



“MEETING NOTICE”

September 8, 2021

**THE BOARD OF COMMISSIONERS OF DHA HOUSING SOLUTIONS FOR NORTH TEXAS
WILL HOLD A REGULAR, VIRTUAL/TELEPHONIC AND IN PERSON MEETING AT:**

3939 N. HAMPTON ROAD, DALLAS, TEXAS 75212 AT:

6:00 P.M. ON MONDAY SEPTEMBER 13, 2021

A VIRTUAL/TELEPHONIC AND IN PERSON MEETING

To Join the Meeting:

- Online – click on the following link <https://dhantx.zoom.us/j/86385774214> (Use the “raise hand” feature for permission to speak)
- By Phone: (346) 248-7799, or toll free (888) 788-0099 and then enter Meeting **ID: 863 8477 4214 (Use *9 for permission to speak)
- By Cell Phone: - Click on the One tap mobile number +13462487799, 86385774214#US

The Commissioners may conduct a closed meeting pursuant to §551.071 of the Texas Government Code to seek the advice of its attorneys about a pending or contemplated litigation or about a settlement offer; or to consult with its attorney on a matter in which the duty of its attorney under the Texas Disciplinary Rules or Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act and/or pursuant to §551.072 of the Texas Government Code to deliberate the purchase, exchange, lease, or value of real property, if deliberation in an open meeting would have a detrimental effect on the position of the Authority in negotiations with a third person and/or pursuant to §551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or charge against any officer or employee, unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

THE AGENDA OF THE MEETING IS LIMITED TO:

1. Meeting Called to Order.
2. Roll Call
3. Recognition of Individuals Wishing to Address the Board.
4. Approval of the August 9, 2021 Regular Meeting Minutes.

DISCUSSION ITEMS:

5. A Resolution to Amend the DHA Housing Choice Voucher Program Administrative Plan. **#5088**
6. A Resolution for Repair/Replacement of Concrete Sidewalks, Drives, Porches and to Restripe the Fire Lanes at Cedar Springs. **#5089**
7. A Resolution for Financial Advisory Services for Real Estate Development. **#5090**
8. A Resolution for a Capital Needs Assessment of DHA's Housing Communities. **#5091**
9. A Resolution for Construction Services to Expand the DHA HQ Services HQ Building. **#5092**
10. Recognition of Individuals Wishing to Address the Board.

Pursuant to § 46.03 Penal Code (places weapons prohibited) and § 551.001 *et. seq.*, Government Code, a person(s) may not enter this Meeting Room carrying a firearm or other weapon.

De acuerdo con § 46.03, Código Penal (lugares donde están prohibidas las armas) y § 551.001 *et. seq.*, Código del Gobierno, gente están prohibidas de entrar con armas o armas ocultas en esta Lugar.

DHA will provide services or devices that allow persons with sensory, manual, or speaking handicaps or disabilities to have an equal opportunity to participate in its programs or activities. If such services or devices are needed, DHA must be notified five (5) working days prior to the particular meeting, program or activity so that provision for such can be made. Please call the Section 504 Coordinator at the telephone number (214) 951-8348 or TTY 1-800-735-2989.

DHA will not discriminate on the basis of race, color, national origin, religion, sex, disability, familial status, age, sexual orientation, gender identity or marital status.



MINUTES OF THE REGULAR MEETING OF THE BOARD OF
COMMISSIONERS OF DHA HOUSING SOLUTIONS FOR NORTH TEXAS

A Virtual/Telephonic meeting of the Board of Commissioners of DHA Housing Solutions for North Texas met on Monday, August 9, 2021 at 6:00 p.m. at 3939 North Hampton Road, Dallas, Texas 75212

Attendees: Chairman Jorge Baldor, Vice Chairman James Garner, Commissioner Betty Culbreath, and Commissioner Michael Pegues.

Absent: Commissioner Steward

Also in attendance:

Troy Broussard, President and CEO
Letetia Patin, General Counsel
Chetana Chaphekar, CFO
David Zappasodi, Sr. Vice President and COO
Tim Lott, Vice President Capital Programs
LaShonne Watts, Director Resident Services
Brooke Etie, Vice President Voucher Programs
Debbie Quitugua, Director Capital Technical Programs
Estevan Roman, Sr., Director IT
Shannon Bramlet, Director Housing Operations
Valeria, Senior Paralegal
Delbra Henderson, Executive Assistant
WFAA
Kimberly Holton
Marcus Evans, Kingbridge Crossing

Following roll call, a quorum was declared and the August 9, 2021, Board of Commissioners meeting began at 6:03 p.m.

Troy Broussard, President announced recognition of individuals wishing to address the Board. President Broussard stated since we are in a virtual setting, anyone wishing to address the board may

raise your hand in the zoom feature, or type in the chat. He noted he did not see any hands raised in the Zoom feature nor see anybody in the chat box.

Mr. Broussard then to proceed to agenda item #4, Approval of the July 12, 2021, Regular Meeting Minutes. Upon a motion to approve the July 12, 2021 Regular Meeting Minutes by Commissioner Pegues, seconded by Vice Chair Garner and unanimously carried, the meeting minutes were approved.

Mr. Broussard introduced agenda item #5, Discussion and Consideration of a Resolution to Replace Heating and Air Conditioning (HVAC) Systems for Dwelling Units at Frazier Fellowship, Resolution #5084.

Tim Lott, Vice President Capital Programs, presented Resolution #5084 providing background for replacing Frazier Fellowship HVAC systems originally installed in 2004. Mr. Lott recommended replacing the existing 14-seer system with 16-seer systems in each of Frazier Fellowships' 76 units. Mr. Lott informed the Board that Oncor Electric is providing rebate amount of \$1,554 per unit for each HVAC unit replacement. Total price before the incentive is \$434,302 and the net cost with the incentive is \$316,198. Mr. Lott recommended the approval of this contract to ElstonAire, DHA's current air conditioning contractor. Upon a motion to approve Resolution #5084, a Resolution to Replace HVAC Systems for Dwelling Units at Frazier Fellowship by Commissioner Culbreath, seconded by Vice Chair Garner and unanimously carried, Resolution #5084 was approved and adopted.

Mr. Broussard introduced agenda items # 6 and # 7 Resolution #5085, Discussion and Consideration of a Resolution to Replace HVAC Systems for Dwelling Units at Mill City Frazier, and Resolution #5086 Discussion and Consideration of a Resolution to Replace HVAC Systems for Dwelling Units at Wahoo Frazier.

Tim Lott, presented background for replacing Mill City Frazier and Wahoo Frazier HVAC systems. Mill City Frazier has 116-unit apartments with 151 HVAC systems needing replacement. Wahoo Frazier has 118 dwelling units with 156 systems needing replacement. A rebate of \$1,554 per unit will apply to both properties. Mr. Lott recommended the contract be awarded to ElstonAire. The cost of HVAC replacement at Mill City Frazier is \$852,890, and after the Oncor incentive the final cost is \$618,236. The cost of HVAC replacement at Wahoo Frazier is \$891,462 and after the Oncor incentive the final cost is \$649,038.

Upon a motion to approve Resolution #5085, a Resolution to Replace HVAC Systems for Dwelling Units at Mill City Frazier, and Resolution #5086 a Resolution to Replace HVAC Systems for Dwelling Units at Wahoo Frazier by Commissioner Culbreath, seconded by Vice Chair Garner and unanimously carried; Resolutions #5085 and 5086 were approved and adopted.

Mr. Broussard introduced Agenda Item #8, Discussion and Consideration of a Resolution Authorizing Interior Renovations of Dwelling Units at Lakeview Townhomes, Resolution #5087. Mr. Lott presented plans and specification for the renovation of Lakeview Townhomes after the devastation caused by the 2021 winter storm. All 152 units were impacted however 100 units sustained severe damages. An invitation to bid was sent to 214 contractors. He stated four firms attended the pre-bid proposal conference held onsite at Lakeview. Two bids were received by the submission deadline. Mr. Lott recommended approval to award a contract to the lowest bidder, Precision Reconstruction Group. He stated this group has performed work for DHA in the past.

Upon a motion to approve Resolution #5087, a Resolution Authorizing Interior Renovations of Dwelling Units at Lakeview Townhomes by Commissioner Culbreath, seconded by Vice Chair Garner, and unanimously carried; Resolution #5087 was approved and adopted.

Mr. Broussard announced, recognition of individuals wishing to address the board. He noted he did not see any hands raised in the Zoom feature or see anybody in the chat box. He then stated that concludes the official business of the Board of Commissioners for action items for the day.

Chairman Baldor inquired about the status of going back to site visits for the Board meetings and if the residents were being notified of the Board meetings.

Mr. Broussard commented he had hoped in September to go back to in person Board meetings where we would alternate between the administrative building and going out to properties on alternative months. But with rise and rate of the Dallas County by the CDC back to red, he would like wait to see where the numbers go, before reconvening in person. We regard to notifying the residents, email blast are sent to them informing them of the Zoom meeting times and the link to the Zoom meeting. It is also posted on our website for them to gain access.

Chairman Baldor stated with no further business, no other comment, we will adjourn the meeting.

Commissioner Culbreath noted one hand was raised. Commissioner Culbreath recognized Mr. Evans.

Marcus Evans, resident of Kingbridge Crossing spoke thanking Mr. Broussard for the opportunity to be appointed to the Resident Advisory Board. He expressed appreciation to their management for

getting the outside lights repaired. Mr. Evans then noted his concerns regarding construction at Kingbridge Crossing with the repair of concrete on the property. The construction crew did not use caution with regards to work they were doing causing dangerous situations for the residents.

Mr. Broussard responded that Mr. Zappasodi and Mr. Lott would be working with him to resolve the issues he had brought up. He thanked Mr. Evans for being a volunteer and bringing his concern for the property to their attention. Chairman Baldor stated he echoed Mr. Broussard statements. He thanked Mr. Evans for being observant and bringing matters to the attention of the management team.

There was no further business to come before the Board, the meeting adjourned at 6:23 p.m.

Jorge Baldor, Chairman

Memorandum

TO: The DHA Board of Commissioners
FROM: Troy Broussard, President and CEO
DATE: September 13, 2021
SUBJECT: **RESOLUTION TO AMEND THE DHA HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN**

Statement of Issue

Request DHA Board of Commissioners approval to implement amendments to the DHA Housing Choice Voucher Administrative Plan (Admin Plan).

Prior Board Action

The DHA Board of Commissioners is responsible to set policy. The Board of Commissioners last approved an amendment to the Administrative Plan in December 2020. This amendment added and extended waivers authorized by the U.S. Department of Housing & Urban Development (HUD) relative to the emergency conditions caused by the COVID-19 pandemic.

Background/History

DHA proposes two changes to its Housing Choice Voucher Program Administrative Plan:

1. DHA reserves the right to have the flexibility to set the percentage share of new admissions based on local preference, as deemed necessary and appropriate. (Plan, page 29)
2. HUD Notice PIH 2021-15(HA), "Emergency Housing Vouchers-Operating Requirements," issued May 5, 2021, describes the process that HUD used to allocate approximately 70,000 emergency housing vouchers (EHV) to public housing agencies (PHAs). DHA was allocated 490 EHV's to serve individuals and families who are experiencing homelessness; fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or were recently homeless and for who providing rental assistance will prevent the family's homelessness or having high risk of housing instability. This HUD Notice further outlines the requirement for PHA's to partner with local Continuum of Care (CoC) or other homeless or victim services providers to assist qualifying families through a direct referral process. DHA entered into a Memorandum of Understanding (MOU) with the Dallas CoC; which outlines the roles and responsibilities of the parties involved in administering DHA's allocation of 490 EHV's. As required by HUD, DHA is adding content to its Administrative Plan to comply with all applicable federal requirements in the Emergency Housing Voucher program. (Plan, Addendum 12)

Status of Current Action

The subject resolution and exhibits are presented to the Board of Commissioners for adoption.

Recommendation

It is recommended that the Board of Commissioners approve this resolution for immediate implementation, to update the use of local preferences and to ensure compliance in the administration of the Emergency Housing Voucher Program awarded by HUD.

RESOLUTION NO. 5088

RESOLUTION TO AMEND THE DHA HOUSING CHOICE VOUCHER PROGRAM ADMINISTRATIVE PLAN

WHEREAS, the mission of DHA is to provide affordable quality housing and access to supportive resources across north Texas; and

WHEREAS, the DHA Board of Commissioners is responsible to establish policy for DHA; and

WHEREAS, DHA is responsible to administer the Housing Choice Voucher rental housing assistance program within its jurisdiction; and

WHEREAS, the DHA Housing Choice Voucher Program Administrative Plan is the document containing policies governing the administration and operation of the DHA Housing Choice Voucher program; and

WHEREAS, DHA has determined that it is necessary and appropriate to amend the DHA Housing Choice Voucher Administrative Plan, implementing new flexibilities in our policy, and to ratify the administration of the Emergency Housing Vouchers (EHV) program awarded by the U.S. Department of Housing and Urban Development.

NOW, THEREFORE, BE IT RESOLVED: that the DHA Board of Commissioners hereby approves the amended DHA Housing Choice Voucher Administrative Plan, identified herein as "Attachment A", and further authorizes the President and CEO to implement the amended Policy with immediate effect.

This Resolution shall be in full force and effect from and upon adoption by the DHA Board of Commissioners.

PASSED this ____ day of _____, 2021.

Jorge Baldor, Chair

ATTEST:

Troy Broussard, President, CEO and Secretary

ATTACHMENT A



**ADMINISTRATIVE PLAN
FOR THE
DHA HOUSING CHOICE VOUCHER
PROGRAMS**

Effective Date: ~~December 16, 2020~~ ~~August 13, 2021~~ ~~XX, 2021~~ ~~10~~ ~~September 13, 2021~~

Replaces last revision of: ~~July 13, 2020~~ ~~December 16, 2020~~





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- [ADDENDUM 12 Emergency Housing Voucher \(EHV\) MOU](#)





Housing Choice Voucher Program Administrative Plan

Introduction

The DHA administers a variety of tenant-based, project-based, and grant programs under Section 8 of the 1937 Housing Act. Administration of these programs complies with the U.S. Department of Housing and Urban Development (HUD) regulations for the Section 8 Housing Choice Voucher Program, as set forth in title 24 of the Code of Federal Regulations (CFR), Part 982 and 983 et al. DHA complies with all federal, state and local housing laws. Definitions of terms used in this Administrative Plan are found in the last section of this Plan.

Purpose of the Administrative Plan

The Administrative Plan establishes policies for functions and operations that are not governed by Federal regulations for the Housing Choice Voucher Program and other special programs administered by DHA. The Administrative Plan, hereinafter referred to as the "Plan", covers both admission to and continued participation in the abovementioned programs.

Only DHA's Board of Commissioners is authorized to approve changes to the Plan. DHA is responsible for complying with all subsequent changes in HUD regulations pertaining to the programs administered by the agency. If such changes conflict with this Plan, HUD regulations take precedence. *When circumstances not addressed by provisions in this Plan arise, they will be reviewed on a case-by-case basis and appropriate actions will be taken as warranted.* These actions will be documented by the Vice President of Voucher Programs and/or the Director. If a conflict arises between or among the regulations identified in this Plan, the regulations specifically promulgated for the applicable program will take precedence.

By the adoption of this Administrative Plan, the Board of Commissioners authorizes the CEO to make HUD-authorized charges (see 24 CFR §982.155) against the administrative fee reserve.

DHA staff shall develop (and revise when 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. Issues not addressed in this document related to applicants, participants, and owners are governed by the Department of Housing and Urban Development Code of Federal Regulations, HUD handbooks, memoranda, circulars, and notices, or other applicable law.

Section I. Special Conditions & Objectives of the Section 8 Housing Choice Voucher Program

A. Special Conditions and Arrangements

1. Debra Walker et al. v. HUD et al.: DHA will administer the Walker Settlement Program as required by the United States District Court of the Northern District of Texas, Dallas Division. DHA will administer the obligations set out in the Amended Agreed Final Judgment and the





Settlement Voucher Implementation Plan approved by the United States District Court filed November 19, 2019. This program is covered in full in Addendum 8 to this Plan.

2. **Public Housing Desegregated Housing Opportunities:** DHA shall provide each Class Member leasing a public housing unit the opportunity to be placed on the Section 8 Waiting List if DHA is accepting Section 8 Housing Choice Voucher applications. If DHA is not accepting new applications for its Housing Choice Voucher Program at the time an applicant leases a public housing unit, DHA will inform the applicant in writing of his/her right to apply for the program when the program waiting list opens.
- B. Objectives of Section 8 Housing Choice Voucher Programs
1. DHA's objective in administering the Housing Choice Voucher Programs is to provide decent, safe, and sanitary affordable housing to low-income families otherwise unable to obtain adequate housing. The number of families served is limited by the number of vouchers and funding available, DHA's budget, and the availability of adequate housing.
 2. The Section 8 Housing Choice Voucher Program provides participating families with greater choice of housing opportunities by subsidizing rental payments to private landlords. Through this program, DHA helps low-income families obtain quality housing within DHA's geographical jurisdiction.
 3. DHA's jurisdiction includes all cities located in whole or in part in Dallas County, the City of Plano and City of Red Oak, Texas, as well as Collin, Denton, Rockwall, Kaufman, Tarrant and Ellis Counties.
 4. Through program administration, DHA shall:
 - a. Ensure eligibility and correct family share of rent for participating families;
 - b. Ensure Housing Quality Standards are enforced;
 - c. Ensure no more than reasonable rents are paid for all units under contract in the Section 8 Housing Choice Voucher Program;
 - d. Offer all current and future Section 8 Housing Choice Voucher Program families counseling and referral assistance on the following priority basis:
 - 1) All Section 8 Housing Choice Voucher families residing in a unit in which payment to the landlord is abated because of a failed inspection; and
 - 2) All other Section 8 Housing Choice Voucher families;
 - e. Make every effort to assist a substantial percentage of its Section 8 Housing Choice Voucher families to find units in low-poverty neighborhoods; and
 - f. Limit occupancy of DHA's voucher families to no more than 30% of the total number of





units at any apartment community, except when the owner has demonstrated the ability to manage the complex effectively and adhere to Housing Quality Standards AND except for developments that provide rental housing exclusively for senior and or persons with disabilities.

Section II. Fair Housing and Equal Opportunity

A. Nondiscrimination and Affirmatively Furthering Fair Housing

DHA 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”.

DHA is proud to be an equal opportunity workplace and is an affirmative action employer. We are committed to equal employment opportunity and all employees and applicants are treated equally without regard to age, ancestry, color, family or medical care leave, gender identity or expression, genetic information, marital status, medical condition, national origin, physical or mental disability, political affiliation, protected veteran status, race, religion, sex (including pregnancy), sexual orientation, or any other characteristic protected by applicable laws, regulations and ordinances. DHA shall not discriminate against any applicant, participant, or landlord; nor will any criteria be applied, or information be considered pertaining to attributes or behavior that may be imputed by some to a particular group or category. DHA shall not deny any family the opportunity to apply for housing (when the waiting list is open) or deny any eligible applicant the opportunity to lease a housing unit that meets family needs and program requirements.

B. Applicable Federal Laws and Regulations

Federal laws require PHAs to treat all applicants and participants equally, providing the same quality of service, regardless of family characteristics and background. DHA will comply fully with all federal, state, and local nondiscrimination laws, and with rules and regulations governing fair housing and equal opportunity in housing and employment, including:

1. Title VI of the Civil Rights Act of 1964;
2. Title VIII of the Civil Rights Act of 1968 (as amended by the Community Development Act of 1974 and the Fair Housing Amendments Act of 1988);
3. Executive Order 11063;
4. Section 504 of the Rehabilitation Act of 1973;
5. The Age Discrimination Act of 1975;
6. Title II of the Americans with Disabilities Act (to the extent that it applies, otherwise





Section 504 and the Fair Housing Amendments govern);

7. Violence Against Women Reauthorization Act of 2005 and Reauthorization Act of 2013 (VAWA);
8. Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity;
9. *Affirmatively Furthering Fair Housing requirements; and*
10. Housing Opportunities Through Modernization Act (HOTMA).

When more than one civil rights law applies to a situation, the laws will be read and applied together. DHA will honor and comply with any applicable state laws or local ordinances and any legislation protecting individual rights of tenants, applicants, or staff that may subsequently be enacted so long as such laws or ordinances do not conflict with Federal laws.

C. Equitable Treatment

DHA will not use membership in any protected class to:

1. Deny to any family the opportunity to apply for housing, nor deny to any qualified applicant the opportunity to participate in the Housing Choice Voucher program;
2. Provide housing that is different from that provided to others¹;
3. Subject anyone to segregation or disparate treatment;
4. Restrict anyone's access to any benefit enjoyed by others in connection with the housing program;
5. Treat a person differently in determining eligibility or other requirements for admission;
6. Steer an applicant or participant toward or away from a particular area based any of these factors;
7. Deny anyone access to the same level of services;
8. Deny anyone the opportunity to participate in a planning or advisory group that is an integral part of the housing program;
9. Discriminate in the provision of residential real estate transactions;
10. Discriminate against someone because they are related to or associated with a member of a protected class; or

¹ Except when needed to provide person with disabilities special services to achieve equal access to programs.





11. Publish or cause to be published an advertisement or notice indicating the availability of housing that prefers or excludes persons who are members of a protected class.

D. Providing Information to Families and Owners

1. DHA will ensure that families and owners are fully aware of all applicable civil rights laws and regulations. As part of the briefing process, DHA will provide information to applicant families about civil rights requirements and the opportunity to rent in a broad range of neighborhoods. 24 CFR §982.301
2. The Housing Assistance Payment (HAP) contract informs owners of the requirement not to discriminate against any person because of race, color, religion, sex, national origin, age, familial status, sexual orientation, gender identity, or disability in connection with the contract.

E. Discrimination Complaints

1. If an applicant or participant believes that any family member has been discriminated against by DHA or an owner, the family should advise DHA.
2. HUD requires DHA to make every reasonable attempt to determine whether the applicant's or participant's assertions have merit and take any warranted corrective action.
3. In addition, DHA will provide information to applicants and participants regarding housing discrimination complaints in the family briefing session and program packets. Information includes referrals to the City of Dallas' Fair Housing Office, the Texas Human Rights Commission, the HUD Office of Fair Housing & Equal Opportunity, and low cost legal service.
4. All applicable fair housing information and discrimination complaint forms will be made available to applicants and participants, including form HUD-903 or form HUD-903A.

F. Reasonable Accommodations for People with Disabilities

1. DHA, as a public agency that provides low rent housing to eligible families, has a legal obligation to provide "reasonable accommodations" to applicants and participants if they or any family members have a disability. 24 CFR §8.4
2. DHA will verify all reasonable accommodations requested through a doctor or other medical professional, peer support group, non-medical service agency, or reliable third party who is in a position to know about the individual's disability and who may provide verification of a disability. Generally, all accommodations are re-verified during the participant's annual recertification. DHA may extend the time which an accommodation is verified, if recommended/verified by the medical practitioner.



3. A reasonable accommodation is a modification or change DHA 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 DHA's programs, including those that are operated by other agencies in DHA-owned public space. 24 CFR §8.20
4. An accommodation is not reasonable if it: 24 CFR §8.21(b) and 24 CFR §8.24(a)(2)
 - a. Causes an undue financial and administrative burden; or
 - b. Represents a fundamental alteration in the nature of DHA's program.
5. Subject to the undue burdens and fundamental alterations tests, DHA will correct physical situations in its offices or procedures that create a barrier to equal housing opportunity for all.
6. To permit people with disabilities to take full advantage of the DHA's housing program and non-housing programs, in accordance with Section 504 and the Fair Housing Amendments Act of 1988, DHA shall comply with all requirements and prohibitions in applicable law.
7. Specific actions are described in DHA's Reasonable Accommodation Procedure (357-1.1). 24 CFR §8.4
8. Facilities and programs used by applicants and participants shall be accessible to persons in wheelchairs, persons with sensory impairments and other persons with disabilities. Application and administrative offices, hearing rooms, etc. will be usable by residents with a full range of disabilities. 24 CFR §8.21
9. Documents and procedures used by applicants and residents will be accessible for those with vision, hearing or other sensory impairments. Also, all documents will be written simply and clearly, in plain language. 24 CFR §8.6
10. An applicant family that has a member with a disability must still be able to meet essential obligations of tenancy as listed below. There is no requirement that members with a disability be able to do these things without assistance. If an applicant or resident family member needs assistance with one of the essential obligations of tenancy, DHA will, as a reasonable accommodation, make a referral to an individual or agency that can provide such assistance. Program participants must be able: 24 CFR §§8.3 and 8.20
 - a. To pay rent and other charges (e.g. utility bills) as required by the lease in a timely manner;
 - b. To care for and avoid damaging the unit and common areas;
 - c. To use facilities and equipment in a reasonable way;

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- d. To create no health, or safety hazards, and to report maintenance needs;
- e. Not to interfere with the rights and peaceful enjoyment of others, and to avoid damaging the property of others;
- f. Not to engage in prohibited criminal activity that threatens the health, safety or right to peaceful enjoyment of the premises by other residents or staff; and not to engage in drug-related criminal activity; and
- g. To comply with necessary and reasonable rules and program requirements of HUD and the DHA.

11. If an applicant or participant receives a referral to an agency or individual who can assist the applicant or resident with complying with the essential obligations of tenancy, the applicant or participant is not obligated to accept the service, but if refusing service results in a lease violation(s), the landlord may terminate the lease and DHA may terminate assistance. 24 CFR §8.2

12. An applicant or participant who has a disability and needs or wants a reasonable accommodation may request it at any time prior to a specified due date or prior to the termination or withdrawal of assistance. If at any point an applicant or resident needs assistance in completing DHA required documents, DHA staff will assist in this process. 24 CFR §8.20

13. If an applicant or participant would prefer not to discuss the situation with the DHA, that is his/her right.

G. Denial or Termination of Assistance

DHA's decision to deny or terminate the assistance of a family that includes a person with disabilities is subject to consideration of reasonable accommodation. 24 CFR §982.552 (2)(iv)

- 1. When applicants with disabilities are denied assistance, the notice of denial must inform them of DHA's informal review process and their right to request a review . In addition, the notice must inform applicants with disabilities of their right to request reasonable accommodations to participate in the informal review process. The process for requesting an informal review is outlined in this document.
- 2. When a participant family's assistance is terminated, the notice of termination must inform them of DHA's informal hearing process and their right to request a hearing and reasonable accommodation before the effective termination date.
- 3. When reviewing reasonable accommodation requests submitted before termination of assistance, DHA must consider whether any verifiable mitigating circumstances explain and overcome the problem that led to DHA's decision to deny or terminate assistance. If



a reasonable accommodation will meet the requirements, DHA must make the accommodation. DHA cannot undertake actions that violate HUD regulations. This would, by definition, cause a fundamental alteration in the nature of DHA's program.

H. Providing Information in Languages Other Than English for Persons with Limited English Proficiency

1. For persons with Limited English Proficiency (LEP), language can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the HCV program.
2. In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally-assisted programs and activities may violate the prohibition under Title VI against discrimination on the basis of national origin.
3. The DHA will take affirmative steps to communicate with people who need services or information in a language other than English. These persons will be referred to as Persons with Limited English Proficiency.
4. DHA's Procedure on Communication with Persons with Limited English Proficiency describes the specific methods DHA will use to accomplish this policy.
 - a. All forms, written materials and recorded voice-mail messages used to communicate with prospective applicants, applicants and residents shall be available in any language spoken by the lower of 1000 eligible families or five percent of the eligible population of Dallas. This includes documents related to intake, marketing, outreach, certification, reexamination and inspections.
 - b. Applicants and residents with low English comprehension may furnish an interpreter to assist in communication with DHA. When an applicant or resident needs interpretation services and a staff member of DHA speaks the language needed, the staff member will provide translation services.
 - c. In a courtroom, a hearing, or situations in which health, safety, or access to important benefits and services are at stake, DHA will generally offer, or ensure that the family is offered through other sources, competent services free of charge to the LEP person.
 - d. DHA will provide written translations of other vital documents for each eligible LEP language group that constitutes five percent or 1,000 persons, whichever is less, of the population of persons eligible to be served. Translation of other documents, if needed, can be provided orally.





Section III. General Administrative Provisions of Program Operation

A. Quality Control and Analysis of Data

1. Under the Section 8 Management Assessment Program (SEMAP), HUD requires the DHA to review a random sample of tenant records annually to determine if the records conform to program requirements and to conduct quality control inspections of a sample of units to ensure HQS compliance (24 CFR §985). DHA shall routinely exceed the number and percentage of quality control monitoring actions required by HUD by reviewing every staff member's work to regularly check for completeness, accuracy, and compliance with both HUD's program regulations and guidance and this Administrative Plan.
2. DHA operates its housing assistance program with efficiency and uses resources in a manner that reflect commitment to quality and service. DHA's policies and practices are consistent with the goals and objectives of the following HUD SEMAP indicators and any other such indicators as HUD's regulations are amended.
 - a. Selection from the Waiting List
 - b. Rent Reasonableness
 - c. Determination of Adjusted Income
 - d. Utility Allowance Schedule
 - e. HQS Quality Control Inspections
 - f. HQS Enforcement
 - g. Expanding Housing Opportunities (See Walker Case information in Addendum 8)
 - h. FMR/Exception Rent & Payment Standards
 - i. Annual Re-certifications
 - j. Correct Tenant Rent Calculations
 - k. Pre-Contract HQS Inspections
 - l. Annual HQS Inspections
 - m. Lease-up
 - n. Family Self-Sufficiency Enrollment and Escrow
 - o. Deconcentration Bonus Indicator

In order to demonstrate compliance with HUD and other pertinent regulations, DHA will maintain records, reports and other documentation for a time that is in accordance with HUD requirements and in a manner that will allow an auditor, housing professional or other interested party to monitor DHA's operational procedures and practices objectively and





accurately. In addition to the SEMAP factors above, to ensure quality control, supervisory staff performs random audits of all Housing Choice Voucher Program actions.

3. DHA will use the results reported in any Independent Public Accountant (IPA) or HUD monitoring reports to identify potential program abuses as well as to assess the effectiveness of DHA's error detection and abuse prevention efforts. In addition, DHA will use this information to design and target training designed to prevent future errors.
4. DHA will review all referrals, specific allegations, complaints, and tips from any source including other agencies, companies, and individuals, to determine if they warrant investigation. In order for DHA to investigate, the allegation must contain at least one independently-verifiable item of information, such as the name of an employer or the name of an unauthorized household member.
5. DHA will investigate inconsistent information related to the family that is identified through file reviews and the verification process.
6. In accordance with applicable waivers issued by HUD due to COVID-19, for any PHA with a fiscal year ending on or before December 31, 2020, HUD will not issue a new SEMAP score unless the PHA requests a that new SEMAP score be issued. HUD will instead carry forward the most recent SEMAP score on record. Period of Availability: HUD will resume issuing new SEMAP scores beginning with PHAs with fiscal year end dates of March 31, 2021.

B. Privacy Rights of Clients

1. All adult members of applicant and participant families are required to sign the Federal Privacy Act Statement, HUD Form 9886, at admission and every recertification thereafter, in conjunction with the HUD Form 50058, which states the conditions under which HUD will release information. Requests for information must be accompanied by a written Release of Information Request signed by the applicable party in order for DHA to release any information involving an applicant or participant, unless disclosure is authorized under Federal or State law. DHA may release information requested by court subpoena.
2. Client information is confidential. Current and forwarding address information, and family members claimed in the household, will be released to Police Officials upon DHA obtaining official identification. To the extent permitted by law, owner information regarding program participation is confidential.
3. DHA is required to verify information on income, qualification for deductions from income and preferences. Such verifications shall be obtained as described in the Verification Procedure (610-1.2). All applicant and participant files are treated as confidential and handled in accordance with DHA's Procedure on Maintaining Client Records (106-1.5).
4. Retention of files for past participants will be in accordance with DHA's Records Retention Procedure (001-3). Participants leaving no balance owed the program will be maintained for three years. Files for past participants leaving with a balance owed to DHA will be





retained indefinitely until the balance is cleared, whether or not the balance has been written off. Litigation voucher participant and applicant files are retained indefinitely regardless of participation status.

C. Eligible Types of Housing

The following types of rental housing units may be assisted in the Housing Choice Voucher Program (unless designated otherwise) depending on the needs of applicants and participants:

1. Single family detached homes, duplexes, low-rise, garden apartments, condominiums, townhouses, high-rises, and other multi-family rental housing structures;
2. Manufactured homes in which the tenant leases the mobile home and the pad;
3. Manufactured homes in which the tenant owns the mobile home and leases the pad;
4. Independent group residences;
5. Congregate housing; and
6. Single Room Occupancy (SRO) facilities.

Hotels, motels, nursing homes, college or school dormitories, other types disallowed by HUD regulations, or a unit occupied by its owner or a person with any interest in the dwelling unit (other than units in the HCV homeownership program), or by approved reasonable accommodation, are not eligible types of housing in the HCV program.

D. Continuously Assisted Families

1. An applicant is continuously assisted under the 1937 Housing Act if the family is already receiving assistance or was receiving assistance in the past 90 days under any 1937 Housing Act program when the family is admitted to the Housing Choice Voucher Program.
2. Families being relocated from DHA's public housing program have first priority for vouchers and qualify as continually assisted.
3. Families assisted under the U.S. Housing Act (including all families occupying units in properties receiving Section 8 Housing Choice Voucher project-based assistance) are considered continually assisted. All such families are treated in the regulations (at 24 CFR §982.203) as "special (non-waiting list) admissions".
4. When continuously assisted families face loss of housing assistance either because the owner of the property in which they live chooses not to renew a subsidy contract or because the property must be vacated for demolition, conversion to a new use, sale or total rehabilitation, such families may receive vouchers as continuously assisted families (and special non-waiting list admissions).

E. Outreach to Eligible Families, Affirmative Marketing

1. DHA reserves the right to open or close the lottery pool based on the supply of available





vouchers and applicants and in accordance with its Procedure for Wait List Maintenance and Management (600-1.8). DHA publicizes and disseminates information concerning the availability and nature of housing assistance to income eligible families.

2. To reach families from all backgrounds, DHA advertises through a wide variety of sources including: daily and local newspapers, minority media, service agencies, and broadcast media. An effort will be made to notify elected officials, government agencies, and agencies that specifically address the needs of individuals with disabilities and any other members of protected classes who may be proportionally underserved by the Program. DHA will continuously monitor and evaluate outreach activities to ensure that the widest possible audience is reached.

F. Owner Outreach

1. Outreach to property owners is conducted on an ongoing basis to develop interest in the program and to increase the number of units available in low-poverty areas. On a continuing basis, DHA welcomes the participation of owners of decent, safe, and sanitary housing units.
2. DHA continually makes personal contact with private property owners, property managers, and real estate agencies. Program requirements are explained and printed material is offered to acquaint the owner with opportunities available through the program. DHA maintains a list of interested property owners and units available for the program, and prospective owners are sent an information packet. Upon receipt of an owner listing, the unit information is recorded in an automated database and made available to all applicants and participants.
3. DHA will make an effort to contact and encourage local property owners with units specially designed or adapted for persons with mobility impairments and other disabilities and those who may be willing to adapt units to participate in the program. Whenever a property owner makes a unit available for the program, DHA will inquire as to whether the unit is accessible and the extent of the accessibility.
4. DHA may enter into a master lease with a local property owner as a means of assisting program participants with accessing affordable quality housing in healthy, inclusive communities that offer economic, educational and social growth opportunities.
5. DHA encourages program participation by owners of units located outside areas of poverty or minority concentration. DHA periodically evaluates the demographic distribution of assisted families as it relates to HUD and data to identify areas within the jurisdiction where owner outreach should be targeted. The purpose of these activities is to provide better housing opportunities to families. Voucher holders are informed of the full range of areas where they may lease units inside DHA's jurisdiction.
6. DHA's mobility counseling program increases the opportunity and choice among Housing Choice Voucher recipients. Mobility counseling is a process that guides Housing Choice Voucher holders to move from a high-poverty neighborhood into a low-poverty





neighborhood. Mobility counseling identifies multiple resources available in the new community that will aid in alleviating some of the transitional difficulties families might face.

7. DHA provides the following to Housing Choice Voucher holders:
 - a. Information on general locations and characteristics of neighborhoods including: shopping centers, light rail lines, bus lines, etc.
 - b. A list of properties/owners who accept Section 8 Housing Choice Vouchers is available on-line at www.gosection8.com.
 - c. A description of portability provisions available in the Housing Choice Voucher program.
 - d. A map that identifies areas of low poverty and minority concentrations within the City of Dallas and the Greater Dallas Metropolitan Area areas.

G. The Family Self Sufficiency Program

1. The Family Self Sufficiency (FSS) program coordinates the delivery of assisted housing with existing supportive services such as medical assistance, education, job counseling, job training, childcare and transportation. For further information, see DHA's FSS Action Plan in Addendum 1.
2. 24 CFR §984 establishes the requirements for the Section 8 and Public Housing FSS Program. Section 984.303(d) authorizes a PHA to extend a family's FSS contract of participation for a period not to exceed two years upon a finding of good cause. HUD has made a determination that the circumstances surrounding COVID-19 qualify as "good cause" to extend family contracts, and FSS programs may consider this expanded definition of "good cause" as they make their determinations on each family's eligibility for an extension. The period of availability during which the PHA may extend the family's contract of participation using COVID-19 as the "good cause" ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.

H. The Homeownership Program

1. Policies related to DHA's Homeownership Program are included in a separate document entitled Homeownership Plan, and incorporated in this Plan as Addendum 10.
2. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, DHA may permit the a family to purchase the home without fulfilling the normally applicable pre-assistance homeownership counseling requirements. DHA continues to encourage these counseling requirements if they can be completed under social distancing directives. In addition, for any family that is in the last year of this term (i.e., the 15th year or the 10th year, as applicable) and that is experiencing financial hardship as a result of the COVID-19 pandemic, a PHA may provide homeownership assistance for up to 1 additional year. The period of availability ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.





I. The Project Based Assistance Program

1. DHA reserves the right to implement and modify as needed a Project Based Assistance program, utilizing up to the HUD-approved number of DHA project based vouchers. For detailed information regarding the Project Based Assistance Voucher Program, please see Addendum 7.
2. The statute and regulations at 24 CFR §983.301(b) provide that the PHA must inspect each contract unit before execution of the HAP contract and that the HAP contract may not be executed until the units fully comply with HQS. For rehabilitated and newly constructed units, §983.156(a)(1) further provides that the PHA must inspect the units to determine if the housing has been completed in accordance with the Agreement to Enter into the HAP Contract (AHAP), including compliance with the HQS and any additional requirement imposed by the PHA under the Agreement. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, the PHA may rely on the owner's certification that the owner has no reasonable basis to have knowledge that life threatening conditions exist in the unit or units in question. At minimum the PHA must require the owner's certification. However, the PHA may add other requirements or conditions in addition to the owner's certification but is not required to do so. The period of availability for PHAs to accept owner's selfcertification for the pre-HAP inspection/completion of work requirement ends on December 31, 2020. For any unit for which a PHA accepted an owner's self-certification, the PHA must conduct an HQS inspection as soon as reasonably possible but no later than the 1-year anniversary of the date of the owner's certification, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.
3. In recognition that the COVID-19 pandemic is creating uncertainty for owners and families, HUD is waiving the requirement to remove a unit from a PBV HAP contract after 180 days of zero housing assistance payments to the unit owner on behalf of the family residing in the unit. As an alternative requirement, HUD is authorizing a PHA at its discretion to keep such units under contract for a period of time that exceeds 180 days but does not extend beyond December 31, 2020. Similarly, with respect to 24 C.F.R §983.258, HUD is providing that a PHA that adopts the alternative requirement may resume housing assistance payments on behalf of a family residing in such a unit should the family's income change at any point during the period of time covered by the extension. In according with Notice PIH 2020-13, the period of availability for the extension ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.
3. DHA has adopted measures consistent with HUD regulations to utilize an independent entity to perform the HUD required functions for PBVs where DHA is the owner of the units.



| Function | Applicable Program Services: Regulatory Basis |
|---|---|
| Review DHA's PBV selection process. | 1: 24 CFR §983.51(e) |
| Provide DHA a letter stating that the PHA-owned units were appropriately selected based on the selection procedures specified in the DHA's Administrative Plan. | 24 CFR §983.51(b)(2) |
| Establish PBV contract rents (initial rent and re-determined rent). | PBV: 24 CFR §983.59(b)(1) PBV: 24 CFR §983.301(g) |
| Provide written notice to DHA specifying the amount of re-determined rent. | |
| Determine rent reasonableness with regard to the initial contract rent and any adjustments to the contract rent. | PBV: 24 CFR §983.303(f)(1) HCV: 24 CFR §982.(b)(1)(iv)(A)(1) |
| Provide a copy of the rent reasonableness determination to DHA and the HUD field office where the project is located. | PBV: 24 CFR §983.303(f)(2) |
| Notify DHA and the family of the rent reasonableness determination. | HCV: 24 CFR §982.352(b)(1)(iv)(A)(1) |
| Assist the family in negotiating the rent with the owner. | PBV: 24 CFR §982.352(b)(1)(iv)(A)(2) |
| Establish term of initial and any PBV renewal HAP contract as required in 24 CFR §983.205. | PBV: 24 CFR §983.59(b)(2) |
| Inspect units. | PBV:24 CFR §983.59(b)(3) |

Section IV. Admission Standards

Applicants must meet basic eligibility requirements at the time of selection from the waiting list; otherwise, the applicant shall be determined ineligible and removed from the list. Applicants determined ineligible shall be entitled to an informal review of their file if they request such review as described in this Administrative Plan.

A. Eligibility Criteria

1. **Income Eligibility.** A family is eligible for assistance under the Housing Choice Voucher Program if, at the time they receive assistance, the family meets one of the standards listed below:



- a. Has been continuously assisted under the 1937 Housing Act with no breaks in assistance exceeding six consecutive months;
 - b. Qualifies as a very low-income family (VLI), including extremely low-income (ELI) under HUD'S approved income limits; or
 - c. Qualifies as a low-income family (LI), other than very low-income, and is displaced by development activities assisted under Section 17 of the 1937 Housing Act (42 U.S.C.).
2. **General Eligibility.** DHA shall consider all applicants for admission who, at the time of eligibility determination, meet all of the following conditions and requirements established by HUD:
- a. **Family:** The applicant must qualify and document their status as a family, elderly family, disabled family, or a single person, as defined herein. Families of more than one person must submit documentation that they comply with DHA's definition of family.
 - b. **Income:** The family's annual income must be documented and may not exceed the HUD-determined income limits for the family size.
 - c. **Citizenship or Eligible Immigration Status:** DHA shall provide housing assistance to United States citizens and eligible non-citizens. A household with at least one ineligible member is considered a mixed family. At least one family member must be a documented U.S. citizen or eligible non-citizen. The subsidy standard shall be based on the actual household member(s) and the housing assistance payment (HAP) will be prorated to assist only the eligible members of the family. Families must provide documents for each member as evidence of citizenship or eligible immigration status.
 - 1) **United States Citizens must provide:**
 - i. A written and signed declaration for each family member; and
 - ii. A United States passport; or
 - iii. A Birth Certificate or Certificate of Naturalization and/or other approved documentation.
 - 2) **Eligible non-citizens must provide:**
 - i. A written and signed declaration for each family member; and
 - ii. A signed Verification Consent Form; and
 - iii. One of the original U.S. Immigration and Naturalization Service's documents listed on the declaration form.



d. **Student Status:** DHA shall provide assistance to independent full-time college students of legal age or emancipated minors under state law that meet the following criteria as stated in PIH Notice 2005-16:

- 1) Each college student within a household must provide a written/signed certification that the student does or does not anticipate receiving financial support from the student's parent(s) or guardian(s) and the amount of support;
- 2) The college student must have established a household separate from his/her parents or legal guardians for at least one year prior to applying to housing choice voucher program and must provide evidence of separate households by supplying the address information that predates the student's application by a minimum of one year;
- 3) The college student must not be claimed as a dependent by parent(s) or legal guardian(s) on their Internal Revenue Services (IRS) tax return; and
- 4) The college student must be income eligible.

e. **Criteria that may possibly qualify a student for housing include:** (24 CFR §5.612)

- 1) Student is over the age of 24, or
- 2) Is a veteran of the United States Military service, or
- 3) Is married, or
- 4) Has a dependent child, or
- 5) Is a person with disabilities receiving Section 8 assistance as of 11/30/2005, or
- 6) Is *individually eligible* or has parents who, *individually or jointly*, are eligible on the basis of income to receive Section 8 assistance, or
- 7) Is living with parents who are receiving Section 8 assistance.

B. **Criminal History Check (Criminal Background Check)**

1. DHA shall conduct a criminal background check for every member of the applicant's family age 18 and older. As required by Federal law, DHA shall screen to ensure that no member of the family has engaged in recent violent criminal activity that threatened the safety of the public, or in drug-related criminal activity.
2. DHA shall not approve admission of applicants with criminal backgrounds whose presence may compromise the health, safety, welfare and/or peaceful enjoyment of the housing by other residents.





3. To avoid admitting such applicants, DHA shall examine the activity of all adult members of the applicant's family prior to the date of the admission into the program, as shown in the table below. DHA shall take reasonable steps to ensure that neither the applicant nor any member of the applicant's family who will be included on the lease:
 - a. Is currently using illegal drugs or has a history of engaging in the illegal use of controlled substances in the past five years. This requirement may be waived if the applicant demonstrates to DHA's satisfaction that they no longer engage in the illegal use of the controlled substance(s). This waiver or five-year time period may not be available to individuals engaged in selling, producing or manufacturing illegal substances. Applicants with felonies for selling, producing or manufacturing illegal substances will generally not be approved for admissions, except as provided below.
 - b. Has a history of criminal activity involving crimes of violence to persons, with the exception of sex crimes, or property and/or other criminal acts that would adversely affect the health, safety or welfare of other residents or DHA personnel in the past five years.
 - c. Has a history of sex crimes and/or sex crimes against a person and felony crimes against children. Applicants with such convictions will generally not be approved for admission, except as provided below.
 - d. Has a felony conviction for arson. Applicants with such convictions will generally not be approved for admission, except as provided below.
 - e. Has a conviction of homicide or kidnapping. Applicants with such convictions will generally not be approved for admission, except as provided below.
 - f. Has a history of incarceration, parole, or probation for drug-related crimes, violent crimes, or crimes that threaten the health, safety, and/or general well-being of the community in the past five years.
4. DHA may waive the criminal history requirement for applicants participating in special programs targeting special needs populations such as homeless persons who were formerly incarcerated, other homeless persons and families, veterans, and/or disabled persons.
5. DHA shall use the following standards to deny admission and/or terminate assistance to applicants and participants in the Section 8 Housing Choice Voucher Program.
 - a. **Drug Related Eviction:** DHA shall review residential history to determine if the family has lived in federally assisted housing, and deny admission if any family member was evicted from a federally assisted housing unit for drug related or violent criminal activities within seven years of the application date. An exception may be made if the



member responsible for the eviction is no longer a member of the household due to long-term imprisonment or death.

- b. **Illegal Drug Use:** DHA shall deny admission to any family if there is a reason to believe that a family member uses or sells illegal drugs, or is engaged in drug-related criminal activity; or that a family member's use or pattern of use of illegal drugs will threaten the health, safety, or right to peaceful enjoyment of the premises by other residents. This requirement may be waived if the family demonstrates to DHA's satisfaction that he or she no longer engages in the illegal use of the controlled substance(s). This waiver is not available to individuals engaged in selling, producing, or manufacturing illegal substances.
- c. **Conviction for Methamphetamine Production:** DHA shall **permanently** deny admission to families if an adult member has been convicted for the manufacture of methamphetamine (also known as speed) in federally assisted housing.
- d. **Sex Offenders:** DHA shall **permanently** deny admission if any adult member is subject to a lifetime registration requirement as a sex offender. DHA will use the services of state and private agencies to check national registers to ensure that such sex offenders are not admitted to the program.
- e. **Alcohol Abuse:** DHA shall deny admission if there is reason to believe that any family member has a pattern of abusing alcohol that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents. This requirement may be waived if the family demonstrates to DHA's satisfaction that he or she no longer abuses or misuses alcohol, and:
 - 1) Has successfully completed a supervised alcohol rehabilitation program licensed and approved by the Texas Commission on Alcohol and Drug Abuse (TCADA) or other State program if applicant is from another State; or
 - 2) Is participating in a supervised alcohol rehabilitation program.
- f. **Violent Criminal Activity:** DHA shall deny admission to any family if there is reason to believe that a family member engaged in any of the following acts:
 - 1) Crimes involving physical force, such as forcible rape, murder, robbery, assault and battery through use of a weapon; aggravated assault, domestic violence (as the individual who committed the violence, not the victim); or
 - 2) Any activity involving the use of weapons against persons or property.
- g. **Crimes That Threaten the Peace, Health and Safety of Others:** DHA shall deny admission to any family if there is reason to believe that a member of the family has engaged in any activity that threatens the peace, health, and safety of others.

| Note: Effective in Yardi 12/11/2019 | | | |
|--|-----------------------|----------------------------|---------------------------------|
| Offenses (Convictions for) | Felony (Years) | Misdemeanor (Years) | Patterns of Misdemeanors |
| 1) Alcohol Related | 7 | 0 | 2+ in 3 yrs (any type) |
| 2) Arson | Any | 7 | |
| 3a) Assault and Battery I | 5 | 5 | |
| 3b) Assault and Battery II | Any | Any | |
| 4) Bad Checks | 0 | 0 | |
| 5a) Burglary I | 5 | 5 | |
| 5b) Burglary II | 7 | 7 | |
| 6) Crimes Against Animals | 5 | 5 | |
| 7) Crimes Against Children | Any | Any | |
| 8) Crimes Against Gov't | 5 | 5 | |
| 9) Cyber Crimes | 7 | 5 | |
| 10) Destruction of Property | 5 | 5 | |
| 11) Disturbance of Peace | 5 | 0 | 2+ in 3 yrs (any type) |
| 12) Domestic Crimes | 7 | 7 | |
| 13a) Drug Offenses I | 5 | 5 | |
| 13b) Drug Offenses II | 5 | 5 | |
| 13c) Drug Offenses III | 7 | 7 | |
| 13d) Drug Offenses IV | Any | Any | |
| 13e) Drug Offenses V | Any | Any | |
| 13f) Drug Offenses VI | 10 | 5 | |
| 13g) Drug Offenses VII | Any | Any | |
| 14) Embezzlement | 7 | 7 | |
| 15a) Fraud I | 7 | 5 | |
| 15b) Fraud II | 7 | 7 | |
| 16) Gambling | 5 | 5 | |
| 17) Harassment | 7 | 5 | |
| 18a) Homicide I | 7 | 7 | |

| | | | |
|--|-----|-----|--|
| 18b) Homicide II | 7 | 7 | |
| 18c) Homicide III | 10 | 10 | |
| 18d) Homicide IV | Any | Any | |
| 19a) Kidnapping I | Any | 7 | |
| 19b) Kidnapping II | Any | Any | |
| 20) Organized Crime | 10 | 10 | |
| 21) OUI, OVI, DWI | 5 | 5 | |
| 22) Petit Theft | 5 | 5 | |
| 23) Purposely Obstructs the Law | 5 | 5 | |
| 24) Robbery | 10 | 10 | |
| 25) Sex Crimes - Other | 7 | 7 | |
| 26a) Sex Crimes Against a Person | Any | Any | |
| 26b) Sex Crimes Against a Child | Any | Any | |
| 27) Theft/Larceny | 7 | 7 | |
| 28) Traffic Violations | 0 | - | |
| 29) Trespassing | 7 | 5 | |
| 30a) Weapons Related I | 5 | 5 | |
| 30b) Weapons Related II | Any | Any | |
| 31) Incarceration (Due to Conviction) Release Date | 5 | 5 | |
| 32) Any Offense Not Listed | 7 | 7 | |

C. Debts Owed to DHA

1. Applicants to the Section 8 Housing Choice Voucher Program must be free of any debts to DHA or another housing agency before being admitted to the program.
2. Families participating in DHA rental assistance programs may not be indebted to DHA or another housing authority as a result of unreported income, overpaid assistance, utility reimbursement over-subsidy, vacancy loss, damages, and/or unpaid rental claims. In some instances, participants may be permitted to repay their debt in installments. See DHA's Program Integrity and Ethics Procedure.



D. Public Housing and Former Program Participants

1. Applicants moving from DHA public housing developments shall be screened using the same procedures as applicants from the waiting list.
2. The record of former Section 8 Housing Choice Voucher participants will be researched for possible program violations.
3. *The following violations within the past 10 years are grounds for denial of admission:*
 - a. While participating in the Section 8 Housing Choice Voucher Program, the family violated any family obligation, as set forth in 24 CFR §982.551, as amended. An exception may be granted if the family member who violated the family obligation is not a current member of the household, and to families who were removed from the program for an expired voucher and zero HAP for over 180 days.
 - b. No family member may have committed fraud, bribery, or any other corrupt or criminal act in connection with any federal housing program.
 - c. The family must have paid any outstanding debt owed to DHA or another housing agency, as a result of prior participation in any federal housing program. See also Section IV.C. above.
 - d. Families entering the Section 8 Housing Choice Voucher Program from DHA's low rent public housing programs (Residential Communities) must be in good standing under the terms of the DHA lease. The rent and other payments due under the lease must be current, and there must be no evidence of lease violations that would constitute grounds for termination.
 - e. Families assessed a debt to DHA prior to Section 8 Housing Choice Voucher HAP being executed on their behalf will be required to pay the PHA debt in full. Families unable to repay a debt in full should refer to DHA's Program Integrity and Ethics Procedure.
 - f. No family member may have been evicted from public housing for non-payment of rent during the past 60 months.
 - g. No family member may have engaged in or threatened abusive or violent behavior toward DHA personnel during the past 60 months.

Section V. Admitting Applicants to the Voucher Program

A. When Applications are Accepted

1. DHA has resumed accepting preliminary applications for the HCV program via open enrollment effective January 21, 2020. From this date forward and until further notice,





DHA will maintain a continuously open waiting list. The waiting list is covered in detail in DHA's Waiting List Procedure (600-1.8).

2. Applications for the Housing Choice Voucher Program are accepted electronically, through DHA's Rent Cafe portal. The application or preliminary application constitutes the basic record of applicants applying for admission; therefore DHA shall only accept complete applications. The application, together with all other materials relating to the applicants' eligibility, shall be placed in the applicants' file.
3. Applicants who need assistance in completing their applications or who need an alternative method of communication because of a disability will be provided with such assistance or alternative communication method upon request.

B. How the Waiting List is Organized

1. During Open Enrollment DHA initially received thousands of applications per day. DHA utilizing its housing management software, will order its list of applicants by random assignment (lottery) for the HCV waiting list. Applicants placed on the HCV waiting list using a lottery system will be randomly assigned a number and the application will be placed on the HCV Waiting List in order of the assigned number and according to DHA Local Preference(s) in DHA's Wait List Procedure (600-1.8), unless specified otherwise in the open enrollment public announcement.
2. After Open Enrollment, DHA will add applicants to its waiting list as preliminary applications are received.
3. The initial application is a preliminary application which constitutes the basic record of applicants applying for admission; therefore applicants must supply complete and true information. The application and all other materials relating to the applicant's eligibility will be placed and retained in the applicant's file. At a minimum, the HCV Waiting List will include the following information:
 - a. The applicants' name, address, and phone number;
 - b. The name, relationship to head of household, gender, and age of family members who will reside in the assisted unit;
 - c. The number of bedrooms for which the family initially qualifies in accordance with DHA occupancy standards;
 - d. Estimated annual household income (not verified until eligibility determination);
 - e. The date of lottery pull;
 - f. Qualification for any local preferences, if applicable; and
 - g. Racial and ethnic designation of the head of household.
4. Applicants that are selected by lottery and placed on the waiting list shall be informed in writing via email. Applicants that are not selected by lottery will remain on the waiting



list; however, their application will remain in DHA's database for up to 18 months and may be selected in the future.

5. Applications in DHA's HCV program database will remain active for up to 18 months, at which time the expired application is removed from the database. Applicants whose applications are removed will be notified via email that their application is expired and that they may reapply at any time. Such applicants are not entitled to an Informal Hearing or Informal Review.
6. Project-based voucher properties that were developed using Low Income Housing Tax Credits will have separate waiting lists, maintained jointly by DHA and the property owner at the property. DHA's Project Based Voucher (PBV) Program is covered in detail in Addendum 7. Continuously assisted persons being relocated from public housing properties shall have first preference for admission to PBV properties. Individuals on the HCV waiting lists will have an opportunity to apply for admission to PBV properties. While individuals/families may apply for any project-based lists that are open, when they accept an offer at any such property, their applications, if any, will be withdrawn from other DHA-maintained PBV waiting lists.

C. The Walker Settlement Voucher Waiting List

1. As a result of litigation and court order, DHA is subject to the Amended Agreed Final Judgement and the Settlement Voucher Implementation Plan 2019 for administering the Walker Settlement Voucher Program. Participation in the Walker Settlement Voucher Program is limited to class members. Such eligibility shall be determined by the race of the head of household. DHA will select eligible applicants in accordance with selection criteria in this policy and in DHA's Wait List Procedure (600-1.8).
2. DHA may use the Special Admissions Walker Settlement Voucher Waiting List and may limit the number of families placed on the list. Applicants that are selected will be informed in writing of their selection and placement on the Special Admissions Waiting List.
3. So long as available funding permits issuance of Walker Settlement Vouchers in accordance with the Agreed SVIP 2019 and the January 24, 2020², agreement between DHA and plaintiff's counsel, DHA will offer and issue Walker Settlement Vouchers to Class Members who meet the HUD HCV program eligibility criteria in accordance with the priorities set forth below. For additional information on this program, refer to Addendum 8 to this policy.

² Both documents are included in Addendum 8 to this policy.



- a. First priority for regular HCV participant families with children living in R/ECAP areas, with a focus on children under the age of thirteen;
- b. Second priority will be to regular HCV participant families currently residing in a R/ECAP area;
- c. Third priority will be to applicants selected from DHA's WSV waiting list with consideration of whether those families are residing in a R/ECAP area; and
- d. Fourth priority will be to all other applicants on DHA's WSV waiting list.

D. Selection from the Waiting List

1. Preferences may be established to order the selection of applicants from the waiting list. So long as available funding permits issuance of turnover vouchers, DHA reserves the right to select applicants from its waiting list based on a percentage share of preference and non-preference admissions and set the percentage of any local preference as it deems necessary and appropriate.
2. Preferences may be granted to applicants who are otherwise qualified and who are verified to meet the established local preferences described below. Applicants that do not meet any admissions preferences will be considered non-preference applicants. Within each group, applicants will be processed in lottery number order. The local preferences outlined here may be offered to applicants who applied to the HCV Wait list after January 1, 2020. Details on when and how these preferences may be applied are included in DHA's Wait List Procedure (600-1.8).

See next page





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| <p>Working families 24 CFR §982.207 (b)(2)</p> <p>DHA may adopt a preference for admission of working families (families where the head, spouse, or sole member is employed). However, an applicant shall be given the benefit of the working family preference if the head and spouse, or sole member is age 62 or older, or is a person with disabilities.</p> |
| <p>Student education</p> <p>Persons who are enrolled in and are active students in a vocational education or trade school and or persons who are enrolled in and active students in a college or university.</p> |
| <p>Homeless 24 CFR §982.207 (b)(5)</p> <p>DHA may adopt a preference for admission of homeless persons.</p> |
| <p>Natural disaster, government action, or DHA action</p> <p>DHA may adopt a preference for persons displaced by a natural disaster, government action, or DHA action.</p> |
| <p>Congregate housing</p> <p>DHA may adopt a preference for individuals who need and qualify for congregate housing in an assisted living facility. DHA may offer this preference only to congregate housing assisted living facilities that have been reviewed and approved by DHA. DHA reserves the right to admit individuals who qualify for this preference based on units made available for this targeted population, so long that funding is available.</p> |
| <p>VAWA</p> <p>DHA may adopt a preference for persons who are victims of documented domestic violence, in accordance with VAWA.</p> |
| <p>Aging out of foster care</p> <p>DHA may adopt a preference for individuals graduating from or aging out of the foster care program. DHA may give preference to individuals from programs administered by the Texas Department of Protective and Regulatory Services or families completing their tenure in transitional housing under a continuum of care.</p> |
| <p>Limited Preference for Families with Children (Mobility Demonstration Vouchers)</p> |



DHA may adopt a preference for families with at least one child aged 13 and under (at the time of application) that live in census tracts with a family poverty rate of 30 percent or higher.³

3. Applicants applying for or qualifying for a specific category of HUD special use vouchers (e.g. Mobility Demonstration, VASH, Family Unification Program, Non-Elderly Disabled, [Emergency Housing Voucher \(EHV\)](#), or Mainstream) may be selected ahead of higher placed applicants on the HCV waiting list that do not qualify for the targeting funding. HUD provides specific funding for the HUD special use vouchers and DHA maintains a separate waiting list for each of the HUD special use vouchers.
4. The final determination of eligibility is made when the applicants are selected from the HCV waiting list, and the applicants income and family composition is verified.
5. Documentation to determine eligibility includes:
 - a. All adult members of applicant families are required to sign HUD's Form 9886 [Authorization to Release Information Privacy Act Notice](#).
 - b. Applicants must disclose and provide verification of the complete and accurate SSN assigned to each household member. Applicants must supply any requested information to verify Social Security Numbers for all family members, except those who do not contend eligible immigration status. If a social security number has never been issued for a family member, the member must obtain a Social Security Number. The parent or guardian of a child or disabled adult must sign a certification statement for each person. If a family member does not have the original Social Security card issued by the Social Security Administration, DHA will accept photo identification and verification of the number from the Social Security Office. An original award letter from the Social Security Administration can be used for this purpose. 24 CFR §5.216 exceptions to this rule are listed here:
 - 1) Individuals age 62 or older as of January 31, 2010, whose initial determination of eligibility was begun before January 31, 2010. For these individuals, disclosure and verification documentation must be obtained that verifies the applicant's exemption status. 24 CFR §5.216(e)
 - 2) Applicant households with persons under the age of 6 that were added to the

³ Section 235(c)(6) of Division G of the 2019 Appropriations Acts allows for the "establishment of priority and preferences for participating families, including a preference for families with young children, as such term is defined by the Secretary, based on regional housing needs and priorities." Given this authority, HUD is requiring that PHAs establish a waiting list preference, both for MDVs and for the number of regular turnover vouchers PHAs must make available for the demonstration. If a PHA does not have enough families on the waiting list that meet the required preference, the PHA will select the next available family with at least one child aged 17 or under from the waiting list. FR-6191-N-01.

applicant household within the 6 months prior to admission. The family must disclose and provide verification of the SSN within 90 days of the date of admission. There is a 90-day period during which an applicant family may become a participant, even if the family lacks the documentation necessary to verify the Social Security Number of a family member under the age of 6. An additional 90-day extension must be granted if delays are due to circumstances beyond the family's control. 24 CFR §5.216(h)(3) If the applicant family does not produce the required documentation within the authorized time period, DHA will impose appropriate penalties, including termination of assistance. 24 CFR §5.218

- c. Individuals who claim the preference as currently or formerly homeless must be certified as meeting the HUD definition of homeless by the Bridge (an emergency shelter for the homeless in Dallas).
- d. Families who claim preferences for domestic violence, individuals aging out of foster care, families who are currently or formerly homeless, and congregate housing must be certified as qualified by a DHA-approved referral agency.

E. Continuously Assisted Families / "Special Admissions"

1. Certain families are issued vouchers or project-based voucher units, outside the context of the waiting list. These families:
 - a. are being relocated from DHA's public housing properties or Low Income Housing Tax Credit properties in which DHA is participating that are being demolished, undergoing substantial capital improvements, modernization, or rehabilitation or change in use, or who are being relocated pursuant to agreements already in place between DHA and the tax credit property ownership entity; or because a unit that is the right size for their family is unavailable; or
 - b. have lost assisted housing or are about to lose assisted housing because a private owner receiving project-based Section 8 Housing Choice Voucher assistance opts out of, chooses not to renew the HAP contract or fails quality inspections, requiring that their HAP contract be cancelled, or reduce the number of units; or
 - c. are receiving assistance in a Section 8 Housing Choice Voucher SRO program and the owner of the program fails inspections, intends to opt out, not renew, or reduce the program size.
2. A family qualifies for one of these vouchers when they receive notice that they will have to move for one of the reasons cited above.
3. Eligible families will be issued vouchers in an order based on date on which they receive notice to move.
4. Generally, DHA will receive replacement housing vouchers to assist these families, but if the



process of obtaining these vouchers is delayed, the families will be issued vouchers to prevent their becoming homeless.

F. Income Targeting Requirement

1. In accordance with income targeting requirements established by HUD, 75% of each year's new admissions from the waiting list to the Section 8 Housing Choice Voucher Program will have incomes at or below 30% of the area median income (extremely low-income applicants). These applicants will be selected before other eligible applicants on an as needed basis, to ensure the income targeting requirement is met.
2. It is not anticipated that it will be necessary to skip higher income families on the waiting list to achieve federally mandated income targeting requirements because the majority of families on the waiting list are extremely low income families. An exception may be made for applicants that are currently assisted within the Housing Voucher Program, wishing to be admitted to another special program.
3. Non-waiting list admissions are not subject to income targeting requirements. This would include continuously assisted families displaced from public housing, families issued vouchers because of project-based program REAC failures, or owner opt outs, etc.

G. Determination of Ineligibility and Informal Review

1. DHA shall notify all applicants found ineligible for assistance, that they have been denied assistance. Applicants shall be notified in writing of the reason(s) for the determination and the right to request an Informal Review of the determination. Upon request, applicants will be allowed to review a copy of relevant documentation regarding the determination.
 - a. Applicants who wish to contest a denial of assistance shall have the opportunity to submit information and evidence to the Vice President of Voucher Programs and/or his/her designee for an informal review of the denial determination. An informal review does not involve a hearing – it is a review of the material in the applicant's file to ensure that a correct decision (based upon the material submitted by the applicant) about the applicant's status has been made.
 - b. The request for an informal review must be made in writing within 10 calendar days from the date of the written denial of assistance. An applicant that fails to request the informal review within 10 calendar days will be ineligible for a review and the denial shall stand. The informal review shall be scheduled within 30 calendar days of the applicant's request.
 - c. The Vice President of Voucher Programs or his/her designee shall conduct the informal review of the file, and any additional information presented by the applicant for consideration.



- d. The outcome of the informal review shall be recorded in the applicant's file. If it is determined that the applicant is eligible, the family's name will be placed on the Section 8 Housing Choice Voucher Waiting List without loss of position during the period of ineligibility, or issued a voucher, whichever is appropriate. The Vice President of Voucher Programs (or designee) will notify the applicant of the outcome, in writing, within 14 calendar days after the applicant's review.
 2. The Vice President of Voucher Programs or his/her designee will review matters presented by applicants who have been issued vouchers when no HAP has yet been paid on their behalf.
 3. DHA shall not grant file reviews for matters related to:
 - a. DHA's discretionary administrative determinations or to consider general policy issues or class grievances;
 - b. DHA's determination of family's unit size under DHA subsidy standards;
 - c. DHA's determination not to approve leasing a unit under the Section 8 Housing Choice Voucher Program, or approve a proposed lease;
 - d. DHA's determinations that a unit selected does not comply with HQS;
 - e. DHA's determination that a unit selected is not in accordance with HQS because of the size of the family;
 - f. DHA's refusal to extend family's voucher past the maximum time allowed under DHA policy;
 - g. DHA's determination of rent reasonableness;
 - h. DHA's schedule of utility allowances; and
 - i. DHA's decision not to approve a unit or tenancy.
 4. DHA is not bound by any decision that is in conflict with HUD regulations or DHA policy. The President and CEO or his/her designee, may review all decisions to ensure compliance with HUD regulations and DHA policy.
 5. If DHA determines that it is not bound by a review decision, DHA shall promptly notify the participant of the determination, and the reasons for the determination.
- H. Briefing and Issuance of Vouchers
1. DHA briefs all families entering the Section 8 Housing Choice Voucher Program for the first time, relocating families, and families porting into Dallas (Section 8 Housing Choice Voucher participants that transfer from another housing agency).
 2. Briefing attendance is mandatory. Applicants/participants will receive written and/or telephone notification of the date, time, and location of the scheduled briefing. Applicant

must call 24 hours prior to the scheduled briefing to reschedule. A maximum of two appointments shall be granted per applicant/tenant. Any applicant that does not attend one of the two sessions shall have his/her application withdrawn. Applicants whose applications are withdrawn are not entitled to an informal review. Briefings may be conducted in group sessions or individually. In limited circumstances, DHA may notify applicants via telephone of the required briefings. In such circumstance, the file will be documented to indicate when the oral notification was made, the person who made the oral notification, the number contacted, the person contacted, and the reason for the oral notification. Applicants who were not reachable when oral notification was attempted will not be withdrawn from the wait list.

3. DHA may conduct individual briefings as a reasonable accommodation, if needed by persons with disabilities.
4. Briefings may be conducted in the evenings and on weekends to accommodate applicants who work.
5. DHA may hold a combined briefing and voucher issuance session.
6. In addition to the HUD-required information provided during the briefings, DHA strongly encourages Section 8 Housing Choice Voucher families to seek housing in non-poverty areas by providing to families:
 - a. Information or access to the addresses of units available to Section 8 Housing Choice Voucher families, as well as the landlords' names and telephone numbers;
 - b. Information on individual units available for lease;
 - c. individual counseling and information about public transportation to view units;
 - d. information on neighborhood amenities, including information on crime, schools, day cares, health care and public transportation; and
 - e. Counseling to families on program matters, and in instances of alleged program discrimination.
7. Schedules for briefings will be communicated to the Inclusive Communities Project (ICP), so their staff can participate in all briefings to assist with and encourage mobility moves.
8. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, DHA may provide the voucher briefing by other means such as a webcast, video call, or expanded information packet. The period of availability ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA. See DHA's HCV Orientation Briefing and Voucher Issuance Procedure (550-4.1) for additional details.

I. Promoting Housing Opportunities

1. DHA seeks to increase the participation of landlords with units located outside of areas with a high concentration of poverty. DHA refers to these areas as eligible census tracts, which are defined in the Walker SVIP 2019 as a census tract that is not a minority neighborhood⁴ where the percentage of persons of a particular racial or ethnic minority⁵ is at least 20 points higher than that minority's percentage in the City of Dallas housing market as a whole. In addition, an eligible census tract must have a poverty rate at or below the average poverty rate for the City of Dallas.⁶
2. To accomplish this goal, DHA conducts outreach to landlords with properties in eligible census tracts and encourages them to accept voucher holders. The local media, professional real estate organizations, Apartment Listing Network, and the Cole Indices are used as resources to increase the interest of private landlords within DHA jurisdiction.
3. As part of this outreach effort, DHA prepares and distributes information packets, brochures, leaflets, and handouts outlining the benefits of the Section 8 Housing Choice Voucher Program. DHA provides landlords with information regarding HUD regulations, Section 8 Housing Choice Voucher Program guidelines, fair housing, Housing Quality Standards, and other landlord-related issues. In addition, DHA conducts landlord workshops, corporate briefings, property visits, and initiates telephone contact with landlords owning housing units in low-poverty areas.
4. The methodology used in promoting de-concentration of Section 8 Housing Choice Voucher holders is outlined in the Landlord Services Procedures.

J. The Term of Vouchers

1. *Vouchers expire 90 days from the date of issuance. DHA may extend the voucher term so long as the regional rental market is tight. When rental markets are loose, DHA may only extend the voucher term as a reasonable accommodation to persons with disabilities or when leasing opportunities are limited by market conditions.*
2. Class members participating in the Walker Settlement Voucher Program and actively searching for housing in eligible census tracts will be given 120 days to find suitable housing.
3. Applicants/participants in the Veterans Assisted Supportive Housing (VASH) and actively searching for housing will be given 120 days to find suitable housing.

⁴ As that term is used by HUD.

⁵ As based on the most recent decennial census.

⁶ As based on the most recent decennial census or the most recent American Community Survey data.

4. [Applicants/participants in the Emergency Housing Voucher \(EHV\) program and actively searching for housing will be given 120 days to find suitable housing.](#)

3-5. Families shall be considered successful in their housing search should they submit a Request for Tenancy Approval (RFTA) prior to the expiration date on the voucher. The family may submit only one RFTA at a time. Once the documents are accepted, DHA shall suspend (i.e. toll) the term of the family's voucher. Should the family be required to resume their search for housing (e.g. because the unit selected fails inspection or the property owner does not agree to a reasonable rent), the family shall be allowed to resume their search for housing using the remainder of the time left on the voucher.

4-6. The voucher shall be withdrawn if the family fails to lease suitable housing during the term of the voucher. Expiration or withdrawal of a voucher does not preclude the family from completing a new application for the HCV Waiting List, when the waiting list is open.

6. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, DHA may grant extension(s) needed as a result of COVID-19 that are not described herein, even though DHA has been unable to formally amend its policy in the administrative plan. The period of availability ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.

K. Portability and Moves

Portability is a feature of the HCV program under which voucher holders may use their vouchers in jurisdictions other than those that issued the voucher. The details of portability are covered in the Portability Procedure (500-1.8). Eligible families are permitted to port to or from another jurisdiction that runs an HCV program, subject to the following policy:

1. Outgoing Vouchers

- a. Families whose head and spouse lived somewhere other than Dallas on the date of application must lease within DHA's jurisdiction for 12 months before becoming eligible for portability.
- b. Families whose head and spouse lived in Dallas on the date of application are eligible for portability as soon as they receive their voucher as long as they hold a valid Housing Voucher, have not violated any Family Obligations, do not owe money to any Housing Authority and are moving to a location where their housing assistance payment is affordable under DHA's budget authority, if the receiving PHA cannot absorb their voucher.
- a. Families that are new admissions to the program must meet the income eligibility requirements applicable to the area where the family initially leases a unit with assistance.



- c. Participant families are not required to meet the income eligibility requirements in the area the family plans to move. Families must notify DHA in writing when they want to move out of DHA’s jurisdiction using the portability feature.

2. Incoming Vouchers:

DHA may absorb some or all incoming portable vouchers when it has funding available. Otherwise, when DHA reaches full utilization (or when there are questions about the availability of HUD HAP payments), DHA will not absorb incoming portable Vouchers but will bill the sending PHA for the family’s costs under the program.

L. Relocation of Witnesses and Victims of Crime

DHA will provide Housing Choice Voucher assistance for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing. DHA will accept written referrals from HUD for such cases. All referred applicants must meet Housing Choice Voucher eligibility requirements before admission to the program.

Section VI. Request for Tenancy Approval, Inspection, and Leasing

A. Request for Tenancy Approval

- 1. After the family is issued a voucher, the family must locate an eligible unit with an owner or landlord willing to participate in the voucher program. When a family finds a suitable unit and the owner is willing to lease the unit under the program, the owner and the family must request that DHA approve the assisted tenancy in the selected unit by submitting an RFTA package to DHA.
- 2. The RFTA package includes the following items.
 - a. Completed Request for Tenancy Approval (RFTA) – Form HUD-52517
 - 1) The RFTA contains important information about the rental unit selected by the family, including the unit address, number of bedrooms, structure type, year constructed, utilities included in the rent, proposed rent and the requested beginning date of the lease, necessary for the DHA to determine whether to approve the assisted tenancy in this unit.
 - 2) Owners must certify to the most recent amount of rent charged for the unit and provide an explanation for any difference between the prior rent and the proposed rent.
 - 3) Owners must certify that they are not the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless DHA has granted a request for reasonable accommodation for a person with disabilities who is a member of the tenant household and the owner is not living in the unit.
 - b. All new landlords may be required to provide the following documentation:
 - 1) Tax identification letter issued by the IRS or social security card.



- 2) Direct deposit agreement with voided check.
 - 3) Current government issued photo ID.
 - 4) IRS W-9 form with original signature.
 - 5) Copy of warranty deed, or other approved deed or proof of control of the unit.
 - 6) Proof of payment of real estate taxes.
 - 7) Copy of management agreement (for property management companies).
- c. Copy of the proposed lease, including the HUD-prescribed Tenancy Addendum – Form HUD-52641-A. The duration of the lease may be no more or no less than one year.
- d. For units constructed prior to 1978, owners must either
- 1) certify that the unit, common areas, and exterior have been found to be free of lead-based paint by a certified inspector; or
 - 2) attach a lead-based paint disclosure statement.
3. The RFTA package must be submitted no later than the expiration date stated on the voucher. HCV Guidebook p.8-15
4. When the family submits the RFTA the DHA will review the RFTA for completeness.
- a. If the RFTA is incomplete (including lack of signature by family, owner, or both), or if the dwelling lease is not submitted with the RFTA, the DHA will notify the family and the owner of the deficiencies. It is the sole responsibility of the owner and the tenant to submit the required documentation timely and without omissions or errors. Failure to provide this documentation within the specified time and without errors will result in the nullification of the RFTA approval process.
 - b. Missing information and/or missing documents will only be accepted as original hard copies, scanned copies of original documents transmitted electronically, and in-person. The DHA will not accept missing information over the phone but will accept some missing information via fax or email.
5. When the family submits the RFTA, the DHA will also review the terms of the RFTA for consistency with the terms of the proposed lease.
- a. If the terms of the RFTA are not consistent with the terms of the proposed lease, the DHA will notify the family and the owner of the discrepancies.
 - b. Corrections to the terms of the RFTA and/or the proposed lease will only be accepted as original hard copies in-person, or scanned copies of original documents transmitted electronically. The DHA will not accept corrections by phone but will accept some corrections via fax or email.



6. Because of the time sensitive nature of the tenancy approval process, DHA will attempt to communicate with the owner and family by phone, fax, or email. DHA will use mail when the parties can't be reached by phone, fax, or email.

7. RFTA Limitation

The family may submit one Request for Tenancy Approval (RFTA) at a time. The family may only submit another RFTA if the previously submitted RFTA is canceled/voided.

B. Housing Quality Standards and Inspections

1. Prior to execution of the HAP contract, DHA is required by HUD regulations to inspect the unit to ensure it meets Housing Quality Standards (HQS).
2. HUD's performance and acceptability standards for HCV-assisted housing are provided in 24 CFR §982.401. Additionally, DHA exercised flexibilities to add acceptability criteria variations to HQS, which meet or exceed HUD's performance requirements. Based on HUD's approval of DHA's request, dated December 17, 2019, to add the City of Dallas Housing Code to the existing inspection acceptability criteria, DHA has adopted the Dallas Housing Code in addition to HQS as its inspection standards.
3. Due to the COVID-19 pandemic, and corresponding order from Dallas County to practice social distancing, DHA has determined it necessary and appropriate to modify current HQS inspection procedures to allow for either virtual inspections with the use of audio/visual technology, or conditional approvals that will be verified at a later date. DHA's Virtual Inspection Procedure (550-2.1) sets forth processes for both options. DHA Inspectors will try first to conduct a virtual inspection, and move to a conditional inspection approval if required.
4. No unit shall be initially placed under contract in the Housing Choice Voucher Program until/unless the standards are met. Units must also continue to meet HQS as long as the family continues to receive housing assistance in the assisted unit. HQS takes precedence over local housing codes and other codes.
5. The family must allow DHA and the owner to inspect the unit at reasonable times with reasonable notice and grant access to the unit in emergencies. Failure to allow access for inspection or an emergency is a violation of the family obligations and grounds for termination from the program.
6. Modifications to Provide Accessibility
 - a. Under the Fair Housing Act of 1988 an owner is not permitted to refuse the request of a family that contains a person with a disability to make necessary and reasonable modifications to the unit at the family's expense.
 - b. Modifications to units to provide access for a person with a disability must meet all applicable HQS requirements and conform to the design, construction, or alteration of facilities contained in the UFAS and the ADA Accessibility Guidelines (ADAAG) [28 CFR





§35.151(c) and Notice 2003-31] See Chapter 2 of this plan for additional information on reasonable accommodations for persons with disabilities.

- c. When the applicant moves from the unit the owner may require restoration of the unit to its original condition if the modification would interfere with the owner or next occupant's full enjoyment of the premises.
- d. The owner may not increase a customarily required security deposit. However, the landlord may negotiate a restoration agreement that requires the family to restore the unit and, if necessary to ensure the likelihood of restoration, may require the tenant to pay a reasonable amount into an interest bearing escrow account over a reasonable period of time.
- e. The interest in any such account accrues to the benefit of the tenant and the owner may also require reasonable assurances that the quality of the work will be acceptable and that any required building permits will be obtained. 24 CFR §100.203; Notice 2003-31

7. Family Responsibilities 24 CFR §982.404

The family is responsible for breach of the HQS that is caused by the following:

- a. Utilities that are required to be paid by the tenant are not in service;
- b. Appliances that are required to be provided by the tenant are absent or not working.
- c. Damage to the unit or premises caused by a household member or guest beyond normal wear and tear. "Normal wear and tear" is defined as items which could not be charged against the tenant's security deposit under state law or court practice.

8. Owner Responsibilities

- a. The owner is responsible for all HQS violations not listed as a family responsibility above; however, if the family's actions constitute serious or repeated lease violations the owner may take legal action to evict the family.
- b. DHA does not enforce the lease agreement between the family and the owner through the enforcement of HQS; however, a family's living habits may cause damage to the unit and result in HQS violations that are the owner's responsibility to repair. Owners are responsible for all lease enforcement activities and any legal actions taken as a result of serious and/or repeated violations of the lease agreement. Lease violations and eviction paperwork must be submitted to DHA at the time of occurrence.
- c. DHA shall review all communications sent from owners related to lease violations and/or evictions and take appropriate action based upon the type of violations. This may include termination of assistance for the family that has violated the lease agreement.





- d. Owners who fail to provide DHA with documentation throughout the family's occupancy, risk the possibility that a family may be relocated even if serious lease violations have occurred.
 - e. Failure to provide DHA documentation at the time of occurrence and/or failure to properly enforce the lease agreement may not justify denial of a move request or the termination of assistance to the family.
9. *Special Requirements for Children with Elevated Blood-lead Levels 24 CFR §35.1225*
- a. A risk assessment must be conducted for deteriorated paint at initial and annual inspections when the unit was built prior to January 1, 1978 and occupied by a child on the lease under the age of six.
 - b. The risk assessment must be completed in accordance with program requirements and the results of the risk assessment will immediately be provided to the family and the owner of dwelling.
 - c. Within 30 days after receiving the risk assessment report from DHA, or evaluation from the public health department, the owner is required to complete the reduction of identified lead-base hazards in accordance with the lead base paint regulations 24 CFR §§35.1325 and 35.1330.
 - d. All deteriorated paint found in the above referenced units, must be corrected in order to pass HQS. The requirement for passed inspections is triggered by the amount of the deteriorated paint observed known as the Below De Minimus or at or Above De Minimus rule. DHA must determine which set of requirements the owner is instructed to follow to correct deteriorated paint and describe the deficiency on the HQS Inspection Report.
 - e. An executed copy of the Owner's certification showing lead based paint clearance is required to pass any LBP violation listed as at or above De Minimus.
 - f. If the owner does not complete the "hazard reduction" as required by the re-inspection, the dwelling unit is in violation of HQS and will result in abatement of HAP payment to the owner.
 - g. If the DHA is notified by a public health department or other medical health care provider, or verifies information from a source other than public health department or medical health provider, that a child of less than 6 years of age living a HCV assisted built prior to January 1, 1978 has been identified as having an environmental intervention blood lead level, the DHA will complete a risk assessment of the dwelling unit.
 - h. In cases where the public health department has already completed an evaluation of the unit, this information will be provided to the owner.
 - i. At least quarterly, DHA shall attempt to collect from public health department(s) within DHA's area of operation the names and/or addresses of children under 6 year of age with an identified environmental intervention blood lead level. DHA shall match this information for families receiving HCV assistance. If a match occurs, DHA will notify the





owner and conduct a risk assessment inspection.

10. Violation of HQS Space Standards 24 CFR §982.403

If a unit does not meet the HQS space standards because of an increase in family size or a change in family composition, the DHA will issue the family a new voucher at the earlier of the family's next annual reexamination or the expiration of the family's lease, and the family must try to find a large enough unit as soon as possible.

C. The Inspection Process

1. Before approving a lease, DHA shall inspect the dwelling unit for compliance with HQS. All inspections of units shall be conducted within 7 to 10 calendar days of the date the unit will be ready for inspection, as documented on the RFTA packet.
2. DHA uses an electronic inspection system to conduct HQS inspections. Copies of the failed inspection report shall be mailed or emailed to the landlord and family. A report for every inspection shall be prepared and maintained in the family's file in the voucher program. Each report shall specify the defects or deficiencies, if any, which must be corrected by the landlord before the HAP contract will be executed.
3. If at the time of the initial inspection, DHA determines that violations exist, DHA shall notify the landlord in writing and/or electronically, and require the defects be corrected. A copy of this notification shall be retained in the family's file. If DHA determines, as a result of the re-inspection that the landlord has satisfactorily corrected all defects or deficiencies, DHA shall execute the Housing Assistance Payment Contract. If the landlord fails to make the required repairs within the time frame provided by DHA, the inspection and the RFTA shall be cancelled. The family will then be issued new paperwork to search for alternate housing, provided there is time left on the voucher to search for housing.
4. Annual inspections of the unit are conducted within 365 days of the initial or annual inspection. If the unit passes the inspection, DHA shall continue HAP payments to the landlord.
5. Emergency inspections are conducted immediately upon receipt of information that there are deficiencies in a unit that may be considered life threatening. Such deficiencies *must be corrected within 24 to 72 hours of the inspection date, depending on the nature of the deficiency.*

Hazards that pose an immediate threat to the health and safety of the family must be corrected within 24 hours. Examples include any condition that jeopardizes the security of the unit including but not limited to:

- a. Broken locks (window, doors, or any point of entry),
- b. Broken window or door frames,



- c. Major plumbing leaks or flooding, such as waterlogged ceiling or floor in imminent danger of falling,
 - d. Natural gas or fuel oil leaks,
 - e. Any electrical problem or condition that could result in shock or fire,
 - f. Condition that presents the imminent possibility of injury,
 - g. Obstacles that prevent safe entrance to or exit from the unit,
 - h. Absence of a functioning toilet in the unit,
 - i. Inoperable smoke detector,
 - j. No gas in unit when the unit has gas appliances or fixtures,
 - k. No running water in unit,
 - l. No electrical power in unit,
 - m. From October 1st – March 31st, absence of a working heating system capable of maintaining a room temperature of at least 15 degrees warmer than the outside temperature, but in no event lower than 68 degrees Fahrenheit in at least one habitable room (this is a 72-hour deficiency outside of these months and may be reviewed on a case-by-case basis with sufficient documentation from landlord/owner),
 - n. From April 1st – September 30th, non-working air conditioning or when the cooling system cannot maintain appropriate temperature of at least 15 degrees cooler than the outside temperature, but in no event higher than 85 degrees Fahrenheit in at least one habitable room (this is a 72-hour deficiency outside of these months and may be reviewed on a case-by-case basis with sufficient documentation from landlord/owner),
 - o. The unit lacks hot water; or
 - p. Referrals to/from the City of Dallas.
6. If a family is issued a voucher to move because the HQS inspection revealed the unit is in a condition that poses a threat to the health and safety of the family, DHA may notify the appropriate city for code enforcement. The city will be given the property address and landlord's name. If the unit is located in the City of Dallas, DHA may notify the City of Dallas Code Compliance Office.
7. From time to time, the City Attorney's Office or the City's Code Compliance Office may identify dwelling units in violation of the City's Housing Code, where the resident and landlord are participants in DHA's Housing Voucher Program. In such cases, DHA will



issue notice to the landlord giving an opportunity to cure the violation. DHA or the City of Dallas will reinspect. Failure on the part of the landlord to cure the violation will result in abatement of the HAP payment and may also result in termination of the housing voucher or reissuance of a voucher to enable the resident to relocate to other suitable housing. As stated in this policy, DHA's HQS criteria have been amended to include the City of Dallas Housing Code; therefore, a violation of the City of Dallas Housing Code is also a violation of HQS, and subject enforcement by DHA.

D. Complaint Inspections

1. DHA shall respond to all families reporting violations of Housing Quality Standards in their units. Requests for complaint inspections are made to the Landlord Services division. Families may call Customer Service or submit a written request. DHA will also respond to calls made by the general public reporting violations of HQS. If the nature of the violation threatens the health and safety of the family, an immediate HQS inspection will be conducted.
2. Once the complaint is received, DHA shall notify the family and landlord of the complaint and give the landlord and/or family a reasonable amount of time to address the complaint and make necessary repairs. If the complaint is not addressed appropriately within the time frame specified, DHA shall perform an inspection of the unit and take the steps outlined for such situations according to the terms of the HAP contract.
3. Hazards that pose no threat to the health and safety of families must be corrected within thirty (30) days. If the nature of the violation threatens the health and safety of the family, an immediate HQS Inspection will be conducted.
4. Re-inspection Process: DHA shall schedule a re-inspection by providing written or email notice to the landlord with a copy to the family, advising him or her of the date and time of the re-inspection. Routine re-inspection appointments shall occur no later than twenty-one (21) days after the unit fails inspection. A nine day grace period will be granted to the family or landlord to request a final inspection. Failure to have all non-emergency repairs made within 30 days will result in terminating program assistance if the family is responsible for making the correction, and/or cancelling the HAP contract and relocating the family if the landlord is responsible for making the correction.

DHA will bear the cost of the first inspection of any of the types of inspections listed above and one additional, follow-up inspection. If subsequent inspections are needed before the unit passes HQS, DHA will charge the owner its actual costs for inspections beyond the first two inspections. This policy is designed to encourage owners to make timely improvements.





E. DHA-Owned Units

DHA shall obtain the services of an outside contractor to inspect for HQS at all properties in which DHA or an affiliate owns and/or has an owner interest. The outside contractor shall inspect no more than 25% of these DHA owned units and will communicate the results of the inspection to DHA and the family. The remaining 75% of inspections will be conducted by DHA Housing Inspectors.

F. Abatement of Housing Assistance Payment

DHA shall abate HAP to landlords for units that fail HQS when the landlord fails to make acceptable corrections within the required time frame and may take action to ban the landlord from participating in the DHA Section 8 Housing Choice Voucher program. DHA shall not abate payments to landlords for violations of HQS that are the family's responsibility. DHA shall offer housing mobility services to the family when payments to the owner are abated due to no fault of the family.

1. Mandatory Relocation of Family

- a. Once it is determined to abate the unit, the landlord shall be notified in writing of DHA's intent to abate the unit and move the family. DHA shall cancel the HAP contract when the family moves from the unit or sixty (60) days after the abatement notification date, whichever comes first.
- b. If DHA initiates action to abate the unit, the family must move from the unit. If the family decides not to move, DHA shall terminate the assistance to the family in accordance with the HAP Contract.

2. HQS Violations Caused by the Family

In accordance with the HUD Tenancy Addendum (HUD-52641A), a breach of the HQS caused by the family is not the responsibility of the landlord. DHA will terminate assistance to the family if the family fails to correct a HQS breach caused by the family member or by a guest.

The following actions constitute a family breach of the HQS:

- a. Tenant paid utilities that are not in service;
- b. Failure to provide and maintain any appliances that are to be provided by the family;
- c. Vermin infestation in the unit caused by the family's housekeeping; or
- d. Damage to the unit beyond normal wear and tear. "Normal wear and tear" is defined as items which could not be charged against the family's security deposit under state law.

3. Owner Responsibility





The owner is responsible for all other HQS violations not listed in the family breach of HQS section listed above, even if the violation is a result of the family's living habits. If the family's living habits constitute serious and/or repeated violations of the lease agreement, it is the owner's responsibility to enforce the lease with appropriate legal action up to and including eviction of the family from the property. (See family violation section listed above.)

The owner may choose to make repairs that result from a family's violation of the lease agreement and bill the family for the repair.

G. Screening and Security Deposit Requirements

1. DHA encourages landlords to screen all potential residents. Landlords need not accept families that have a poor rental history, a history of allowing persons not listed on the lease to live in the unit, a history of damaging units, or a history of vacating units without giving proper notice. DHA shall not provide reimbursement to landlords in cases when there are damages caused by the Section 8 Housing Choice Voucher family or their guests or when the Section 8 Housing Choice Voucher family vacates the unit without giving proper notice or does not pay the family's portion of rent owed under the lease.
2. Owners may collect a security deposit that is reasonable and comparable to security deposits collected for similar, unassisted units in the area. DHA prohibits security deposits in excess of private market practice or in excess of amounts charged to unassisted tenants.
3. If requested, DHA will provide the landlord with the family's current address, as shown in DHA's records, and the name and address, if known, of the family's current and previous landlord.

H. HAP Execution Policies

Preparation of the lease and HAP contract will be handled in accordance with the following:

1. Both the owner and voucher holder must sign the Request for Tenancy Approval. The Request for Tenancy Approval and a copy of the owner's proposed lease must be submitted prior to the expiration of the Housing Voucher.
2. The Lease form must be the standard form used in the locality by the owner. The lease must contain terms consistent with State and local law, and that apply generally to unassisted tenants in the same property.
3. The HUD Addendum to the lease must be used in conjunction with the owner lease and HAP contract. DHA will review the documents to determine if they are consistent with State law.
4. The owner may be required to make changes to his/her lease agreement. If the lease does not meet HUD requirements, DHA will explain the problems to the owner and



suggest how they may be corrected, by a specific date. If the lease cannot be approved for any reason, the owner and the family will be notified in writing and the reasons provided. DHA does provide a sample lease agreement that owners may opt to use.

I. Non-housing Agreements

1. Owners and tenants may execute agreements for services (e.g. parking, furniture, late charges, pets, pet deposits⁷, community rules, and covenants) and appliances (other than range and refrigerator) and other items in addition to those that are provided under the lease, if the agreement is in writing and approved by DHA. Separate agreements must be attached to the Lease as a Lease Addendum. A copy of the agreement must be provided to DHA.
2. Any appliance, service, or other item(s) that is routinely provided to non-subsidized tenants as part of the lease agreement (such as air conditioning, dishwasher, garbage disposal or garage) or is permanently installed in the unit cannot be put under separate agreement and must be included in the lease. For an item to be covered by a separate agreement, the tenant must have the option of not utilizing the service, appliance, or other item.
3. DHA is not liable for unpaid charges for items covered by separate agreements and nonpayment of these separate agreements cannot be cause for eviction.
4. Separate agreements for altered or additional security deposit, altered or additional rent amounts and/or fees, excess utilities, or charges for any item customarily included in rent in the locality or provided at no additional cost to unsubsidized tenants on the premises are not acceptable.

J. Restrictions on Renting to Relatives

Families may not lease a property owned by relatives (i.e., sister, brother, mother, father, spouse, son, daughter, etc.) as set forth in HUD regulations. Exceptions to restrictions on renting to relatives are made if a reasonable accommodation is required for the family and is approved by the ADA-504 Coordinator. Families seeking an exception must submit a request for reasonable accommodation. In no case will an exception be granted to permit someone to lease a unit from a family member when that family member owns and lives in the unit, since this is forbidden by statute and regulation.

K. Rent Reasonableness Determination

DHA shall monitor the rents within its jurisdiction and disapprove a lease for a rent that is not reasonable, based on the rents charged for comparable rental units in the immediate area.

⁷ Note that an assistance animal verified to be needed by a person with a disability is not a pet and a pet deposit may not be charged.



DHA shall exercise this authority for all Section 8 Housing Choice Voucher tenant-based program participants.

1. Factors to Consider When Determining Rent Reasonableness

HUD requires PHAs to take into consideration the factors listed below when determining rent comparability. The PHA may use these factors to make upward or downward adjustments to the rents of comparable units when the units are not identical to the HCV-assisted unit.

- a. Location and age of the unit;
- b. Unit size, including the number of rooms and square footage of rooms;
- c. The type of unit, including construction type (e.g., single family, duplex, garden, low-rise, high-rise);
- d. The quality of the units including the quality of the original construction, maintenance and improvements made;
- e. Amenities, services, and utilities included in the rent;
- f. Availability of public transportation at or near the unit; and
- g. Proximity to quality schools and employment opportunities.

2. Units that Must Not be Used as Comparables

Comparable units must represent unrestricted market rents. Therefore, units that receive some form of federal, state, or local assistance that imposes rent restrictions cannot be considered comparable units. These include units assisted through any of the following programs:

- a. Section 8 Housing Choice Voucher project-based assistance;
- b. Section 236 and Section 221(d)(3) Below Market Interest Rate (BMIR) projects;
- c. HOME or Community Development Block Grant (CDBG);
- d. units subsidized through federal, state, or local tax credits or tax incentives;
- e. and units subsidized by the Department of Agriculture rural housing programs.

3. Rents Charged for Other Units on the Premises

- a. The Request for Tenancy Approval (HUD-52517) requires owners to provide information, on the form itself, about the rent charged for other unassisted comparable units on the premises if the premises include more than 4 units.



- b. By accepting payment from DHA each month, the owner certifies that the rent is not more than the rent charged for comparable unassisted units on the premises.
- c. If asked to do so, the owner must give DHA information regarding rents charged for other units on the premises in accordance with the voucher program regulation at 24 CFR §982.507, which requires DHA to certify that the rent charged to the housing choice voucher tenant is not more than the rent charged for other unassisted comparable units in the open market.

4. DHA's Rent Reasonableness Approach

- a. DHA utilizes a rent reasonableness system and database that compares similar units and includes and considers all of HUD's rent reasonable factors. DHA shall use 3 comparable units for each rent reasonableness determination. A hedonic pricing methodology adjusts the rental value of the comparable units, based on features that may differ between the comparable units and the subject unit. For example, when a comparable unit has a significant feature that the subject unit does not have (e.g., owner-paid utilities), the rental price of the comparable unit should be adjusted downward, as if the comparable unit also did not have this feature. The amount of the adjustment is equal to the value of that feature in the market. A hedonic pricing system is a model identifying price factors according to the premise that price is determined both by internal characteristics of the good being sold and external factors affecting it. The most common example of the hedonic pricing method is in the housing market: the price of a property is determined by the characteristics of the house (size, appearance, features, condition) as well as the characteristics of the surrounding neighborhood (accessibility to schools and shopping, level of water and air pollution, value of other homes, etc.) The hedonic pricing model is used to estimate the extent to which each factor affects the price.
- b. DHA shall use a database to identify and compare the program subject unit to the most similar private market rental property units within a specific geographic radius, drawing on a data base of non-subsidized comparables and current property listings in compliance with HUD Rent Reasonable requirements.
- c. Section 24 CFR §982.507(c) states that the owner must provide DHA information requested on rents charged by the owner for other units in the premises or elsewhere. The RFTA, Form HUD-52517, was revised to add information from owners of multifamily properties on the rents charged for three (3) recent rentals of comparable unassisted units in the same complex. The owner supplies this information in Section 12a of the revised RFTA. DHA may use the information provided in Section 12a of the



form to determine and document rent reasonableness for comparable unassisted units in the same apartment complex.

5. How Market Data is Collected

DHA's database utilizes landlord listings to continuously update a database used to determine rent reasonableness. The database allows staff to use a variety of techniques to assure that data is current and acceptable. Techniques include but are not limited to: phone verification, Multiple Listing Service updates, and owner provided leases. DHA may collect and enter data on unit information and market rents in the DHA jurisdiction. Information sources may include newspapers, realtors, appraisers, market surveys, landlords, and other available sources. Unit data will include the location, quality, size, type and age of the unit, as well as amenities, housing services, maintenance and utilities to be provided by the owner. Data will be updated on an ongoing basis and rent information that is more than 12 months old will not be used to determine rent reasonableness.

6. How Rents are Determined

- a. The DHA shall use a unit-to-unit comparison, by which the rent for a unit proposed for HCV assistance is directly compared to the rents for one or more unassisted units selected as comparables within the same market area. Interactive maps, with satellite overlays, will be used to identify and select the most similar unsubsidized units in closest proximity to the subject unit, and comparable unit data characteristics will be used to select the most similar units.
- b. In comparing rents, DHA shall take into account critical market factors that impact rent, including the location, quality, size, unit type, and age of the contract unit, as well as any amenities, housing services, maintenance and utilities to be provided by the owner in accordance with the lease.
- c. Where comparable units differ from the unit proposed for HCV assistance, DHA shall determine whether those differences impact rent. Where they do, DHA shall adjust the rental value of the comparable units, up or down, based on the market value of these factors. The rent for the unit proposed for HCV assistance will be compared to the adjusted rents for the comparable units, enabling a fair, accurate, market-based determination of rent reasonableness.
- d. DHA shall notify the owner of the rent approved based upon its analysis of rents for comparable units. If the owner disagrees with this analysis, the owner may submit additional information in support of their requested rent. DHA may consider this information when making rent determinations. The owner must submit any additional information within 3 business days of the DHA notification.





No late fee will be assessed or paid by DHA if the payment is received late due to factors beyond DHA's control or receipt of late payment is due to an adjustment in either the amount of contract rent to the landlord or the HAP to be made by DHA.

DHA shall pay a late fee of \$50.00 for HAP not made (as defined above), due to factors within DHA control. No other late fees will be paid. This payment is made upon request from landlord, provided he/she has a policy and practice of collecting late fees from private market families residing in his/her units.

5. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, DHA may forgo the 60-day time frame set forth above. HUD waived the regulatory requirement to allow PHAs to execute the HAP contract after the 60-day deadline has passed and make housing assistance payments back to the beginning of the lease term. However, DHA and owner must execute the HAP contract no later than 120 days from the beginning of the lease term. The period of availability to execute the HAP contract after the normally 60-day period from the beginning of the lease term ends on December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.

N. Rent Increases to Owners

Owners may request a rental adjustment once per year. All adjustment requests submitted to DHA must be requested in writing in the format prescribed by DHA. Upon receipt of the owners written request, DHA will:

1. Conduct a rent reasonableness study;
2. Notify the owner of our determination;
3. Provide 30 days written notice to family;
4. Prepare and distribute the Notice of Ammendment to the HAP Contract to match the updated lease agreement; which may be different from the original notice from the owner. The effective date will also depend on proper notice to the family if their portion will increase.

If the proposed rent is not within rent reasonableness guidelines, DHA will attempt to negotiate the rent with the owner. If the owner does not agree to a rent amount within guidelines, the tenant will be issued a voucher to move to a program acceptable unit.

DHA reserves the right to suspend processing of owner requests for rent adjustments whenever funds are not sufficient to cover the cost of such adjustments.

O. Family Moves

1. Moratorium on Family Moves



DHA may enact a moratorium on all optional moves by the family. Such a moratorium will be formally adopted by the Board of Commissioners and public notice shall be posted both when the moratorium is adopted and when it ends. When such a moratorium is in effect, moves will still be permitted because of:

- a. Relocation directed by DHA;
 - b. Owner-caused failed HQS so long as the tenant is in compliance with program regulations;
 - c. Family need for an accessible unit to accommodate a member's disability;
 - d. Catastrophic disasters;
 - e. Family member is determined to be endangered from specific criminal activity directed at the family member rather than simply crime encountered because of the location of the family's unit, as verified by a threat assessment, and/or other available supporting documentation;
 - f. Family size exceeds appropriate voucher size by two or more persons;
 - g. Family is moving to a neighborhood that is not economically impacted.
2. When moves are permitted

A family is not permitted to move during the initial lease term. A family may only move once during any one-year period and when their lease term has expired. Exceptions to restricting moves to the first term of the lease or within a twelve month period are limited to the conditions listed above under paragraph VI.O.1. Unless otherwise approved by the DHA's Vice President of Voucher Programs or his/her designee, mutual rescissions of a lease between tenant and landlord are not allowed. A participant who chooses to rescind a current lease with a landlord without Authority approval may be subject to termination of assistance.

3. Moves within DHA's jurisdiction

Other than the exceptions noted above, families will be eligible to move within DHA's jurisdiction with continued assistance only if:

- a. they currently live in DHA's jurisdiction; and
- b. they hold a valid Housing Voucher; and
- c. they are eligible to move; and
- d. they have not violated any family obligations; and
- e. they do not owe DHA any money; and
- f. their current landlord indicates that they are fully lease compliant; and
- g. they are moving at or after the date of their Annual Recertification of Income and family circumstances and/or at the end of their lease term if the lease term is not in

conjunction with the scheduled Annual Recertification.

4. A family that wants to move with continued assistance must vacate the unit in compliance with the lease and provide proper notice to the owner (as required under the lease) and to DHA, but not before the voucher has been issued.
5. Failure to provide such notice will result in termination of assistance due to failure to comply with the family obligation.
6. Families that want to move must request a moving packet and must attend a move briefing. Priorities for scheduling families for the move briefings are as follows:
 - a. Uninhabitable unit, including catastrophic disasters, uncorrected owner-caused HQS failures, and overcrowding as defined in HQS.
 - b. Disability-related need, as documented by a qualified medical practitioner.
 - c. Mobility moves, defined as moves from neighborhoods impacted by income to neighborhoods not impacted by income;
 - d. Reduction in the family's voucher size that results in the family paying excessive rent.
 - e. Upward change in the family's voucher size that allows the family to lease a larger unit.
 - f. Voluntary moves after the first 12 months of occupancy.
 - g. All other moves.
7. DHA will conduct a criminal background check of household members over the age of 17 prior to issuing a moving packet. If the family is eligible to move, has not violated their Program Obligations or Lease Agreement, and does not owe DHA money, the family will be offered a new voucher to search for another unit.
8. At any time, DHA may deny permission to move due to the following if:
 - a. The family does not notify DHA and the owner before the family moves out of the unit or terminates the lease.
 - b. The family does not allow DHA and the owner to inspect/repair the unit at reasonable times and after reasonable notice.
 - c. The family is verified to be responsible for an HQS failure.
 - d. The family is verified to have committed any serious or repeated violations of the lease.
 - e. The family owes DHA or another PHA money for any reason.
 - f. DHA does not have sufficient funding for continued assistance.
 - g. The family is verified to have violated any family obligation.
 - h. For any other HUD-allowed reason.

9. Families who intentionally cause their assisted unit to fail Housing Quality Standards will not be eligible to receive another Housing Voucher to relocate to another unit and will be terminated from the program.
 10. DHA will not issue a voucher to a family who wishes to move due to an eviction action initiated by the owner. Both the owner and the family are required to notify DHA whenever an eviction is filed. Housing assistance payments will continue until the court date, unless payments have been abated for owner-caused HQS violations. If the court rules that the family was evicted for violating the terms of the lease, including failure to pay rent, the family is ineligible for further assistance and will be terminated from the HCV program. If the court rules for the family, the family is eligible to receive another voucher.
 11. If the family with permission to move does not locate a new dwelling unit to move into, they will be required to submit an Agreement to Continue the Assisted Tenancy, and the assisted tenancy may be extended for any reasonable period of time mutually agreed upon by owner and tenant. In the absence of the Agreement to Continue the Assisted Tenancy, HAP payments and the HAP contract will terminate at the end of the notice issued by the tenant.
- P. Owner Termination of a Participant's Lease: Grounds for Lease Termination
1. The owner may terminate the lease for lease violations at any time.
 2. The owner may terminate the lease for any other reason only after the initial period of the lease.
 3. When an owner terminates a lease for reasons not related to participant lease violations, the family's status will be reviewed and, if the family is in full compliance with family obligations, the family will be issued a Move Packet.
 4. The owner must follow state and local laws and must provide DHA with a copy of the eviction and/or lease termination notice immediately.
- Q. Required Notice for Lease Termination
1. Depending upon the terms of the Lease Agreement, the owner may give the tenant a 30-day (or other period) notice to move.
 2. Owners are required to follow eviction procedures consistent with their Lease, Addendum to the Lease and HAP contract and must comply with the requirements of Federal, State, and local law.
 3. Owners must give written notice to DHA of any legal actions and are required to provide DHA with copies of all court action papers regarding program participants.
 4. Provided the owner initiates an eviction action in accordance with the lease, follows all pertinent laws, files all pertinent actions, and supplies DHA with copies of all pertinent

legal documents, the owner is entitled to HAP payment until the family voluntarily moves or is evicted.

5. The owner must use the lease termination and/or eviction proceedings as prescribed in the lease and contract:
 - a. The owner can institute court action, using the grounds for eviction cited in the lease; or
 - b. The owner can issue proper notice not to renew the Lease Agreement.
6. The owner may not terminate tenancy for DHA's failure to pay the housing assistance payment.

R. Change in Ownership or Property Management Company

1. DHA must receive a written request from the owner in order to make changes regarding who is to receive DHA's HAP payment.
2. DHA will process a change of ownership only upon the written request and accompanied by documentation of the title transfer: i.e. recorded deed, legal sale documents, etc.

Section VII. Payment and Subsidy Standards

DHA shall determine the family's unit size and family contribution of housing cost in accordance with HUD regulations using the verification hierarchy outlined in HUD's regulations and verification guidance.

A. Payment Standards

1. DHA will establish program payment standards by balancing the competing needs of setting payment standards as low as possible to assist as the highest number of families within available funding, while still setting the standards high enough to ensure that families can find and lease housing in high opportunity neighborhoods. The range of possible payment standards is 90-110% of HUD's fair market rent standard. HUD has established a payment standard equal to 125% of the fair market rent for class members participating in the Walker Settlement Voucher Program utilizing the vouchers in eligible census tracts.
2. DHA will monitor the effect of the payment standard it sets by tracking the percentage of families who lease housing within the time limit established for their voucher (the "success rate") and the locations where families actually lease. If the success rate decreases or the pattern of leasing shows families leasing fewer units in high opportunity neighborhoods, staff will recommend an increase in the payment standard to the Board of Commissioners.
3. When there is a decrease to the payment standard schedule during the term of a family's HAP contract, DHA exercises its ability to hold harmless and not reduce subsidy. DHA will



continue to use the existing higher payment standard for the family's subsidy calculation for as long as the family continues to receive the voucher assistance in that unit.⁸

4. The payment standard for Housing Choice Vouchers shall be determined annually following the publication of the final Fair Market Rent (FMR) by HUD and shall be made effective as soon as possible after HUD issues FMRs.
 5. The President and CEO shall determine the payment standard with the following criteria and/or objectives:
 - a. DHA shall consider the amount received from HUD in its Annual Contributions Contract;
 - b. DHA shall avoid concentration of Section 8 Housing Choice Voucher families in high poverty areas;
 - c. DHA shall seek to provide housing opportunities in all areas of its jurisdiction with particular emphasis on non-poverty areas; and
 - d. DHA shall ensure that the majority of families are not paying more than 40% of their income for their housing cost.
 6. DHA shall analyze its rental market quarterly to ensure these objectives are met. DHA will ensure that the applicable payment standards are distributed to pertinent staff.
- B. Family Subsidy Standard at Admission
1. DHA shall exercise prudence in the determination and administration of housing subsidy standards. Maximum subsidy standards for an eligible family is determined based upon the members included on the application. All adult members must appear in person with photo identification.
 2. Adult members that are not identified at the time of the application will not be considered as members of the assisted household unless they were minors at the time of application who have become adults while on the waiting list. Children added by birth, adoption, or court awarded custody, between the time of application and admission will be added to the household when verification of the birth, adoption, or court awarded custody to a family member listed on the application is provided to DHA.

⁸ Final rule FR-5855-F-03, "Establishing a More Effective Fair Market Rent System; Using Small Area Fair Market Rents in the Housing Choice Voucher Program Instead of the Current 50th Percentile FMRs; Final Rule," effective January 17, 2017, amends the voucher program regulations at 24 CFR §982.505(c)(3) to reflect the change made by HOTMA. Implementation guidance to PHAs was published in Notice PIH 2018-01.



3. All individuals added to the household are subject to HUD's eligibility and DHA's suitability standards. DHA will approve a one-time addition of adults to a client family even if the addition will increase the voucher size for which the family qualifies, but not if the adults do not pass the criminal history screening.
4. The Vice President of Voucher Programs, or his/her designee, shall review requests for additions to the household that are not described in the paragraph above to ensure additions are within DHA's policy. DHA will provide the head of household with written notification of the determination within 14 calendar days of the family's request. Families denied the opportunity to add an individual to their household will be provided with the reason for denial.

C. Live-in Aides

1. DHA's decision about whether or not to permit the addition of a live-in aide to a voucher household shall be based upon verification that:
 - a. The person to be assisted by the live-in aide qualifies as an individual with a disability as defined at 24 CFR §8.3; and
 - b. A knowledgeable professional verifies that the live-in aide is needed because of the disability; and
 - c. That the individual proposed as the live-in aide possesses the skills and ability needed to provide the services needed by the person with a disability as verified by the knowledgeable professional.
2. The family and live-in aide will be required to submit a certification that the live-in aide is (1) not obligated to support of the person(s) needing the care, and (2) would not be living in the unit except to provide the necessary supportive services.
3. Under this HUD definition, a person already residing in the unit (such as a spouse, boyfriend or girlfriend) cannot be a live-in aide (since they are living in the unit anyway).
4. A live-in aide cannot have another place to live since he/she is verified to be necessary to provide care on a live-in basis and is supposed to live in the unit. A live-in aide may have a job outside the assisted unit if the disabled individual's qualified medical practitioner certifies that the outside employment will not affect the care and services to be provided to the person assisted.
5. Live-in aides are required to attend the annual recertification appointments with the head of household and DHA must reverify the eligibility of the household for a live-in aide in accordance with DHA's Reasonable Accommodation Procedure (357-1.1).

6. Although family members may be qualified to perform the services needed by the individual with disabilities, a live-in aide will not be considered as a family member on the voucher, his/her income will not be counted for eligibility or rent purposes, and the live-in aide cannot receive the voucher as a "remaining member of a tenant/client family."
7. The live-in aide must meet DHA's screening criteria. Further, the live-in aide must not currently owe rent or other amounts to DHA or any other housing agency in connection with any assisted housing programs.

D. Family Subsidy Standard During Program Participation

1. DHA will permit the addition of minors who are born to or adopted by a family member listed on the lease and voucher, or when a court awards custody or other approved certified custody/guardianship documents to a family member listed on the lease and voucher. Such additions to the family must be reported within 10 calendar days of occurrence.
2. DHA will permit the addition of adult family members to the family, even if such addition will increase the voucher size for which the family qualifies. Only one such person may be added to any family during their term as a voucher holder.
3. DHA shall review the composition of the household at each annual recertification. If the addition of a family member results in overcrowding (more than two persons per living/sleeping room), DHA will notify the head of household of the need to move and issue the family another Housing Choice Voucher at the termination of the family's lease.

E. Occupancy Standards

1. Voucher size is one factor in determining the family's level of assistance. The size of a voucher will be based upon the family/household composition.
2. In compliance with the Fair Housing Act, other fair housing laws, and HUD regulations (24 CFR §982.401 and 24 CFR §982.402), and in an effort to administer federal funds responsibly, DHA takes a conservative and stringent approach in determining the appropriate size of the voucher.
3. DHA will utilize a maximum occupancy standard of two persons per bedroom or living/sleeping room, pursuant to the HUD guidelines concerning the determination of unit size requirements. DHA will not determine who will share a bedroom/sleeping room.
 - a. At least one person must occupy each bedroom.
 - b. A maximum of two persons may occupy a bedroom or living/sleeping room.

- c. A one-person family will be issued a one-bedroom voucher.
- d. Two youth per bedroom, unless they are of different gender.
- e. Adults may be assigned separate bedrooms, unless reported as a spouse or domestic partners.
- f. A child (under 18 years of age) who is temporarily away from the home because of placement in foster care, or an adult member over age 18 who is a full-time student temporarily away at college, is considered a member of the family.
- g. A family that consists of a pregnant woman (with no other persons) shall be treated as a two-person family.
- h. Two disabled individuals may be assigned a two bedroom voucher, subject to the review and approval of a request for reasonable accommodation.
- i. A bedroom may be allocated for an approved live-in aide to provide continuous medical assistance to a disabled family member. Since a live-in aide is one person, no additional bedrooms will be considered for the live-in aide's family. A live-in aide must not have another residence, but rather must live in the unit.
- j. A bedroom will not be allocated to house furniture, and a bedroom will not be allocated for medical equipment unless it is verified necessary for a resident with a disability as a reasonable accommodation. DHA will conduct an inspection to determine that the size and type of medical equipment verified to be needed by the participant with a disability warrants an additional bedroom. For example, a participant will not be approved for an extra bedroom to house a folding wheelchair.
- k. Unless there is a verified reasonable accommodation in place, occupancy standards will follow the table as shown below.

| Housing Choice Voucher Size | Minimum No. of Persons in Household | Maximum No. of Persons in Household |
|-----------------------------|-------------------------------------|-------------------------------------|
| 0-BR | 1 | 1 |
| 1-BR | 1 | 4 |
| 2-BR | 2 | 6 |
| 3-BR | 3 | 8 |
| 4-BR | 4 | 10 |
| 5-BR | 6 | 12 |
| 6-BR | 8 | 14 |

F. Unit Size Selected by Voucher Holder

The family may select a dwelling unit of a different size than that listed on the voucher; however, the affordability may not exceed 40% of adjusted monthly income at initial lease up. The unit must provide adequate space so that there are no more than two family members for each living or sleeping room in the unit.

The housing assistance payment (HAP) is based upon the lower of the payment standard for family unit size or the payment standard for the unit size rented by the family. The utility allowance for which the family will qualify will be based upon the lower of the allowance for the unit size approved for the family or the allowance for the unit actually leased.

G. Remaining Family Member

1. Under certain circumstances the original family composition may be altered when the head of household leaves the unit. A remaining family member, as defined by HUD, is an adult family member already in the household at the time the head of household permanently leaves the household.
2. If the head of household dies, or otherwise permanently leaves the household for any reason unrelated to criminal activity or incarceration, and there is another eligible adult family member capable of assuming the head of household position, the voucher assistance will pass to that remaining family member, who will then become the head of household.
3. When the head of household leaves the unit because of criminal activity or incarceration, DHA will terminate assistance, not permit another family member to take over the voucher.
4. If there are more than one qualified remaining family members, the family may designate any qualified family member as the head of household. The head of household must have

the legal capacity to enter into a lease under state and local law. A minor who is emancipated under state law may be designated as head of household.

5. Whenever an adult family member takes over the position of head as the remaining family member, he or she becomes responsible for any debts to the owner or DHA incurred by the previous head.
6. If the head of household dies or leaves the household permanently, the remaining family members must report this fact to DHA in writing within 10 days after the head of household's departure.
7. DHA will not permit adults not formerly members of the household to join the household simply to become the remaining member of a tenant family.
8. An exception will be considered for the benefit of minor children where there is no eligible remaining family member that has the legal capacity to enter a lease under state and local law. If there is another eligible adult that was not previously a member of the household who is available to move into the unit and assume the role as head of household, DHA may consider the addition of this adult as the head of household. The adult assuming the role as head of household must assume legal custody or kinship care of the minor children. The newly designated head of household must meet DHA's eligibility standards and their income will be used to determine the family's share of housing assistance. For the benefit of the minor children, the newly designated head of household may assume permanent status as head of household if the initial head of household is unable to return to the unit and grants written authorization. In such cases, the initial head of household's claim to Section 8 Housing Choice Voucher Program assistance is lost. The new head of household would assume any outstanding debt incurred by the former head of household.

H. Temporary Absence of Head of Household

If the head of household is temporarily absent from the home due to illness requiring hospitalization, nursing home confinement, or employment outside the local area, including military service, the voucher HAP will be provided for a maximum of 90 days. The absent head of household's income will continue to be counted and the family will be responsible for their portion of rent to the landlord for the 90-day period. If the head of household is unable to return to the Housing Choice Voucher Program assisted unit after the 90-day period, DHA will no longer consider the absent family member the head of household and the family may utilize the provisions of Section G above.

I. Family Absences from the Unit

1. The family may be absent from the unit for up to 14 consecutive day periods with owner approval and written notification to DHA. Absences longer than 14 consecutive days



require advance approval by the owner and DHA. The family may not be absent from the unit for a period of more than 180 consecutive days for any reason or the family will be terminated from the program, per HUD regulations. During the family absence, assistance payments are terminated and the family is responsible for the full contract rent.

2. Assistance for the entire household will be terminated if the head of household, co-head, spouse or adult child is absent due to incarceration for drug related or violent criminal activity.
3. For the allowable period of availability in PIH Notice 2020-13 as a result of COVID-19 pandemic, DHA may determine not to terminate the HAP contract after 180 consecutive days due to extenuating circumstances (e.g., hospitalization, extended stays at nursing homes, caring for family members). The period of availability for the extension ends December 31, 2020, and the PHA may not extend the HAP contract beyond December 31, 2020, or pursuant to any waivers authorized or extended by HUD and adopted by DHA.

J. Separation or Divorce

1. In cases of divorce or separation under a settlement or judicial decree, DHA shall follow a court's ruling in determining which family members continue to receive Section 8 Housing Choice Voucher assistance.
2. In cases where no settlement or judicial decree exists, DHA will:
 - a. Grant the voucher to the family member who retains custody of the minor children or who cares for disabled family members; or
 - b. Grant the voucher to the family members forced to leave a unit as a result of actual or threatened physical violence against family members by a spouse or other family members of the household; or
 - c. Grant the voucher to the family member that provides housing for the minor children 51% or more of the time in the case of joint custody.
3. DHA will not grant both parents of minor children a voucher.

K. Determination of Family Share of Housing Cost

1. The family's contribution to the housing cost will be based upon the verified annual and adjusted income as defined in HUD regulations. 24 CFR §5.609
2. The amount of the total tenant payment (TTP) will be calculated based on the highest of:
 - a. 10% of the monthly unadjusted family income; or
 - b. 30% of the family's monthly adjusted income; or





c. DHA's minimum rent of \$50.00.

3. The actual amount of the family's contribution will be the total tenant payment (TTP) unless the family chooses a unit with a gross rent higher than the payment standard. In this instance, the family's contribution to housing cost will equal TTP plus the amount by which the gross rent exceeds the payment standard.

L. Exemption from Minimum Rent Requirement

1. Families paying the minimum rent required by DHA may request an exemption from the minimum rent requirements if they believe the imposition of minimum rent creates a hardship for their family. DHA will consider the following hardships:
 - a. The family has lost eligibility for, or is awaiting an eligibility determination for federal, state, or local assistance program; or
 - b. The income of the family has decreased because of changed circumstances including loss of employment; or
 - c. A death in the family has occurred.
2. The minimum rent exemption will be granted to families paying minimum rent as soon as the exemption is requested, and DHA will begin verifying the nature of the circumstances under which the family qualifies for the exemption. If the verification process reveals that the circumstances will last for less than 90 days, the minimum rent will be reinstated retroactively to the date it was requested. If the circumstances will last for more than 90 days, the minimum rent will be exempted until the circumstances change.

M. Maximum Initial Rent Burden

A family shall not initially pay more than 40% of their monthly adjusted income toward their portion of the rent and utility allowance for occupancy of a newly leased Section 8 Housing Choice Voucher assisted unit. This rent burden test is applied at the initial lease-up of a new unit (including whenever a family moves), but is not applied during subsequent years of occupancy in a unit already under lease.

N. Utility Allowance

At least annually, the Housing Authority shall obtain and analyze utility rate data for Utility providers in the local jurisdiction, and will determine whether there has been a Change of 10% or more in the rate for any utility since the last revision of the Utility Allowance Schedule.

If there has been a change of 10% or more, an appropriate adjustment to the schedule shall be made. No adjustment shall be made for any increase less than \$1 per unit month.

In accordance with applicable HUD waivers during COVID-19, public housing agencies must review their utility allowances by 12/31/2020.



Memorandum

TO: DHA Board of Commissioners
FROM: Troy Broussard, President & CEO
SUBJECT: Resolution for Concrete Repair/Replacement of Sidewalks, Drives, Porches and to Restripe the Fire Lanes at Cedar Springs
DATE: September 13, 2021

I. Statement of Issue

DHA has determined it necessary and appropriate to replace/repair the concrete drives, sidewalks and porches as well as restriping the fire lanes in all parking areas at Cedar Springs. The concrete is broken and buckled in areas which these repairs will resolve.

II. Prior Board Action

None

III. Background and History

The scope of the work for this project includes but is not limited to furnishing and installing all materials, supplies, equipment and labor to replace/repair the concrete sidewalks, drives and porches as well as restriping the fire lanes at Cedar Springs. Plans and Specifications were prepared and invitations to bid were published for this work in accordance with applicable State Law. Funds are available for this expense from the 2019 and 2020 Capital Fund Programs.

IV. Status of Current Action

Invitations to bid were sent to 214 contractors. Two bids were received. The lowest responsive responsible bidder was Covar Construction LLC. Covar Construction LLC is a minority Owned business that has successfully completed work for DHA in the past.

V. Recommendation

It is recommended that the Board of Commissioners authorize the President and CEO to execute a contract with Covar Construction LLC for the Concrete repair/replacement of sidewalks, drives and porches along with restriping the fire lanes at Cedar Springs for an amount of \$221,560.00 be approved.

RESOLUTION NO. 5089

**RESOLUTION FOR CONCRETE REPAIR/REPLACEMENT OF SIDEWALKS, DRIVES,
PORCHES AND TO RESTRIPE THE FIRE LANES AT CEDAR SPRINGS**

WHEREAS, DHA's mission is to provide affordable quality housing and access to supportive resources across north Texas; and

WHEREAS, Cedar Springs is a DHA owned, 182-unit multi-family rental development in DHA's public housing program; and

WHEREAS, DHA prepared plans and specifications for the work and invitations were sent to contractors on the DHA bidders list; and

WHEREAS, after public advertising, sealed bids were received, publicly opened and read aloud; and

WHEREAS, the funds for this project are available from the 2019 and 2020 Capital Program Funds.

NOW THEREFORE,

BE IT RESOLVED BY THE DHA BOARD OF COMMISSIONERS:

The DHA President and CEO or his designee is hereby authorized to award a contract for the Concrete Repair/Replacement of Sidewalks, Drives, Porches and Restripe the Fire Lanes at Cedar Springs, to the lowest responsible responsive bidder; and

That The DHA President & CEO is further authorized to serve as the Contracting Officer for the Authority in the administration of the above said contract or to designate a person to serve in his/her stead.

PRESENTED AND PASSED on this the 13th day of September, 2021 by a vote of ____ ayes and ____ nays at a regular meeting of the DHA Board of Commissioners.

Jorge Baldor, Chairman

ATTEST:

Troy Broussard, Secretary, President and CEO



Minority Business Status

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE), HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: Black or African American; Hispanic American; Asian Pacific American; Hasidic Jewish American; Asian Indian American; Native American; or, other (specify) _____

- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.
- C. The offeror has represented as part of its offer that it is is not an **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.
- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** as defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).


SIGNATURE

Caron R. Resendiz
PRINT OR TYPE NAME

Cover Construction, LLC
COMPANY NAME (Offeror)

2-20-2014
DATE

BID TABULATION SHEET (IFB 2021-17)
CONCRETE REPAIRS AND FIRE LANE RESTRIPIING AT CEDAR SPRINGS

Bids Opened at 3:00 p.m. on July 29, 2021

| BIDDER COMPANY NAME/ADDRESS | TOTAL BID | 900 POUND CONSTRUCTION | INDUSTRY NO. 1 & 2 (YES/NO) | STATUS | REMARKS |
|--------------------------------|--------------|---------------------------|-----------------------------------|--------|---------|
| 1 Cover Construction, LLC | \$221,560.00 | 5% | Yes | MIBE | |
| 2 BR General Contractors, LLC | \$264,165.00 | 5% | Yes | WBE | |
| 3 | | | | | |
| 4 | | | | | |

Number of Bids Submitted: 2

DHA Representative Opening Bids: Syed Raza



Profile of Firm Name

- (1) Name of Firm: Covar Construction, LLC
- (2) Contact Person: Lorenzo Rendiz
- (3) Address: 2831 East Land Ave.
- (4) City, State, Zip: Fort Worth, TX 76135
- (5) Telephone: 817-365-7461
- (6) Fax: 817-349-9830 Email: CovarConstruction@gmail.com
- (7) Please include the following information:
 - a. Tax ID Number: 85-120-3697
 - b. Year firm established: 2007
 - c. Year firm established in Dallas/Fort Worth: 2007
 - d. Former name of firm and year established (if applicable): _____
 - e. Name of parent company and date of acquisition (if applicable): _____

(8) Identify Principals/Partners in firm:

| NAME | TITLE | PERCENTAGE |
|--------------------|---------|------------|
| Lorenzo Rendiz | Partner | 50 % |
| Miguel Covarrubias | Partner | 50 % |
| | | |
| | | |

(9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|--------------------|-----------------|
| Miguel Covarrubias | Project manager |
| Alfonso Elizalde | Supervisor |
| | |
| | |

(10) Debarred Statement: Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas? Yes _____ No

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)

[Signature]
Signature

Lorenzo Rendiz
Print of Name

Covar Construction, LLC
Company

8-11-2021
Date

Rawan Turner

From: Syed Raza
Sent: Monday, August 16, 2021 4:55 PM
To: Tim Lott; Rawan Turner
Cc: Troy Broussard; Chetana Chaphekar, CPA; David Zappasodi; Debbie Quitugua; Delbra Henderson; Procurement
Subject: Procurement Approval-Covar Construction for Concrete Repairs and Fire Lane Restriping at Cedar Springs

Procurer: Tim Lott
Department: Capital Programs
Procurement of: Covar Construction, LLC
Minority Status: None
Goods or Services: Concrete Repairs and Fire Lane Restriping at Cedar Springs
Method: Sealed Bids
Cost: \$221,560.00
Term: 60 calendar days

Procurement: Approved 08-16-21
Insurance: Approved 08-16-21
Contract: Approved as to form 08-16-21

Board Approval: DHA Board of Commissioners approval is required prior to the award of the Contract

Contract # / Date _____

Based upon my review of the procurement documents provided by staff, I have determined that the procurement requirements have been met. The procurement is approved.

The vendor's ACORD Certificate(s) of Insurance have also been reviewed and approved as meeting DHA's requirements.

Finally, the proposed contract is approved as to form. You may provide the vendor with four (4) counterpart originals for execution. Please make certain that all exhibits referred to in the contract are attached to the execution copies.

Once you have obtained the vendor's signature you are to forward the four (4) counterpart originals along with the procurement approval letter to Mr. Troy Broussard, President/CEO or Chetana Chaphekar, CFO/Contracting Officer for the execution of the contract. DHA contract number will then be assigned to the original signed copies of the contract. The Executive office will retain one original copy for the vault, I will retain one original copy for my records, and the remaining two originals will be given to you for your records and for the contractor's records.

PLEASE MONITOR THIS CONTRACT CLOSELY TO MAKE CERTAIN THAT WORK DOES NOT EXTEND PAST THE TERM LENGTH AND THAT EXPENDITURES DO NOT EXCEED THE CONTRACT'S MONETARY LIMITS.

Memorandum

TO: DHA Board of Commissioners

FROM: Troy Broussard, President & CEO

SUBJECT: Resolution Awarding Two Contracts for Financial Advisory Services for Real Estate Development

DATE: September 13, 2021

I. Statement of Issue

Request the Board of Commissioners approve the attached resolution awarding two contracts for financial advisory services for real estate development.

II. Prior Board Action

The Board of Commissioners previously approved a resolution awarding contracts for financial advisory services for real estate development in 2016. The contracts have recently expired.

III. Background and History

Due to complex nature of the real estate development process for DHA's properties that typically includes several different layers of funding sources, DHA needs to engage the services of one or more financial advisors knowledgeable of the requirements of the various sources of funds available for development including HUD mixed-finance and Rental Assistance Demonstration (RAD) programs, low-income housing tax credits, tax-exempt bonds and other sources.

IV. Status of Current Action

A Request for Proposals (RFP) was prepared and invitations published for this work in accordance with federal and state law. Three (3) proposals were received. An evaluation committee reviewed and rated the proposals. Duvernay + Brooks (D+B) and Hilltop Securities (Hilltop) were rated the highest by the evaluation committee. D+B has extensive experience in HUD mixed-finance and RAD programs, low-income housing tax credits, tax-exempt bond financing, and other affordable housing development and renovation funding sources. D+B is a woman-owned firm.

Hilltop has extensive experience in the issuance of tax-exempt bonds and is registered with the Securities Exchange Commission (SEC) to provide financial advisory services to municipalities and local governments issuing such bonds.

Both D+B and Hilltop have previously provided these services to DHA.

V. **Recommendation**

It is recommended that the resolution to award contracts to the two highest ranked firms, Duvernay + Brooks and Hilltop Securities, to provide financial advisory services for real estate development be approved



Resolution #5090
RESOLUTION FOR
FINANCIAL ADVISORY SERVICES FOR
REAL ESTATE DEVELOPMENT

WHEREAS, DHA *Housing Solutions for North Texas* (DHA) has determined it has a need for financial advisory services in regard to its real estate development transactions; and

WHEREAS, a request for proposals from qualified firms was issued and proposals received by the due date were evaluated and rated by an evaluation committee; and

WHEREAS, the evaluation committee recommends the two highest rated firms provide financial advisory services to DHA for its real estate development transactions;

NOW, THEREFORE, BE IT RESOLVED THAT,

The President and CEO of DHA *Housing Solutions for North Texas* is authorized to enter into a contract for financial advisory services with the two highest rated firms, Duvernay + Brooks and Hilltop Securities;

BE IT FURTHER RESOLVED THAT,

The President and CEO of DHA *Housing Solutions for North Texas* is authorized to serve as the Contracting Officer for the Authority in the administration of the above said contracts or to designate a person to serve in his stead.

PRESENTED AND PASSED on this the 13th day of September, 2021 by a vote of ____ ayes and ____ nays at a regular meeting of the DHA Board of Commissioners.

Jorge Baldor, Chairman

ATTEST:

Troy Broussard, Secretary, President
and CEO

Subject: Procurement Approval-Duvernay + Brooks for Financial Advisory Services for Real Estate Transactions
Date: Wednesday, September 1, 2021 at 1:09:23 PM Central Daylight Time
From: Syed Raza
To: Debbie Quitugua
CC: Troy Broussard, Chetana Chaphekar, CPA, David Zappasodi, Tim Lott, Delbra Henderson, Procurement
Attachments: image847533.png

Procurer: Debbie Quitugua
Department: Capital Programs
Procurement of: Duvernay + Brooks, LLC
Minority Status: WBE
Goods or Services: Financial Advisory Services for Real Estate Transactions
Method: Request for Proposals
Cost: \$200,000.00
Term: Two years with an option to extend up to Three additional One year Term

Procurement: Approved 09-01-21
Insurance: Approved 09-01-21
Contract: Approved as to form 09-01-21

Board Approval: DHA Board of Commissioners approval is required prior to the award of the Contract

Contract # / Date _____

Based upon my review of the procurement documents provided by staff, I have determined that the procurement requirements have been met. The procurement is approved.

The vendor's ACORD Certificate(s) of Insurance have also been reviewed and approved as meeting DHA's requirements.

Finally, the proposed contract is approved as to form. You may provide the vendor with four (4) counterpart originals for execution. Please make certain that all exhibits referred to in the contract are attached to the execution copies.

Once you have obtained the vendor's signature you are to forward the four (4) counterpart originals along with the procurement approval letter to Mr. Troy Broussard, President/CEO or Chetana Chaphekar, CFO/Contracting Officer for the execution of the contract. DHA contract number will then be assigned to the original signed copies of the contract. The Executive office will retain one original copy for the vault, I will retain one original copy for my records, and the remaining two originals will be given to you for your records and for the contractor's records.

PLEASE MONITOR THIS CONTRACT CLOSELY TO MAKE CERTAIN THAT WORK DOES NOT EXTEND PAST THE TERM LENGTH AND THAT EXPENDITURES DO NOT EXCEED THE CONTRACT'S MONETARY LIMITS.



Housing Solutions for North Texas

Syed Raza
Director of Procurement
www.dhantx.com
Syed.Raza@dhantx.com
Office: 214-951-8452 Fax: 214-224-4980

DONATE TO OUR SCHOLARSHIP FUND

Over half of DHA's residents are under the age of 18. Help break the cycle of poverty and create a path to higher education for our aspiring scholars. [Donate to the Opportunity Rising Foundation today.](#)



PROFILE OF FIRM FORM

- (1) Name of Firm: DUVERNAY + BROOKS, LLC
- (2) Contact Person: _____
- (3) Address: 2095 BROADWAY, SUITE 404
- (4) City, State, Zip: NEW YORK, NY 10023
- (5) Telephone: 416-230-0551
- (6) Fax: 416-230-0552 Email: _____
- (7) Please include the following information:
 - a. Tax ID Number: 58-2472927
 - b. Year firm established: 1999
 - c. Year firm established in Dallas/Fort Worth: N/A
 - d. Former name of firm and year established (if applicable): N/A
 - e. Name of parent company and date of acquisition (if applicable): N/A

(8) Identify Principals/Partners in firm:

| NAME | TITLE | % OF OWNERSHIP |
|-------------|-------|----------------|
| JONI BROOKS | OWNER | 100% |
| | | |
| | | |

(9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|-------------------|-------------------|
| OLUSEGUN OBASANJO | DIRECTOR |
| EMILY ALLISON | MANAGING DIRECTOR |
| | |

(10) **Debarred Statement:** Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas?

Yes _____ No

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)

Emily Allison
 Signature
DUVERNAY + BROOKS, LLC
 Company

EMILY ALLISON
 Printed Name
JUNE 28, 2021
 Date



RECEIVING LOG FOR SEALED PROPOSALS (RFP-2021-14)

RFP: Financial Advisory Services

PROPOSAL DUE DATE & TIME: July 1, 2021 at 2:00 p.m.

| | DATE RECEIVED | TIME RECEIVED | NAME OF VENDOR SUBMITTING SEALED BID |
|---|---------------|---------------|--------------------------------------|
| 1 | July 1, 2021 | 10:29 a.m. | Hilltop Securities, Inc. |
| 2 | July 1, 2021 | 10:29 a.m. | Stifel, Nicolaus & Company, Inc. |
| 3 | July 1, 2021 | 10:29 a.m. | Duvernay + Brooks, LLC |

Syed Raza

Signature of Designated Administrator

July 1, 2021

Date

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE), HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: Black or African American; Hispanic American; Asian Pacific American; Hasidic Jewish American; Asian Indian American; Native American; or, other (specify)

- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business/Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.

- C. The offeror has represented as part of its offer that it is is not an **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.

- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** is defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).

Emily Allison EMILY ALLISON
SIGNATURE PRINT OR TYPE NAME

DUVERNAY + BROOKS, LLC JUNE 28, 2021
COMPANY NAME (Offeror) DATE

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET

(RFP-2021-14)

| CRITERIA: | Max Points | Hilltop Securities | Stifel, Nicolaus & Company | Duvernay + Brooks |
|---|-------------------|---------------------------|---------------------------------------|--------------------------|
| <u>Experience and Qualifications as Evidenced By:</u> 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 33 | 30 | 34 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 9 | 8 | 9 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 9 | 8 | 8 |
| <u>Cost Proposal</u> | 10 | 6 | 6 | 8 |
| <u>SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI</u> 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 9 | 3 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 9 | 8 | 9 |
| <u>MBE/WBE Certification and Section 3 Participation:</u> 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 9 | 3 | 8 |
| TOTAL: | | 83 | 72 | 79 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET
(RFP-2021-14)

Hilltop Securities

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 30 | 35 | 35 | 33 |
| Strength of the Proposed Project Team as Evidenced By: 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 10 | 9 | 8 | 9 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 10 | 5 | 9 | 9 |
| Cost Proposal | 10 | 3 | 6 | 5 | 8 | 6 |
| SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 10 | 10 | 8 | 10 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 10 | 8 | 8 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 10 | 8 | 10 | 8 | 9 |
| TOTAL: | | 83 | 84 | 82 | 84 | 83 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET

(RFP-2021-14)

Stifel, Nicolaus & Company

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 25 | 30 | 33 | 30 |
| Strength of the Proposed Project Team as Evidenced By: 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 8 | 9 | 6 | 8 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 8 | 5 | 7 | 8 |
| Cost Proposal | 10 | 5 | 7 | 3 | 7 | 6 |
| SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 10 | 10 | 7 | 9 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 8 | 9 | 8 | 8 | 8 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 0 | 5 | 0 | 8 | 3 |
| TOTAL: | | 73 | 72 | 65 | 76 | 72 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET
(RFP-2021-14)

Duvernay + Brooks

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 38 | 38 | 30 | 34 |
| Strength of the Proposed Project Team as Evidenced By: 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 10 | 9 | 5 | 9 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 10 | 5 | 8 | 8 |
| Cost Proposal | 10 | 6 | 8 | 10 | 9 | 8 |
| SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 5 | 0 | 0 | 6 | 3 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 10 | 8 | 8 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 10 | 8 | 7 | 8 | 8 |
| TOTAL: | | 81 | 84 | 77 | 74 | 79 |

Subject: Procurement Approval-Hilltop Securities/Estrada Hinojosa & Company for Financial Advisory Services for Real Estate Transactions
Date: Wednesday, September 1, 2021 at 2:46:23 PM Central Daylight Time
From: Syed Raza
To: Debbie Quitugua
CC: Troy Broussard, Chetana Chaphekar, CPA, David Zappasodi, Tim Lott, Delbra Henderson, Procurement
Attachments: image615788.png

Procurer: Debbie Quitugua
Department: Capital Programs
Procurement of: Hilltop Securities / Estrada Hinojosa & Company
Minority Status: MBE/HUB/Sec 3
Goods or Services: Financial Advisory Services for Real Estate Transactions
Method: Request for Proposals
Cost: \$200,000.00
Term: Two years with an option to extend up to Three additional One year Term

Procurement: Approved 09-01-21
Insurance: Approved 09-01-21
Contract: Approved as to form 09-01-21

- **Board Approval:** DHA Board of Commissioners approval is required prior to the award of the Contract

- **Contract # / Date** _____

Based upon my review of the procurement documents provided by staff, I have determined that the procurement requirements have been met. The procurement is approved.

The vendor's ACORD Certificate(s) of Insurance have also been reviewed and approved as meeting DHA's requirements.

Finally, the proposed contract is approved as to form. You may provide the vendor with four (4) counterpart originals for execution. Please make certain that all exhibits referred to in the contract are attached to the execution copies.

Once you have obtained the vendor's signature you are to forward the four (4) counterpart originals along with the procurement approval letter to Mr. Troy Broussard, President/CEO or Chetana Chaphekar, CFO/Contracting Officer for the execution of the contract. DHA contract number will then be assigned to the original signed copies of the contract. The Executive office will retain one original copy for the vault, I will retain one original copy for my records, and the remaining two originals will be given to you for your records and for the contractor's records.

PLEASE MONITOR THIS CONTRACT CLOSELY TO MAKE CERTAIN THAT WORK DOES NOT EXTEND PAST THE TERM LENGTH AND THAT EXPENDITURES DO NOT EXCEED THE CONTRACT'S MONETARY LIMITS.



Housing Solutions for North Texas

Syed Raza
Director of Procurement
www.dhantx.com
Syed.Raza@dhantx.com
Office: 214-951-8452 Fax: 214-224-4980

DONATE TO OUR SCHOLARSHIP FUND

Over half of DHA's residents are under the age of 18. Help break the cycle of poverty and create a path to higher education for our aspiring scholars.

Donate to the Opportunity Rising Foundation today.



PROFILE OF FIRM FORM

- (1) Name of Firm: Hilltop Securities Inc.
- (2) Contact Person: Timothy E. Nelson, Managing Director
- (3) Address: 2700 Via Fortuna, Suite 410 **HEADQUARTERS:** 717 N. Harwood, Suite 3400
- (4) City, State, Zip: Austin, Texas 78746 Dallas, Texas 75201
- (5) Telephone: 512.481.2022
- (6) Fax: -- Email: tim.nelson@hilltopsecurities.com
- (7) Please include the following information:
 - a. Tax ID Number: 75-1382137
 - b. Year firm established: 1946 - First Southwest Co. / 1972 - Southwest Securities, Inc.
 - c. Year firm established in Dallas/Fort Worth: 1946 / 1972
 - d. Former name of firm and year established (if applicable); First Southwest Company - 1946
Southwest Securities, Inc. - 1972
 - e. Name of parent company and date of acquisition (if applicable); Hilltop Securities Inc. is wholly owned
by Hilltop Securities Holdings LLC; Hilltop Securities Holdings LLC is wholly owned by Hilltop
Holdings Inc. FirstSouthwest acquired on 11/30/2012; SouthwestSecurities acquired on 01/01/2015
- (8) Identify Principals/Partners in firm:

| NAME | TITLE | % OF OWNERSHIP |
|------------------|-----------------------------|----------------|
| M. Bradley Wings | President & CEO | 0% |
| Clare Graca | CAO | 0% |
| J. Michael Edge | CFO | 0% |
| Laura Leventhal | Treasurer | 0% |
| Brian Wittneben | Secretary / General Counsel | 0% |


- (9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|-------------------|--------------------------|
| Timothy E. Nelson | Managing Director |
| Claire Merritt | Assistant Vice President |
| | |
| | |

- (10) **Debarred Statement:** *Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas?*

Yes _____ No X

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)


 Signature
Hilltop Securities Inc.
 Company

Vickie Hall, Vice President
 Printed Name
July 1, 2021
 Date



PROFILE OF FIRM FORM

- (1) Name of Firm: Estrada Hinojosa & Company, Inc.
- (2) Contact Person: Robert A. Estrada
- (3) Address: 600 North Pearl Street, Suite 2100 (South Tower)
- (4) City, State, Zip: Dallas, TX 75201
- (5) Telephone: 214-658-1670
- (6) Fax: 214-292-8849 Email: rae@ehmuni.com
- (7) Please include the following information:
 - a. Tax ID Number: 75-2154287
 - b. Year firm established: 1992
 - c. Year firm established in Dallas/Fort Worth: 1992
 - d. Former name of firm and year established (if applicable); N/A
 - e. Name of parent company and date of acquisition (if applicable); N/A

(8) Identify Principals/Partners in firm:

| NAME | TITLE | % Of OWNERSHIP |
|--------------------|--------------------------|----------------|
| Noe Hinojosa, Jr. | President & CEO | 50.31% |
| Robert A. Estrada | Senior Managing Director | 8.01% |
| Donald J. Gonzales | Senior Managing Director | 10.00% |
| | | |

(9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|-------------------|--------------------------|
| Robert A. Estrada | Senior Managing Director |
| Donna Scott | Senior Vice President |
| | |
| | |

(10) **Debarred Statement:** *Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas?*

Yes _____ No ✓

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)

Signature
 Estrada Hinojosa & Company, Inc.
 Company

Robert A. Estrada
 Printed Name
06-30-2021
 Date



RECEIVING LOG FOR SEALED PROPOSALS (RFP-2021-14)
RFP: Financial Advisory Services
PROPOSAL DUE DATE & TIME: July 1, 2021 at 2:00 p.m.

| | DATE RECEIVED | TIME RECEIVED | NAME OF VENDOR SUBMITTING SEALED BID |
|---|---------------|---------------|--------------------------------------|
| 1 | July 1, 2021 | 10:29 a.m. | Hilltop Securities, Inc. |
| 2 | July 1, 2021 | 10:29 a.m. | Stifel, Nicolaus & Company, Inc. |
| 3 | July 1, 2021 | 10:29 a.m. | Duvernay + Brooks, LLC |

Syed Raza

Signature of Designated Administrator

July 1, 2021

Date

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE),
HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: Black or African American; Hispanic American; Asian Pacific American; Hasidic Jewish American; Asian Indian American; Native American; or, other (specify) N/A

- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business/Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.
- C. The offeror has represented as part of its offer that it is is not an **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.
- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** is defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).



SIGNATURE

Hilltop Securities Inc.

COMPANY NAME (Offeror)

Vickie Hall, Vice President

PRINT OR TYPE NAME

July 1, 2021

DATE

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE), HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: Black or African American; Hispanic American; Asian Pacific American; Hasidic Jewish American; Asian Indian American; Native American; or, other (specify) _____.

- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business/Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.

- C. The offeror has represented as part of its offer that it is is not an **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.

- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** is defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).


SIGNATURE

Estrada Hinojosa & Company, Inc.
COMPANY NAME (Offeror)

Robert A. Estrada
PRINT OR TYPE NAME

06-30-2021
DATE

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET

(RFP-2021-14)

| CRITERIA: | Max Points | Hilltop Securities | Stifel, Nicolaus & Company | Duvernay + Brooks |
|---|------------|--------------------|----------------------------|-------------------|
| <u>Experience and Qualifications as Evidenced By:</u> 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 33 | 30 | 34 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 9 | 8 | 9 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 9 | 8 | 8 |
| <u>Cost Proposal</u> | 10 | 6 | 6 | 8 |
| <u>SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI</u> 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 9 | 3 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 9 | 8 | 9 |
| <u>MBE/WBE Certification and Section 3 Participation:</u> 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 9 | 3 | 8 |
| TOTAL: | | 83 | 72 | 79 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET
(RFP-2021-14)

Hilltop Securities

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 30 | 35 | 35 | 33 |
| Strength of the Proposed Project Team as Evidenced By: 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 10 | 9 | 8 | 9 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 10 | 5 | 9 | 9 |
| Cost Proposal | 10 | 3 | 6 | 5 | 8 | 6 |
| SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 10 | 10 | 8 | 10 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 10 | 8 | 8 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 10 | 8 | 10 | 8 | 9 |
| TOTAL: | | 83 | 84 | 82 | 84 | 83 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET
(RFP-2021-14)

Stifel, Nicolaus & Company

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|---|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| <u>Experience and Qualifications as Evidenced By:</u> 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 25 | 30 | 33 | 30 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 8 | 9 | 6 | 8 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 8 | 5 | 7 | 8 |
| <u>Cost Proposal</u> | 10 | 5 | 7 | 3 | 7 | 6 |
| <u>SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI</u> 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 10 | 10 | 10 | 7 | 9 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 8 | 9 | 8 | 8 | 8 |
| <u>MBE/WBE Certification and Section 3 Participation:</u> 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 0 | 5 | 0 | 8 | 3 |
| TOTAL: | | 73 | 72 | 65 | 76 | 72 |

FINANCIAL ADVISORY SERVICES - EVALUATION SPREADSHEET
(RFP-2021-14)

Duvernay + Brooks

| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|-------------------|-----------------|------------------------|----------------|--------------------------|----------------|
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects. 3. Client references. | 40 | 30 | 38 | 38 | 30 | 34 |
| Strength of the Proposed Project Team as Evidenced By: 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 10 | 9 | 5 | 9 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 10 | 10 | 5 | 8 | 8 |
| Cost Proposal | 10 | 6 | 8 | 10 | 9 | 8 |
| SEC Registration as a Financial Advisor and Consulting/Advisory Services to HOI 1. Registration as a Financial Advisor to Municipal issuers as required. 2. Ability to provide comprehensive services and advise to both DHA and HOI regarding the issuance of bonds. | 10 | 5 | 0 | 0 | 6 | 3 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 10 | 8 | 8 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 10 | 8 | 7 | 8 | 8 |
| TOTAL: | | 81 | 84 | 77 | 74 | 79 |

Memorandum

TO: DHA Board of Commissioners

FROM: Troy Broussard, President & CEO

SUBJECT: Resolution Awarding a Contract for a Capital Needs Assessment of DHA's Housing Communities

DATE: September 13, 2021

I. Statement of Issue

Request the Board of Commissioners approve the attached resolution awarding a contract for a capital needs assessment of DHA's housing communities.

II. Prior Board Action

The Board of Commissioners previously approved a resolution awarding contracts for a capital needs assessment in 2018.

III. Background and History

The U.S. Department of Housing and Urban Development (HUD) requires housing authorities to periodically conduct a capital needs assessment (CNA) and energy audit of its public housing properties as a condition of receipt of Capital Fund Program (CFP) funds. Further, HUD also requires a CNA and energy audit be completed following a specific protocol for any anticipated conversion to the Rental Assistance Demonstration (RAD) program.

IV. Status of Current Action

A Request for Proposals (RFP) was prepared and invitations published for this work in accordance with federal and state law. Three (3) proposals were received. An evaluation committee reviewed and rated the proposals. Bureau Veritas Technical Assessment, LLC (BVTA) was rated the highest by the evaluation committee. BVTA extensive experience in conducting HUD required capital needs assessments and energy audits. BVTA has previously provided these services to DHA under the name of EMG.

V. Recommendation

It is recommended that the resolution to award a contract to the highest ranked firm, Bureau Veritas Technical Assessment, LLC, to provide a capital needs assessment and energy audit for its public housing communities.

Resolution #5091
RESOLUTION FOR
A CAPITAL NEEDS ASSESSMENT OF
DHA'S HOUSING COMMUNITIES

WHEREAS, DHA *Housing Solutions for North Texas* (DHA) in compliance with applicable federal regulations, has determined it necessary and appropriate to perform a capital needs assessment and energy audit of its housing communities; and

WHEREAS, a request for proposals from qualified firms was issued and proposals received by the due date were evaluated and rated by an evaluation committee; and

WHEREAS, the evaluation committee recommends the highest rated firm provide a capital needs assessment and energy audit of its housing communities;

NOW, THEREFORE, BE IT RESOLVED BY THE DHA BOARD OF COMMISSIONERS THAT:

The President and CEO of DHA *Housing Solutions for North Texas* or his designee is hereby authorized to negotiate and execute a contract for the capital needs assessment and energy audit for DHA properties, with the highest rated firm, Bureau Veritas Technical Assessment, LLC;

BE IT FURTHER RESOLVED THAT,

The President and CEO of DHA *Housing Solutions for North Texas* is authorized to serve as the Contracting Officer for the Authority in the administration of the above said contract or to designate a person to serve in his stead.

PRESENTED AND PASSED on this the 13th day of September, 2021 by a vote of ____ ayes and ____ nays at a Regular meeting of the DHA Housing Solutions for North Texas Board of Commissioners.

Jorge Baldor, Chairman

ATTEST:

Troy Broussard, Secretary, President
and CEO



Subject: Procurement Approval-Bureau Veritas Technical Assessments for Capital Needs Assessment of DHA's Housing Communities
Date: Wednesday, September 1, 2021 at 12:36:10 PM Central Daylight Time
From: Syed Raza
To: Debbie Quitugua
CC: Troy Broussard, Chetana Chaphekar, CPA, David Zappasodi, Tim Lott, Delbra Henderson, Procurement
Attachments: image318747.png

Procurer: Debbie Quitugua
Department: Capital Programs
Procurement of: Bureau Veritas Technical Assessments, LLC
Minority Status: None
Goods or Services: Capital Needs Assessment of DHA's Housing Communities
Method: Request for Proposals
Cost: \$236,835.00
Term: One Year

Procurement: Approved 09-01-21
Insurance: Pending Approval
Contract: Approved as to form 09-01-21

- **Board Approval:** DHA Board of Commissioners approval is required prior to the award of the Contract

- **Contract # / Date** _____

Based upon my review of the procurement documents provided by staff, I have determined that the procurement requirements have been met. The procurement is approved.

Finally, the proposed contract is approved as to form. You may provide the vendor with four (4) counterpart originals for execution. Please make certain that all exhibits referred to in the contract are attached to the execution copies.

Once you have obtained the vendor's signature you are to forward the four (4) counterpart originals along with the procurement approval letter to Mr. Troy Broussard, President/CEO or Chetana Chaphekar, CFO/Contracting Officer for the execution of the contract. DHA contract number will then be assigned to the original signed copies of the contract. The Executive office will retain one original copy for the vault, I will retain one original copy for my records, and the remaining two originals will be given to you for your records and for the contractor's records.

PLEASE MONITOR THIS CONTRACT CLOSELY TO MAKE CERTAIN THAT WORK DOES NOT EXTEND PAST THE TERM LENGTH AND THAT EXPENDITURES DO NOT EXCEED THE CONTRACT'S MONETARY LIMITS.



Housing Solutions for North Texas

Syed Raza
Director of Procurement
www.dhantx.com
Syed.Raza@dhantx.com
Office: 214-951-8452 Fax: 214-224-4980

DONATE TO OUR SCHOLARSHIP FUND

Over half of DHA's residents are under the age of 18. Help break the cycle of poverty and create a path to higher education for our aspiring scholars.
[Donate to the Opportunity Rising Foundation today.](#)



PROFILE OF FIRM FORM

- (1) Name of Firm: Bureau Veritas Technical Assessments LLC
- (2) Contact Person: Jeffrey Fox
- (3) Address: 10461 Mill Run Circle, Suite 1100
- (4) City, State, Zip: Owings Mills, MD 21117
- (5) Telephone: 800-733-0660
- (6) Fax: 410-785-6220 Email: jeff.fox@bureauveritas.com
- (7) Please include the following information:
 - a. Tax ID Number: 02-0655997
 - b. Year firm established: 1986
 - c. Year firm established in Dallas/Fort Worth: 2006
 - d. Former name of firm and year established (if applicable); Clampett Industries LLC dba EMG, 1986
 - e. Name of parent company and date of acquisition (if applicable); Bureau Veritas, 2019

(8) Identify Principals/Partners in firm:

| NAME | TITLE | % Of OWNERSHIP |
|-----------------|--------------------------|----------------|
| Natalia Schuman | General Manager | 0 |
| Heather Bush | Treasurer, VP, Secretary | 0 |
| | | |
| | | |


(9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|--------------------------|-------------------------|
| Jeffrey Fox | Senior Vice President |
| Andrew Hupp | Program Manager |
| Bill Champion, PE, CEM | Quality Control Manager |
| Kaustubh Chabukswar, CEM | Energy Program Manager |

(10) **Debarred Statement:** *Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas?*

Yes _____ No X

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)

Signature 
 Bureau Veritas Technical Assessments LLC
 Company

Jeffrey Fox
 Printed Name
 6/29/21
 Date



RECEIVING LOG FOR SEALED PROPOSALS (RFP-2021-15)

RFP: Capital Needs Assessment

PROPOSAL DUE DATE & TIME: July 1, 2021 at 2:00 p.m.

| | DATE RECEIVED | TIME RECEIVED | NAME OF VENDOR SUBMITTING SEALED BID |
|---|---------------|---------------|---|
| 1 | June 30, 2021 | 10:32 a.m. | Bureau Veritas Technical Assessments, LLC |
| 2 | June 30, 2021 | 10:30 a.m. | The Nelrod Company |
| 3 | July 1, 2021 | 10:30 a.m. | Dominion Due Diligence Group |

Syed Raza

Signature of Designated Administrator

July 1, 2021

Date

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE), HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: Black or African American; Hispanic American; Asian Pacific American; Hasidic Jewish American; Asian Indian American; Native American; or, other (specify) _____.

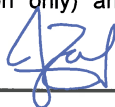
- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business/Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.

- C. The offeror has represented as part of its offer that it is is not an **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.

- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** is defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).

SIGNATURE



Jeffrey Fox

PRINT OR TYPE NAME

Bureau Veritas Technical Assessments LLC

COMPANY NAME (Offeror)

6/29/21

DATE

CAPITAL NEEDS ASSESSMENT - EVALUATION SPREADSHEET
(RFP-2021-15)

| CRITERIA: | Max Points | Bureau Veritas Tech Asses | The Nelrod Company | Dominion Due Diligence |
|---|-------------------|----------------------------------|---------------------------|-------------------------------|
| <u>Experience and Qualifications as Evidenced By:</u> 1. Company (or companies) background and history. 2. Relevant experience with other projects; List of specific similar projects comparable to the study requested by DHA. 3. Client references. 4. Ability to meet the qualifications listed in Part IV above. 5. Experience working with Public Housing Agency programs, particularly the rental Assistance Demonstration (RAD) and Section 18 disposition programs. 6. Experience in conducting capital needs assessment for the RAD program using HUD's eTool. 7. Knowledge of HUD requirements for RAD and Section 18 disposition. 8. Responsiveness to RFP scope of work. | 40 | 35 | 30 | 37 |
| <u>Capability to provide professional services as Evidenced By:</u> 1. Appropriateness of personnel proposed. 2. Description of organization's staff, certifications, and experience in HUD programs, previous PHA technical assistance, and capital needs assessment projects. 3. Organizational approach to project management including workflow, reporting and quality assurance procedures. 4. Relevant experience with other projects. | 15 | 14 | 11 | 14 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 15 | 14 | 12 | 14 |
| <u>Cost Proposal</u> | 10 | 8 | 6 | 5 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 9 | 8 | 9 |
| <u>MBE/WBE Certification and Section 3 Participation:</u> 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 7 | 9 | 4 |
| TOTAL: | | 85 | 75 | 83 |

CAPITAL NEEDS ASSESSMENT - EVALUATION SPREADSHEET

(RFP-2021-15)

Bureau Veritas Tech Asses

| | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|------------|----------|-----------------|---------|-------------------|---------|
| CRITERIA: | | | | | | |
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects; List of specific similar projects comparable to the study requested by DHA. 3. Client references. 4. Ability to meet the qualifications listed in Part IV above. 5. Experience working with Public Housing Agency programs, particularly the rental Assistance Demonstration (RAD) and Section 18 disposition programs. 6. Experience in conducting capital needs assessment for the RAD program using HUD's eTool. 7. Knowledge of HUD requirements for RAD and Section 18 disposition. 8. Responsiveness to RFP scope of work. | 40 | 35 | 33 | 35 | 36 | 35 |
| Capability to provide professional services as Evidenced By: 1. Appropriateness of personnel proposed. 2. Description of organization's staff, certifications, and experience in HUD programs, previous PHA technical assistance, and capital needs assessment projects. 3. Organizational approach to project management including workflow, reporting and quality assurance procedures. 4. Relevant experience with other projects. | 15 | 15 | 13 | 12 | 15 | 14 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 15 | 15 | 12 | 13 | 15 | 14 |
| Cost Proposal | 10 | 6 | 8 | 7 | 9 | 8 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 9 | 7 | 9 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 0 | 10 | 8 | 8 | 7 |
| TOTAL: | | 81 | 85 | 82 | 92 | 85 |

CAPITAL NEEDS ASSESSMENT - EVALUATION SPREADSHEET

(RFP-2021-15)

The Nelrod Company

| | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|------------|----------|-----------------|---------|-------------------|---------|
| CRITERIA: | | | | | | |
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects; List of specific similar projects comparable to the study requested by DHA. 3. Client references. 4. Ability to meet the qualifications listed in Part IV above. 5. Experience working with Public Housing Agency programs, particularly the rental Assistance Demonstration (RAD) and Section 18 disposition programs. 6. Experience in conducting capital needs assessment for the RAD program using HUD's eTool. 7. Knowledge of HUD requirements for RAD and Section 18 disposition. 8. Responsiveness to RFP scope of work. | 40 | 25 | 30 | 35 | 30 | 30 |
| Capability to provide professional services as Evidenced By: 1. Appropriateness of personnel proposed. 2. Description of organization's staff, certifications, and experience in HUD programs, previous PHA technical assistance, and capital needs assessment projects. 3. Organizational approach to project management including workflow, reporting and quality assurance procedures. 4. Relevant experience with other projects. | 15 | 10 | 11 | 12 | 10 | 11 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 15 | 10 | 12 | 13 | 12 | 12 |
| Cost Proposal | 10 | 8 | 7 | 7 | 0 | 6 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 9 | 7 | 7 | 8 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 10 | 10 | 8 | 6 | 9 |
| TOTAL: | | 73 | 79 | 82 | 65 | 75 |

CAPITAL NEEDS ASSESSMENT - EVALUATION SPREADSHEET

(RFP-2021-15)

Dominion Due Diligence

| | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Keytha Nettingham | Average |
|--|------------|----------|-----------------|---------|-------------------|---------|
| CRITERIA: | | | | | | |
| Experience and Qualifications as Evidenced By: 1. Company (or companies) background and history. 2. Relevant experience with other projects; List of specific similar projects comparable to the study requested by DHA. 3. Client references. 4. Ability to meet the qualifications listed in Part IV above. 5. Experience working with Public Housing Agency programs, particularly the rental Assistance Demonstration (RAD) and Section 18 disposition programs. 6. Experience in conducting capital needs assessment for the RAD program using HUD's eTool. 7. Knowledge of HUD requirements for RAD and Section 18 disposition. 8. Responsiveness to RFP scope of work. | 40 | 40 | 38 | 38 | 33 | 37 |
| Capability to provide professional services as Evidenced By: 1. Appropriateness of personnel proposed. 2. Description of organization's staff, certifications, and experience in HUD programs, previous PHA technical assistance, and capital needs assessment projects. 3. Organizational approach to project management including workflow, reporting and quality assurance procedures. 4. Relevant experience with other projects. | 15 | 15 | 15 | 14 | 12 | 14 |
| Ability to Successfully Complete the Project as Evidenced By: 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 15 | 15 | 14 | 13 | 13 | 14 |
| Cost Proposal | 10 | 5 | 6 | 5 | 5 | 5 |
| Response Characteristics: 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 10 | 9 | 7 | 8 | 9 |
| MBE/WBE Certification and Section 3 Participation: 1. The Prime Consultant or Sub-Consultants are MBE/WBE Certified. 2. Section 3 Participation. | 10 | 0 | 8 | 0 | 7 | 4 |
| TOTAL: | | 85 | 90 | 77 | 78 | 83 |

Memorandum

TO: DHA Board of Commissioners

FROM: Troy Broussard, President & CEO

SUBJECT: Resolution Awarding a Contract for Construction of an Addition to the DHA HQ Services Building

DATE: September 13, 2021

I. Statement of Issue

Request the Board of Commissioners approve the attached resolution awarding a contract for construction of an expansion to the DHA HQ Services Building.

II. Prior Board Action

The Board of Commissioners previously approved a resolution awarding a contract for architectural services to design an expansion to the DHA HQ Services Building. The Board also approved a related resolution awarding a contract for a construction consultant to work with architects, staff, and construction contractors as needed to assure cost-effective quality design and construction of DHA's major construction and renovation projects.

III. Background and History

DHA currently operates two large administrative facilities, the HQ Services Building located at 3939 N. Hampton Road and the Lonestar Building located at 2575 Lonestar Drive. The HQ Services Building houses the majority of DHA's non-site based administrative staff with the exception of the Housing Choice Voucher (HVC) staff which are housed at the Lonestar Building. The expansion of the HQ Services Building will permit the (HVC) staff to relocate so that all non-site based staff are housed at one facility. Following completion of the expansion and relocation of the staff, the Lonestar building will be sold.

IV. Status of Current Action

A Request for Proposals (RFP) was prepared and invitations published for this work in accordance with federal and state law. Two (2) proposals were received. An evaluation committee reviewed and rated the proposals. The Crowther Group was rated the highest by the evaluation committee. Crowther has extensive construction experience including experience in constructing large facilities such as the DHA HQ Services Building expansion. They have recently completed projects for Parkland Hospital, Dallas College Mountain View Campus, and Target. Crowther is a minority-owned firm and, based upon its proposal, typically has 35% or more MBE/WBE and SBE vendors on its projects.

DHA elected to issue an RFP for this work rather than an invitation for bids to hire a construction contractor prior to completion of the architectural work to permit the contractor the opportunity to work with the architect to design the building in the most cost-efficient manner. This method of procurement is permitted by state and federal law.

V. **Recommendation**

It is recommended that the resolution to award a contract to the highest ranked firm, The Crowther Group, for construction of the HQ Services Building expansion.



Resolution #5092

**RESOLUTION FOR
CONSTRUCTION SERVICE FOR THE EXPANSION OF
DHA SERVICES HQ**

WHEREAS, DHA *Housing Solutions for North Texas* (DHA) has determined it necessary and appropriate to expand its headquarters at DHA Services HQ; and

WHEREAS, DHA needs professional construction services for the expansion of the DHA HQ Services Building; and

WHEREAS, DHA engaged the services of an architectural firm to prepare plans and specifications for the planned building extension; and

WHEREAS, DHA advertised soliciting requests for proposals from qualified firms for the construction services and proposals received by the submission due date were evaluated and rated by an evaluation committee;

WHEREAS, after performing the appropriate due diligence, the evaluation committee recommends the highest rated firm to perform construction services for the construction of an addition to the DHA Services HQ building.

NOW, THEREFORE, BE IT RESOLVED BY THE DHA BOARD OF COMMISSONERS THAT:

The President and CEO of DHA *Housing Solutions for North Texas* or his designee is hereby authorized to negotiated and execute a contract for construction services with The Crowder Group for the expansion of the DHA Services HQ building; and;

BE IT FURTHER RESOLVED THAT,

The President and CEO of DHA *Housing Solutions for North Texas* is authorized to serve as the Contracting Officer for the Authority in the administration of the above said contract or to designate a person to serve in his stead.

PRESENTED AND PASSED on this 13th day of September, 2021 by a vote of _____ ayes and _____ nays at a Regular meeting of the DHA Board of Commissioners.

Jorge Baldor, Chairman

ATTEST:

Troy Broussard, Secretary, President and CEO



Subject: Procurement Approval-The Crowther Group for Construction of DHA HQ Services Building Expansion
Date: Wednesday, September 8, 2021 at 3:57:18 PM Central Daylight Time
From: Syed Raza
To: Debbie Quitugua
CC: Troy Broussard, Chetana Chaphekar, CPA, David Zappasodi, Tim Lott, Delbra Henderson, Procurement
Attachments: image239507.png

Procurer: Debbie Quitugua
Department: Capital Programs
Procurement of: The Crowther Group, LLC
Minority Status: MBE/HUB
Goods or Services: Construction of DHA HQ Services Building Expansion
Method: Request for Proposals
Cost: \$11,000,000.00
Term: Eighteen Months

Procurement: Approved 09-08-21
Insurance: Pending Approval
Contract: Approved as to form 09-08-21

-
Board Approval: DHA Board of Commissioners approval is required prior to the award of the Contract

-
Contract # / Date _____

Based upon my review of the procurement documents provided by staff, I have determined that the procurement requirements have been met. The procurement is approved.

Finally, the proposed contract is approved as to form. You may provide the vendor with four (4) counterpart originals for execution. Please make certain that all exhibits referred to in the contract are attached to the execution copies.

Once you have obtained the vendor's signature you are to forward the four (4) counterpart originals along with the procurement approval letter to Mr. Troy Broussard, President/CEO or Chetana Chaphekar, CFO/Contracting Officer for the execution of the contract. DHA contract number will then be assigned to the original signed copies of the contract. The Executive office will retain one original copy for the vault, I will retain one original copy for my records, and the remaining two originals will be given to you for your records and for the contractor's records.

PLEASE MONITOR THIS CONTRACT CLOSELY TO MAKE CERTAIN THAT WORK DOES NOT EXTEND PAST THE TERM LENGTH AND THAT EXPENDITURES DO NOT EXCEED THE CONTRACT'S MONETARY LIMITS.



Housing Solutions for North Texas

Syed Raza
Director of Procurement
www.dhantx.com
Syed.Raza@dhantx.com
Office: 214-951-8452 Fax: 214-224-4980

DONATE TO OUR SCHOLARSHIP FUND

Over half of DHA's residents are under the age of 18. Help break the cycle of poverty and create a path to higher education for our aspiring scholars.
[Donate to the Opportunity Rising Foundation today.](#)



PROFILE OF FIRM FORM

- (1) Name of Firm: The Crowther Group, LLC
- (2) Contact Person: Thomas Crowther
- (3) Address: 15400 Knoll Trail Dr., Suite 300
- (4) City, State, Zip: Dallas, TX 75248
- (5) Telephone: (214) 460-4644
- (6) Fax: _____ Email: tcrowther@thecrowthergroup.com
- (7) Please include the following information:
 - a. Tax ID Number: 82-088816
 - b. Year firm established: 2017
 - c. Year firm established in Dallas/Fort Worth: 2017
 - d. Former name of firm and year established (if applicable); _____
 - e. Name of parent company and date of acquisition (if applicable); _____

(8) Identify Principals/Partners in firm:

| NAME | TITLE | % Of OWNERSHIP |
|--------------------|--------------------------|----------------|
| Thomas Crowther | President/CEo | 100% |
| Trishonna Crowther | Secretary of Corporation | |
| | | |
| | | |

(9) Identify the individuals that will act as project manager and any other supervisory personnel that will work on project:

| NAME | TITLE |
|---------------|--------------------------|
| Brian Gormal | Pre-Construction Manager |
| Tom Lewis | Project Manager |
| Nancy Stewart | Accounting Manager |
| Angelo Nola | Superintendent |

(10) **Debarred Statement:** *Has this firm, or any of its principal(s), ever been debarred from providing any services to the Federal Government (including, but not limited to HUD), any state government, the State of Texas, or any local government agency within or without the State of Texas?*

Yes _____ No X _____

(If yes, please attach a full detailed explanation, including dates, circumstances and current status.)



 Signature

Thomas Crowther

 Printed Name

The Crowther Group

 Company

September 2, 2021

 Date



RECEIVING LOG FOR SEALED PROPOSALS (RFP-2021-20)
RFP: Construction of DHA HQ Services Building Expansion
PROPOSAL DUE DATE & TIME: September 2, 2021 at 2:00 p.m.

| | DATE RECEIVED | TIME RECEIVED | NAME OF VENDOR SUBMITTING SEALED BID |
|---|-------------------|---------------|--------------------------------------|
| 1 | September 1, 2021 | 5:15 p.m. | The Crowther Group, LLC |
| 2 | September 2, 2021 | 10:15 a.m. | ML Gray Partnership, LLC |
| 3 | | | |

Syed Raza

Signature of Designated Administrator

September 2, 2021

Date

MINORITY BUSINESS ENTERPRISES (MBE), WOMAN-OWNED BUSINESS ENTERPRISES (WBE),
HISTORICALLY UNDERUTILIZED BUSINESS (HUB), AND/OR SECTION 3 BUSINESS CONCERN STATUS

It is the intent of DHA to assure that Minority Business Enterprises (MBE), Women-Owned Business Enterprises, Historically Underutilized Businesses (HUBs) and Section 3 Business Concerns have an equal opportunity to participate in DHA's purchasing and contracting activities.

- A. The offeror has represented as part of its offer that it is is not a **Minority-Owned Business**, which is defined as a business which is at least 51 percent owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to, Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

Please indicate which minority group you qualify under: **Black or African American**; **Hispanic American**; **Asian Pacific American**; **Hasidic Jewish American**; **Asian Indian American**; **Native American**; or, **other (specify)** _____

- B. The offeror has represented as part of its offer that it is is not a **Woman-Owned Business/Enterprise (WBE)**, which is defined as a business which is at least 51 percent owned by one or more women; or, in the case of a publicly owned business, one in which at least 51 percent of its voting stock is owned by one or more women, and whose management and daily business operations are controlled by one or more such individuals.
- C. The offeror has represented as part of its offer that it is is not a **Historically Underutilized Business (HUB)** as defined in Vernon's Texas Codes Annotated, Government Code, §2161.001 as an entity with its principal place of business in this state (Texas) that is: (a) a corporation formed for the purpose of making a profit in which 51% or more of all classes of the shares of stock or other equitable securities are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (b) a sole proprietorship created for the purpose of making a profit that is completely owned, operated, and controlled by an economically disadvantaged person; (c) a partnership formed for the purpose of making a profit in which 51% or more of the assets and interest in the partnership are owned by one or more economically disadvantaged persons who have a proportionate interest and actively participate in the corporation's control, operation, and management; (d) a joint venture in which each entity in the venture is a Historically Underutilized Business, as determined under another paragraph of this subdivision; or, (e) a supplier contract between a Historically Underutilized Business as determined under another paragraph of this subdivision and a prime contractor under which the Historically Underutilized Business is directly involved in the manufacture or distribution of the goods or otherwise warehouses and ships the goods.
- D. The offeror has represented as part of its offer that it is is not a **Section 3 Business Concern** is defined in 24 CFR, Section 135 as a business (a) that is 51 percent or more owned by section 3 residents; or (b) whose permanent, full-time employees include persons, at least 30 percent of whom are currently section 3 residents, or within three years of the date of first employment with the business concern were section 3 residents; or (c) that provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "section 3 business concern."

If you have been certified by the North Central Texas Regional Certification Center (minority- or women-owned business certification only), DFW Minority Business Development Council (minority- or women-owned business certification only), the Texas Building and Procurement Commission (minority- and women-owned business and HUB certification only) and/or DHA (Section 3 business certification only) please attach a copy of the Certification(s).

SIGNATURE

The Crowther Group, LLC
COMPANY NAME (Offeror)

Thomas Crowther
PRINT OR TYPE NAME

September 2, 2021
DATE

**CONSTRUCTION OF DHA HQ SERVICES BUILDING EXPANSION
EVALUATION SPREADSHEET
(RFP-2021-20)**

| CRITERIA: | Max Points | THE CROWTHER GROUP | ML GRAY PARTNERSHIP |
|---|-----------------------|-------------------------------|--------------------------------|
| <u>Relevant Construction Team Experience and Qualifications as Evidenced By:</u> 1. A demonstrated track record of completing large commercial construction projects on time and on budget. 2. Experience in providing alternatives to architectural plans and specifications to reduce costs while achieving the same or similar outcomes. 3. Timeliness of performance. 4. Qualifications of members of the Construction Team. | 40 | 35 | 31 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 8 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 8 | 8 |
| <u>Cost Proposal</u> | 25 | 24 | 20 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 8 | 8 |
| <u>History and Plan for Working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses:</u> 1. The Prime Contractor or Sub-Contractors are MBE/WBE Certified. 2. Past record of working with HUBs, WBEs, MBEs and Section 3 Residents and Businesses. 3. Plan for working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses for projects including DHA. | 10 | 10 | 4 |
| TOTAL: | | 95 | 78 |

CONSTRUCTION OF DHA HQ SERVICES BUILDING EXPANSION

| THE CROWTHER GROUP | | | | | | |
|--|------------|----------|-----------------|---------|-------------|---------|
| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Rawn Turner | Average |
| <u>Relevant Construction Team Experience and Qualifications as Evidenced By:</u> 1. A demonstrated track record of completing large commercial construction projects on time and on budget. 2. Experience in providing alternatives to architectural plans and specifications to reduce costs while achieving the same or similar outcomes. 3. Timeliness of performance. 4. Qualifications of members of the Construction Team. | 40 | 35 | 35 | 35 | 35 | 35 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 10 | 10 | 8 | 10 | 10 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 8 | 8 | 8 | 9 | 8 |
| Cost Proposal | 25 | 25 | 24 | 24 | 22 | 24 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 8 | 7 | 8 | 10 | 8 |
| <u>History and Plan for Working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses:</u> 1. The Prime Contractor or Sub-Contractors are MBE/WBE Certified. 2. Past record of working with HUBs, WBEs, MBEs and Section 3 Residents and Businesses. 3. Plan for working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses for projects including DHA. | 10 | 10 | 10 | 10 | 10 | 10 |
| TOTAL: | | 96 | 94 | 93 | 96 | 95 |

CONSTRUCTION OF DHA HQ SERVICES BUILDING EXPANSION

| ML GRAY PARTNERSHIP | | | | | | |
|---|-------------------|-----------------|------------------------|----------------|--------------------|----------------|
| CRITERIA: | Max Points | Tim Lott | Debbie Quitugua | Pat Uhl | Rawn Turner | Average |
| <u>Relevant Construction Team Experience and Qualifications as Evidenced By:</u> 1. A demonstrated track record of completing large commercial construction projects on time and on budget. 2. Experience in providing alternatives to architectural plans and specifications to reduce costs while achieving the same or similar outcomes. 3. Timeliness of performance. 4. Qualifications of members of the Construction Team. | 40 | 30 | 30 | 35 | 30 | 31 |
| <u>Strength of the Proposed Project Team as Evidenced By:</u> 1. Appropriateness of PERSONNEL PROPOSED. 2. Organizational approach to project management including workflow, reporting and quality assurance procedures. 3. Relevant experience with other projects. | 10 | 8 | 8 | 8 | 7 | 8 |
| <u>Ability to Successfully Complete the Project as Evidenced By:</u> 1. Understanding of task sequencing and major milestone events. 2. Adequacy of resources. 3. Ability to complete work on a timely basis and meet deadlines. | 10 | 8 | 8 | 8 | 7 | 8 |
| <u>Cost Proposal</u> | 25 | 20 | 20 | 20 | 20 | 20 |
| <u>Response Characteristics:</u> 1. Adherence to the required format. 2. Completeness of submittal. | 10 | 8 | 7 | 8 | 7 | 8 |
| <u>History and Plan for Working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses:</u> 1. The Prime Contractor or Sub-Contractors are MBE/WBE Certified. 2. Past record of working with HUBs, WBEs, MBEs and Section 3 Residents and Businesses. 3. Plan for working with HUBs, WBEs, MBEs, and Section 3 Residents and Businesses for projects including DHA. | 10 | 5 | 5 | 0 | 5 | 4 |
| TOTAL: | | 79 | 78 | 79 | 76 | 78 |



MEMORANDUM

To: DHA Board of Commissioners
From: Troy Broussard, President and CEO
Date: September 1, 2021
Subject: Resident Council Update

This is in response to a request from the DHA Board of Commissioners to provide a regular update regarding DHA's activities to encourage residents to form and participate in a Resident Council.

Resident Councils have determined it appropriate to discontinue gathering or hosting activities due to COVID-19. With the current surge in new infections Resident Councils are not holding meetings. At this time, the date in which Resident Councils determine it appropriate to resume meetings is uncertain.

On August 23, 2021, with the rise in COVID -19 infections in our community and with an abundance of caution, DHA determined it appropriate to implement Phase I of its Business Continuity Plan and close DHA offices to the public. This means that on-site staff will not engage the residents face-to-face. Prior to this date, DHA Resident Services Coordinators had been providing socially-distanced services in collaboration with our program partners at all DHA developments.

Despite challenges experienced in launching a resident youth council, Ms. LaShonne Watts, Resident Services Director, met with representatives from Behind Every Door, one of DHA's strong service provider partners, to develop a strategy to engage the teens at the Roseland properties in a potential youth council. Behind Every Door, who is on the ground and active with DHA youth and teens at Roseland and Buckeye, are optimistic about the prospects of creating a resident youth council at Roseland. The next scheduled meeting will discuss the role and responsibilities of the youth council participants and to determine whether funding is available to pay for participation and activities.

Activities related to resident leadership-training and development, also known as the Community Engagement University have been limited. Ms. Watts is continuing to work with a City Program and Compliance Manager to compile information about various City departments and create a binder to give to program participants. As stated in the prior update, Ms. Watts is working with DHA's PD&R group to create a survey to gauge interest from public housing residents to participate in this initiative. The survey instrument, will be finalized and sent to residents in September in preparation for Ms. Watts' meeting with the City's Executive Management Team in October.

Next steps:

- Send survey to residents to gauge interest and potential number of participants
- Work with City to gather information for the participant binder
- Introduce teens at Roseland and Buckeye to the concept of a youth council

MEMORANDUM

To: The DHA Board of Commissioners
From: Troy Broussard, President & CEO
Date: September 13, 2021
Re: **Housing Choice Voucher (HCV) Program Utility Allowance Schedule -
Effective October 1, 2021**

1. Summary

This is to inform DHA's Board of Commissioners about the utility allowance schedule utilized in the HCV Program.

2. Background

A public housing agency must maintain a utility allowance schedule for all tenant paid utilities (except telephone), for cost of tenant supplied refrigerators and ranges and for other tenant paid housing services (e.g., trash collection and disposal of waste and refuse). The utility allowance schedule must be determined 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. A public housing agency must review its schedule of utility allowances each year, and must revise its allowance for a utility category if there has been a change of 10 percent or more in the utility rate since the last time the utility allowance schedule was revised. ¹The utility allowance is based on both the consumption and rates of utilities. Utility consumption data is supplied by HUD's Utility Schedule Model, while utility rate data is manually collected by DHA.

The cost of utilities is calculated for electricity, natural gas, liquefied petroleum gas (propane), water, wastewater, and trash. In 2021, DHA collected information on the primary utility providers serving Dallas County. Rates as of June of 2021 (and seasonal rates, if available) were used from each provider to determine the average monthly cost of consumption for each utility. Monthly consumption costs were calculated using HUD's Utility Schedule Model.

¹CFR 982.517

The DHA utility allowance schedule was last updated in all categories in 2020. Updates to the 2021 utility allowances were made when the average cost of the current rates changed by 10% or more from the last time the utility allowance was revised, which was the 2020 schedule of utility allowances.

In 2021, natural gas rates increased by 21%, electricity rates increased by 7% and water and sewer increased by 1%. As a result of the utility rates changing by more than 10% since the last change to the utility allowance schedule, DHA has revised its schedule of utility allowances applicable to the DHA Housing Choice Voucher program, as required. While DHA was only required to adjust its schedule of utility allowances for utilities that changed by 10% or more, as a benefit to its program participants, DHA adjusted its schedule of utility allowances for all changes.

Additional information on the HUD Utility Schedule Model can be found at the following HUD website. <http://www.huduser.org/portal/resources/utilallowance.html>

3. Description of Action to be Taken

As a result of reassessing DHA's Utility Allowance Schedule, the HCV Program DHA has updated its schedule of utility allowances applicable to the DHA Housing Choice Voucher program and is implementing the updated utility allowance schedule effective October 1, 2021.

No action by the Board of Commissioners is required.

