

**SUPPLEMENT #1**  
**BERKELEY HOUSING**  
**AUTHORITY AGENDA**

**TUESDAY, NOVEMBER 16, 2004**

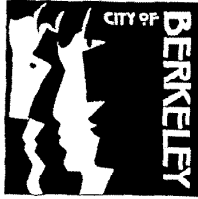
**Consent Calendar**

*Each item in this supplement follows from the corresponding item on the City Council Agenda for the same date.*

**Item 3: Payment Standard: Section 8 Housing Choice Voucher Program**

1. Stephen Barton, Housing Director





Housing Department  
Housing Authority Division

November 10, 2004

Charles E. Hauptman, Director  
Office of Fair Housing and Equal Opportunity  
450 Golden Gate Avenue  
San Francisco, California 94102-3448

Dear Mr. Hauptman:

Subject: Letter of Preliminary Findings  
Section 504 Case No.: 09-04-R-0013-4 (Section 504)  
Title VI Case No.: 09-04-R-0012-6 (Title VI)

This response is in reference to the compliance reviews of the federally assisted Conventional Public Housing, Section 8 Existing Housing Choice Voucher and Section 8 Moderate Rehabilitations programs administered by the Berkeley Housing Authority conducted by your office between July 12 and July 15<sup>th</sup> and on July 22, 2004. The Berkeley Housing Authority has every intention to comply with the findings outlined in your October 5, 2004 letter, however, we would like further consideration of the Residency preference.

It is the Berkeley Housing Authority's belief that its Residency Preference is not discriminatory nor does it violate equal opportunity requirements listed at 24CFR 5.105(a). We request an opportunity to meet with you to present our position in support of this preference.

To come to a resolution on the findings of non-compliance and programmatic concerns, the Berkeley Housing Authority wishes to develop a Voluntary Compliance Agreement with your Department to ensure all impediments to fair housing and equal opportunity are remedied. We look forward to meeting with your staff to develop this agreement.

If you need further information or have any questions, please contact Sharon Jackson, BHA Manager at (510) 981-5471.

Sincerely,

Stephen Barton, Ph.D.  
Housing Director  
City of Berkeley