facilities are limited in the study area. Future trail heads and trail connections are planned to connect to trails in the City of Mesquite to the southwest which will increase access to the study area. The future extension of an off-street trail along Lake Ray Hubbard at John Paul Jones Park will also increase pedestrian access across I-30 at Harbor Point. Continuing to provide pedestrian infrastructure in all future development will be necessary to adhere to the desire for connectivity.



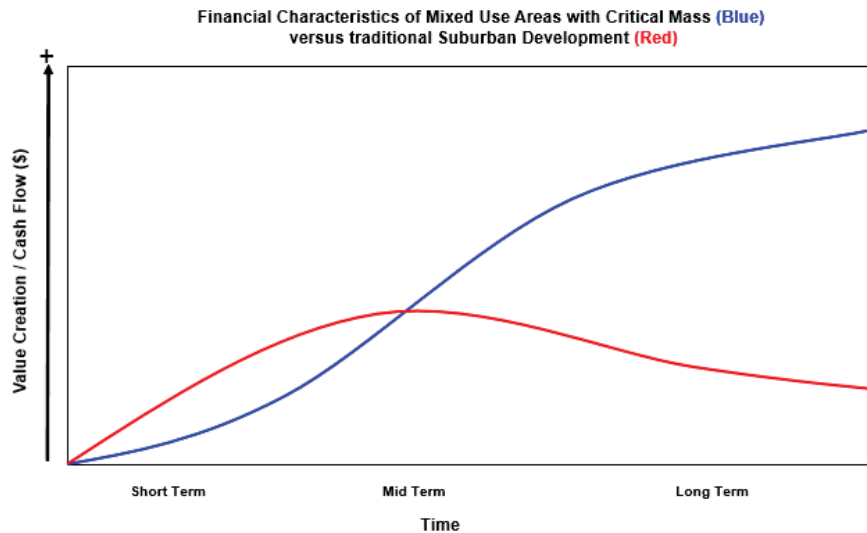
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DRAFT Conclusion

Analysis of current market conditions and regional trends illustrates that residential land uses, including both for-sale and rental housing, provide the greatest near-term opportunity for TIAs along the I-30 corridor given regional household growth and the area's relative affordability. Though the area's current spending potential, existing retail supply, and the rise of e-commerce limit the feasibility of a large retail offering, there is a market gap for more neighborhood-serving retail, with demand increasing over time as the area experiences additional household growth. Neighborhood and medical office will also garner demand in the mid- to long-term as more households move into the area and require additional services. Demand potential for new hotel rooms is likely limited in the near-term until the area adds additional households and continues to enhance its recreational appeal.

In the absence of meaningful real estate investment, whether it be renovations or new construction, the performance of properties can begin to sink for both business owners and the municipality. Figure 1.6: Value of Mixed-Use vs. Single-Use Development demonstrates this concept. However, redevelopment efforts to create a more vibrant setting to include a diverse mix of land uses would reorient development in the TIAs along Interstate 30 with the trajectory of the blue line in Figure 1.6: Value of Mixed-Use vs. Single-Use Development.

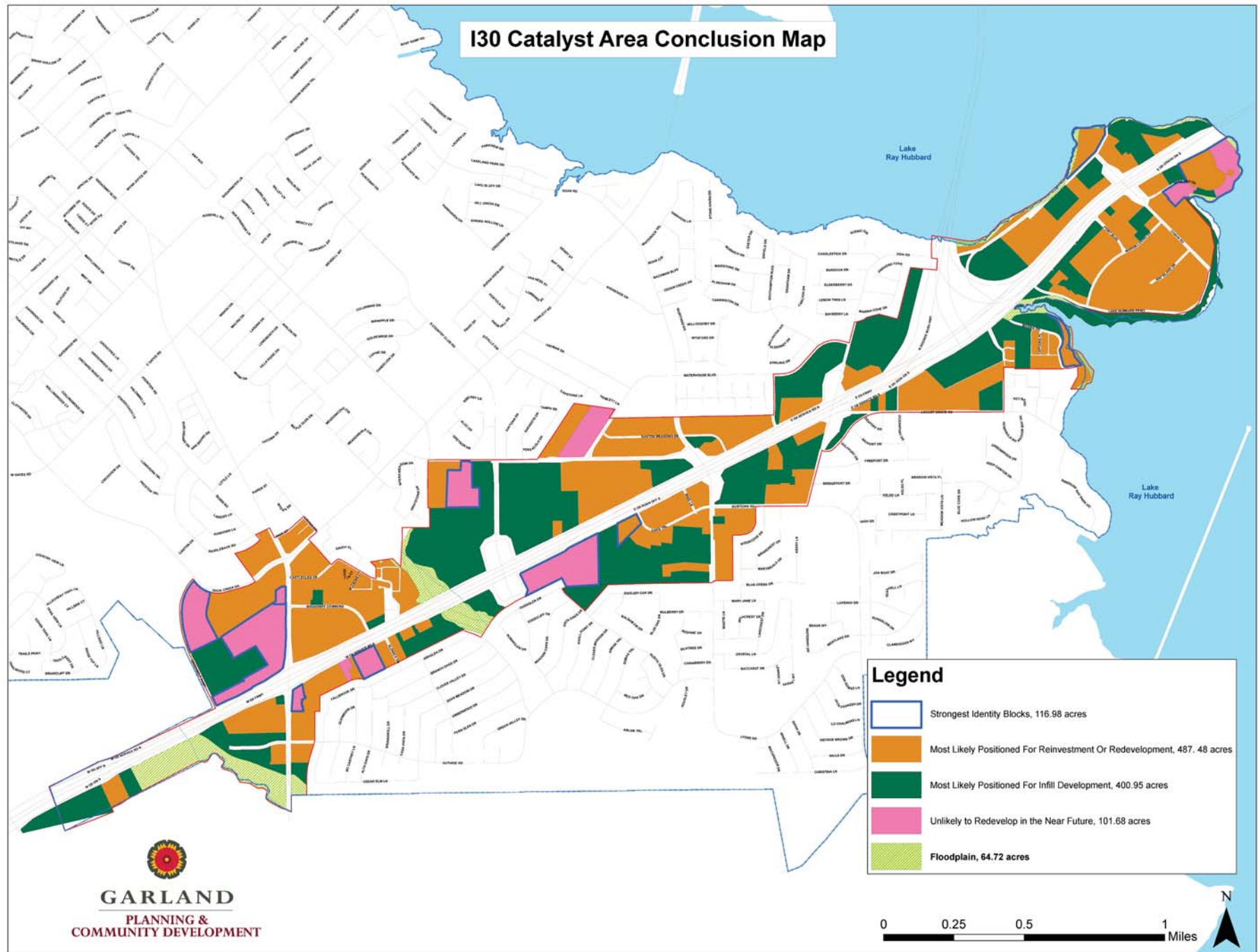
Figure 1.6 Value of Mixed-Use vs. Single-Use Development



Source: RCLCO

The three TIAs' development opportunities are not the same and therefore have not been treated as such. Based on the market assessment and site analyses of the TIAs along the I-30 corridor, the Rosehill TIA represents the greatest near-term opportunity to capture a large share of this new residential and commercial development. The expanse of vacant land at the Rosehill TIA allows for an integrated and cohesive master plan that will generate higher long-term values than conventional interstate-oriented development and provide value support for surrounding neighborhoods. As opposed to the business and office development proposed by the Comprehensive Plan, an integrated mix of land uses that includes quality public spaces and housing options for a wide range of households (including millennials starting families to retiring Baby Boomers) will create a more vibrant neighborhood in addition to commercial development along the corridor.

The existing income-producing properties at the Broadway and Harbor Point TIAs likely limit the feasibility of redevelopment opportunities in the near-term. Significant public investment and participation would be required to aggregate enough land given the current fragmented ownership in the TIAs to create dynamic mixed-use developments. The incremental tax revenues generated by new, market-supportable development do not justify the large capital outlays or subsidies required to acquire and redevelop existing income-producing properties at Broadway and Harbor Point in the near-term. Thus, other retail rehabilitation strategy tools should be utilized to encourage revitalization of these areas in the near-term and shape long-term redevelopment efforts when they're more economically viable.



PART THREE | CATALYST AREA PLANS

I-30 Corridor Catalyst Area

GENERALIZED LAND USE MASTER PLAN

The Generalized Land Use Master Plan is intended to be a blueprint of the area plan study boundaries. It is very important to stress the need for revitalization and redevelopment in the corridor, thus the land use vision must allow flexibility in land use patterns. Future developments will require corporation with both public and private entities. That flexibility in final application for each TIA's infill should still require high quality applications, but should not discourage investment. Rather, strategic partnerships will be essential in implementing the community's desires for destinations and corridor gateways in each TIA.

The right of a municipality to coordinate growth is rooted in its need to protect the health, safety, and welfare of local citizens. An important part of establishing the guidelines for such responsibility is land uses, which sets an overall framework for the preferred pattern of development. Specifically, it designates various areas for particular uses, based principally on the specific land use policies. It is important to remember that the associated land use information and maps are not zoning regulations. Rather, the information is proposed to be used as a tool to guide development, infrastructure, and future development decisions.

UPDATED LAND USE IDEAS

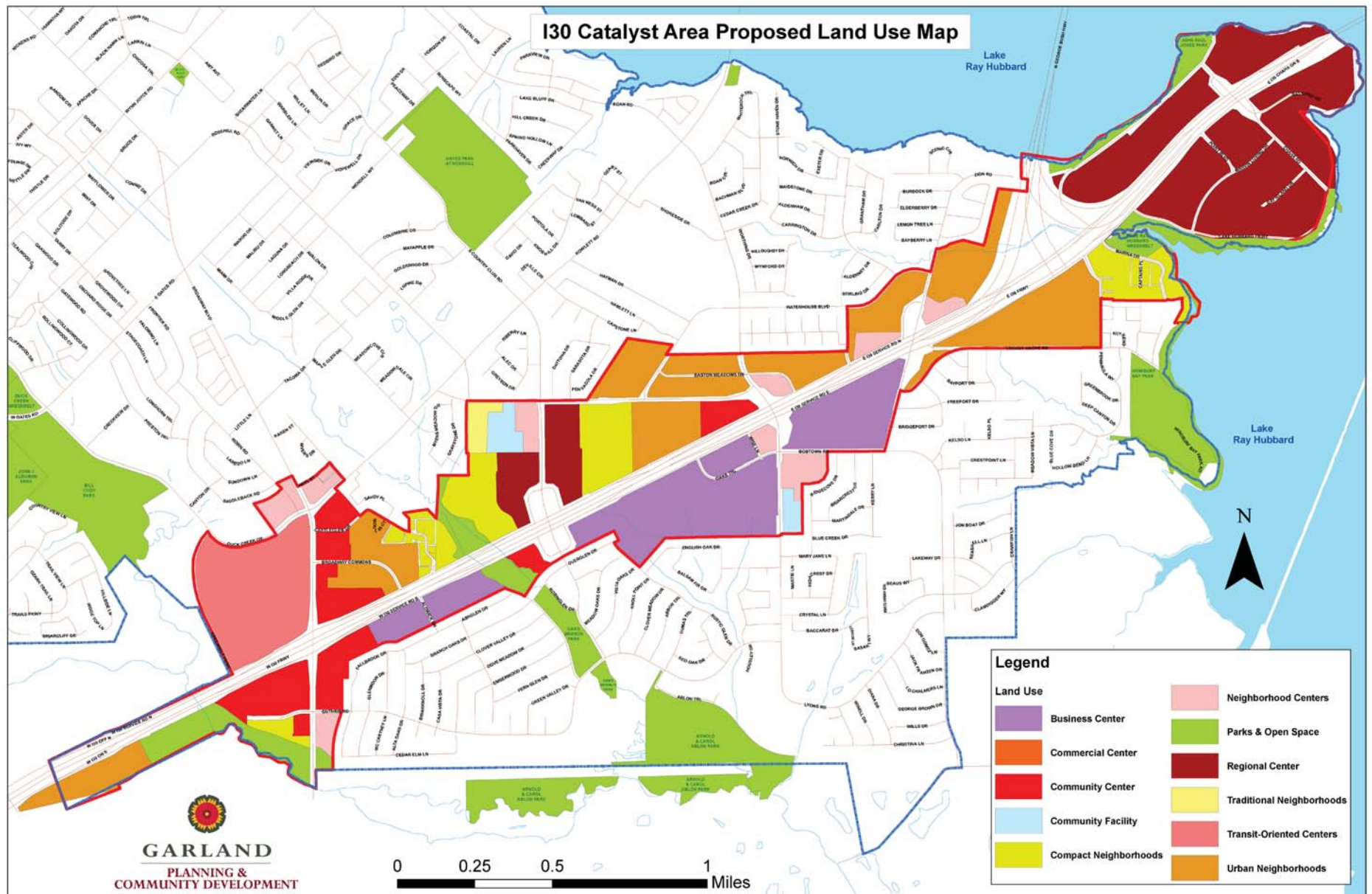
The corridor plan's land use refinements are a supplement to the Envision Garland plan's land use chapter, but must work in context of the existing land use chapter to maximize city wide strategies. The refined land use strategies are based upon area planning scale, market findings, and new community input. Much of the Envision Garland land use strategies for the I-30 corridor remain. However, based on this report's economic and real estate assessments, refinement to the Business designated areas have been updated in the corridor. Specifically, the Rosehill TIA has been refined to focus on creating a new neighborhood in South Garland by incorporating a mixed-residential and mixed-use concept.

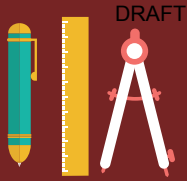
The Rosehill area should retain residential and mixed-uses that fit within the existing context and character. To define the pedestrian realms and create a distinctive sense of place, mixed-use buildings should generally be placed along block perimeters with modest or very limited setbacks, heights should be generally consistent along block frontages and across streets, and parking should be located so as not to dominate the pedestrian view-shed.

LAND USE CATEGORIES

The proposed land use types are based on existing designations defined in Envision Garland. They build upon destination initiatives and provide development choices. The proposed land use types designate a range of housing options comprising attached and detached single-family, medium-density, urban-style mixed-use, and live-work units. The residential products target market-rate units, affordable housing options, and high-density choices. The Commercial districts have been reallocated to better complement the recommendations of the economic analysis and development types show in the concept plans. The proposed land use types are as follows:

- Business Center
- Community Center
- Community Facility
- Compact Neighborhoods
- Neighborhood Centers
- Parks and Open Space
- Regional Center
- Traditional Neighborhoods
- Transit Oriented Neighborhoods
- Urban Neighborhoods





I-30 Redevelopment Strategies Toolbox

There are a variety of land development tools available to the city, with each of them having a different level of risk associated. The risk assumption for each method differs based on the structure of the deal and the level of control desired by the city. The more control a city has on development, the more risk falls upon the city and conversely, the more development, is left to the market, the less risk to the city and the less control the city has.

MARKET-DRIVEN DEVELOPMENT WITH ZONING INTERVENTION

Under this scenario, the results of the I-30 Corridor Catalyst Area Plan would be translated into zoning code, design guidelines, and overlays. These codes and overlays would determine the allowable uses and achievable densities within the TIAs, and the master plan would serve as the guiding document to determine what land uses would be encouraged to locate in particular areas.

The public sector would have the right to plan infrastructure and roadways in accordance with the master plan, under the assumption that such fixed investments could help guide growth over time into the places suggested by the master plan. The public sector would also take on the responsibility of communicating the plan vision to the land owners within the TIAs, especially those that own land that would not benefit from the upzoning and therefore would not represent an increase in value achieved.

Development economics combined with the need for one or more developers to engage in multiple transactions with multiple land owners suggest that large developments in the TIAs may take even longer than the market could otherwise reasonably absorb.

Pros

- Requires little or no public monies for land acquisition
- Does not require public sector involvement in the development process
- Existing effort can be adequate to guide zoning changes and design guidelines.

Cons

- No control over ultimate design or execution of the TIAs
- Actual development will likely take longer than currently anticipated, delaying the arrival of revenues for the City.
- Requires developer interest to engage in potentially protracted negotiations with landlords. Developers may not be interested in these negotiations currently because easier options exist.
- Zoning can be reversed or changed, eliminating protection for the TIAs well before any real development is finished or revenues recognized.

CATALYTIC DEVELOPMENT ENTITY

Under this scenario, the public sector players involved in the TIAs create a Catalytic Development Entity (CDE) that would be the single steward for development at the TIAs. This CDE may fall within the description of an Economic Development Corporation – it would have the authority to enter into transactions, issue and assume debt, acquire and divest of property, and a host of other factors relevant to the act of real property development. It would be governed by a Board comprised of officials from the City of Garland in addition to a select number of other entities as needed. The Board would have the role of selecting and managing an Executive Director, whose sole responsibility would be the execution and development of the TIAs.

The CDE would need to be seeded with monies either in actuality (via grants, public transfers, or fundraising) or other assets in lieu of monies (lands, properties, other assets, etc.) in order to capitalize its property acquisition efforts. The CDE would enter into transactions and negotiations with land owners – issuing debt if need be to cover excess expenses – and assemble the lands for the project. Once assembled, the CDE could either develop the property in the TIAs itself, hire a fee developer to develop the property, or engage in an RFP process.

The Development Authority would function much like a private developer, except that its primary goal is not purely profit-generation but rather the execution of redevelopment of the TIAs in a means concomitant with generating monies for the City of Garland. In this regard, it is a combination of private sector business agility and motive with public sector objectives and agendas. The CDE would have to be funded up-front, however, with monies that have not yet been identified. Alternatively, the CDE could be given assets, such as non-related real estate, that could be monetized to fund the acquisition and development process.

Pros

- Accelerates the development process.
- Combines public goals with private-sector mentality
- Allows for political responsibility to Board while maintaining development discipline and focus on the dollars and cents
- Provides a single entity who will steward projects in the TIAs from concept to completion.

Cons

- Requires up-front capital for property acquisition.
- Requires creating a separate entity that has quasi-private motives and dashed lines of political accountability.

PUBLIC PRIVATE PARTNERSHIP

This option is almost identical to the Catalytic Development Entity option, but involves a slightly different mechanism in order to conduct land acquisition. Instead of acquiring land via transactions, the CDE engages land owners in a constructive negotiation and then land owners place their land into the development as equity contributions. They do this in exchange for a preferred return on the upside of the land values once the Catalytic Development Entity develops the land (either on its own or via sale to a developer).

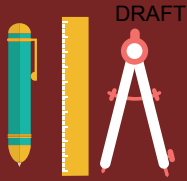
This allows the CDE to move forward with the developments within the TIAs without the need to raise capital for the acquisition of land owner parcels. It does, however, require an extensive and involved legal process for constructing the terms of participation and structuring the mechanisms for equity return to land owner/investors.

Pros

- Accelerates the development process
- Combines public goals with private-sector mentality
- Allows for political responsibility to Board while maintaining development discipline and focus on the dollars and cents
- Provides a single entity who will steward projects from concept to completion
- Requires little or no up-front capital for land acquisition

Cons

- Requires creating a separate entity that has quasi-private motives and dashed lines of political accountability.
- Requires complicated legal and financial structuring and management to create the partnerships



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I-30 Revitalization Strategies Toolbox

There are a variety of revitalization programs and strategies that can be initiated to encourage revitalization.

While participation in programs initially requires the use of public funds, the returns on investment can often surpass the amount expended by the public. New development, building renovations and building rehabilitations enhance the overall look, feel and value of the community and can positively impact adjacent residential neighborhoods. The following programs and techniques are encouraged within the corridor to spur aesthetic improvements within the corridor's existing commercial areas.

PROGRAMS

Facade Improvement Program

A facade improvement program provides funds to assist businesses with repairs, touch-ups, and changes to commercial building facades. The program encourages property and business owners to pro-actively renovate the facade of their business and improve the overall aesthetic of retail areas. Under this program, the city could match private investment up to a certain dollar amount and target certain retail areas or districts.

Retail Landscaping Program

Landscaping has the potential to significantly impact the overall appearance of commercial centers. Many existing retail and commercial centers within the corridor have minimal landscaping and local businesses do not have the funding to make exterior improvements. Therefore, offering a landscaping incentive may entice business owners to perform minor improvements to their property.

Retail Rehabilitation Program

To encourage redevelopment of existing retail centers, the city could consider offering low-interest loans, matching funds, or even grants in exchange for significant rehabilitation. Significant rehabilitation would include an improvement where both the exterior and interior of an existing structure are improved and modernized. This would lead to a new, attractive exterior and more functional and desirable interior spaces, likely increasing property values. These incentives should be used for

more expensive rehabilitation projects and would likely require a higher degree of public participation in order to make such investments feasible.

Neighborhood Enterprise Zone

Neighborhood enterprise zones use tax incentives and regulatory relief to attract investment to blighted urban districts. Once a neighborhood enterprise zone is established, businesses or developments within the zone are eligible for incentives. Studies of state programs have shown some success in job growth and investment, but that targeted development incentives alone are insufficient to revitalize a district. The State of Texas Neighborhood Enterprise Zone program allows local communities to partner with the State of Texas to encourage job creation and capital investment in economically distressed areas. Local communities can nominate a new or expanding business as an "enterprise project". Approved projects are eligible to apply for state sales and use tax refunds on qualified expenditures.

Neighborhood Empowerment Zone

A neighborhood empowerment zone is a designated area where cities can offer economic incentives that promote investment and redevelopment. Typically, they are located just outside of a commercial center to encourage development that supports and improves the commercial center. Neighborhood empowerment zones allow the city to waive fees, abate city property taxes, and set performance standards. New and rehabilitated developments in these areas are eligible for incentives such as municipal property tax abatements, fee waivers, and release of city liens.

AESTHETICS

Incentives for Enhanced Exterior Improvements

Incentives in the form of waived fees, expedited approval, or leniency on other development requirements not related to health and safety can be offered in exchange for developers who provide exterior improvements beyond the minimum requirements for parking, lighting, landscaping, and other elements of development.

Parking

An example of an incentive for parking would be to require the construction of a slightly reduced number of parking spaces when parking areas are located to the rear or side of a building away from public view.

Lighting

To avoid any adverse impacts on residential areas, lighting facilities are to be reflected away from adjacent residential areas. The city should examine developing a lighting theme to be used in certain commercial districts.

Landscaping

Landscaping is particularly important along I-30, arterial, and collector streets to project a positive image. Incentives should be provided for landscaping beyond the minimum requirement. Creative stormwater management techniques such as bioswales and rain gardens along with native plant materials should also be encouraged within the corridor.

Other Elements

Various elements such as trash receptacles, open storage, expansive parking lots, service areas, ground-mounted equipment, and roof-mounted equipment are examples of elements that are needed for businesses to operate that are not generally considered to be visually attractive. Screening for these elements generally should include landscaping, earth berms in conjunction with landscaping (mainly for parking areas), masonry walls in conjunction with landscaping, parapet walls (mainly for roof-mounted equipment), and use of other materials that are compatible with the structure(s).

Facade Design Regulations

Materials used for the exterior facades of buildings within non-residential areas should generally be limited to brick, stone, rock, or some variation thereof. Alternate materials such as concrete, concrete block, or stucco should only be approved under certain circumstances with committee approval. Reflective and/or mirrored glass should not be permitted to comprise a large percent of building facades. Metal buildings should likewise not be permitted. The facades of large commercial structures can be large and visually unappealing. A minimum amount of facade articulation should be implemented to reduce massing and create more interesting and inviting retail centers.

Transitioning Land Uses: Apartments

Feedback from the PAC revealed garden-style apartments of the past are an eyesore for the surrounding community. Along the I-30 corridor, garden-style apartments are scattered along the frontage taking up prime real estate for commercial businesses making it difficult to grow economically. There are two overall methods by which to resolve this land use issue: remove them or improve them. The following discusses different strategies to remove or improve nonconforming or undesirable uses within the corridor.

Removal

- **Amortization** is a technique for the removal of nonconforming land uses after the value of the building has been recovered over a period of time. This method requires diligent enforcement and there must be justified evidence that the use is in fact nonconforming and should be removed.
- **Purchasing Land** allows the city the opportunity to remove any land uses and determine what type of land use should be in its place. This method is difficult to implement due to the financial burden and maintenance responsibility on the city.
- **Changing Regulatory Policies** to require an additional process for approval will impose measurements to ensure apartments are located in places more suited for residential dwellings away from highway frontages.

Improvement

- **Incentivizing Commercial Development** along the corridor creates greater demand for commercial developments and also makes it less valuable for residential uses to be located in prime commercial areas.
- **Targeting Code Enforcement** ensures a high standard for multi-family development in the area through targeted code enforcement and improves the aesthetics and quality of life in the corridor.
- **Establishing Neighborhood Empowerment or Enterprise Zones** around existing commercial areas provides opportunities for revitalization around the commercial areas.
- **Working with Property Owners** opens up a line of communication between property owners and municipalities to express their needs and can lead to implementing another type of incentive to improve the existing complexes.



LOCATION

The Broadway TIA is centralized at the intersection of Broadway Street and I-30. The boundaries of the district generally enclose the retail area south of Duck Creek Drive/Rowlett Roads, east of Greenbelt Parkway, north of the open space along the drainage area, and the retail properties adjacent to Broadway Street to the east.



URBAN DESIGN AND CHARACTER

The Broadway TIA is characterized by older retail centered on a major intersection at Broadway Street and I-30. High visibility from the highway and large retail anchors keep the area economically vibrant, although not visually appealing. Aesthetic roadway improvements have been made to Broadway Street and future improvements to I-30 are anticipated for the near future. Currently, there is not a cohesive character for the shopping area. While the district is successful, there is not a distinctive character for the retail center.

Revitalization of existing structures will serve to improve the overall aesthetic of the district. Standard roadway improvements and enhanced landscape will help to create an identity for the Broadway TIA and the corridor.

EXISTING AND PROPOSED LAND USES

Existing land uses in the TIA are primarily commercial and retail. Surrounding the TIA is a range of retail, single-family residential, high density residential. Land uses in the TIA are proposed to remain the same with the addition of new professional office and townhomes to the south of I-30. Since the district contains successfully performing businesses, the plan does not propose to make any major changes to the make up of land uses.

INVESTMENT CHALLENGES

- Large upfront capital investment is needed to drive immediate redevelopment.
- Lower incremental tax revenue given existing properties are already income producing.
- Little incentive for property owners to invest in properties.

MARKET ASSESSMENT

The Broadway site has excellent visibility from I-30, and its location at the intersection of a major north-south thoroughfare allows for easy access from Garland to major regional employment cores. Additionally, the site has expansive greenspace to the west and south, which could connect with Mesquite's existing trail system and serve as an attractive natural and recreational amenity. Broadway's existing retail concentrations support the perception of the site as a commercial center; however, because the site's existing retail buildings continue to age and the immediate surrounding neighborhoods provide limited new household growth, Broadway is unlikely to attract major new tenants or investment in the near-term without public intervention.

Acquiring land in the near-term for redevelopment would also pose a challenge, as the land in the Broadway TIA has multiple land owners, and most parcels contain existing buildings with relatively high occupancies. A financial analysis of parcels in the Broadway TIA indicates that the presence of existing income-producing properties makes acquiring land and redeveloping existing structures economically infeasible in the near-term unless significant public financial participation is involved. Given the finite quantity of demand for residential and commercial land uses along the corridor in the near-term,

a concentrated and cohesive master planned development at Rosehill would be more catalytic for the overall corridor. Additionally, when compared to the Rosehill TIA, the Broadway TIA provides a much lower return on investment to the City of Garland given the relatively large public financial contribution and the moderate increase in incremental tax revenue the city would gain through redeveloping the existing properties. Though redevelopment makes limited financial or market sense in the near-term, there are a number of revitalization strategies the City of Garland can put in place immediately to begin enhancing the aesthetics of the area and potentially spur additional private investment. Numerous municipalities across the Metroplex and country have capitalized on many of these beneficial revitalization strategies. See the Revitalization Strategies Toolkit section for potential revitalization tools.

Placeholder for sketch of Broadway idea

Retail revitalization strategies such as facade, landscaping, or streetscape improvements would make the Broadway TIA more attractive for development. With such improvements, there is likely market-driven support in the medium-to long-term for small infill retail offerings, residential development along the creek, and flex-tech or neighborhood office behind the Kroger shopping center. As the corridor experiences new household growth and the built environment is aesthetically enhanced through revitalization efforts, the area will likely experience market-driven reinvestment from the private sector in the long-term.

POTENTIAL CAPITAL IMPROVEMENT PROJECTS

Based on the TIA Plan, the following capital improvement projects should be implemented. The Capital Improvement Program should be updated to prioritize the following projects.

- Improve off-street trail facilities within the TIA.
- Enhance streetscape along Broadway Street starting with the area within the boundaries of the TIA.

DEVELOPMENT STRATEGY

- Promote revitalization of existing commercial stock through the use of retail revitalization strategies.
- Introduce new development of townhomes, and restaurant pad sites in vacant area south of I-30 to spur new development and effectively infill available development areas.
- Implement new development design regulations.
- Make aesthetic roadway improvements on Broadway Street in conjunction with TxDOT improvements to I-30 to help create a regional identity.

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BROADWAY TIA CHARACTER IMAGES



Roadway Improvements and Landscaping



Roadway and Site Improvements



Pad Restaurant



Townhomes



Pad Restaurant



Flex Office



Professional Office



Entry Branding



Trail Head



Revitalized Retail Center





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Rosehill TIA

LOCATION

The Rosehill TIA consists of approximately 156.78 acres (.24 square miles) of vacant land at the intersection of Broadway Street and I-30. The site covers both the north and south side of I-30 with the larger portion of the TIA on the north side of the interstate.



URBAN DESIGN AND CHARACTER

The Rosehill TIA is almost a blank slate with plenty of potential for development. The design for the TIA proposes a medium density, master planned mixed-used development with a variety of housing types, walkable blocks for pedestrian circulation, and public plazas for gathering. Mid-level urban residential surrounding ground level parking lots allow for the urban feel of the city while maintaining a consistent scale with the surrounding single-family. A mix of low to middle low density presents a variety of housing types. A small scale grocer and local retailer in the area offer goods and services nearby in a walkable distance. Community anchors such as a community center or church serve the surrounding neighborhood and foster community events. Greenspaces within the TIA connect the different parts of the site and allow for formal or informal activities. These features combine to create a neighborhood scale, community oriented, urban center.

EXISTING AND PROPOSED LAND USES

Much of the property was previously high density housing and is currently surrounded by single-family residential. The proposed use for the site involves a mix of residential and commercial uses in a synergistic master-planned development. Commercial uses within the development may include fast casual dining, local retailers, neighborhood commercial businesses, and community anchors. A mix of residential housing types and lot sizes range from single-family lots to urban residential in a mixed-uses design. To the south of I-30, general commercial development is proposed. The uses should complement the master-planned development to the north of I-30.

INVESTMENT CHALLENGES

- High level of investment required for development-which can deter developers.
- Piecemeal ownership could result in broken development patterns.

MARKET ASSESSMENT

The Rosehill site is made up of large, mostly vacant parcels which allows for easier land acquisition and development. Rosehill Road connects to several residential neighborhoods to the north and south, allowing for local access in addition to regional access via I-30. Like Broadway, the site has excellent visibility from the interstate; however, ease of access is limited by circuitous exit ramps. A planned reconfiguration of the Rosehill Road/I-30 intersection would improve the opportunity for development at the site. In addition, the site has expansive greenspace to the west and south, which could connect with a trail system.

An analysis of current market fundamentals and future demand drivers indicate near-term support for both rental and for-sale housing options within a walkable, mixed-use neighborhood village at Rosehill. The Rosehill TIA can support a wide range of residential products, including small lot for-sale, attached for-sale, urban-lite rental, and single-family rental housing options catering to buyers seeking more lifestyle housing types. Differing from attainably priced suburban housing options elsewhere in the Metroplex, housing at Rosehill can satisfy a current market gap for smaller, higher-quality lifestyle homes in a walkable environment, while still maintaining attainable home prices for young families and empty-nesters.

Complementary to the residential development while also appealing to Interstate 30 commuters, there is demand at Rosehill to provide a moderately-

sized neighborhood retail offering with restaurants, a neighborhood grocer, and other service-oriented retail. Additionally, the introduction of community anchors such as an events venue, and/or the proposed church will help embed the development within the existing neighborhood. In the medium- to long-term, increasing development momentum and continued household growth will drive additional housing demand and support further commercial development such as neighborhood and medical office, a hotel, and supplementary neighborhood retail.

Though the development of a cohesive master-planned village within the Rosehill TIA will face the challenge of aggregating fragmented land ownership, the area benefits from a lack of existing income-producing properties which can significantly increase the required purchase price of land. A financial analysis of estimated project costs and developer returns illustrates that the area will likely need public participation in order for a developer to hit target returns and deliver the public space and streetscape needed to create a cohesive master planned community, enabling higher density housing options and commercial development set back from Interstate 30. Depending on the type of investment vehicle used by the city (i.e. PID, TIF, TIRZ, etc.), the developer will likely need between \$10M and \$16M to earn a target return of 10 percent. With a larger upfront investment there is more risk to the city with the potential for a higher return on investment. By implementing a reimbursement method such as a TIF, there is less risk to the city, however a much lower return on investment.

Figure 1.7 Financial Comparison

	UPFRONT	REIMBURSEMENT
	Lump Sum Subsidy	TIF
Master Developer Return (IRR)	10%	
Total City Subsidy	\$9.6M	~\$16.2M
City Return On Investment		
NPV at 0% Discount	~\$48.2M	~\$41.6M
NPV at 5% Discount	~\$16.6M	~\$9.9M

Compared to TIAs that require redeveloping income-producing properties, Rosehill provides the highest return on investment to the City of Garland given the relatively small public financial contribution and the significant increase in incremental tax revenue the city would gain through new development on the vacant land. See the Redevelopment Strategies section for potential project structures.

POTENTIAL CAPITAL IMPROVEMENT PROJECTS

Based on the TIA Plan, the following capital improvement projects should be implemented. The Capital Improvement Program should be updated to prioritize the following projects.

- Coordinate with private developers for the construction of public roadways within the proposed development.
- Coordinate with private developers for the construction of public utilities within the proposed development.
- Coordinate with private developers for the design and development of proposed public spaces such as parks and plazas within the proposed development.

DEVELOPMENT STRATEGY

- Consolidate and revise zoning to allow for the mixed-use development.
- Assemble properties to create larger tracts for redevelopment.
- Consider which strategy from the Redevelopment Strategies Toolbox best aligns with the city's risk appetite and goals. Evaluate different investment vehicles the city would be interested in pursuing to help finance a mixed-use developments (TIF, PID, TIRZ, etc.)

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ROSEHILL TIA CHARACTER IMAGES



Pedestrian Scale Streets Features



Rosehill Identity and Connectivity



Common Greens



Plazas and Event Space



Retail and Restaurants



Townhomes



Urban Residential



Single-Family



Mid-Scale Mixed-Use





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Harbor Point TIA

LOCATION

The Harbor Point TIA covers approximately 312.12 acres (.49 square miles) of land to the north and south of I-30 bordered by Lake Ray Hubbard to the east and PG&T to the west.



URBAN DESIGN AND CHARACTER

The existing character in the area is based upon the lake front location and auto-centric nature. The proposed character of the area will build upon the success of lake front development with plazas for gathering and public events. Pedestrian improvements throughout will allow patrons of retail located to the south to take advantage of the remaining lake access to the north of I-30.

EXISTING AND PROPOSED LAND USES

Existing land uses within the district consist of high density residential, retail, restaurants, and a regional commercial anchor. Park land and open space is located along the lake front. The plan for this district proposes to ultimately leave the existing land use mix as is with the addition of park improvements, trails, infill residential and commercial development.

The infill development will introduce additional housing options with an urban mixed-use character, shops, restaurants, and multiple plazas to encourage gathering and outdoor activities. Existing high density residential, covering approximately 125 acres of the TIA, presents a large obstacle to redevelopment of that land. Transitioning land uses from the existing high density residential to another commercial or mixed-use land use will prove difficult and likely unrealistic in the near- to mid-term, therefore the plan proposes to focus on other development opportunities with a focus on those most visible from I-30.

INVESTMENT CHALLENGES

- Fragmented land ownership presents an obstacle for large development.
- The positioning of existing commercial buildings on-site in relation to the highway results in limited visibility from I-30.
- Current site design restricts views of the lake (except from private restaurant space), prevents public access to the waterfront, and reduces the quantity of available lake front properties.
- Patrons who once visited Harbor Point by boat have been unable to dock at the site since February 2016. This limitation has frustrated patrons and business owners alike.

MARKET ASSESSMENT

Harbor Point is a large site with waterfront access and impressive lake views. Of the three sites, the Harbor Point TIA is most proximate to large areas of household growth east of Lake Ray Hubbard. Although Harbor Point offers some of the newest and highest quality retail on the corridor, the planning area has shortcomings. The positioning of the buildings on-site results in limited visibility from I-30, and the parking lot design makes it difficult for visitors to move between businesses on foot. The site design also restricts views of the lake except from private restaurant space. Public access to the

waterfront is minimal, and patrons have been unable to access Harbor Point's dock since early 2016. Nonetheless, the site's waterfront holds significant potential, and targeted investments to increase public access will help enhance the long-term value and appeal of the planning area.

The large concentration of income-producing properties and fragmented land ownership, especially the presence of several condominium buildings, present noteworthy challenges for redeveloping meaningful portions of the planning area in the near-term. Additionally, much of the planning area contains relatively high-density development, making the assets more valuable and increasing the capital required to aggregate meaningful tracts of land. The relatively high-density existing development also limits the incremental value rewarded to the city for the redevelopment of the older apartments and condominiums in the TIA. However, Harbor Point serves as one of Garland's greatest assets and ensuring the long-term success of the area should be one of the main goals of the city.

Many of the strategies outlined in the Revitalization Strategies Toolkit section (See Revitalization Strategies Toolkit) should also be applied to properties within the Harbor Point TIA. Furthermore, the city should focus on additional code enforcement to enhance the overall aesthetics of the planning area in the near-term. In addition to some of these efforts, Garland should focus on enhancing the utilization of lake front land with better-designed and programmed public space such as parks, trails, and a kayak launching area. This more inviting environment and the continued growth of the household base along the I-30 corridor will enable additional residential and commercial development in the medium- to long-term. Garland will likely need to revisit some of the redevelopment strategies in order to help aggregate the fragmented land holdings and increase the area's appeal to private developers. The Harbor Point TIA presents the greatest opportunity for more regional-oriented commercial land uses though the feasibility of much of this development is limited in the near- and medium-term given the limited current market support and necessary upfront public investment.

POTENTIAL CAPITAL IMPROVEMENT PROJECTS

Based on the TIA Plan, the following capital improvement projects should be implemented. The Capital Improvement Program should be updated to prioritize the following projects.

- Make improvements to existing off-street trail along Lake Ray Hubbard and extend existing trail under I-30.
- General park improvements to John Paul Jones Park.
- Coordinate with private developers for the design and development of proposed public spaces such as parks and plazas within the proposed development.
- Improve pedestrian facilities across the bridge at Bass Pro Drive.

DEVELOPMENT STRATEGIES

- Implement enhanced code enforcement on existing high density developments.
- Continue existing park trail under I-30 and make general improvements to the existing John Paul Jones Park to enhance usability of the park.
- Implement strategic branding with streetscape enhancements and wayfinding signage to develop a unified identity.
- Consider which strategy from the Redevelopment Strategies Toolbox best aligns with the city's risk appetite and goals.

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HARBOR POINT TIA CHARACTER IMAGES



Pedestrian Spaces and Streetscapes



Plazas and Common Spaces



Plazas and Common Spaces



Plazas and Open Space



Improved Parks and Trails



Retail and Restaurants



Mixed-Use with Outdoor Seating



Townhomes



Urban Residential



Mixed-Use Development

PART FOUR | IMPLEMENTATION

The most common need with any community plan is creating actionable directions that clearly outline the initial steps that a city must take in order to begin implementation. The intent for this plan is not to be forgotten, but to take action to see results.

The following action plans break down each of the development strategies identified for each TIA respectively. By breaking the development strategy down into distinct steps, the city already has the tools and instructions to get started immediately.

The following action plans identify the following information:

- The entity (or entities) and person(s) responsible for implementation;
- Potential funding sources;
- Potential partnerships; and
- A short list of key action items to measure success.

In addition to assisting with kick starting the revitalization process, the plans serve as a checklist for the city to use to ensure the plan is being implemented. The action plan can also be used as a guide for the city to review the progress of the plan, see what has been done, and assess if revisions to the plan are necessary.

DEVELOPMENT STRATEGY

Promote revitalization of existing commercial stock through the use of retail revitalization strategies.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Economic Development

POTENTIAL FUNDING SOURCES

- Low Interest Loans from the city

POTENTIAL PARTNERSHIPS

- Convention and Visitor's Bureau Administration
- Neighborhood Services
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Develop comprehensive incentive program as a method to assess applications and issue incentives.	1 year	
2. Develop funding mechanism to fund potential incentives.	1-2 years	
3. Implement Facade Improvement Incentives	1-3 years	
4. Implement Retail Rehabilitation Incentives.	1-3 years	
5. Implement Retail Landscape Incentives.	1-3 years	

DEVELOPMENT STRATEGY

Introduce new development of townhomes, and restaurant pad sites in vacant area south of I-30 to spur new development and effectively infill available development areas.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- Tax abatements

POTENTIAL PARTNERSHIPS

- Economic Development Department
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Analyze zoning in the area.	3 months	
2. Ensure existing zoning supports new development, specifically for professional office and townhomes.	1 year	
3. Initiate changes in zoning if necessary.	1 year	
4. Implement incentives to entice new development.	1-3 years	

DEVELOPMENT STRATEGY

Implement new development design regulations.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- Low interest loans from the city

POTENTIAL PARTNERSHIPS

- Economic Development
- Convention and Visitor's Bureau Administration
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Analyze existing development design regulations.	3 months	
2. Develop new regulations that foster a higher-quality development.	1-2 years	
3. Adopt new regulations.	1-2 years	
4. Offer incentives for development design elements that are above and beyond the minimum requirement.	Ongoing	

Broadway TIA Action Plan

DEVELOPMENT STRATEGY

Make aesthetic roadways improvements on Broadway Street in conjunction with TxDOT improvements to I-30 to help create a regional identity.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- Federal Transit Administration Grants

POTENTIAL PARTNERSHIPS

- Convention and Visitor's Bureau Administration
- Neighborhood Services
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Stay up to date with TxDOT roadway improvements for I-30.	Ongoing	
2. Review existing improvements on Broadway Street.	1 year	
3. Develop plans for future roadway and beautification improvements to be implemented after the I-30 improvements are complete.	1-5 years	

DEVELOPMENT STRATEGY

Consolidate and revise zoning to allow for the mixed-use development.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- N/A

POTENTIAL PARTNERSHIPS

- Property Owners/Business Owners
- Neighborhood Services

ACTIONS	TIMELINE	STATUS
1. Analyze existing zoning on the site.	6 months	
2. Ensure zoning districts on the site allow for mixed-use development.	1 year	
3. Revise zoning if necessary.	1 year	

DEVELOPMENT STRATEGY

Assemble properties to create larger tracts for redevelopment.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- General Fund

POTENTIAL PARTNERSHIPS

- Economic Development Department

ACTIONS	TIMELINE	STATUS
1. Analyze existing property organization.	1 year	
2. Consider possibilities for creating a land bank.	1-2 years	
3. Replat plat with necessary easements so property is prepared for future development.	1-5 years	

DEVELOPMENT STRATEGY

Consider which strategy from the Redevelopment Strategies Toolbox best aligns with the city's risk appetite and goals. Evaluate different investment vehicles the city would be interested in pursuing to help finance a mixed-use developments (TIF, PID, TIRZ, etc.)

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Economic Development

POTENTIAL FUNDING SOURCES

- TIF

POTENTIAL PARTNERSHIPS

- Planning and Community Development
- City Council

ACTIONS	TIMELINE	STATUS
1. Evaluate different investment vehicles the city would be interested in pursuing to help finance a mixed-use developments.	1 year	
2. Determine the appropriate method and prepare a plan for implementation	1-2 years	
3. Implement redevelopment strategy.	2-3 years	

DEVELOPMENT STRATEGY

Implement enhanced code enforcement on existing high density developments.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- Community Development Block Grant (CDBG)
- Rehab grants for multi-family

POTENTIAL PARTNERSHIPS

- Code Enforcement
- Neighborhood Services
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Conduct assessment of apartments within the TIA in terms of how much they conflict with the code.	6 months	
2. Prioritize apartments with the most need.	6 months	
3. Create plan to target prioritized apartment complexes by working with property owners.	1-2 years	

DEVELOPMENT STRATEGY

Continue existing park trail under I-30 and make general improvements to the existing John Paul Jones Park to enhance usability of the park.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Parks and Recreation Department

POTENTIAL FUNDING SOURCES

- Texas Parks and Wildlife Grants

POTENTIAL PARTNERSHIPS

- TxDOT
- Lake Authority
- Texas Parks and Wildlife

ACTIONS	TIMELINE	STATUS
1. Assess status of existing plans for John Paul Jones Park.	3 months	
2. Create master development plan for redevelopment of the park.	1-2 years	
3. Apply for grants applicable to the development of the park trail.	1-2 years	
4. Commence park improvements.	1-2 years	

DEVELOPMENT STRATEGY

Implement strategic branding with streetscape enhancements and wayfinding signage to develop a unified identity.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Planning and Community Development

POTENTIAL FUNDING SOURCES

- Funds for public art
- TIF

POTENTIAL PARTNERSHIPS

- Convention and Visitor's Bureau Administration
- Neighborhood Services
- Property Owners/Business Owners

ACTIONS	TIMELINE	STATUS
1. Talk to property owners and business owners about possible branding for the district.	6 months - 1 year	
2. Create a district brand.	1 year	
3. Implement district branding through advertisement, visitor information, signage, wayfinding signage, etc.	1-3 years	

Harbor Point TIA Action Plan

DEVELOPMENT STRATEGY

Consider which strategy from the Redevelopment Strategies Toolbox best aligns with the city's risk appetite and goals.

DESIGNATED CHAMPION OR IMPLEMENTING ENTITY

Economic Development

POTENTIAL FUNDING SOURCES

- TIF

POTENTIAL PARTNERSHIPS

- Planning and Community Development
- City Council

ACTIONS	TIMELINE	STATUS
1. Analyze existing TIF.	1 year	
2. Evaluate different investment vehicles the city would be interested in pursuing to help redevelop Harbor Point.	1 year	
3. Determine the appropriate method and prepare a plan for implementation.	1-2 years	
4. Implement redevelopment strategy.	2-3 years	

APPENDIX

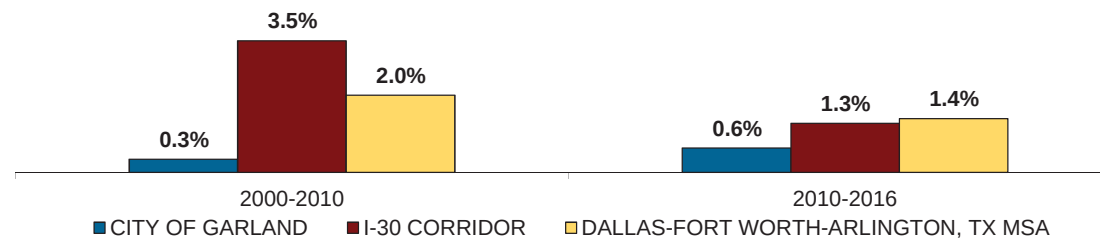
CITY OF GARLAND

Exhibit I-1

COMPARATIVE SOCIOECONOMIC CHARACTERISTICS CITY OF GARLAND, I-30 CORRIDOR, AND DALLAS-FORT WORTH-ARLINGTON, TX MSA 2000-2016

CHARACTERISTIC	CITY OF GARLAND	I-30 CORRIDOR	DALLAS-FORT WORTH-ARLINGTON, TX MSA
2000 Population	215,558	182,584	5,204,219
2010 Population	226,876	259,916	6,426,214
2016 Population	238,784	284,403	7,062,433
Pop. Growth Rate, 2000-2010	0.5%	3.6%	2.1%
Pop. Growth Rate, 2010-2016	0.9%	1.5%	1.6%
2000 Households	73,161	63,076	1,897,614
2010 Households	75,696	88,632	2,320,283
2016 Households	78,641	95,727	2,523,352
Household Growth Rate, 2000-2010	0.3%	3.5%	2.0%
Household Growth Rate, 2010-2016	0.6%	1.3%	1.4%
Owner Households	63%	75%	59%
2016 Household Size	3.04	2.97	2.80
2016 Per Capita Income	\$22,706	\$31,293	\$30,905
2016 Median Household Income	\$52,804	\$76,687	\$60,841
2016 Average Household Income	\$68,531	\$92,355	\$85,490

Average Household Growth Rates, 2000-2016



SOURCE: RCLCO; ESRI Business Analyst

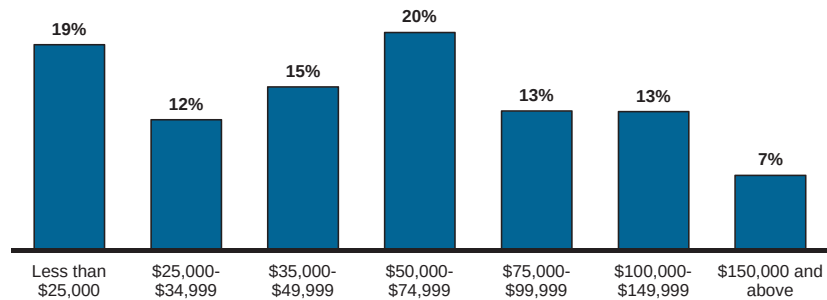
CITY OF GARLAND

Exhibit I-2

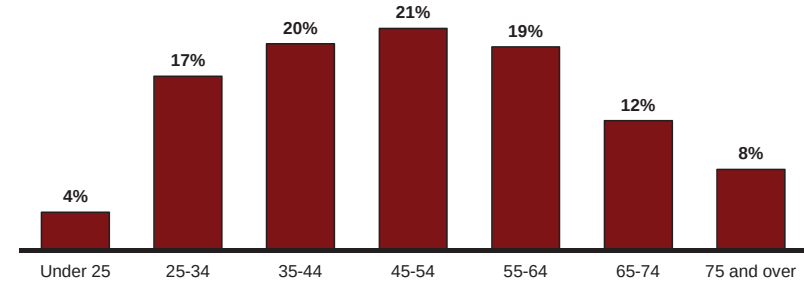
HOUSEHOLDS BY AGE AND INCOME CITY OF GARLAND, TX 2016

INCOME RANGE	UNDER 25		PROFESSIONALS				EMPTY NESTERS				RETIREES				TOTAL	
	TOTAL		25-34		35-44		45-54		55-64		65-74		75 AND OVER		TOTAL	PCT.
	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.		
Less than \$25,000	973	34%	2,678	21%	2,638	17%	2,456	15%	2,564	17%	1,770	18%	2,014	33%	15,093	19%
\$25,000 - \$34,999	533	19%	1,760	14%	1,892	12%	1,608	10%	1,367	9%	1,287	13%	1,148	19%	9,595	12%
\$35,000 - \$49,999	547	19%	2,234	17%	2,526	16%	2,163	13%	1,874	12%	1,697	18%	969	16%	12,010	15%
\$50,000 - \$74,999	484	17%	2,819	22%	3,015	20%	3,498	21%	3,132	21%	2,054	21%	991	16%	15,993	20%
\$75,000 - \$99,999	183	6%	1,504	12%	1,971	13%	2,639	16%	2,377	16%	1,108	11%	465	8%	10,247	13%
\$100,000 - \$149,999	107	4%	1,398	11%	2,243	15%	2,602	16%	2,351	16%	1,144	12%	342	6%	10,187	13%
\$150,000 - \$199,999	24	1%	438	3%	703	5%	917	6%	888	6%	347	4%	80	1%	3,397	4%
\$200,000 and above	3	0%	146	1%	402	3%	658	4%	607	4%	263	3%	42	1%	2,121	3%
TOTAL	2,854	100%	12,977	100%	15,390	100%	16,541	100%	15,160	100%	9,670	100%	6,051	100%	78,643	100%
Percent of Total	4%		17%		20%		21%		19%		12%		8%		100%	

HOUSEHOLDS BY INCOME



HOUSEHOLDS BY AGE



SOURCE: RCLCO; ESRI Business Analyst

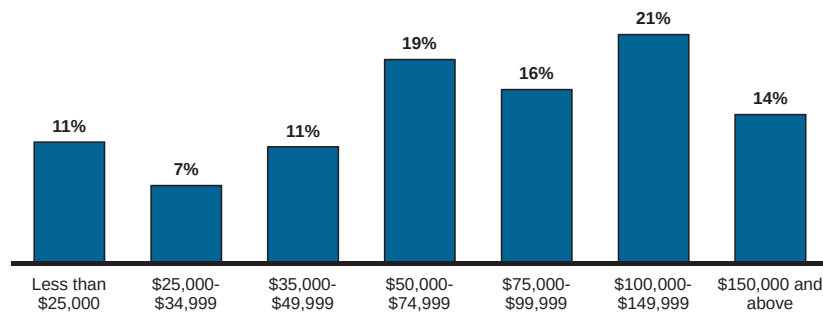
CITY OF GARLAND

Exhibit I-3

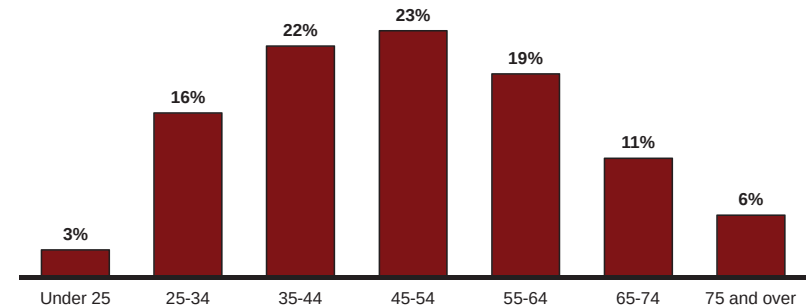
HOUSEHOLDS BY AGE AND INCOME I-30 CORRIDOR, TX 2016

INCOME RANGE	UNDER 25		PROFESSIONALS				EMPTY NESTERS				RETIREES				TOTAL	
	TOTAL		25-34		35-44		45-54		55-64		65-74		75 AND OVER		TOTAL	PCT.
	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.		
Less than \$25,000	676	27%	1,727	12%	1,789	9%	1,690	8%	1,988	11%	1,447	13%	1,523	27%	10,840	11%
\$25,000 - \$34,999	372	15%	1,230	8%	1,304	6%	1,159	5%	1,020	6%	964	9%	931	16%	6,980	7%
\$35,000 - \$49,999	474	19%	1,965	13%	2,185	10%	1,860	8%	1,638	9%	1,404	13%	893	16%	10,419	11%
\$50,000 - \$74,999	493	19%	3,303	22%	3,602	17%	3,847	17%	3,321	18%	2,440	23%	1,199	21%	18,205	19%
\$75,000 - \$99,999	237	9%	2,455	16%	3,391	16%	4,076	18%	3,404	18%	1,570	15%	401	7%	15,534	16%
\$100,000 - \$149,999	218	9%	2,983	20%	5,393	26%	5,465	24%	4,061	22%	1,835	17%	501	9%	20,456	21%
\$150,000 - \$199,999	49	2%	877	6%	2,062	10%	2,391	11%	1,686	9%	632	6%	127	2%	7,824	8%
\$200,000 and above	10	0%	376	3%	1,250	6%	1,889	8%	1,350	7%	513	5%	84	1%	5,472	6%
TOTAL	2,529	100%	14,916	100%	20,976	100%	22,377	100%	18,468	100%	10,805	100%	5,659	100%	95,730	100%
Percent of Total	3%		16%		22%		23%		19%		11%		6%		100%	

HOUSEHOLDS BY INCOME



HOUSEHOLDS BY AGE



SOURCE: RCLCO; ESRI Business Analyst

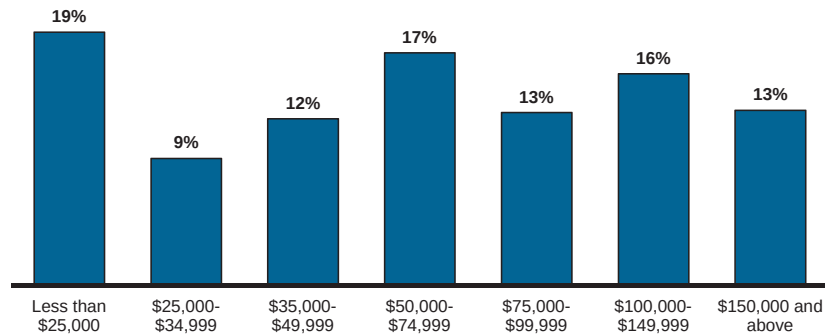
CITY OF GARLAND

Exhibit I-4

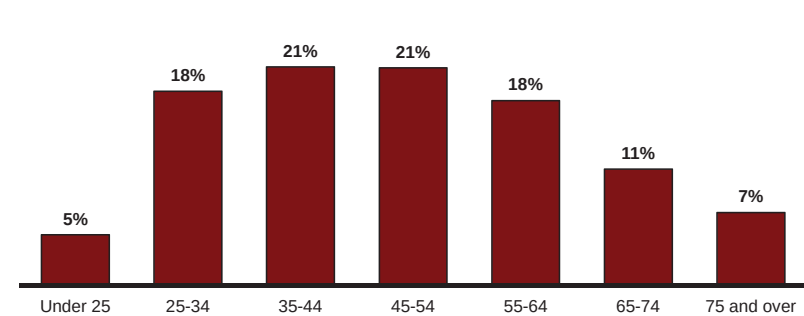
HOUSEHOLDS BY AGE AND INCOME DALLAS-FORT WORTH-ARLINGTON, TX MSA 2016

INCOME RANGE	UNDER 25		PROFESSIONALS				EMPTY NESTERS				RETIREES				TOTAL	
	25-34		35-44		45-54		55-64		65-74		75 AND OVER		TOTAL		TOTAL	PCT.
	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.	TOTAL	PCT.		
Less than \$25,000	46,794	38%	91,666	20%	76,282	15%	67,797	13%	75,250	17%	57,316	21%	61,859	35%	476,964	19%
\$25,000 - \$34,999	19,380	16%	51,382	11%	44,599	9%	36,631	7%	31,566	7%	30,266	11%	25,428	15%	239,252	9%
\$35,000 - \$49,999	19,757	16%	67,629	15%	63,538	12%	50,679	10%	45,022	10%	41,117	15%	26,499	15%	314,241	12%
\$50,000 - \$74,999	17,909	15%	92,499	20%	85,063	16%	85,632	16%	76,330	17%	51,650	19%	29,331	17%	438,414	17%
\$75,000 - \$99,999	8,143	7%	60,915	13%	72,018	14%	76,807	15%	65,025	15%	31,133	11%	11,556	7%	325,597	13%
\$100,000 - \$149,999	7,084	6%	65,591	14%	101,344	19%	100,994	19%	74,847	17%	36,808	13%	12,192	7%	398,860	16%
\$150,000 - \$199,999	1,613	1%	21,462	5%	40,560	8%	45,983	9%	33,173	8%	13,472	5%	3,621	2%	159,884	6%
\$200,000 and above	1,181	1%	13,261	3%	38,723	7%	55,478	11%	40,722	9%	16,675	6%	4,085	2%	170,125	7%
TOTAL	121,861	100%	464,405	100%	522,127	100%	520,001	100%	441,935	100%	278,437	100%	174,571	100%	2,523,337	100%
Percent of Total	5%		18%		21%		21%		18%		11%		7%		100%	

HOUSEHOLDS BY INCOME



HOUSEHOLDS BY AGE

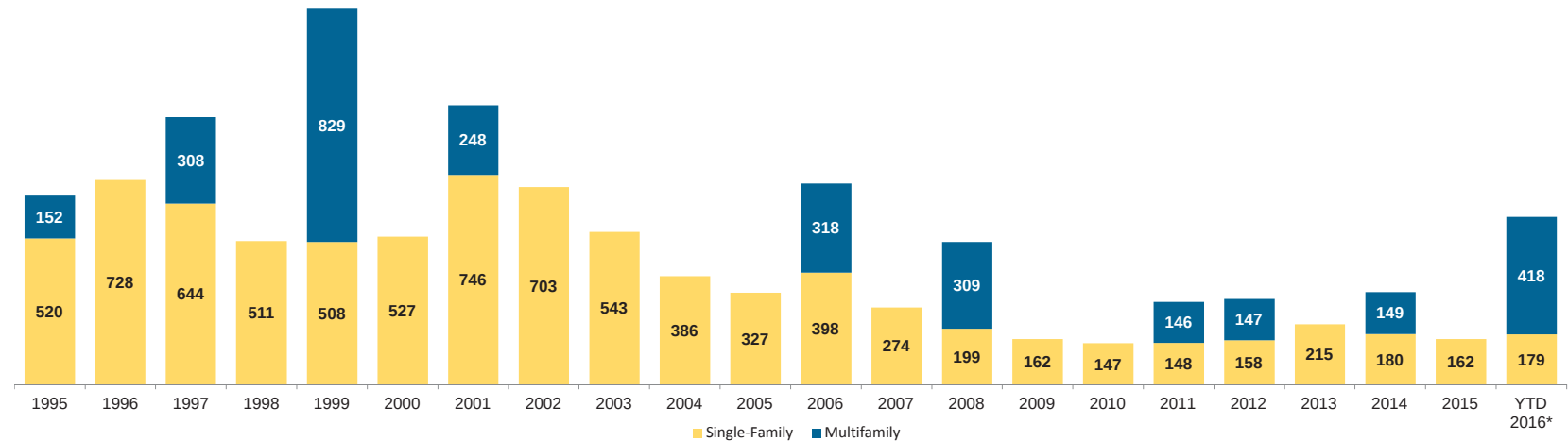


SOURCE: RCLCO; ESRI Business Analyst

CITY OF GARLAND

Exhibit I-5

HISTORICAL SINGLE-FAMILY AND MULTIFAMILY PERMITS GARLAND, TEXAS SEPTEMBER 2016



LAND USE	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	YTD 2016*
RESIDENTIAL-BUILDING PERMITS																						
Single-Family	520	728	644	511	508	527	746	703	543	386	327	398	274	199	162	147	148	158	215	180	162	179
Multifamily	152	0	308	0	829	0	248	0	0	0	0	318	0	309	0	0	146	147	0	149	0	418
TOTAL	672	728	952	511	1,337	527	994	703	543	386	327	716	274	508	162	147	294	305	215	329	162	597
Annual Change	--	56	224	-441	826	-810	467	-291	-160	-157	-59	389	-442	234	-346	-15	147	11	-90	114	-167	435
SF as % of Total	77%	100%	68%	100%	38%	100%	75%	100%	100%	100%	100%	56%	100%	39%	100%	100%	50%	52%	100%	55%	100%	30%

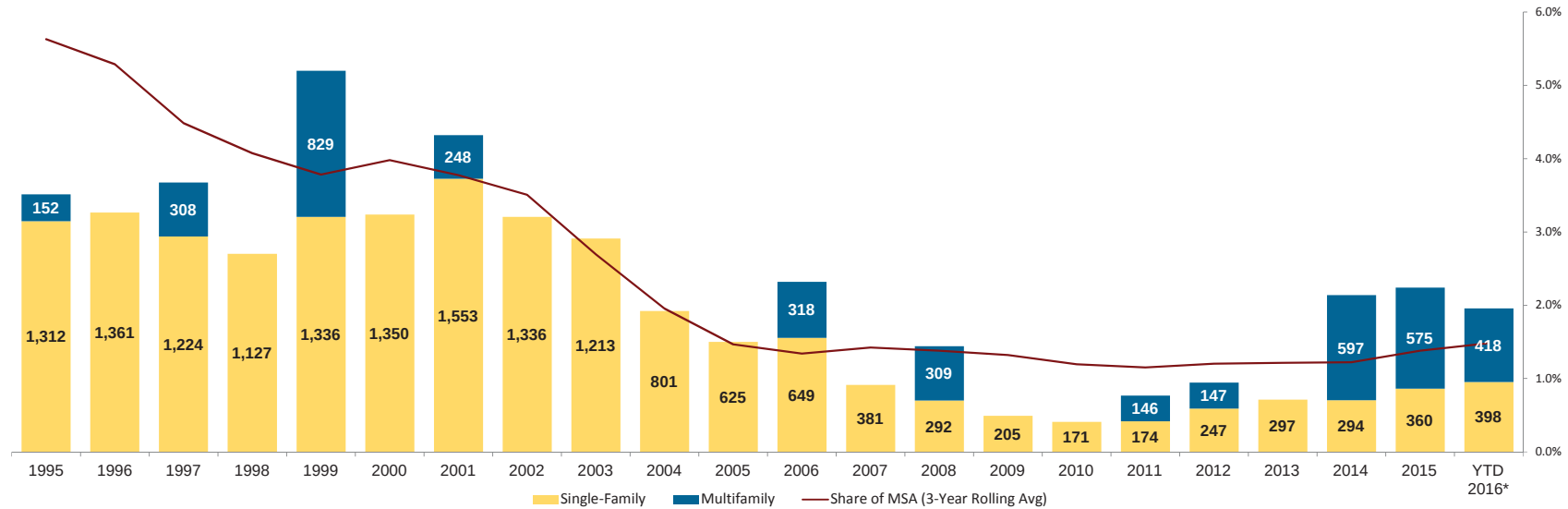
NOTE: 2016 figures account for permits through September

SOURCE: U.S. Department of Housing and Urban Development; RCLCO

CITY OF GARLAND

Exhibit I-6

HISTORICAL SINGLE-FAMILY AND MULTIFAMILY PERMITS GARLAND AND ROWLETT, TEXAS SEPTEMBER 2016



LAND USE	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	YTD 2016*
RESIDENTIAL-BUILDING PERMITS																						
Single-Family	1,312	1,361	1,224	1,127	1,336	1,350	1,553	1,336	1,213	801	625	649	381	292	205	171	174	247	297	294	360	398
Multifamily	152	0	308	0	829	0	248	0	0	0	0	318	0	309	0	0	146	147	0	597	575	418
TOTAL	1,464	1,361	1,532	1,127	2,165	1,350	1,801	1,336	1,213	801	625	967	381	601	205	171	320	394	297	891	935	816
Annual Change	--	-103	171	-405	1,038	-815	451	-465	-123	-412	-176	342	-586	220	-396	-34	149	74	-97	594	44	-119
SF as % of Total	90%	100%	80%	100%	62%	100%	86%	100%	100%	100%	100%	67%	100%	49%	100%	100%	54%	63%	100%	33%	39%	49%

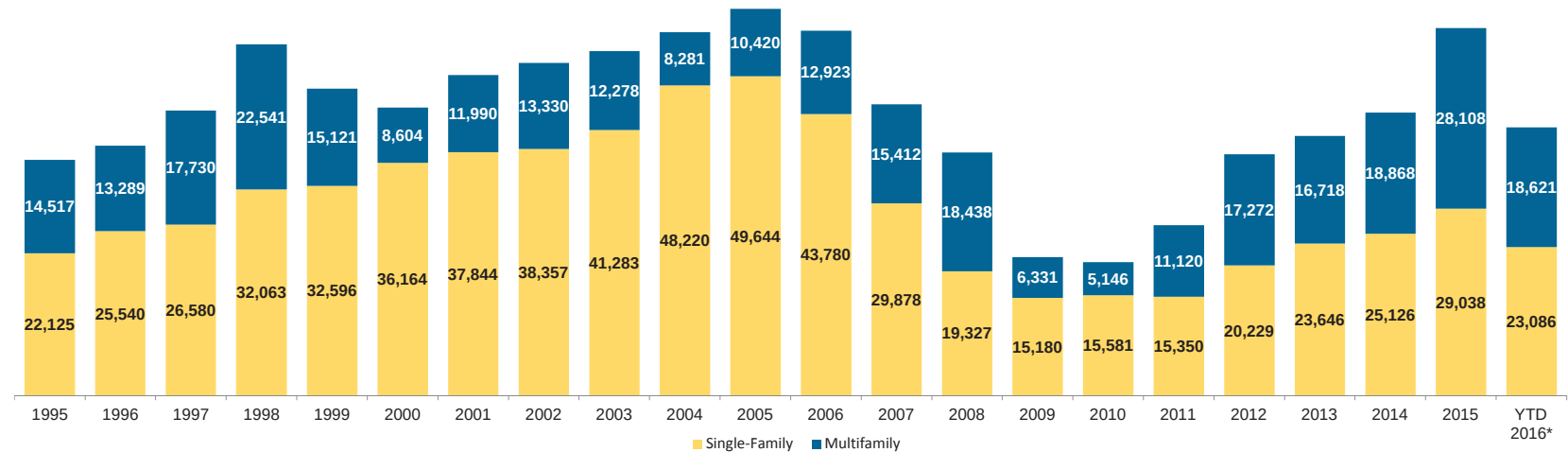
NOTE: 2016 figures account for permits through September

SOURCE: U.S. Department of Housing and Urban Development; RCLCO

CITY OF GARLAND

Exhibit I-7

HISTORICAL SINGLE-FAMILY AND MULTIFAMILY PERMITS DALLAS-FORT WORTH-ARLINGTON, TX MSA SEPTEMBER 2016



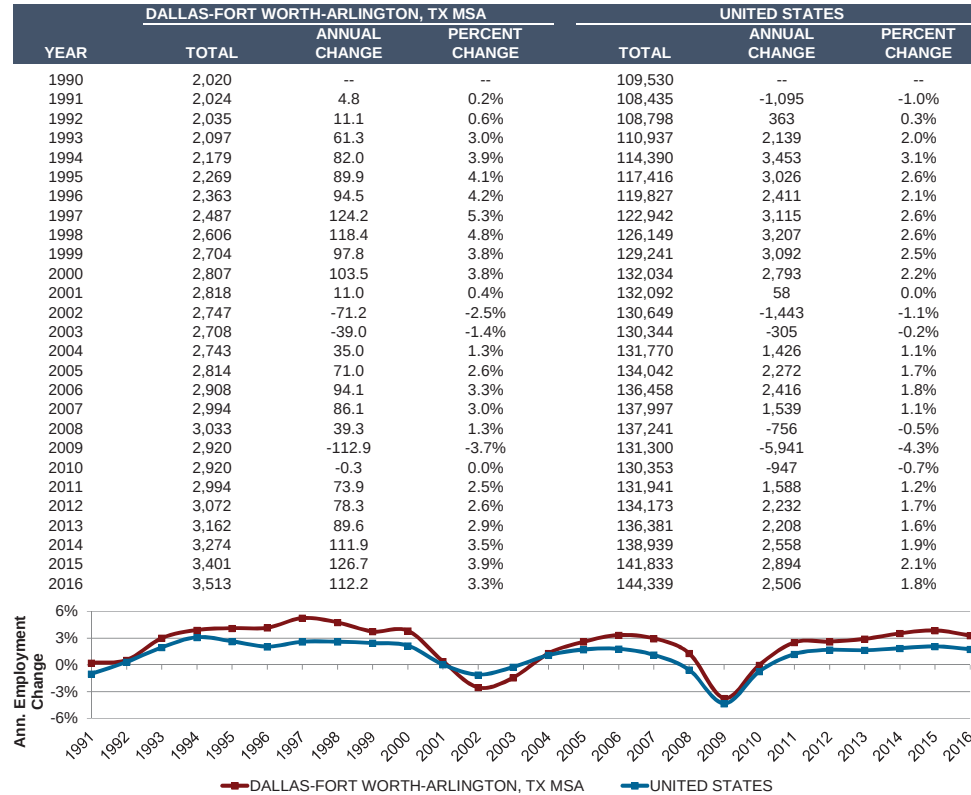
LAND USE	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	YTD 2016*
RESIDENTIAL-BUILDING PERMITS																						
Single-Family	22,125	25,540	26,580	32,063	32,596	36,164	37,844	38,357	41,283	48,220	49,644	43,780	29,878	19,327	15,180	15,581	15,350	20,229	23,646	25,126	29,038	23,086
Multifamily	14,517	13,289	17,730	22,541	15,121	8,604	11,990	13,330	12,278	8,281	10,420	12,923	15,412	18,438	6,331	5,146	11,120	17,272	16,718	18,868	28,108	18,621
TOTAL	36,642	38,829	44,310	54,604	47,717	44,768	49,834	51,687	53,561	56,501	60,064	56,703	45,290	37,765	21,511	20,727	26,470	37,501	40,364	43,994	57,146	41,707
Annual Change	--	2,187	5,481	10,294	-6,887	-2,949	5,066	1,853	1,874	2,940	3,563	-3,361	-11,413	-7,525	-16,254	-784	5,743	11,031	2,863	3,630	13,152	-15,439
SF as % of Total	60%	66%	60%	59%	68%	81%	76%	74%	77%	85%	83%	77%	66%	51%	71%	75%	58%	54%	59%	57%	51%	55%

NOTE: 2016 figures account for permits through September
SOURCE: U.S. Department of Housing and Urban Development; RCLCO

CITY OF GARLAND

Exhibit I-8

NON-AGRICULTURAL EMPLOYMENT GROWTH DALLAS-FORT WORTH-ARLINGTON, TX MSA AND UNITED STATES 1990-2016 (in thousands)



NOTE: (f) denotes forecasted figure.

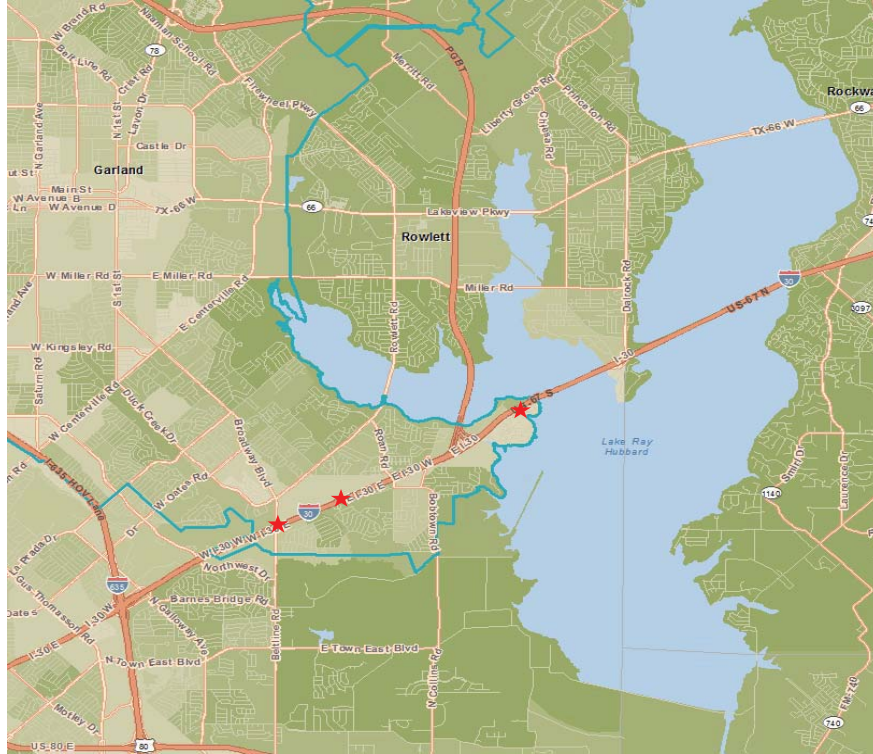
SOURCE: Moody's; RCLCO

CITY OF GARLAND

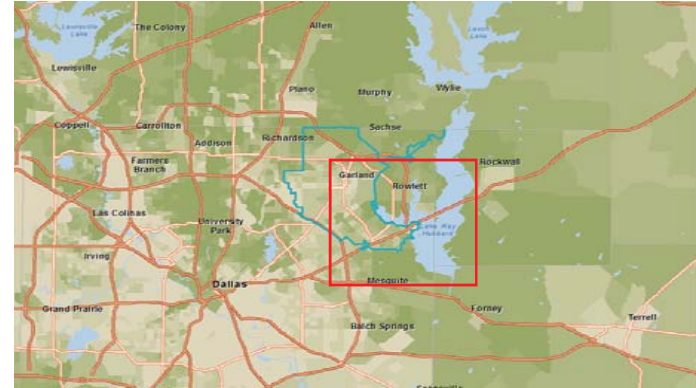
Exhibit I-9

MEDIAN HOUSEHOLD INCOME BY BLOCK GROUP STUDY AREA AND NORTHEAST DALLAS REGION 2015

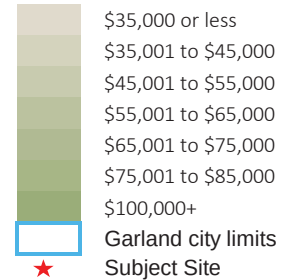
STUDY AREA



NORTHEAST DALLAS REGION



MAP KEY



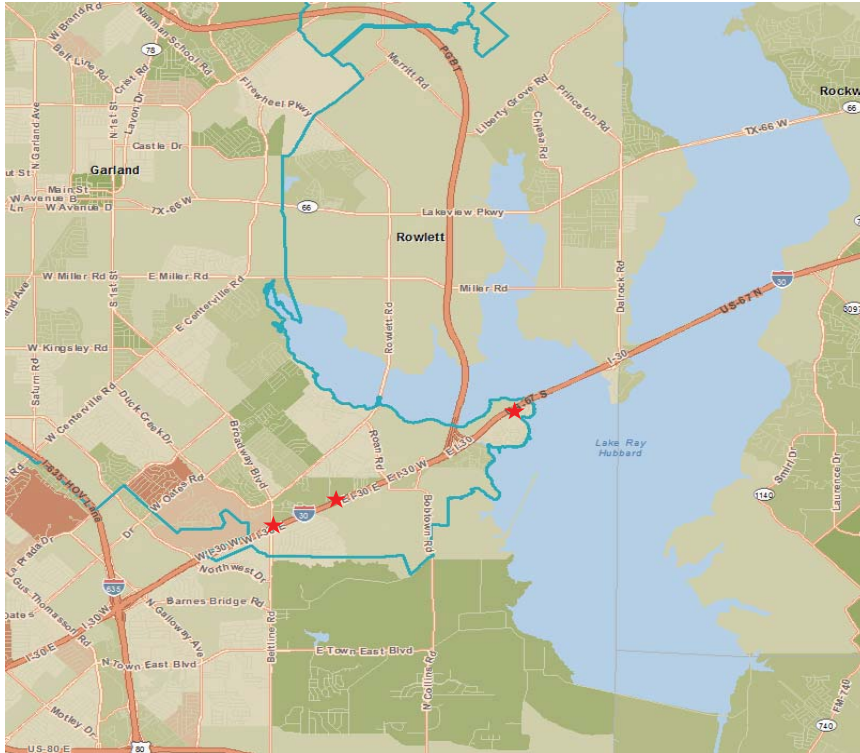
SOURCE: Esri, U.S. Census

CITY OF GARLAND

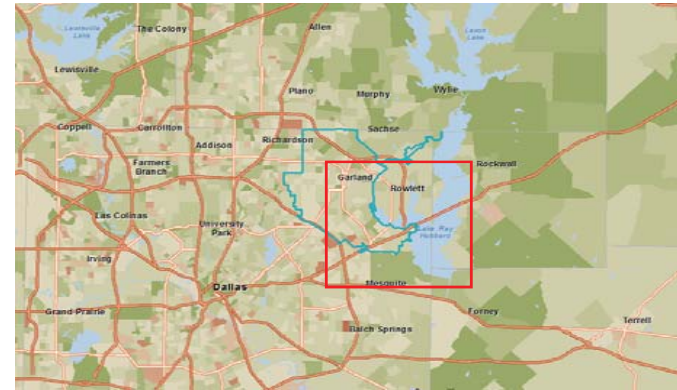
Exhibit I-10

HOUSEHOLD GROWTH RATE BY BLOCK GROUP STUDY AREA AND NORTHEAST DALLAS REGION 2015

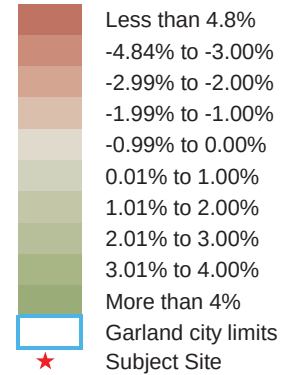
STUDY AREA



NORTHEAST DALLAS REGION



MAP KEY



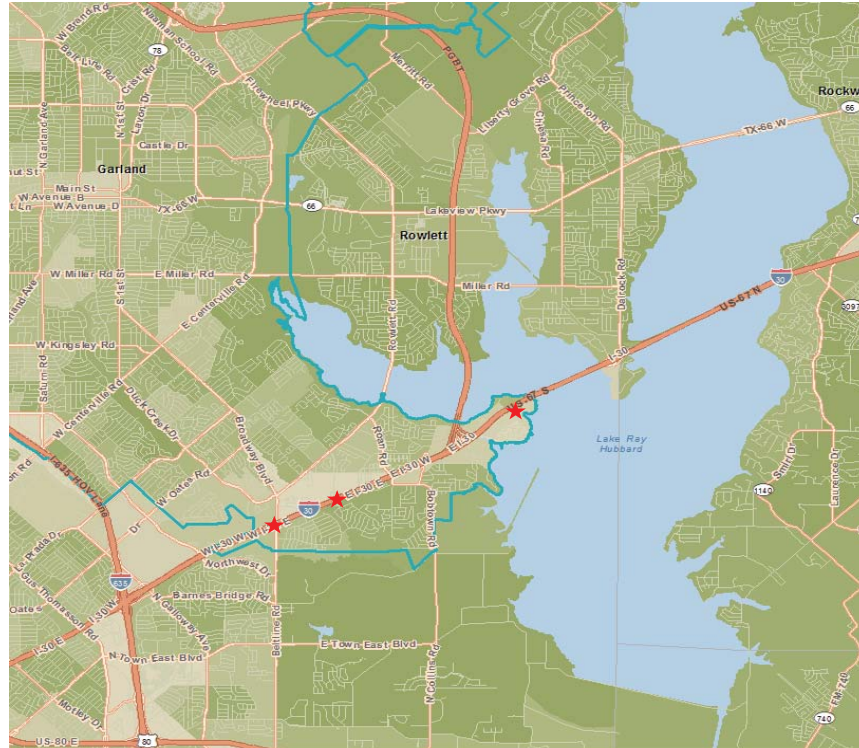
SOURCE: Esri, U.S. Census

CITY OF GARLAND

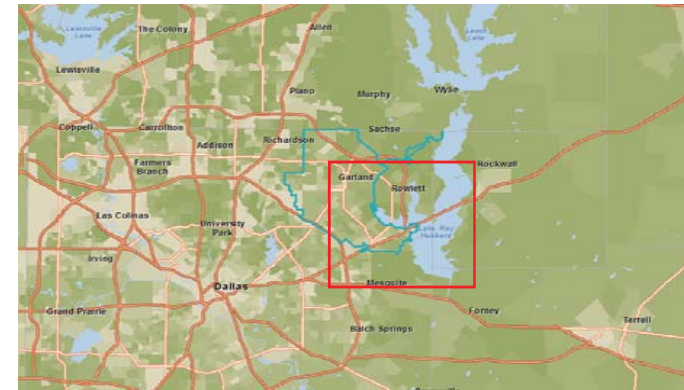
Exhibit I-11

PERCENT HOMEOWNERS BY BLOCK GROUP STUDY AREA AND NORTHEAST DALLAS REGION 2015

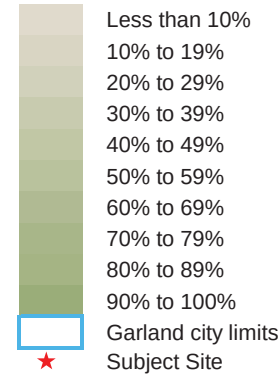
STUDY AREA



NORTHEAST DALLAS REGION



MAP KEY



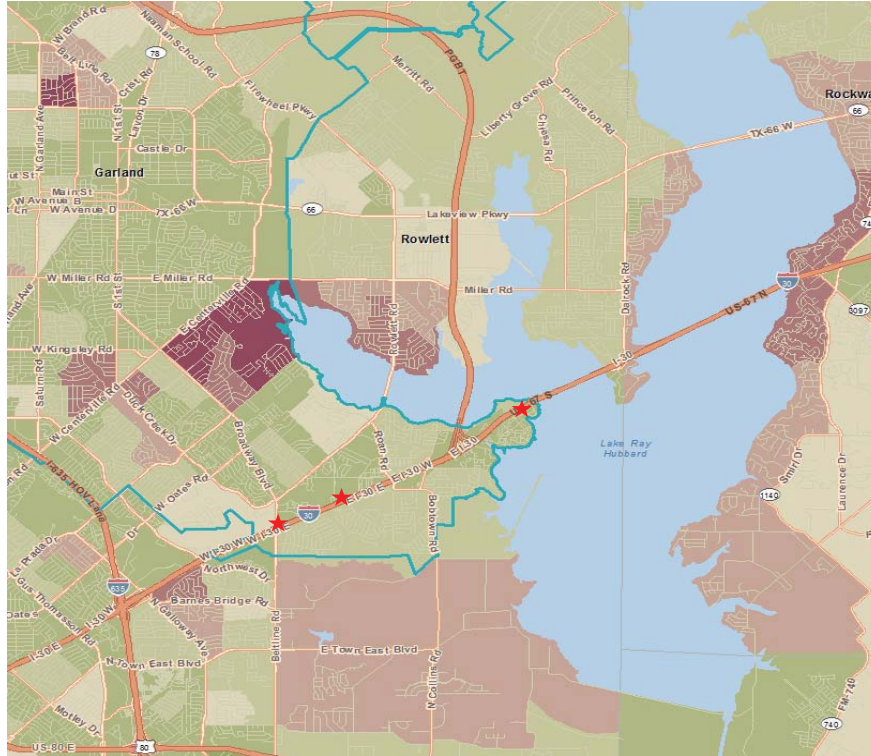
SOURCE: Esri, U.S. Census

CITY OF GARLAND

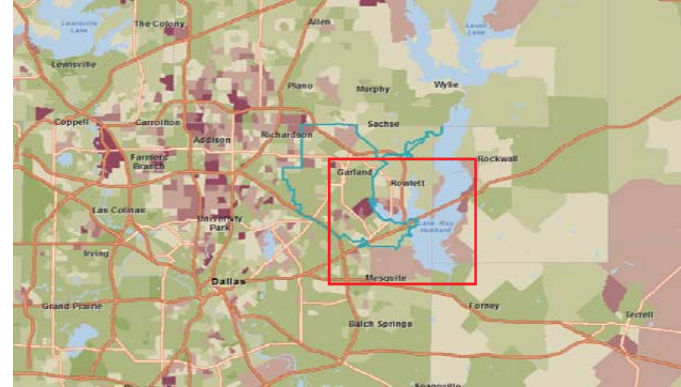
Exhibit I-12

MEDIAN AGE BY BLOCK GROUP STUDY AREA AND NORTHEAST DALLAS REGION 2015

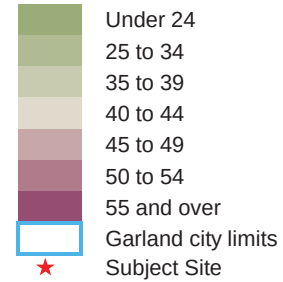
STUDY AREA



NORTHEAST DALLAS REGION



MAP KEY

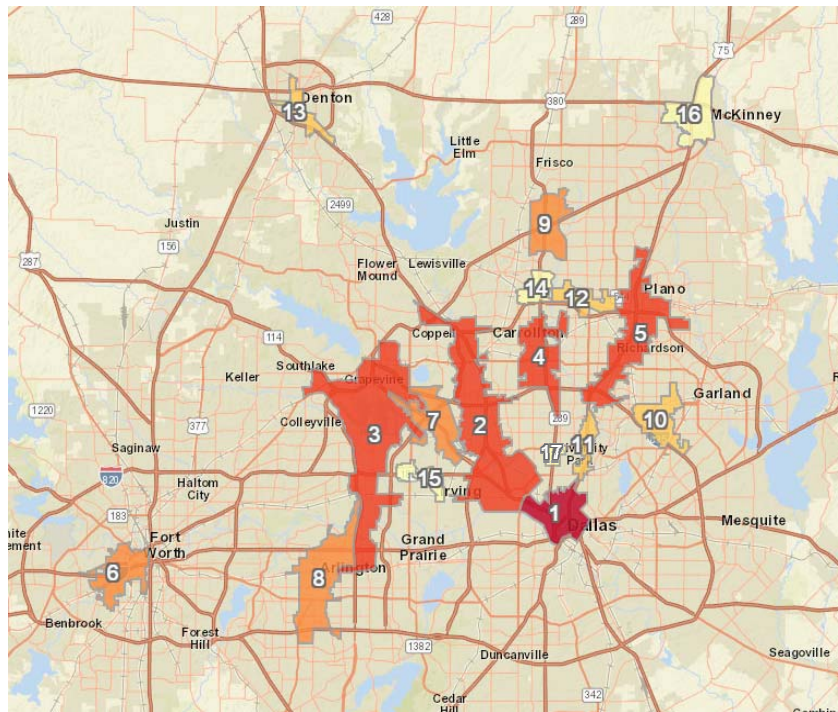


SOURCE: Esri, U.S. Census

CITY OF GARLAND

Exhibit I-13

MAP OF EMPLOYMENT CORES AND CORRIDORS DALLAS-FORT WORTH-ARLINGTON, TX MSA 2014



MAP KEY	CORE/CORRIDOR NAME	2014 EMPLOYEES	ANNUAL NOMINAL GROWTH 2009-2014
1	Dallas Central	272,231	8,369
2	Farmer's Branch/Love-Field	212,699	1,580
3	DFW Airport	176,753	6,050
4	Addison	159,559	2,392
5	Telecom Corridor	153,977	34
6	Central Fort Worth	115,239	571
7	Las Colinas	103,906	4,873
8	Arlington	92,606	1,501
9	Legacy Town Center	82,799	6,499
10	Garland	56,777	2,463
11	North Park/SMU	51,780	-300
12	George Bush	40,635	2,422
13	Denton	28,692	-402
14	Dallas North Tollway	24,303	1,195
15	Irving-Sowers	20,071	-224
16	McKinney	18,853	-156
17	Park Cities	13,275	177
Core Total		1,624,155	37,047
Dallas MSA		3,011,496	72,423

	250,000 or more jobs
	150,000 to 250,000 jobs
	75,000 to 150,000 jobs
	25,000 to 75,000 jobs
	Under 25,000 jobs (Secondary Employment Core)

Source: U.S. Census Bureau - Longitudinal Employer-Household Dynamics; RCLCO

CITY OF GARLAND

Exhibit I-14

EMPLOYMENT CORE AND CORRIDOR SUMMARY DALLAS-FORT WORTH-ARLINGTON, TX MSA 2014

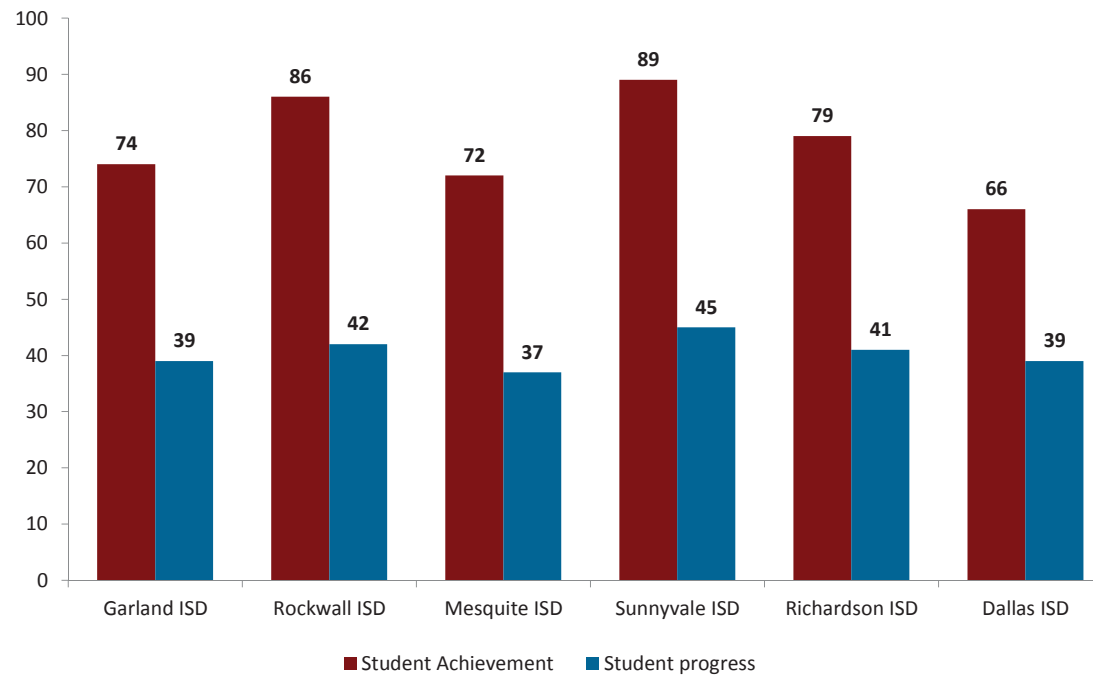
MAP KEY	CORE/CORRIDOR NAME	2014 EMPLOYEES	NOMINAL ANN GROWTH 2009-2014	CAGR 2004-2009	CAGR 2009-2014	2014 FIRE, STEM, & PROF. SERVICES	SECTOR SHARE OF EMPLOYMENT (2014) ¹			
							FIRE, STEM, & PROF. SERVICES	EDUCATION, HEALTHCARE, & GOVT. ²	RETAIL, HOSPITALITY, & SERVICES	MANU, UTILITIES, TRANSP, CONSTR
1	Dallas Central	272,231	8,369	0.9%	3.4%	79,833	29%	38%	14%	12%
2	Farmer's Branch/Love-Field	212,699	1,580	-0.5%	0.8%	33,503	16%	8%	17%	46%
3	DFW Airport	176,753	6,050	1.9%	3.8%	35,256	20%	8%	14%	50%
4	Addison	159,559	2,392	2.4%	1.6%	67,170	42%	9%	18%	16%
5	Telecom Corridor	153,977	34	1.1%	0.0%	54,737	36%	18%	15%	23%
6	Central Fort Worth	115,239	571	1.8%	0.5%	20,567	18%	53%	14%	10%
7	Las Colinas	103,906	4,873	3.2%	5.5%	51,970	50%	6%	16%	16%
8	Arlington	92,606	1,501	1.1%	1.7%	13,567	15%	36%	31%	10%
9	Legacy Town Center	82,799	6,499	9.2%	10.5%	40,980	49%	13%	16%	15%
10	Garland	56,777	2,463	0.8%	5.0%	3,266	6%	28%	11%	44%
11	North Park/SMU	51,780	-300	2.5%	-0.6%	15,093	29%	29%	28%	7%
12	George Bush	40,635	2,422	2.7%	7.3%	8,766	22%	42%	16%	16%
13	Denton	28,692	-402	5.3%	-1.3%	2,527	9%	56%	18%	14%
14	Dallas North Tollway	24,303	1,195	7.9%	5.8%	8,612	35%	16%	27%	7%
15	Irving-Sowers	20,071	-224	3.3%	-1.1%	1,775	9%	35%	34%	5%
16	McKinney	18,853	-156	1.7%	-0.8%	2,196	12%	38%	30%	14%
17	Park Cities	13,275	177	-3.0%	1.4%	5,194	39%	15%	35%	8%
Core Total		1,624,155	37,047	1.7%	2.5%	445,012	28%	24%	18%	24%
DALLAS MSA		3,011,496	72,423	2.0%	2.6%	611,597	20%	23%	23%	26%

¹ NAICS codes 11 and 56, encompassing Agriculture and Administrative Services employment respectively, not included in any of below categories. Total distributions will not sum up to 100%.
Source: U.S. Census Bureau - Longitudinal Employer-Household Dynamics; RCLCO

CITY OF GARLAND

Exhibit II-1

SCHOOL DISTRICT RATINGS COMPETITIVE MARKET AREA 2016



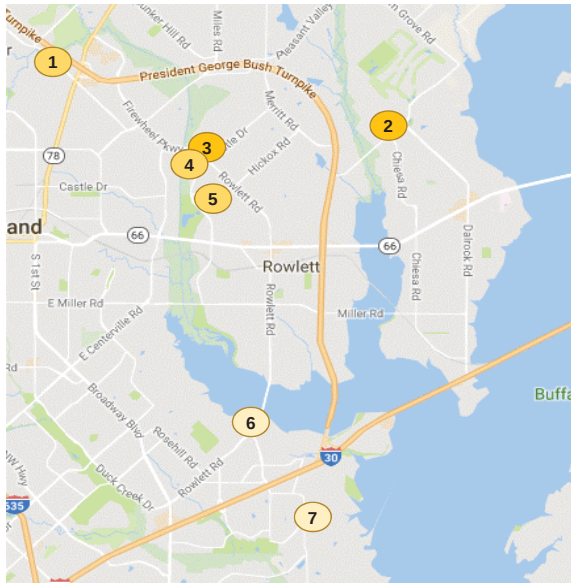
	SCHOOL DISTRICT RATINGS					
	Garland ISD	Rockwall ISD	Mesquite ISD	Sunnyvale ISD	Richardson ISD	Dallas ISD
Student Achievement	74	86	72	89	79	66
Student Progress	39	42	37	45	41	39

SOURCE: Texas Education Agency

CITY OF GARLAND

Exhibit II-2

MAP OF LOCAL MARKET AREA CONVENTIONAL ACTIVELY SELLING COMMUNITIES COMPETITIVE MARKET AREA OCTOBER 2016



MAP KEY	COMMUNITY	ANNUAL CLOSINGS	TOTAL UNITS (BUILDOUT)	HOME SIZE		HOME PRICE		AVG. \$/SF
				RANGE	AVG.	RANGE	AVG.	
1	Beacon Hill Townhomes*	N/A	104	1,749 - 1,844	1,797	\$194,900 - \$224,900	\$209,900	\$117
2	Homestead at Liberty Grove	0	468	1,773 - 3,836	2,805	\$269,990 - \$445,990	\$357,990	\$128
3	Castle Point	29	130	1,850 - 3,472	2,661	\$290,990 - \$407,678	\$349,334	\$131
4	Springfield Commons	26	134	1,556 - 3,472	2,514	\$253,000 - \$365,000	\$309,000	\$123
5	Lakehill	32	166	2,557 - 3,611	3,084	\$326,990 - \$378,990	\$352,990	\$114
6	Hillside on the Lake	1	63	1,887 - 3,746	2,817	\$268,490 - \$326,990	\$297,740	\$106
7	Cypress Cove	28	163	2,199 - 4,258	3,229	\$285,990 - \$385,990	\$335,990	\$104
	Below \$110/SF							
	\$110 - \$125/SF							
	Greater than \$125/SF							

*Community built out in 2015. Home prices based on resale data.

SOURCE: Community Websites; Homebuilder Websites; RCLCO

CITY OF GARLAND

Exhibit II-3

NEW FOR-SALE HOUSING DEMAND EAST DALLAS SUBMARKET, DALLAS-FORT WORTH MSA 2017-2030

DALLAS-FORT WORTH MSA DEMAND POTENTIAL		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Demand from New Households															
Total Households ¹		2,669,392	2,728,564	2,789,426	2,852,087	2,915,774	2,980,620	3,047,275	3,115,445	3,186,175	3,259,354	3,334,208	3,409,490	3,485,574	3,563,134
* Annual Growth Rate		2.2%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%	2.3%	2.3%	2.3%	2.3%	2.2%	2.2%
Annual New Households		56,808	59,172	60,862	62,661	63,687	64,846	66,655	68,170	70,731	73,179	74,854	75,282	76,083	77,560
Owner Propensity of New HH ²	58.9%														
Annual New Owner Households		33,460	34,850	35,840	36,900	37,510	38,190	39,260	40,150	41,660	43,100	44,090	44,340	44,810	45,680
Demand from New Existing Households															
Total Existing Households ³		2,612,584	2,669,392	2,728,564	2,789,426	2,852,087	2,915,774	2,980,620	3,047,275	3,115,445	3,186,175	3,259,354	3,334,208	3,409,490	3,485,574
Owner Propensity ²	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%	58.9%
Owners in Turnover ³	6.1%	6.4%	6.5%	6.5%	6.6%	6.7%	6.8%	6.9%	6.9%	7.0%	7.1%	7.2%	7.3%	7.3%	7.3%
Annual For-Sale Demand from Existing HH		98,153	101,488	104,981	108,608	112,378	116,263	120,272	124,435	128,742	133,242	137,935	142,793	146,017	149,275
TOTAL ANNUAL FOR-SALE DEMAND POTENTIAL		131,613	136,338	140,821	145,508	149,888	154,453	159,532	164,585	170,402	176,342	182,025	187,133	190,827	194,955
New Home Demand by Price Range															
Distribution by Price Range ⁴															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%	36.5%
\$60,000-\$80,000	\$200,000 - \$250,000	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%	13.4%
\$80,000-\$100,000	\$250,000 - \$300,000	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%	11.6%
\$100,000-\$120,000	\$300,000 - \$350,000	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%
\$120,000-\$160,000	\$350,000 - \$450,000	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%
\$160,000-\$220,000	\$450,000 - \$600,000	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%	8.4%
\$220,000 and above	\$600,000 and above	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%	7.8%
New Sales as a % of Total Sales ⁵															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
\$60,000-\$80,000	\$200,000 - \$250,000	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
\$80,000-\$100,000	\$250,000 - \$300,000	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%
\$100,000-\$120,000	\$300,000 - \$350,000	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%	28%
\$120,000-\$160,000	\$350,000 - \$450,000	31%	31%	31%	31%	31%	31%	31%	31%	31%	31%	31%	31%	31%	31%
\$160,000-\$220,000	\$450,000 - \$600,000	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%
\$220,000 and above	\$600,000 and above	24%	24%	24%	24%	24%	24%	24%	24%	24%	24%	24%	24%	24%	24%
Total New Homes Sales by Price Range															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	3,508	3,634	3,754	3,878	3,995	4,117	4,252	4,387	4,542	4,700	4,852	4,988	5,086	5,196
\$60,000-\$80,000	\$200,000 - \$250,000	4,447	4,606	4,758	4,916	5,064	5,218	5,390	5,560	5,757	5,958	6,150	6,322	6,447	6,587
\$80,000-\$100,000	\$250,000 - \$300,000	4,243	4,395	4,540	4,691	4,832	4,979	5,143	5,306	5,493	5,685	5,868	6,032	6,152	6,295
\$100,000-\$120,000	\$300,000 - \$350,000	3,613	3,743	3,866	3,995	4,115	4,240	4,380	4,518	4,678	4,841	4,997	5,137	5,239	5,352
\$120,000-\$160,000	\$350,000 - \$450,000	5,027	5,207	5,378	5,557	5,724	5,899	6,093	6,286	6,508	6,735	6,952	7,147	7,288	7,446
\$160,000-\$220,000	\$450,000 - \$600,000	3,495	3,620	3,739	3,863	3,980	4,101	4,236	4,370	4,524	4,682	4,833	4,969	5,067	5,176
\$220,000 and above	\$600,000 and above	2,462	2,550	2,634	2,722	2,804	2,889	2,984	3,079	3,188	3,299	3,405	3,501	3,570	3,647
TOTAL		26,800	27,800	28,700	29,600	30,500	31,400	32,500	33,500	34,700	35,900	37,100	38,100	38,800	39,700
New Home Demand by Product Type and Price Range															
Single-family propensity ⁶		95.9%													
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	90.4%	3,170	3,284	3,392	3,505	3,610	3,720	3,842	3,964	4,104	4,247	4,384	4,507	4,596
\$60,000-\$80,000	\$200,000 - \$250,000	94.4%	4,197	4,347	4,490	4,640	4,779	4,925	5,087	5,248	5,433	5,623	5,804	5,967	6,085
\$80,000-\$100,000	\$250,000 - \$300,000	95.8%	4,065	4,211	4,350	4,494	4,630	4,771	4,927	5,084	5,263	5,447	5,622	5,780	5,894
\$100,000-\$120,000	\$300,000 - \$350,000	97.2%	3,512	3,638	3,758	3,883	4,000	4,121	4,257	4,392	4,547	4,705	4,857	4,993	5,092
\$120,000-\$160,000	\$350,000 - \$450,000	97.9%	4,922	5,099	5,267	5,442	5,606	5,777	5,967	6,155	6,373	6,595	6,808	6,999	7,137
\$160,000-\$220,000	\$450,000 - \$600,000	98.0%	3,425	3,548	3,665	3,787	3,901	4,019	4,152	4,283	4,434	4,589	4,737	4,870	4,966
\$220,000 and above	\$600,000 and above	98.1%	2,416	2,503	2,585	2,671	2,751	2,835	2,928	3,021	3,128	3,237	3,341	3,435	3,503
TOTAL			25,707	26,630	27,505	28,421	29,276	30,168	31,160	32,147	33,283	34,443	35,553	36,551	37,273

CITY OF GARLAND

Exhibit II-3

NEW FOR-SALE HOUSING DEMAND EAST DALLAS SUBMARKET, DALLAS-FORT WORTH MSA 2017-2030

DALLAS-FORT WORTH MSA DEMAND POTENTIAL		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
East Dallas Submarket Capture ⁷															
Single-family Submarket Capture Rate															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
\$60,000-\$80,000	\$200,000 - \$250,000	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
\$80,000-\$100,000	\$250,000 - \$300,000	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
\$100,000-\$120,000	\$300,000 - \$350,000	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%
\$120,000-\$160,000	\$350,000 - \$450,000	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
\$160,000-\$220,000	\$450,000 - \$600,000	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
\$220,000 and above	\$600,000 and above	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
TOTAL		3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
Single-family															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	93	96	99	103	106	109	113	116	120	124	128	132	135	138
\$60,000-\$80,000	\$200,000 - \$250,000	151	156	161	167	172	177	183	188	195	202	208	214	219	223
\$80,000-\$100,000	\$250,000 - \$300,000	263	272	281	290	299	308	318	328	340	352	363	373	381	389
\$100,000-\$120,000	\$300,000 - \$350,000	268	278	287	296	305	315	325	335	347	359	371	381	389	397
\$120,000-\$160,000	\$350,000 - \$450,000	169	176	181	187	193	199	205	212	219	227	234	241	246	251
\$160,000-\$220,000	\$450,000 - \$600,000	29	30	31	32	33	34	35	36	37	38	40	41	41	42
\$220,000 and above	\$600,000 and above	11	11	12	12	12	13	13	13	14	14	15	15	16	16
TOTAL		983	1,018	1,052	1,087	1,119	1,154	1,192	1,229	1,273	1,317	1,360	1,398	1,425	1,456
Competitive Set Capture ⁸															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	21%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%
\$60,000-\$80,000	\$200,000 - \$250,000	37%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%
\$80,000-\$100,000	\$250,000 - \$300,000	35%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%
\$100,000-\$120,000	\$300,000 - \$350,000	31%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%
\$120,000-\$160,000	\$350,000 - \$450,000	29%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%
\$160,000-\$220,000	\$450,000 - \$600,000	55%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%
\$220,000 and above	\$600,000 and above	51%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%
TOTAL		32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%
Competitive Set Capture															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	11.2%	20	20	21	22	22	23	24	24	25	26	27	28	29
\$60,000-\$80,000	\$200,000 - \$250,000	21.5%	56	58	60	62	64	66	68	70	72	75	77	80	83
\$80,000-\$100,000	\$250,000 - \$300,000	25.8%	91	94	97	101	104	107	110	114	118	122	126	129	135
\$100,000-\$120,000	\$300,000 - \$350,000	22.7%	82	85	88	91	93	96	99	103	106	110	113	117	121
\$120,000-\$160,000	\$350,000 - \$450,000	24.1%	49	50	52	54	55	57	59	61	63	65	67	71	72
\$160,000-\$220,000	\$450,000 - \$600,000	43.2%	16	16	17	17	18	18	19	20	20	21	22	23	23
\$220,000 and above	\$600,000 and above	50.0%	6	6	6	6	6	6	7	7	7	7	8	8	8
TOTAL		318	330	341	352	362	373	386	398	412	426	440	453	461	471

¹ Per Texas State Data Center Projections, assuming an average of the 0.5 and 1.0 growth scenario.

² 2012-2014 American Community Survey

³ Applies an annual growth factor to the 2012 - 2014 American Community Survey results in order to achieve an annual turnover rate in-line with historical norms.

⁴ Household distribution by income level and home price derived from 2012 - 2014 American Community Survey.

⁵ Current total new home sales as a percent of total sales demonstrated by Texas A&M Real Estate Center and Real Quest data. Applies an annual growth factor in order to achieve a propensity to choose new construction in-line with historical norms.

⁶ Propensity to choose single family for owner households is based American Community Survey and Real Quest

⁷ Capture for East Dallas derived from area's current capture of sales by price point in the Dallas-Fort Worth MSA.

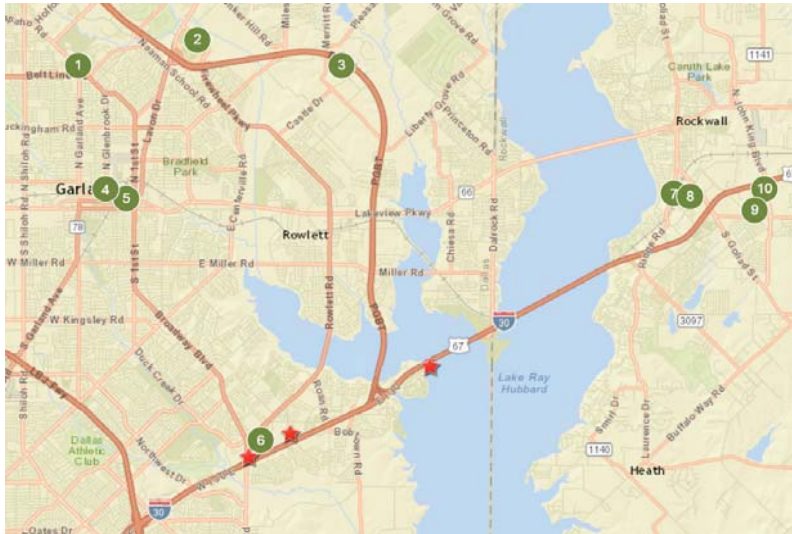
⁸ Capture for competitive set derived from area's current capture of sales by price point in the East Dallas

SOURCE: U.S. Census Bureau; Real Quest; Texas A&M Real Estate Center; Texas State Data Center; ESRI Business Analyst

CITY OF GARLAND

Exhibit III-1

MAP OF COMPARABLE APARTMENT PROJECTS GARLAND-ROCKWALL AREA, TX OCTOBER 2016



MAP KEY	APARTMENT PROJECT	OCC. RATE	# OF UNITS	YEAR BUILT	AVG. SIZE (SF)	AVG. EFF. RENT	AVG. EFF. \$/SF
★	Subject Site						
1	CARRIAGE HOMES ON THE LAKE	96%	147	2015	1,026	\$1,526	\$1.49
2	PARKSIDE AT FIREWHEEL APARTMENTS	95%	594	2007	976	\$1,267	\$1.30
3	HARMONY	N/A	324	2016	850	\$1,193	\$1.40
4	OAKS 5TH STREET CROSSING AT CITY STATION	99%	188	2009	833	\$1,000	\$1.20
5	OAKS 5TH STREET CROSSING AT CITY CENTER	98%	144	2015	828	\$1,107	\$1.34
6	SAVOY OF GARLAND	97%	144	2009	807	\$1,062	\$1.32
7	ROCKWALL COMMONS	94%	202	2008	880	\$1,304	\$1.48
8	SONOMA COURT	98%	124	2011	900	\$1,284	\$1.43
9	SIXTEEN50 @ LAKE RAY HUBBARD	96%	334	2009	1,108	\$1,591	\$1.44
10	ORION ROCKWALL	95%	220	2009	1,038	\$1,747	\$1.68

SOURCE: ESRI Business Analyst; CoStar; RCLCO

CITY OF GARLAND

Exhibit III-2

COMPETITIVE SUPPLY SUMMARY GARLAND-ROCKWALL AREA, TX OCTOBER 2016

MAP KEY	PROJECT/ LOCATION/	TYPE/ YEAR BUILT	TOTAL UNITS	OCC RATE	UNIT TYPE	# OF UNITS	UNIT MIX	AVG. UNIT SIZE	ASKING RENT		AVG. GROSS RENT	AVG GROSS RENT/SF	EFFECTIVE RENT	
									LOW	HIGH			AVG.	\$/SF
1	CARRIAGE HOMES ON THE LAKE 3232 N Garland Ave Garland, TX 75040 Concessions: \$1350 off select units	3 Stories 2015	147	96%	1BR/1BA	49	33%	817	\$1,059	- \$1,444	\$1,268	\$1.55	\$1,247	\$1.53
					2BR/2BA	83	56%	1,129	\$1,299	- \$1,899	\$1,689	\$1.50	\$1,663	\$1.47
					2BR/2.5BA	8	5%	1,140	\$1,674	- \$1,674	\$1,674	\$1.47	\$1,674	\$1.47
					2BR/2.5BA TH	7	5%	1,140	\$1,624	- \$1,769	\$1,697	\$1.49	\$1,697	\$1.49
					TOTAL/AVG	147	100%	1,026	\$1,059	- \$1,899	\$1,548	\$1.51	\$1,526	\$1.49
2	PARKSIDE AT FIREWHEEL APARTMENTS 305 River Fern Dr Garland, TX 75040 Concessions: \$1000 off select units	4 Stories 2007	594	95%	STUDIO	62	11%	533	\$826	- \$1,125	\$949	\$1.78	\$949	\$1.78
					1BR/1BA	237	43%	771	\$785	- \$1,375	\$1,071	\$1.39	\$1,063	\$1.38
					1BR/1BA+DEN	21	4%	973	\$1,160	- \$1,160	\$1,160	\$1.19	\$1,160	\$1.19
					1BR/1.5BA+DEN	21	4%	1,101	\$1,290	- \$1,390	\$1,340	\$1.22	\$1,340	\$1.22
					2BR/2BA	147	27%	1,152	\$1,275	- \$1,725	\$1,499	\$1.30	\$1,499	\$1.30
					2BR/2BA+DEN	21	4%	1,142	\$1,405	- \$1,415	\$1,410	\$1.23	\$1,410	\$1.23
					3BR/2.5BA	21	4%	1,371	\$1,790	- \$1,795	\$1,792	\$1.31	\$1,792	\$1.31
					3BR/2.5BA TH	21	4%	2,692	\$2,160	- \$2,340	\$2,250	\$0.84	\$2,250	\$0.84
					TOTAL/AVG	551	100%	976	\$785	- \$2,340	\$1,270	\$1.30	\$1,267	\$1.30
3	HARMONY 11010 Merritt Rd Rowlett, TX 75089 Concessions: none	4 Stories 2016	324	0%	1BR/1BA	180	56%	674	\$890	- \$1,145	\$1,005	\$1.49	\$1,005	\$1.49
					2BR/2BA	144	44%	1,069	\$1,224	- \$1,550	\$1,429	\$1.34	\$1,429	\$1.34
					TOTAL/AVG	324	100%	850	\$890	- \$1,550	\$1,193	\$1.40	\$1,193	\$1.40
4	OAKS 5TH STREET CROSSING AT CITY STATION 351 5th St Garland, TX 75040 Concessions: none	3 Stories 2009	188	99%	STUDIO	23	12%	633	\$825	- \$860	\$843	\$1.33	\$843	\$1.33
					1BR/1BA	111	59%	771	\$905	- \$1,155	\$953	\$1.24	\$953	\$1.24
					2BR/2BA	54	29%	1,044	\$1,100	- \$1,345	\$1,165	\$1.12	\$1,165	\$1.12
					TOTAL/AVG	188	100%	833	\$825	- \$1,345	\$1,000	\$1.20	\$1,000	\$1.20

CITY OF GARLAND

Exhibit III-2

COMPETITIVE SUPPLY SUMMARY GARLAND-ROCKWALL AREA, TX OCTOBER 2016

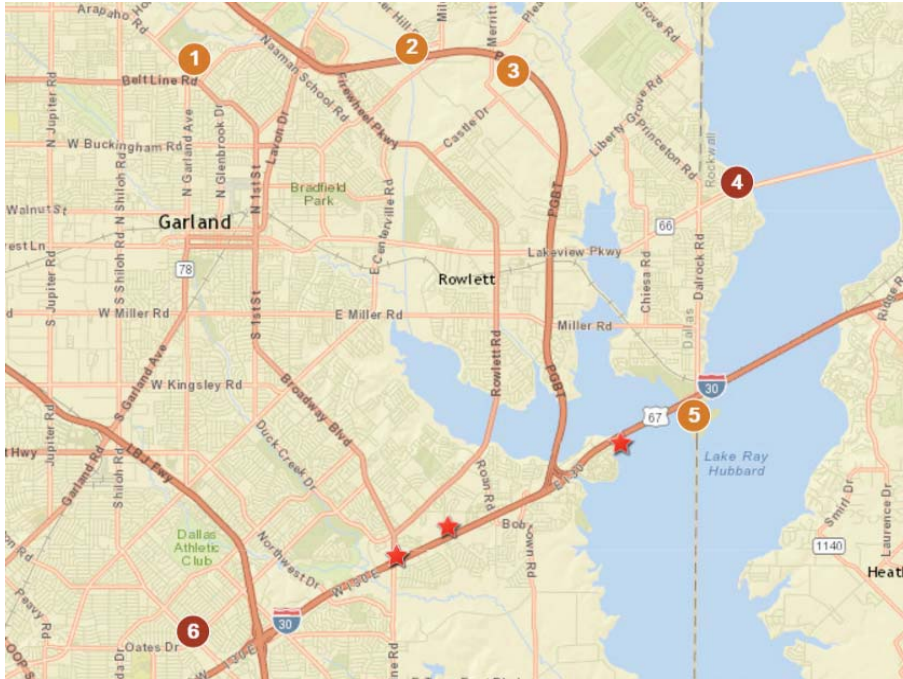
MAP PROJECT/ KEY LOCATION/	TYPE/ YEAR BUILT	TOTAL UNITS	OCC RATE	UNIT TYPE	# OF UNITS	UNIT MIX	AVG. UNIT SIZE	ASKING RENT		AVG. GROSS RENT	AVG GROSS RENT/SF	EFFECTIVE RENT	
								LOW	HIGH			AVG.	\$/SF
5 OAKS 5TH STREET CROSSING AT CITY CENTER 250 N 5th St Garland, TX 75040 Concessions: none	3 Stories 2015	144	98%	STUDIO	22	15%	583	\$900	- \$915	\$908	\$1.56	\$908	\$1.56
				1BR/1BA	81	56%	750	\$945	- \$1,160	\$1,038	\$1.38	\$1,038	\$1.38
				2BR/2BA	41	28%	1,112	\$1,155	- \$1,565	\$1,351	\$1.21	\$1,351	\$1.21
				TOTAL/AVG	144	100%	828	\$900	- \$1,565	\$1,107	\$1.34	\$1,107	\$1.34
6 SAVOY OF GARLAND 608 Rowlett Rd Garland, TX 75043 Concessions: none	3 Stories 2009	144	97%	1BR/1BA	78	54%	661	\$895	- \$930	\$911	\$1.38	\$911	\$1.38
				2BR/2BA	60	42%	966	\$1,198	- \$1,250	\$1,221	\$1.26	\$1,221	\$1.26
				3BR/2BA	6	4%	1,132	\$1,352	- \$1,502	\$1,427	\$1.26	\$1,427	\$1.26
				TOTAL/AVG	144	100%	807	\$895	- \$1,502	\$1,062	\$1.32	\$1,062	\$1.32
7 ROCKWALL COMMONS 1389 Ridge Rd Rockwall, TX 75087 Concessions: none	4 Stories 2008	202	94%	1BR/1BA	131	65%	769	\$1,079	- \$1,276	\$1,150	\$1.50	\$1,150	\$1.50
				2BR/2BA	67	33%	1,063	\$1,450	- \$1,800	\$1,594	\$1.50	\$1,594	\$1.50
				3BR/2BA	4	2%	1,448	\$1,300	- \$1,677	\$1,489	\$1.03	\$1,489	\$1.03
				TOTAL/AVG	202	100%	880	\$1,079	- \$1,800	\$1,304	\$1.48	\$1,304	\$1.48
8 SONOMA COURT 970 W Yellow Jacket Ln Rockwall, TX 75087 Concessions: none	3 Stories 2011	124	98%	1BR/1BA	56	45%	699	\$1,160	- \$1,275	\$1,140	\$1.63	\$1,140	\$1.63
				2BR/2BA	62	50%	1,050	\$1,450	- \$1,667	\$1,389	\$1.32	\$1,389	\$1.32
				3BR/2BA	6	5%	1,234	\$1,300	- \$1,540	\$1,540	\$1.25	\$1,540	\$1.25
				TOTAL/AVG	124	100%	900	\$1,160	- \$1,667	\$1,284	\$1.43	\$1,284	\$1.43
9 SIXTEEN50 @ LAKE RAY HUBBARD 1650 S John King Blvd Rockwall, TX 75032 Concessions: none	2 Stories 2009	334	96%	1BR/1BA	164	49%	769	\$1,150	- \$1,471	\$1,274	\$1.66	\$1,274	\$1.66
				2BR/2BA	50	15%	1,133	\$1,498	- \$1,660	\$1,612	\$1.42	\$1,612	\$1.42
				2BR/2.5BA	52	16%	1,321	\$1,650	- \$1,860	\$1,725	\$1.31	\$1,725	\$1.31
				3BR/2BA	34	10%	1,582	\$1,980	- \$2,365	\$2,110	\$1.33	\$2,110	\$1.33
				4BR/3BA	34	10%	1,910	\$2,355	- \$2,375	\$2,365	\$1.24	\$2,365	\$1.24
				TOTAL/AVG	334	100%	1,108	\$1,150	- \$2,375	\$1,590.90	\$1.44	\$1,591	\$1.44
10 ORION ROCKWALL 1470 John King Blvd Rockwall, TX 75033 Concessions: none	3 Stories 2009	220	95%	STUDIO	28	13%	480	\$938	- \$938	\$938	\$1.95	\$938	\$1.95
				1BR/1BA	84	38%	774	\$1,140	- \$1,632	\$1,307	\$1.69	\$1,307	\$1.69
				2BR/2BA	108	49%	1,388	\$1,853	- \$2,849	\$2,298	\$1.66	\$2,298	\$1.66
				TOTAL/AVG	220	100%	1,038	\$938	- \$2,849	\$1,746.53	\$1.68	\$1,747	\$1.68

SOURCE: Axiometrics; CoStar; Apartment Websites; RCLCO

CITY OF GARLAND

Exhibit III-3

MAP OF PLANNED AND PROPOSED APARTMENT DEVELOPMENTS GARLAND-ROCKWALL AREA, TX OCTOBER 2016



MAP KEY	NAME	PLANNED UNITS	STATUS
1	CARRIAGE HOMES ON THE LAKE - PHASE II	103	Proposed
2	THE DOMAIN AT FIREWHEEL	299	Proposed
3	HARMONY - PHASE II	322	Proposed
4	TERRA LAGO	447	Under Construction
5	BAYSIDE APARTMENTS	845	Proposed
6	VILLAS AT VANSTON PARK	155	Under Construction
★	Subject Site		

SOURCE: ESRI Business Analyst; CoStar; RCLCO

CITY OF GARLAND

Exhibit III-4

MULTIFAMILY EFFECTIVE RENT AND OCCUPANCY GARLAND-ROCKWALL SUBMARKET AND DALLAS-FORT WORTH-ARLINGTON MSA, TX OCTOBER 2016



SOURCE: ESRI Business Analyst; CoStar; RCLCO

CITY OF GARLAND

Exhibit II-3

NEW FOR-SALE HOUSING DEMAND EAST DALLAS SUBMARKET, DALLAS-FORT WORTH MSA 2017-2030

DALLAS-FORT WORTH MSA DEMAND POTENTIAL		2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
East Dallas Submarket Capture ⁷															
Single-family Submarket Capture Rate															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
\$60,000-\$80,000	\$200,000 - \$250,000	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
\$80,000-\$100,000	\$250,000 - \$300,000	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
\$100,000-\$120,000	\$300,000 - \$350,000	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%	7.6%
\$120,000-\$160,000	\$350,000 - \$450,000	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
\$160,000-\$220,000	\$450,000 - \$600,000	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
\$220,000 and above	\$600,000 and above	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
TOTAL		3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
Single-family															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	93	96	99	103	106	109	113	116	120	124	128	132	135	138
\$60,000-\$80,000	\$200,000 - \$250,000	151	156	161	167	172	177	183	188	195	202	208	214	219	223
\$80,000-\$100,000	\$250,000 - \$300,000	263	272	281	290	299	308	318	328	340	352	363	373	381	389
\$100,000-\$120,000	\$300,000 - \$350,000	268	278	287	296	305	315	325	335	347	359	371	381	389	397
\$120,000-\$160,000	\$350,000 - \$450,000	169	176	181	187	193	199	205	212	219	227	234	241	246	251
\$160,000-\$220,000	\$450,000 - \$600,000	29	30	31	32	33	34	35	36	37	38	40	41	41	42
\$220,000 and above	\$600,000 and above	11	11	12	12	12	13	13	13	14	14	15	15	16	16
TOTAL		983	1,018	1,052	1,087	1,119	1,154	1,192	1,229	1,273	1,317	1,360	1,398	1,425	1,456
Competitive Set Capture ⁸															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	21%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%	21.0%
\$60,000-\$80,000	\$200,000 - \$250,000	37%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%	37.1%
\$80,000-\$100,000	\$250,000 - \$300,000	35%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%	34.7%
\$100,000-\$120,000	\$300,000 - \$350,000	31%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%	30.6%
\$120,000-\$160,000	\$350,000 - \$450,000	29%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%	28.7%
\$160,000-\$220,000	\$450,000 - \$600,000	55%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%	54.6%
\$220,000 and above	\$600,000 and above	51%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%	51.2%
TOTAL		32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%	32%
Competitive Set Capture															
Income Level	Home Price														
Less than \$60,000	Less than \$200,000	11.2%	20	20	21	22	22	23	24	24	25	26	27	28	29
\$60,000-\$80,000	\$200,000 - \$250,000	21.5%	56	58	60	62	64	66	68	70	72	75	77	80	83
\$80,000-\$100,000	\$250,000 - \$300,000	25.8%	91	94	97	101	104	107	110	114	118	122	126	129	135
\$100,000-\$120,000	\$300,000 - \$350,000	22.7%	82	85	88	91	93	96	99	103	106	110	113	117	121
\$120,000-\$160,000	\$350,000 - \$450,000	24.1%	49	50	52	54	55	57	59	61	63	65	67	69	71
\$160,000-\$220,000	\$450,000 - \$600,000	43.2%	16	16	17	17	18	18	19	20	20	21	22	22	23
\$220,000 and above	\$600,000 and above	50.0%	6	6	6	6	6	6	7	7	7	7	8	8	8
TOTAL			318	330	341	352	362	373	386	398	412	426	440	453	471

¹ Per Texas State Data Center Projections, assuming an average of the 0.5 and 1.0 growth scenario.

² 2012-2014 American Community Survey

³ Applies an annual growth factor to the 2012 - 2014 American Community Survey results in order to achieve an annual turnover rate in-line with historical norms.

⁴ Household distribution by income level and home price derived from 2012 - 2014 American Community Survey.

⁵ Current total new home sales as a percent of total sales demonstrated by Texas A&M Real Estate Center and Real Quest data. Applies an annual growth factor in order to achieve a propensity to choose new construction in-line with historical norms.

⁶ Propensity to choose single family for owner households is based American Community Survey and Real Quest

⁷ Capture for East Dallas derived from area's current capture of sales by price point in the Dallas-Fort Worth MSA.

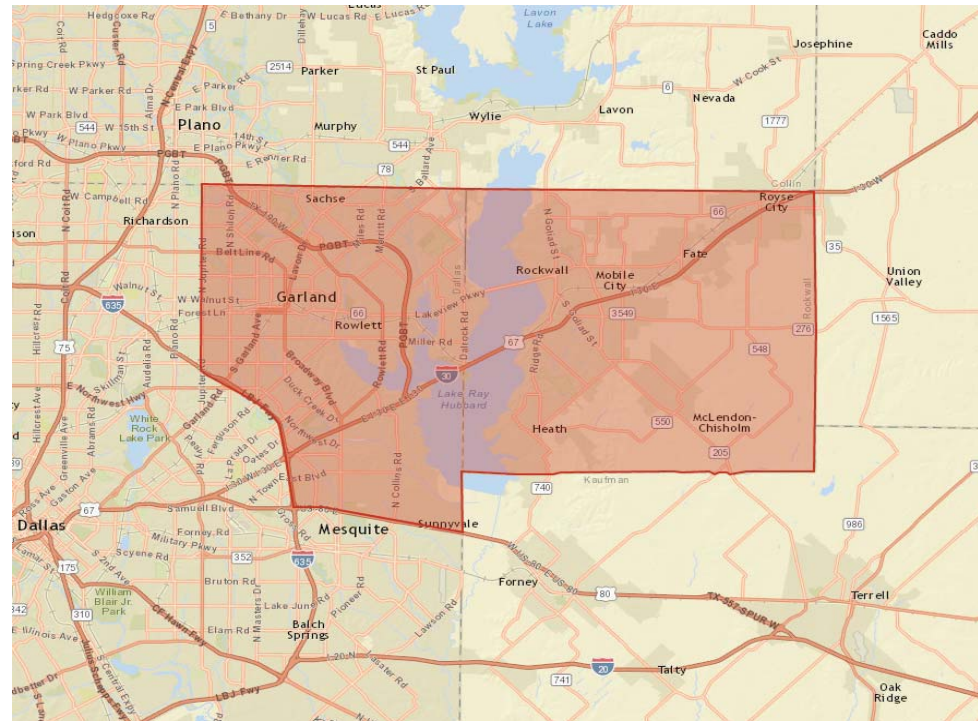
⁸ Capture for competitive set derived from area's current capture of sales by price point in the East Dallas

SOURCE: U.S. Census Bureau; Real Quest; Texas A&M Real Estate Center; Texas State Data Center; ESRI Business Analyst

CITY OF GARLAND

Exhibit III-6

MAP OF PRIMARY MARKET AREA (PMA) PRIMARY MARKET AREA NOVEMBER 2016



SOURCE: Esri Business Analyst; RCLCO

CITY OF GARLAND

Exhibit III-7

SUMMARY OF ANNUAL MULTIFAMILY RENTAL DEMAND FOR NEW UNITS PRIMARY MARKET AREA 2016-2021

SUMMARY OF DEMAND BY AGE			SUMMARY OF DEMAND BY INCOME AND RENT RANGE			
AGE RANGE	RENTAL DEMAND FOR NEW UNITS >5		INCOME RANGE	RENT RANGE	RENTAL DEMAND FOR NEW UNITS >5	
UNDER 25	816	37%	UNDER \$35,000	UNDER \$960	897	41%
25-34	703	32%	\$35,000 - \$49,999	\$960 - \$1,250	491	22%
35-44	235	11%	\$50,000 - \$74,999	\$1,250 - \$1,750	349	16%
45-54	166	8%	\$75,000 - \$99,999	\$1,750 - \$2,080	300	14%
55-64	85	4%	\$100,000 - \$149,999	\$2,080 - \$2,500	74	3%
65+	193	9%	\$150,000 AND OVER	\$2,500 AND OVER	88	4%
Total	2,199	100%	Total		2,199	100%
Minimum Age for Target Market	None		Minimum Income for Target Market	\$35,000		
Maximum Age for Target Market	None		Maximum Income for Target Market	None		
Age Qualified Demand	2,199	100%	Income Qualified Demand	1,302	59%	

NOTE: See Demand Analysis-1 for more details.

SOURCE: Esri; American Community Survey PUMS; RCLCO

CITY OF GARLAND

Exhibit III-8

ANNUAL MULTIFAMILY RENTER DEMAND FOR NEW UNITS BY AGE AND INCOME PRIMARY MARKET AREA 2016-2021

INCOME	AGE					TOTAL
	UNDER 25	25-34	35-54	55-64	65+	
UNDER \$35,000	288	335	143	36	95	897
	13%	15%	6%	2%	4%	41%
\$35,000 - \$49,999	285	70	47	11	77	491
	13%	3%	2%	1%	4%	22%
\$50,000 - \$99,999	243	228	141	19	19	649
	11%	10%	6%	1%	1%	30%
\$100,000 - \$149,999	0	36	18	18	2	74
	0%	2%	1%	1%	0%	3%
\$150,000 AND OVER	0	35	52	0	0	88
	0%	2%	2%	0%	0%	4%
TOTAL	816	703	402	85	193	2,199
	37%	32%	18%	4%	9%	100%

SOURCE: Esri; American Community Survey PUMS; RCLCO

CITY OF GARLAND

Exhibit III-8

ANNUAL MULTIFAMILY RENTER DEMAND FOR NEW UNITS BY AGE AND INCOME PRIMARY MARKET AREA 2016-2021

INCOME	AGE					TOTAL
	UNDER 25	25-34	35-54	55-64	65+	
UNDER \$35,000	288	335	143	36	95	897
	13%	15%	6%	2%	4%	41%
\$35,000 - \$49,999	285	70	47	11	77	491
	13%	3%	2%	1%	4%	22%
\$50,000 - \$99,999	243	228	141	19	19	649
	11%	10%	6%	1%	1%	30%
\$100,000 - \$149,999	0	36	18	18	2	74
	0%	2%	1%	1%	0%	3%
\$150,000 AND OVER	0	35	52	0	0	88
	0%	2%	2%	0%	0%	4%
TOTAL	816	703	402	85	193	2,199
	37%	32%	18%	4%	9%	100%

SOURCE: Esri; American Community Survey PUMS; RCLCO

CITY OF GARLAND

Exhibit IV-1

HISTORICAL DEMAND FUNDAMENTALS FOR RETAIL SPACE DALLAS-FORT WORTH, TX MSA 2006-2015

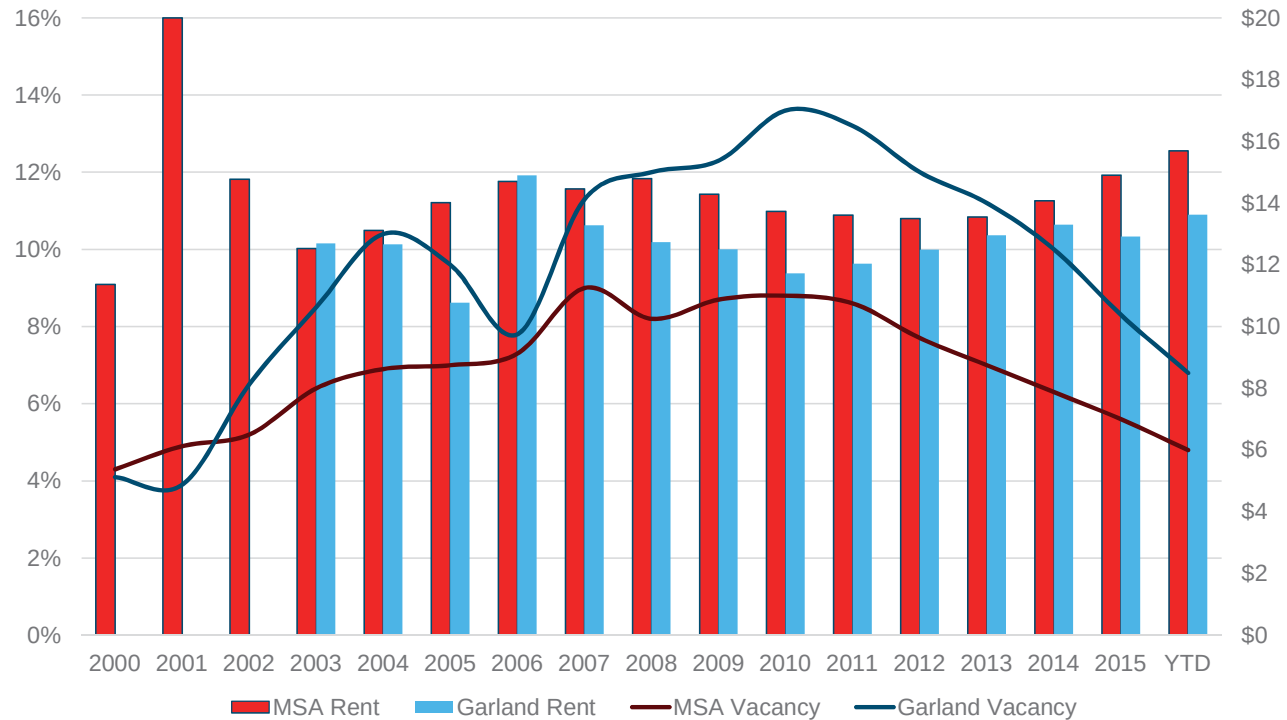
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2006-2015 AVG.	2011-2015 AVG.
DALLAS-FORT WORTH MSA												
ECO-DEMO												
Total Households	2,180,753	2,237,331	2,281,437	2,318,534	2,332,302	2,367,643	2,413,467	2,460,517	2,512,090	2,562,898		
Household Growth	3%	3%	2%	2%	1%	2%	2%	2%	2%	2%		
ALL RETAIL												
Total Retail Space	368,437,020	378,711,157	386,652,244	391,451,205	393,401,490	395,578,016	397,677,758	399,986,699	403,014,371	408,882,340		
Occupied Retail Space	341,690,758	344,681,389	354,972,004	357,535,873	358,748,634	361,726,883	366,885,982	372,083,629	377,622,431	385,911,324		
Occupancy Rate	92.7%	91.0%	91.8%	91.3%	91.2%	91.4%	92.3%	93.0%	93.7%	94.4%	92.3%	93.0%
Retail Absorption	9,015,615	2,991,072	10,291,901	2,563,130	1,212,305	2,978,249	5,159,037	5,197,647	5,539,762	8,287,636	5,323,635	5,432,466
Occ. Retail Space per Household	157	154	156	154	154	153	152	151	150	151	153.1	151.4
New Occ. Retail Space per New Household	158	53	233	69	88	84	113	110	107	163	118.0	115.6
NEIGHBORHOOD RETAIL												
Total Retail Space	274,294,488	279,816,805	283,264,046	285,930,775	286,615,954	287,264,746	288,363,372	289,249,698	291,614,623	296,210,000		
Occupied Retail Space	254,540,487	254,482,612	260,416,066	261,716,110	261,739,657	262,711,369	266,145,171	269,325,742	273,486,731	279,491,334		
Occupancy Rate	92.8%	90.9%	91.9%	91.5%	91.3%	91.5%	92.3%	93.1%	93.8%	94.4%	92.4%	93.0%
Retail Absorption	6,166,874	-57,434	5,934,740	1,299,305	23,091	971,712	3,433,740	3,180,571	4,161,949	6,003,346	3,111,789	3,550,264
Occ. Retail Space per Household	117	114	114	113	112	111	110	109	109	109	111.8	109.7
New Occ. Retail Space per New Household	108		135	35	2	27	75	68	81	118	72.0	73.8
POWER/COMMUNITY RETAIL												
Total Retail Space	60,700,618	63,684,161	67,022,905	68,270,303	68,794,368	70,150,691	70,584,928	71,893,388	72,412,195	73,626,881		
Occupied Retail Space	54,933,908	56,545,195	59,602,813	60,217,682	60,823,714	62,490,758	63,603,153	65,747,292	66,895,241	68,829,140		
Occupancy Rate	90.5%	88.8%	88.9%	88.2%	88.4%	89.1%	90.1%	91.5%	92.4%	93.5%	90.1%	91.3%
Retail Absorption	2,196,372	1,611,287	3,057,618	614,869	606,032	1,667,044	1,112,395	2,144,139	1,147,949	1,933,899	1,609,160	1,601,085
Occ. Retail Space per Household	25	25	26	26	26	26	26	27	27	27	26.2	26.6
New Occ. Retail Space per New Household	39	28	69	17	44	47	24	46	22	38	37.4	35.5
LIFESTYLE/REGIONAL RETAIL												
Total Retail Space	33,441,914	35,210,191	36,365,293	37,250,127	37,991,168	38,162,579	38,729,458	38,843,613	38,987,553	39,045,459		
Occupied Retail Space	32,216,363	33,653,582	34,953,125	35,602,081	36,185,263	36,524,756	37,137,658	37,010,595	37,240,459	37,590,850		
Occupancy Rate	96.3%	95.6%	96.1%	95.6%	95.2%	95.7%	95.9%	95.3%	95.5%	96.3%	95.8%	95.7%
Retail Absorption	652,369	1,437,219	1,299,543	648,956	583,182	339,493	612,902	-127,063	229,864	350,391	602,686	281,117
Occ. Retail Space per Household	15	15	15	15	16	15	15	15	15	15	15.1	15.1
New Occ. Retail Space per New Household	11	25	29	17	42	10	13	-3	4	7	15.8	6.3

SOURCE: CoStar; BLS; RCLCO

CITY OF GARLAND

Exhibit IV-2

HISTORICAL RETAIL TRENDS GARLAND AND DALLAS-FORT WORTH, TX MSA 2000-OCTOBER 2016



SOURCE: CoStar; RCLCO

CITY OF GARLAND

Exhibit IV-3

HISTORICAL DEMAND FUNDAMENTALS FOR HOTELS DALLAS-FORT WORTH, TX MSA 2006-2014

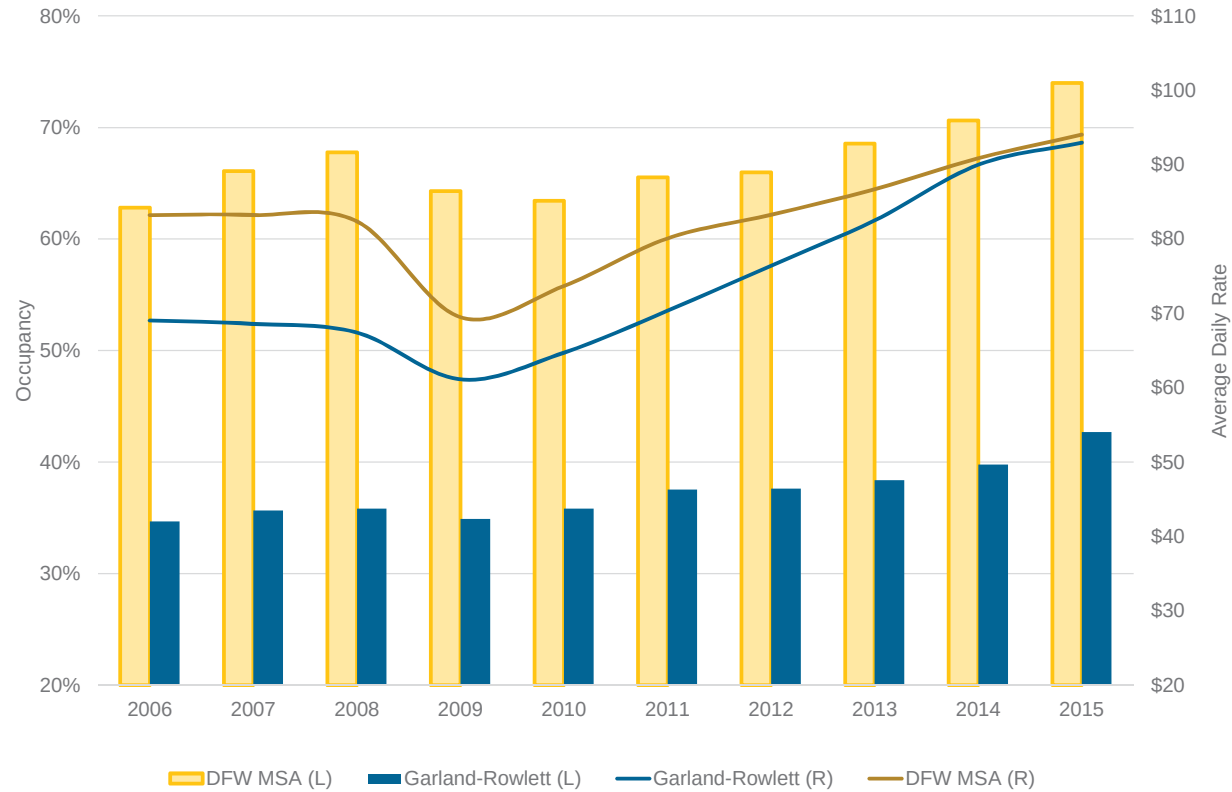
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2006-2015 AVG.	2011-2015 AVG.
DALLAS-FORT WORTH MSA												
ECO-DEMO												
Total Households	2,180,753	2,237,331	2,281,437	2,318,534	2,332,302	2,367,643	2,413,467	2,460,517	2,512,090	2,562,898		
Total Employment	2,907,883	2,994,000	3,033,292	2,920,383	2,920,058	2,994,000	3,072,292	3,161,900	3,273,800	3,400,500		
Hotel Dynamics ²												
Total Hotel Keys	92,308	93,313	95,168	98,633	101,747	102,447	103,390	103,794	104,590	106,207		
Total Room Nights Available	33,692,518	34,059,260	34,736,258	36,001,204	37,137,763	37,393,120	37,737,284	37,884,924	38,175,524	38,765,585		
Room Nights Sold	20,938,930	21,168,129	21,390,898	19,075,044	20,721,015	22,456,236	23,458,914	24,422,418	25,666,971	26,884,938		
Total Hotel Occupancy	62%	62%	62%	53%	56%	60%	62%	64%	67%	69%		
Hotel Room Deliveries		1,005	1,855	3,466	3,114	700	943	404	796	1,617	1,544	892
(Over)/Under Supply	-2,633	-2,659	-3,254	-11,851	-9,366	-5,067	-2,932	-556	2,337	4,623		
		1.1%	1.1%	-10.8%	8.6%	8.4%	4.5%	4.1%	5.1%	4.7%		
Hotel Key/Demographic Dynamics												
Households per Hotel Key	23.6	24.0	24.0	23.5	22.9	23.1	23.3	23.7	24.0	24.1	23.6	23.7
Room Night Sold per Household	9.6	9.5	9.4	8.2	8.9	9.5	9.7	9.9	10.2	10.5	9.5	10.0
Employees per Hotel Key	31.5	32.1	31.9	29.6	28.7	29.2	29.7	30.5	31.3	32.0	30.6	30.5
Office-Using Employee Per Hotel Key												
GARLAND & ROWLETT												
Total Hotel Keys	1,195	1,219	1,219	1,331	1,392	1,506	1,475	1,387	1,426	1,610		
Total Room Nights Available	436,210	444,786	444,966	485,884	508,190	549,575	538,488	506,149	520,498	587,711		
Room Nights Sold	229,847	233,053	229,662	230,387	253,154	294,391	310,269	312,127	346,946	403,420		
Total Hotel Occupancy	53%	52%	52%	47%	50%	54%	58%	62%	67%	69%		
Hotel Room Deliveries		23	0	112	61	113	-30	-89	39	184	46	44
(Over)/Under Supply	-147	-154	-163	-234	-211	-172	-109	-46	24	59		
Share of MSA Hotel Keys	1.3%	1.3%	1.3%	1.3%	1.4%	1.5%	1.4%	1.3%	1.4%	1.5%		
Share of MSA Room Nights Sold	1.1%	1.1%	1.1%	1.2%	1.2%	1.3%	1.3%	1.3%	1.4%	1.5%		

SOURCE: CoStar; Moody's; Source Strategies Inc.; RCLCO

CITY OF GARLAND

Exhibit IV-4

HISTORICAL HOTEL TRENDS GARLAND AND DALLAS-FORT WORTH, TX MSA 2006-2015



SOURCE: Source Strategies Inc.; RCLCO

CITY OF GARLAND

Exhibit IV-5

HISTORICAL DEMAND FUNDAMENTALS FOR OFFICE AND FLEX SPACE DALLAS-FORT WORTH, TX MSA 2006-2015

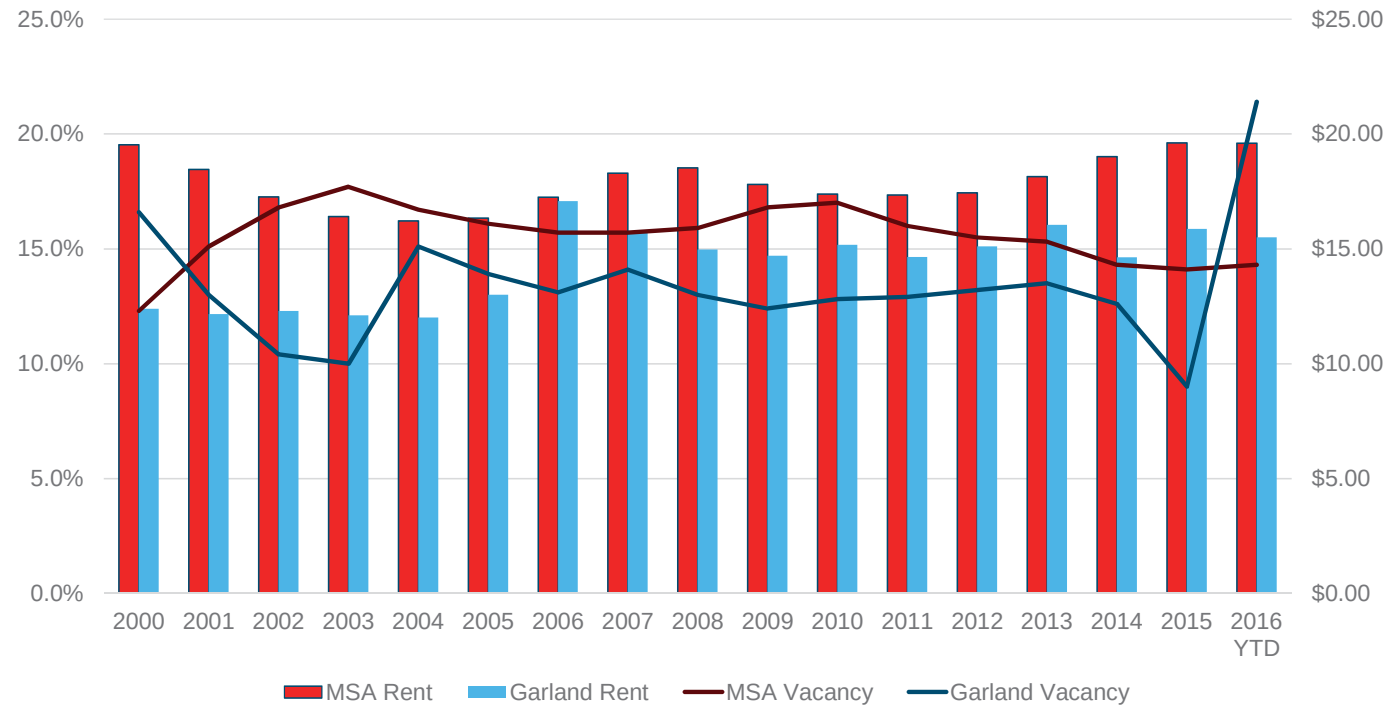
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2006-2015 AVG.	2011-2015 AVG.
DALLAS-FORT WORTH MSA												
ECO-DEMO												
Total Employment	2,907,883	2,994,000	3,033,292	2,920,383	2,920,058	2,994,000	3,072,292	3,161,900	3,273,800	3,400,500		
Total Office Using Employment	755,801	785,903	792,609	748,970	756,587	786,957	816,413	847,735	883,618	917,788		
Share of Office-Using Employment of Total	26.0%	26.2%	26.1%	25.6%	25.9%	26.3%	26.6%	26.8%	27.0%	27.0%	26.4%	26.7%
Total Households	2,180,753	2,237,331	2,281,437	2,318,534	2,332,302	2,367,643	2,413,467	2,460,517	2,512,090	2,562,898		
OFFICE												
Total Office Space	312,399,029	319,320,524	327,368,463	332,313,083	335,717,594	336,888,053	338,893,635	341,523,224	345,696,493	353,039,285		
Occupied Office Space	263,490,031	269,150,461	275,227,683	276,411,683	278,673,311	282,922,760	286,271,320	289,422,032	296,291,456	303,263,978		
Occupancy Rate	84.3%	84.3%	84.1%	83.2%	83.0%	84.0%	84.5%	84.7%	85.7%	85.9%	84.4%	85.0%
Office Absorption	7,416,230	5,660,430	6,077,222	1,184,000	2,261,628	4,249,449	3,348,560	3,152,801	6,857,097	6,972,522	4,717,994	4,916,086
Occ. Office Space per Office Using Employee	349	342	347	369	368	360	351	341	335	330	349.3	343.5
Occ. Office Space per Employee	91	90	91	95	95	94	93	92	91	89	92.0	91.8
Occ. Office Space per Household	121	120	121	119	119	119	119	118	118	118	119.2	118.4
Absorption per New Office Using Employee		188			297	140	114	101	191	204	176.3	149.9
Absorption per New Employee		66	155			57	66	35	61	55	70.7	54.9
FLEX												
Total Flex Space	127,563,107	128,676,418	129,947,139	130,303,193	130,587,812	130,676,420	130,849,015	131,105,170	131,363,122	131,837,047		
Occupied Flex Space	113,805,862	115,406,506	116,948,049	115,214,401	115,203,270	116,298,440	117,901,847	118,715,083	120,203,258	121,544,644		
Occupancy Rate	89.2%	89.7%	90.0%	88.4%	88.2%	89.0%	90.1%	90.5%	91.5%	92.2%	89.9%	90.7%
Flex Absorption	1,410,591	1,600,644	1,541,543	-1,733,648	-11,131	1,095,170	1,603,407	813,236	1,488,175	1,341,386	914,937	1,268,275
Occ. Flex Space per Employee	39	39	39	39	39	39	38	38	37	36	38.2	37.4
Occ. Flex Space per Household	52	52	51	50	49	49	49	48	48	47	49.6	48.3
Absorption per New Office Using Employee		19	39			15	20	9	13	11	18.0	13.7
GARLAND												
OFFICE												
Total Office Space	2,974,285	3,264,073	3,292,431	3,306,885	3,342,212	3,346,712	3,361,942	3,370,262	3,370,262	3,372,434		
Occupied Office Space	2,584,042	2,804,085	2,864,513	2,895,785	2,914,643	2,914,680	2,916,933	2,916,748	2,944,964	3,068,492		
Occupancy Rate	86.9%	85.9%	87.0%	87.6%	87.2%	87.1%	86.8%	86.5%	87.4%	91.0%	87%	88%
Office Absorption	47,868	220,043	60,428	31,272	18,858	37	2,253	-185	28,216	123,528	53,231.8	30,769.8
Share of MSA Occupied Office Space	0.98%	1.04%	1.04%	1.05%	1.05%	1.03%	1.02%	1.01%	0.99%	1.01%	1.02%	1.01%
FLEX												
Total Flex Space	7,685,876	7,696,256	7,813,568	7,813,568	7,846,247	7,846,247	7,846,247	7,856,247	7,856,247	7,856,247		
Occupied Flex Space	6,811,993	7,002,021	7,149,380	6,965,706	6,967,470	7,020,570	7,164,104	7,196,743	7,269,228	7,477,369		
Occupancy Rate	88.6%	91.0%	91.5%	89.1%	88.8%	89.5%	91.3%	91.6%	92.5%	95.2%	91%	92%
Flex Absorption	-162,404	190,028	147,359	-183,674	1,764	53,100	143,534	32,639	72,485	208,141	50,297.2	101,979.8
Share of MSA Occupied Flex Space	5.99%	6.07%	6.11%	6.05%	6.05%	6.04%	6.08%	6.06%	6.05%	6.15%	6.06%	6.07%
SOURCE: CoStar; BLS; RCLCO												

SOURCE: CoStar; BLS; RCLCO

CITY OF GARLAND

Exhibit IV-6

HISTORICAL OFFICE RENT AND OCCUPANCY GARLAND AND DALLAS-FORT WORTH, TX MSA 2006-2015



SOURCE: CoStar; RCLCO

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GARLAND
CITY COUNCIL ITEM SUMMARY SHEET

City Council Work Session Agenda

4.d.

Meeting Date: May 15, 2017

Item Title: Rescheduling Council Meetings in June and July

Submitted By: Rene Dowl, City Secretary

Summary of Request/Problem

At the request of Mayor Douglas Athas, Council is asked to consider rescheduling the June 5 Work session to June 12, June 6 Regular Meeting to June 13, June 19 Work Session to June 26, June 20 Regular Meeting to June 27, July 3, Work session and Regular Meeting to July 10 and July 11, July 17 Work session to July 24 and July 18 Regular Meeting to July 25. Moving the meetings as proposed would allow the Council to canvass the June 10th run-off election in an expeditious manner and would accommodate the July 4th holiday which is on the first Tuesday in July. Unless otherwise directed by Council, this item will be scheduled for formal consideration at the May 16, 2017 Regular Meeting.

Recommendation/Action Requested and Justification

Council discussion
